

Human rights: religious freedom and the anti-racist fight in the Latin American Black Diaspora

Alex Pereira de Araújo

Doutor em Memória Linguagem e Sociedade

Mestre em Letras: Linguagens e Representações

<http://lattes.cnpq.br/6871174069415814>

<http://orcid.org/0000-0003-4818-0912>

<https://scholar.google.com.br/citations?user=vfLAj8UAAAAJ&hl=pt-BR>

■ Introduction

This chapter is devoted to the discussion of religious freedom and the anti-racist fight in the Black Diaspora in Latin America, considering the historical processes that involve such discussion, including legal apparatus such as Human Rights and local legislation. Therefore, as a starting point, we take the historical conditions of the emergence of Candomblé in Brazil, that are linked to the trafficking of enslaved African peoples and their resistance to keep alive in their memories, their religious beliefs and their worldviews. Wherefore, it is a discussion in which religious freedom is not dissociated from the anti-racist struggle in the case of Brazil, where, in the 20th century, the myth of racial democracy is produced in the light of studies carried out by

Gilberto Freyre in the midst of the 1922 post-week modernist movement.

The racial question in Brazil is totally different from the way North Americans discuss it, due to historical and social differences. Between us Brazilians, the problem appears to be linked much more to religious intolerance and, to a lesser extent, linked to socioeconomic factors.¹ Perhaps because the Afro-Brazilians have historically resisted the process of neutralization and erasure of their cultures through the creation of religions such as Candomblé and Umbanda, which are not just ways of dealing with the sacred but a utopian way of recreating Africa on this side of the Atlantic. Thus, fighting for religious freedom was as important as fighting for

¹ It is evident that this is a false impression given by the discourses linked to the myth of Brazilian racial democracy.

the end of slavery, and for the right to citizenship (civil rights) in a post-slavery society, as freed from slave labor, or rather, guaranteeing the promotion of political and legal equality for Afro-Brazilians.

As for the myth of Brazilian racial democracy, it appears linked to the thesis that miscegenation or racial mixture that would be capable of pacifying conflicts of a racial order. However, there were those who pointed out the dangers of such a solution, such as Nina Rodrigues, a renowned coroner who also worked as an ethnologist. So, the issue of racial miscegenation in Brazil is associated with the anti-racist struggle and the struggle for religious freedom. Consequently, a discourse and a counter-discourse about racial mixing and religious freedom appear in this scenario. These initial considerations point out the direction this writing takes to address the theme that the title expresses. In other words, this text is divided into sections that unfold the theme as follows: In other words, this chapter is divided into sections that unfold the theme as follows: From calundu to candomblé: a trail of black resistance is the part dedicated to the historical conditions of production that led to the emergence of this most expressive form of Afro-religions. Brazilians; then, there is the theme of religious syncretism as the meeting of the beliefs of different African peoples in Brazilian lands; the third part deals with the phase following the constitution of the cult, that is, the struggle for the legal recognition of the right to worship of Afro-Brazilian religions; the fourth part is dedicated to the recognition of the right to religious freedom and racial equality by the United Nations General Assembly, with the publication of Human Rights, and, finally, it talks about the challenges of creating the status of social equality in the Brazil.

In general terms, it is a discussion that is epistemologically affiliated with the decolonial movement and the theorists who preceded this movement, that is, it is an approach that deals with religious freedom and the anti-racist struggle through decolonialism. In our present time, this theoretical way of thinking about the issue represents a powerful means of reviewing historical facts in order to translate the silence that the colonial pact imposed on the oppressed peoples by means of massacre and slavery, exiling bodies from their original lands, taking your lives, raping their women, leaving children orphans, destroying your forests and your dreams. The balance of this story cannot be accounted for in the present, as there are still many racist practices and social and economic injustices, but in the past more than 10 million souls were sacrificed by the slave trade and, over three centuries (353 years), Brazil received more than 5 million Africans enslaved by the inhumane colonial enterprise.

■ **From Calundu to Candomblé: a black trail resistance**

The city of São Salvador da Bahia is the first gateway for enslaved Africans to Brazil. In 1535, it arrives at the first shipment from Africa. But it is from the 17th century that there are reports of African cults in this Portuguese colony in South American lands. These reports only appeared in the research of Brazilian historians and anthropologists in the last decades of the 20th century. The mass of documents found among public archives and documents of the Holy Inquisition revealed the existence of the occurrence of cults conventionally called “Calundu colonial” by such researchers. It is from these studies that the names of the animators

of mystical cults of African origin, such as “the Congolese Domingos Umbata, caught in 1646 by visitors to the Inquisition in the captaincy of Ilhéus; the Angolan Branca, active in the Bahian city of Rio Real in the very first years of the 18th century; another Angola, Luzia Pinta, very successful in the parish of Sabará, in Minas Gerais, between 1720 and 1740; the courana Joseja Maria or Josefa Courá with her “dance of Tunda”, established in 1647 in the village of Paracatu, Minas Gerais; the Dahomey Sebastião, established in 1785 in the city of Cachoeira, in the Recôncavo Baiano; and finally, Joaquim Baptista, ogan (a kind of terreiro leader) of the 'cult of his god Vodun”, in Accu de Brotas, a peripheral parish in the city of Bahia, in 1829. Zacharias Wagener, artist, could be added to this list who lived in the Dutch Pernambuco from 1634 to 1641, representing a party of Africans and bringing precious visual information about the variety and disposition of actors, costumes and musical instruments.”²

Despite all the repression that these cults suffered over more than three centuries, history shows that they resisted the wiles of the colonial project undertaken in Brazil by the Portuguese metropolis, which was soon replaced by the sovereign nation project undertaken by the heirs of the former European colonizers. The strategies developed by blacks and mulattos managed to circumvent the entire structure mobilized to prevent religious practices and cults coming from Africa. The most used strategy was to get someone important to protect calundu adherents. Therefore, many “they organized their public festivals in the residence of an important person in the community, or in houses that were also used for other occupations. They

didn't have temples themselves, but they weren't simple domestic cults either, as they had a calendar of festivals, they initiated several faithful in different functions and were attended by a reasonably large number of people, including whites from different camps. Furthermore, the main priest was able to earn a good living with individual care and become financially independent by providing essential services to the population which the colonial state did not satisfactorily ensure.”³

Calundu cults were more practiced in the interior of Brazil, where representatives of the Holy See could not control all public and private spaces or could not face a certain crown authority that turned a blind eye to the issue. As the Bantu peoples were the first to arrive in Brazil, these cults were possibly introduced in Brazil by the Africans who were part of these peoples. Therefore, the calundu that gave rise to the Candomblé terreiros, in Bahia, is perhaps due to the pioneering spirit of the Bantu peoples, who assured the African peoples who arrived later, to maintain their knowledge and traditions. Over time, the efficiency of African knowledge, mobilized by calundu, became public and notorious, as in addition to offering spiritual and religious guidance, “these characters knew how to prepare herbal teas, poultices and ointments that alleviated the common ailments of the inhabitants of colony, were also capable of curing serious diseases, such as tuberculosis, smallpox and leprosy, using resources from the traditional pharmacopoeia”.⁴ They also had knowledge of how to cure those suffering from mental disorders through complex and combined treatments. That is how, since the 17th century, calundus functioned until they became Candomblé terreiros. Having a

2. Silveira, Renato. Do Calundu ao Candomblé. RHBN, n.1, dez.2005, p.16-17.

3. Idem, ibidem.

4 Ibid., p.18.

vocation to become, as in Africa, recognized public institutions, the calundus, in practice, challenged the monopoly of healing controlled by the Church and by official medicine, destined, in most cases, to the rich. But the arrival of the Yorubas would change that vocation.

Coming from the ancient empire of Oió and the kingdom of Keto, in West Africa, the Yoruba people began to be brought to Brazil throughout the 18th century. Leave Costa da Mina and head for Brazilian lands. The Nagôs or Anagôs, as they were also known, still in Africa, “had set the standard for all the religions of the neighboring peoples, with the help of the 'only national' deities of the Jeje, – that is, all blacks coming from the coast of Gulf of Guinea professed religions similar to those of the Nagô.”⁵ Thus, when they were already installed in Bahia, they “soon constituted a kind of elite and had no difficulty in imposing their religion on the slave mass, already prepared to receive it, with which it could maintain fidelity to the land of origin. , reinterpreting the official Catholic religion in its own way.”⁶ So, these facts show that there was also resistance on the African side of the Atlantic, that is, no one accepted being enslaved, let alone being removed from their own land in a peaceful way, as many believe.

Religion is the greatest expression of this resistance, as even living in the condition of enslaved peoples, the African peoples, in the Black Diaspora in the Americas, decided to give up what they had to do and to the orisha, iniquices and voduns what they were entitled to. In this way, they were able to equate the issue of being or not being, that is, in Bahian

lands, “without renouncing the gods or orisha, the black Bahian has for Catholic saints a deep devotion that leads to sacrifice and fanaticism.”⁷ Thus, in Bahian lands, you can still be Catholic and, at the same time, worship the orisha. Being Catholic and practicing Candomblé is not an ontological problem. Is it possible for there to be harmony between two worldviews of the world? It is true that there are those who do not accept this way of life and those who secretly resort to the services provided by Candomblé, but who publicly demonstrate religious intolerance. From a genealogical perspective, in Foucauldian terms, the present time offers us the opportunity to perceive how the prejudice of the past and religious intolerance worked, persisting in the present day, that is, what Nina Rodrigues observed in her time is still perceived in nowadays, mainly with the growth of Protestantism in Brazil in these decolonial or neocolonial times.

But this history of black resistance in Brazil has a component that synthesizes and, at the same time, opens paths for various discussions, which is religious syncretism. For some, it's nothing more than a shrewd survival strategy, while for others, it's a farce that needs to be undone. About him we dedicate the following discussion.

The question of religious syncretism is directly linked to the racial issue, as, at the same time, it is the ultimate expression of black resistance in Brazil and a way of fighting racism masked by the myth of Brazilian racial democracy, whose discourses lead to believe that racism does not exist. in that part of the American continent. But Brazilian racism has a subtlety that makes it different from North American racism, above all because, in Brazil, it is also linked to

5 Carneiro, Edison (1978). *Candomblés da Bahia*. – 6th edition –. Rio de Janeiro: Civilização Brasileira (Retratos do Brasil, v.106), p.18-19.

6 *Ibid.*, p.19.

7 Nina Rodrigues, 1896, p.182.

religious intolerance towards cults of African origin. And it was at this point which anti-racist struggles began to take shape after the abolition of slavery in Brazil at the end of the 19th century. It seems that the transition from calundu to candomblé also occurred along this path: that of religious freedom that would ensure the right to a space in Brazilian society without having to deny black identity, that is, without having to deny that we have African components in it. what the modernists called Brazilianness. Nobody can deny that Brazil was built and constituted with the slave labor of black men and women. And that is what anti-racist struggles remind us all the time: we Afro-Brazilians are part of this country, because we help it to do so even as enslaved people. That's why we have the right to be who we are: Afro-Brazilians and Afro-Brazilians, that is, we want them to respect our black identity, our ancestry, our religion, our skin color. So, the religion has a very important role in the anti-racist struggle in Brazil, because it was from the struggle for religious freedom that black movements came together to seek racial equality.

■ **Religious syncretism: the gathering of forces in the same cult**

During the late 18th and early 19th centuries, many liberals, such as the Count of Arcos, thought that it was prudent to let the black population do their “batuques”, as this was the only way to maintain disunity among blacks. that each ethnic group that came to Brazil had its own religion and, in Africa, some of these peoples were even traditional rivals, but they coexisted respectfully as the French did with their Spanish rivals and with their Austrian rivals in the 16th and 17th centuries.

For this reason, no one thought that peoples like Cacanjes, Benguelas, Grinding Wheels, Cambindas,

Muxicongos would unite with Nagos, Gges, Fantis, Axantis, Gas and Taxis, Hausa, Tapas, Gruncis around a religion called Candomblé in Brazil, ignoring that, even in Africa, all these peoples already maintained a kind of first intertribal fusion. Ultimately, “the slave trade, bringing blacks of different ethnic origins to the New World, produced the first inter-tribal syncretism, naturally with a predominance of cultural forms or more advanced or more extensive in the number of its transmitters (culture-carriers, as the English and Americans call them). And thereby Nina Rodrigues predicted that ‘in the reciprocal influence exerted over one another by the various black peoples united in America by the drug trade, the absorbing action of more generalized deities of worship over those of more cult would be felt powerfully. rewritten, which, in these cases, manifests itself as a fundamental law of religious diffusion. This is how the almost international deities of the Yorubans are developing, on the Slave and Gold Coast, at the expense of the only national deities of the Gges and even better at the expense of the simple fetishes of tribes or clans of the Tshis or Minas’”⁸.

The observation of Nina Rodrigues, made twenty years after the abolition of slavery in Brazil, seems to explain the reasons that led to the transition from calundu to candomblé, with the Nago model as a way to be followed by other nations. Although they have already found the ground almost ready to settle the new religion in Brazil; in other words, having already found the foundations erected by the Bantu, it was the Yorubás who gave candomblé the features that this religion has today, spreading and radiating the worship of their orishas. But the way in

⁸ Ramos, Artur. *A aculturação negra no Brasil*. (1942). – São Paulo, Rio de Janeiro, Recife, Porto Alegre: Companhia Editora Nacional.

which all these divine entities were brought together in the same temple, and the introduction of xirê as liturgical practices were totally innovative. While in Africa, each orisha was worshiped separately; in Brazil, twelve of the best known were worshiped in the same space, the Candomblé terreiro (yard). On this other side of the South Atlantic, the xirê would represent a liturgical way for each orisha to enter the “Barracão”, a place dedicated to religious festivities and the center of the Candomblé terreiro. In this model, “both the organization of the terreiro's space and the entry of the orishas into the shed on festive days follow an order that reproduces the spiraling culture through the xirê that begins with the padê of Eshu (Exu), the one who eats first, then Ogun, followed by of Oshosi, Obaluaiye, Ossaim, Oshumare, Shango, Oshun, Oya, Nana, Yemonja and Obatala (Oxalá)”⁹. Therefore, we have a new system of worshiping African deities in Brazil, a particularity that resulted from this entire historical process that arises as a result of the Black Diaspora, caused by the slave trade. These spaces destined to the cult of orishas also became the place where several leaders meet and began to draw strategies to face the repression of cults and religious and racial prejudice, something that was already happening within the Catholic brotherhoods dedicated to blacks. That was how the first Candomblé terreiro in the city of São Salvador da Bahia emerged, as per oral tradition. Known as Candomblé da Barroquinha, it was in this terreiro that “the leaders of the Yoruban Egbes in Bahia were summoned, receiving titles in the cult

9 Araújo, Alex Pereira de. (2021). Candomblé and the deconstruction of the notion of religious syncretism: Between utopias of the body and heterotopias of spaces in the Black Diaspora. *Abaritá - Revista de Ciências Humanas e Linguagens*, v.2, n.4., jul. – Dec. Universidade do Estado da Bahia, Campus XVIII.

of the main orishas. These leaders were leaders of official organizations, such as the brotherhood of Lord of Martyrdom or the female devotion of Our Lady of the Good Death (*Nossa Senhora da Boa Morte*), founded in the church of Barroquinha”¹⁰. So, from the beginning, Candomblé ceased to be just a house of worship, as it was in calundu, to become “a complex political-social-religious organization”¹¹. These official organizations were behind the purchase of the freedom letters of many black men, women and children, the letters that provided for freedom, the liberation from slave labor. But, after the decree-law that abolished slave labor in Brazil, these institutions continued to fight for racial, social and political equality between blacks and blacks in the former Portuguese colony in the Americas. So, Candomblé appears as a kind of fusion of these official organizations with the practices of calundu, updated by the Yoruban model, all mobilized by the same ideal synthesized by the word freedom. In this way, religious syncretism is interspersed with political struggles for freedom and racial equality. The Malês Revolt translates all this well, all this gathering of forces for the common cause of liberation from the servile work that the slave system imposed on black men, women and children in this part of the South Atlantic. The Malians were enslaved blacks who professed the Islamic faith in Africa. In Brazil, Catholic Christian conversion was required. The word Malé was the Yoruban way of referring to black Muslims, it was the reduction of the Imale that meant one who practiced the Islamic religion; therefore, the Revolt was an uprising that had the leadership of Muslims, but blacks of other

10 Silveira, Renato. Do Calundu ao Candomblé. *RHBN*, n.1, dez. 2005, p.24.

11 Idem, *ibid*.

faiths also joined this uprising, that is, the devotees of the orishas participated in the Revolt with the Islamized blacks, who, in Africa, shared the same space geopolitical. In Africa, they shared the same geopolitical space, as “in the mid-1830s, the capital of the largest of the Nago-Yoruba states, the Oyo Empire, was sacked by fundamentalist troops from the Sokoto Caliphate and the Ilorin Emirate.”¹²

It was precisely because of this invasion of the Oyo empire that many blacks were brought to Brazil. This invasion caused a civil war that lasted until the end of the 19th century. Prisoners of war were sold or handed over to merchants who traffic in the “tomb ships” (*tumbeiros or death ships*). As a result of this war, more than half of the enslaved population in Bahia was of Nago-Yoruba origin, because, at that time, this region had become the main supplier of enslaved Africans to the port of São Salvador da Bahia, the second largest entry of blacks into the country, second only to Rio de Janeiro. It was because of this large contingent of enslaved people from the Empire of Oyo that Bahia came to be considered by the strategists of the reorganization of that empire, leading to the belief that the Malês Revolt did not happen merely for local reasons. As for the structuring and organization of Ketu candomblés, the oral narratives of these traditions “report that people from the upper echelons of the Yoruba states came on a secret mission to organize the cults settled in Barroquinha and articulate them with the Bahian Egbes.”¹³ Supposedly, Iyá Nassô is considered one of those people who came to carry out this mission. According to oral tradition, she was the most important personality to come to

Brazil, because she belonged to the first echelon of ceremonial in the palace of Oyo.

All these facts demonstrate that religious syncretism in Brazil did not occur in a single form. It is associated with both forms of resistance and forms of acculturation. On the one hand, we have religious syncretism as a political intertribal alliance, as thought Nina Rodrigues, and on the other, as a form of submission and peaceful subjection of black populations against Catholicism. In the latter case, this way of thinking and understanding the issue is associated with the speeches that defend the existence of racial democracy in Brazil. It was through such discourses that a mythological image was created that racism does not exist in Brazilian lands. This image was disseminated throughout the world, but it does not correspond to the Brazilian reality. But, as an intertribal alliance, religious syncretism became the way in which different African peoples decided to unite against the mechanisms of submission and erasure of their memories in Brazil. These two ways of thinking about the issue correspond to different political rationales that, at times, can be perceived as a single way, increasing the subject's complexity. In a way, such complexity is expressed in the multiplication of representations that the orisha Exu gained in Brazil. As a result of all this religious syncretism, in this part of the South Atlantic, this Yoruban entity came to be seen, in addition to the original way it was in Africa, in other ways.¹⁴ Among Christians, Eshu ended up taking on the features of the devil, the opposite side of the good. Among Umbanda practitioners, Exu multiplied into various archetypes: Eshu Caveira, Eshu Tranca rua, Eshu

12 Idem, *ibid.*, p.23.

13 *Ibid.*

14 Araújo, Alex Pereira de (2021). *Exu: the language as a crossroad in Black Diasporic Culture(s)*. Academia Letters, San Francisco, CA.

Tiriri, Eshu Marabô, Eshu Lalu, Eshu do Lodo. Still in Umbanda, the Bantu Nkisi equivalent to Exu, Pombajira: became a widespread female archetype in Brazil. Lebara is also the female form of Eshu for many Candomblé followers. Using an expression of Nina Rodrigues, this multiplication of Exu in Brazilian society also highlights the religious-emotional side of syncretism. In other words, the religious syncretism in this part of the South Atlantic also became the most complete harmony of religious sentiments, because “in Brazil, miscegenation is not only physical and intellectual, it is also affective or feelings, therefore equally religious.”¹⁵

■ **Xangô's obás between fights and conquests: a legacy of the Malês Revolt**

In Brazil, Bahia's Candomblé is, without a doubt, the expression that aroused the most interest among anthropologists, ethnologists, sociologists of religions and philosophers, perhaps because, in this federative unit of the country, blacks have managed to mobilize several fronts of struggle and defending their ancestral belief, by recruiting young revolutionaries who identified with their causes as ways of combating oppression and social injustice.

It is in Bahia that there is the largest black population in Brazil, and the city of São Salvador da Bahia is the one that has the largest black population in the world outside the African continent. This reality persists from the end of the 18th century to the beginning of the 19th century. As early as 1808, a sense made of the city of Salvador and thirteen rural parishes belonging to the region of Bahia, not counting Cachoeira, Santo Amaro and the South of the then captaincy, indicated the following result:

15 Nina Rodrigues, Raimundo. 2006. *O animismo fetichista dos negros baianos*. Rio de Janeiro, Editora da UFRJ, p.116.

“50 451 whites, 1463 Indians, 104 285 blacks and free or manumitted mulattos, and 93 115 black and mulatto slaves. There were then 156,199 free people (62%) and 93,115 slaves (37.3%), in a total population of 249,314.”¹⁶ However, if the aforementioned locations, densely populated by the massive number of enslaved blacks, were included, “it would certainly result in a greater proportion of slaves, in addition to increasing the total population. Whites would appear in the center as 20.2%, and the majority of the inhabitants, free and manumitted blacks and mestizos represented 41.8%.”¹⁷

Due to the prosperity that took over the Recôncavo Baiano at that time, the importation of enslaved Africans intensified to meet the new demands of economic growth that made cities and sugarcane plantations accelerate their expansion. Coincidentally, there were many conflicts in the region of the Empire of Oyo, during that same period, as mentioned before. Therefore, most black Muslims were prisoners of war, who were sold into the slave trade. These black men had lived through the experiences of a recent war, had knowledge of strategies and knew how to read and write in the sacred language of Islam, the Arabic language. As they were brought to the same place, it was not difficult to articulate against the mistreatment committed by the white lords and against the entire system. Furthermore, the country was going through a crisis that had caused the abdication of the Emperor D. Pedro I, which was aggravated even more in the regency governments, as his heir son was only five years old in 1831. Several revolts ravaged Brazil and the Malês revolt was the biggest revolt of enslaved

16 Reis, João José. (2012). *Rebelião escrava no Brasil: a história do levante dos malês em 1835*. Edição revista e ampliada – 3ª edição. – São Paulo: Companhia das Letras.

17 Idem, *ibid*.

blacks that the American continent has witnessed. Its repercussion reached Europe, the USA and other countries on the continent, in addition to reverberating in Africa to where some of those considered insurgents were sent. As the Bahian historian, João José Reis points out, the enslaved always chose the festive days of the holy holidays of the Christian calendar to rebel, as it was when they had time off from forced labor. In the case of the Malês Revolt, the day chosen was the dawn of January 25, 1835, which, at that time, held the day of Nossa Senhora da Guia (Our Lady of Guides), a traditional event in the liturgical calendar of the local Catholic church that was part of the Bonfim festival cycle, “a still rural neighborhood, full of gardens, vegetable gardens, farms and sugar mills, about eight kilometers from the urban center of Salvador.”¹⁸ Thus, freed from the fierce surveillance of the normal days, the rebels planned to take over the entire city at a time when all attention was turned to the festivities of Nossa Senhora da Guia (Our Lady of Guides), with the center of the city of Salvador practically empty and unprotected. The church's religious celebrations were public and involved the social participation of all, because the official religion of Brazil was Catholicism, as stated in article V of the Constitution, granted by Emperor D. Pedro I, in 1824. This type of social event involved an unholy part of the religious celebration, so it attracted a lot of people. Thus, “the very fact that African slaves and freed slaves professed Islam constituted a split, a radical departure from the slave-owning ideological machine and, therefore, a rebellion.”¹⁹ Although there is a tension between the Malês and Bahian society, mainly because they professed a religion, in this historical

18. Idem, *ibid.*, p.125

19. Idem, *ibid.*, p.247.

context in which the official white religion was on one side and, on the other, religious manifestations of African origin; there was something that united them with other enslaved and freed blacks: the yearning for social respect, including equal rights and the liberation of the enslaved black population. Blacks who had won their freedom did not enjoy civil rights because they were not considered citizens, that is, they continued to be discriminated both socially and in relation to civil rights. They had certain privileges, but continued to live on the margins of society. So, freedmen needed to fight for a broader freedom that would guarantee social and legal recognition by the State.

The presence of the Malês in Bahia represented, therefore, the resumption of the dream of freedom for the enslaved black population, because these adherents of the Islamic religion managed to introduce ideological and cultural changes in the black population of Salvador. The pride of being a Muslim expressed this well. The Malês became part of “the power game of relations in the black-Bahian world, even provoking animosity between the Malês and other Africans.”²⁰ That's how they began to articulate the revolt, still counting on the protection of their amulets, dressed in their *abadás*²¹ and on the words of their religious masters. Likewise, “the Malians went to fight with enormous hope of success.”²² But the uprising was only able to resist for more than three hours, facing soldiers and armed civilians, as a black couple who feared the seizure of power by Muslim slaves had denounced the uprising, which made possible a reaction by the local

20. Idem, *ibid.*, p.249.

21. Term used by the Yoruba to designate the clothes worn by the Malês.

22. Idem, *ibid.*, p. 265.

authorities. Although the uprising was contained, the rebels managed to spread fear and “also revived debates about slavery and the slave trade in Africa, now seen with more critical eyes.”²³ After being surprised by the rebels, the rulers began to control more slaves, tightening more rules.

Throughout the 19th and early 20th centuries, the Malês Revolt hovered in the air as a grandiose achievement for many blacks and a threat to whites. The strategy used by the Malians showed that it was possible to rebel and go further. However, it lacked the pride and animosity of the Malês. Even with the end of the African slave trade and the abolition of slavery in Brazil, blacks continued to be treated as foreigners, that is, as if they were not part of Brazilian society, without having the civil rights that should be guaranteed by the State. The police continued to pursue those who gathered to worship the orishas, invading the precincts, destroying sacred objects or confiscating them. The press also continued with the same prejudiced speeches.

100 years after the Malês Revolt and nearly five decades after the abolition of slavery in Brazil, the Nagô Candomblés assumed the leadership for religious freedom in Bahia and in the country. The head of the Ilê Axé Opô Afonjá terreiro, Eugênia Anadós Santos, better known as Mãe Aninha, had the idea of creating an honorific title that would correspond to the former ministers of Xangô (Shango) in the lands of the Yorubas in Africa, whose function was to worship their deified Alaafin²⁴ and protect the yard (Terreiro). To create these titles, Mãe Aninha would

have had the help of Martiniano Eliseu do Bonfim,²⁵ friend and adviser, who was a babalao who had a deep knowledge of Jeje-Nagô religious traditions, and “spoken Yoruba fluently - a language he had learned with his parents and perfected during his visits to Costa.”²⁶ The creation of these titles not only instituted a new defense front for the terreiro, but also served to spread Brazilian diasporic black culture around the world, since among those awarded with this title are personalities such as writer Jorge Amado and plastic artist Carybé. Mother Aninha's gesture made many young communist party activists sympathize with the cause of the struggle for religious freedom directly linked to the cause of racial equality, as well as artists and intellectuals who appreciated and respected the black diasporic culture in Bahia. The terreiros were places of welcome and refuge for many, as was the case with what “the documents of investigation referred to as 'society of Malê’”.²⁷ In other words, the Malês tradition of welcoming to teach reading and writing Arabic, to pray and to celebrate the Islamic calendar had now been re-signified by another tradition, that of the Terreiros of Candomblés. Édison Carneiro was one of those young Communist Party militants that this house dedicated to axé sheltered during the period in which Brazil passed through the Estado Novo, a fact that the writer himself would publicly confess years later. So, Candomblé assumed a place in politics as a kind of counter-power that claimed full freedom

25. Between 1935 and 1940, Martiniano would leave, in the form of interviews given, coincidentally, to three American researchers (Donald Pierson, Ruth Landes, E. Franklin Frazier), long testimonies about his life and the history of his people. (Lima, 2004, p.205).

26. Lima, Vivaldo da Costa. Os Obás de Xangô. Afro-Ásia, [S. l.], n. 2-3, 1966. DOI: 10.9771/aa.v0i2-3.20246. Disponível em: <https://periodicos.ufba.br/index.php/afroasia/article/view/20246>. Acesso em: 23 dez. 2021.

27. Reis (2012, p.215).

23. Idem, *ibid.*, pp.9-10.

24. This term in Oyo is equivalent to Obá, which can be understood as minister or king.

for Afro-Brazilians that the abolition of slavery had not ensured to freed slaves. The republic had arrived and the practices of oppression of blacks continued, but the focus now was on being accused of practices of black magic, witchcraft, vagrancy, among others. It was already common among practitioners of the religion to hide religious objects in holes made in the ground so that the police could not find them. The persecutions were not far from over, to the point that Mãe Aninha went to the capital of Brazil to ask the President of the Republic, Getúlio Vargas, to stop persecuting the Candomblé people. The writer Jorge Amado, one of the Obás de Xangô, in addition to dealing with these persecutions in two of his books: *Jubiabá* and *Tenda dos Milagres*, also presented a bill during the period in which he served as constituent deputy. The project became part of the 1946 Constitution. But as happened with the imperial decree that abolished slavery in Brazil, the Brazilian State did not develop provisions to monitor the abusive practices committed against Afro-descendants, which included religious persecution, racial prejudice and social discrimination. Thus, the advent of this conquest had its importance, but the fight was far from over, because breaking with the entire state and social structure that sustained racism in Brazil for centuries would be a long-term task. So, the fight was just starting over. Now, it would be necessary to develop other strategies to deal with this new scenario that placed the fight within the courts of law, as the persecuted and wronged began to have legal means to denounce the persecutors who could be criminalized for their abusive practices. In short, like what happened in the US, with the 14th constitutional amendment, which guaranteed equality under the law, in Brazil, the institutions that

represent the democratic rule of law continued to represent the interests of white elites.

Despite this, the world seemed to be changing after becoming aware of the horrors caused by the Nazi-fascist experience that led to the holocaust. In addition to the Jews, the concentration and extermination camps received other types considered dangerous to the supremacy of the German race and the regime of the Third Reich. In this way, the physically and mentally handicapped, homosexuals, gypsies, blacks, Pentecostals and communists were also subjected to the horrors of the Nazi machine of extermination, torture and scientific experiments with humans. Such were the atrocities committed by Nazism that the world decided to react to them with the Universal Declaration of Human Rights. Previously, the USSR had already recognized in its Constitution, promulgated in 1939, racism as a crime. On the other hand, it is necessary to remember that before the atrocities committed by the Nazi regime in its camps of contraction and exterminations against Jews, European colonialism had already promoted death, torture and rape against black people. The Black Diaspora took place through the horrors practiced by the European colonial enterprise that for centuries subjected the black people to inhuman conditions. In other words, the European colonial experience that preceded Nazism was as disastrous and horrendous as that practiced by the III Reich. The difference is that, instead of blacks, it was the European Jews, the subjugated, but the cruelty used was the same, because Auschwitz had already been repeated other times in Africa, the Americas, Asia, even before it happened in Europe. The poet of Negritude, Aimé Césaire, commented on this, criticizing the hypocrisy of the European bourgeoisie as follows: “what does

not forgive Hitler is not the crime itself, the crime against man, it is not the humiliation of man itself, it is the crime against the white man, the humiliation of the white man and having applied colonialist processes to Europe to that until now only the Arabs of Algeria, the 'coolies' of India and the blacks of Africa were subordinate.”²⁸

■ **Religious freedom and the racial question as human rights**

This whole story about black resistance in Brazil reveals that religious freedom and the racial issue are inseparable, because religiosity has a very important role in black life and bodies. In other words, religious freedom has always been at the heart of the concerns of the enslaved, as the freedom of slave labor could be achieved through a practice called *peculium*, which was a kind of agreement made between the master and the enslaved to ensure that this he could keep a share of the profits so he could buy his release.

The *peculium* occurred more with the so-called slaves for gain, those who lived in urban areas, offering various services. Although it did not appear in the repertoire of official laws, this practice was customary and figured as a legal tradition in the colony, maintained after its independence. In short, this was a way to make the enslaved produce more.

Religious freedom was more difficult to be allowed because there was a whole structure set up to repress cults other than those of the Catholic Church. At that time, birth, marriage and death certificates were registered in each parish, as the Church was linked to the State. Fighting for this freedom was crucial so that the memories of the body and the cosmovision brought from Africa by the enslaved were not erased.

28. Césaire, Aimé (1978). *Discurso sobre o colonialismo*. Tradução Noémia Sousa. Lisboa: Livraria Sá da Costa.p.19

The Terreiros of Candomblés as spaces of memory and resistance had to act for a long time in hiding or use strategies that could throw the police out of sight of any element that would lead to the arrest of the faithful and repression of worship. One of the strategies used by the people of Candomblé was what is conventionally called religious syncretism.

In Brazilian culture, religious syncretism was for a long time celebrated as the most evident expression that there were no racial problems in Brazil. But for many followers of Candomblé, the word syncretism expressed a way of getting rid of oppression, a way of camouflaging the cult of the Orishas. They were a strategic way to resist attempts to erase ancestral memory and the cosmology that this memory represented. In the latter case, the word syncretism can be synonymous with religious resistance. There are still those who consider syncretism as an expression of the imposition of the Catholic religion on enslaved blacks, a harsh, inhuman imposition with penalties and punishments that were responsible for many martyrdoms of the Candomblé people. So, the term syncretism carries in itself this semantic charge that results from this entire historical process caused by the Black Diaspora in the Americas, mainly. In short, it is a term that is part of the historical struggle that the enslaved had to wage against the colonial slave system that sustained European economies for centuries. Many of the abuses committed were justified as a means of giving the colonized the benefits that the so-called civilized world offered them. In this case, Césaire reminds us that: “from colonization to civilization, the distance is infinite; that, from all the accumulated colonial expeditions, from all the elaborated colonial statutes, from all the ministerial circulars issued, it is impossible to result

in a single human value.”²⁹ And this fact makes Europe indefensible! The inhuman conditions that European colonization undertook is the great proof that crimes against humanity were committed in the name of a humanism in which Hitler was already present even before he was conceived. Ultimately, Christianity was also responsible for the genocides of blacks and indigenous peoples. For centuries, he killed himself in the name of God.

European colonization was, therefore, a great act of barbarism. Centuries later, many bodies and many minds still suffer and feel its harmful effects. But the resistance continues even though the bodies of young black people are slaughtered by the police every day in Brazil. The root of this killing, of this genocide of Afro-Brazilian populations, began with European colonization. Blacks, browns, creoles and mulattos are killed as was done in Colonial Brazil. There are still people who say that there is no racism in Brazil, and this is another effect of the European colonization process and part of its humanism.

The death of these young blacks and browns in the peripheral circuit of large and medium-sized cities in the country has been a concern for black and human rights organizations in Brazil for a long time. The growth of religious intolerance is also worrying these entities. These facts have shown that the struggle for religious freedom and the anti-racist struggle have still not managed to overcome once and for all the inhumanity that we inherited from the European colonial system. On the other hand, they are also proof that to combat racism that still permeates Brazilian institutions and religious intolerance, which is minimized, it will be necessary to create more effective strategies, which can

29. Idem, *ibid.*, p.15-16, emphasis added.

ensure the applicability of legal provisions and the dissemination of educational practices.

The data reveal that the colonial machine is still operating in full force in the democratic rule of law, and that all this killing of black youth in Brazil is part of the whitening project of Brazilian society. In other words, the killing discriminated by public security agents is in charge of the eugenic necropolitics that believe that Brazil will still be a nation of whites. This was the thesis defended by many Brazilian intellectuals from the end of the 19th century to the middle of the 20th century.

The European immigration that took place in the second reign was part of the eugenic policy of his imperial majesty, Pedro II, since at that time blacks and mestizos already constituted the majority of the Brazilian population, as revealed by data from a census that was shown earlier when he spoke of the Malês Revolt, which took place in 1835.

The immigrants, who were mostly from the Italian Peninsula, ended up substituting slave labor for salaried work. While the former enslaved were “without a threshing floor and without a brink”, the immigrants received seeds and land to cultivate from the government.

Brazilian favelas emerged from the neglect of Brazilian authorities towards the black population who had finally conquered their freedom from slave labor, but continued to live on the margins of Brazilian society, without the right to housing, education and public health.

The myth of racial democracy in Brazil appears as a way to cover up all this inhumane injustice that took place in Brazilian lands, a legacy, without a doubt, of European colonialism, as we have shown here, throughout this chapter. In other words, the

creation of this myth spread worldwide cynically tried to produce narratives that led to the belief that there was no racism in the country, that Brazil was a model to be followed by countries like the US, where racist practices are still explicit and allowed that the Ku Klux Klan act deliberately in the great nation of freedom and opportunity.

Brazilian-style racism still acts in a subtle way and the myth of racial democracy in Brazil contributed a lot with this subtlety to the point that many Brazilians believe this great lie. And the lie is another legacy of the colonial pact, because its foundations were built on great lies, above all, the one that still considers colonization as a great act of benevolence because this would have been the way in which Europe gave the world the civility necessary to progress. In this way, the heirs of the colonizers in the power of the new nations resorted to hypocrisy "both more odious and liable to deceive." (CÉSAIRE, 1978, p.13). And here it is necessary to remember everything that colonization is not, using again the words and Aimé Césaire, to see how we were deceived, how this lie is unmasked when we see that colonization was never "neither evangelization, nor philanthropic enterprise, nor willingness to to push back the frontiers of ignorance, disease, tyranny, neither the propagation of God nor Law" (1978, p.14).

Thus, it is the myth of racial democracy in Brazil: a great lie that sought to inculcate and deceive everyone about the non-existence of racism in this part of the continent. In his book, *Re-discussing mestizaje in Brazil*, Kabengele Munanga shows the subtlety of the Brazilian model in relation to the North American in an excerpt from a conversation that President Theodore Roosevelt had with a

member of the Brazilian elite. In this conversation it is said that:

Their opinion, so different from ours, can be better translated by what theirs – pure white blood – told me: Naturally, the presence of blacks is the real problem, and a serious problem, both in your country and in mine [...]. But as the problem remains... the need remains to find another solution [outside of slavery].

You in the United States keep blacks as an entirely separate element, and you treat them in a way that influences their respect for themselves. They remained a threat to their civilization, a permanent and perhaps, after a while, growing threat. Among us, the question tends to disappear because blacks themselves tend to disappear and be absorbed... Pure blacks are constantly decreasing in number. It may disappear in two or three generations, as far as physical, moral and mental traits are concerned. When it has disappeared, its blood will be, as an appreciable but by no means dominant element, in about a third of our people; the remaining two-thirds will be pure white. Assuming that the presence of a black racial element represents a slight weakening of one third of the population, the other two thirds will, on the contrary, have full force. And the black problem will be gone. In your country, it was the entire white population that kept the racial strength of origin, but the black ones remained, and increased in number, with the increasingly bitter and more alive feeling of their isolation, so that the threat they represent will be more serious in the future. I don't think our solution is perfect, but I think it is better than yours. You and us face different alternatives, each with its own disadvantages. I think ours, in the long run and from a national point of view, is

less harmful and dangerous than the one that you in the United States have chosen. (Roosevelt, apud Skidmore, p.92-93, apud Munanga, 2008, p.105).

Here, we are faced with what Aimé Césaire denounces in his *Discourse on Colonialism*: hypocrisy and the tricks used to inculcate our minds. The excerpts from this conversation show what is behind the myth of Brazilian racial democracy, that is, what its “good” intentions are. Here is a little bit of all the squalor of the Brazilian elite and the proof by which means have always been sought to definitively whiten the entire Brazilian population. There, too, is the realization of the cursed heritage that the Brazilian elite inherited from European civilization, mainly, its inability to solve the problems that its functioning raises. And the conclusion of this is sad, because "a civilization that cheats on its principles is a dying civilization." (CÉSAIRE, 1978, p.13). In other words, it is necessary to translate European colonization as an act of objectifying human beings, whose equation is: “colonization = objectification”! How was this result achieved? The answer is: “colonizers and colonized, force, brutality, cruelty, sadism, shock, and, parodying cultural formation, the hasty fabrication of a few thousand subordinate officials, 'boys', artisans, commercial employees and interpreters necessary for the good business running.” (CÉSAIRE, 1978, p.24-25).

There are even more elements to add to this equation: "societies emptied of themselves, cultures trampled on, institutions mined, land confiscated, religions murdered, artistic magnificences annihilated, extraordinary possibilities suppressed." (CÉSAIRE, 1978, p.25). If there was a profit in this story, it is evident that it was not from the colonized part, but from those who undertook the colonization

in the name of God, of law, of security and of culture, in short, of the supposed civility. Even today, we count the dead of this tragedy manufactured by the colonial company. Many blacks are still killed today and those who survive this great civilizing barbarity are condemned to misery and neglect by the State that gave them false citizenship.

So, when talking about the struggle for religious freedom and the anti-racist struggle in Brazil, we have to take into account this entire historical process and all this colonial machinery used against the black population to de-Africanize their memories, their feeling of affiliation to the African cultures that were transplanted to this part of the planet as a result of the slave trade, another great cog of European colonialism. Although one might think that the anti-racist, anti-black struggle in Brazil has less relevance than the struggle against religious intolerance, what actually happens is that each of these struggles is part of the movement for equal rights. These are struggles that preceded the Universal Declaration of Human Rights, but their claims were recognized as rights in this United Nations document, because in addition to being fair, the demands of these struggles serve all peoples and ethnic groups on the planet. However, there is still a need to create ways to demand compliance by the signatories of the document, such as Brazil.

The recognition of these struggles by the United Nations is, without a doubt, something that must always be celebrated, even if it represents a partial victory, because of such need, a very urgent demand. For this reason, both the struggle for religious freedom and the struggle for racial equality always remain on the alert. The creation of the Racial Equality Statute in Brazil is one of the ways to show commitment to

these struggles, which are essential for the country to respect cultural plurality and, in turn, the democratic rule of law, given that “while there is racism there will be no democracy”. But what is the Racial Equality Statute? Under what circumstances was it created? What is its applicability? And why is it just now created? We will address these issues later.

■ **The Racial Equality Statute in Brazil**

Created at a very important moment in the history of Brazil, the Racial Equality Statute is the result of this entire historical process mentioned here throughout the discussion. Therefore, it was born from the longings of the black movement, from black political militancy, from the struggle against religious intolerance that still persists in the country and from the Brazilian-style racism that still dominates Brazil's social and political institutions. This historical achievement that became Law 12,288/2010, which begins like this:

Article 1 – This Law institutes the Racial Equality Statute, designed to guarantee the black population the realization of equal opportunities, the defense of individual, collective and diffuse ethnic rights and the fight against discrimination and other forms of ethnic intolerance.

Presented with this definition, this statute is in charge of promoting racial equality in Brazil. It is a law that appears to try to repair the social abyss resulting from the lack of a social inclusion policy at the time when the abolition law was proclaimed by the then Princess Regent, Isabel de Orleans e Bragança. This imperial decree contained only two articles, which were presented as follows:

Art. 1 - Slavery in Brazil is declared extinct from the date of this law.

Art. 2 - The contrary provisions are revoked.

With a delay of more than a century, the Racial Equality Statute was harshly criticized by conservative sectors of Brazilian society. A large part of the country's media reproduced discourses based on the myth of Brazilian racial democracy. For this reason, many considered this legal instrument as a way to make Brazilian society become racist. In the hands of the Brazilian elite, the country's media dealt with the issue with great disregard, but what was really at stake was the distribution of power with Afro-Brazilians, historically excluded from the political process in Brazil, despite being the majority of the population.

This politically and historically diminished majority, borrowing the expression used by Abdias do Nascimento, continues to be subjugated by the heirs of the European colonizers. Mobility rates among this large portion of the Brazilian population only evolved considerably in the period in which ways were sought to put this statute, which completed a decade in 2020, into practice.

Despite the resistance of the Brazilian elite, the Statute of Racial Equality was approved by the National Congress and sanctioned, without any veto, by President Luiz Inácio da Silva, who created the Secretariat for Policies for the Promotion of Racial Equality even before the law was approved.

But the history of this statute goes back to the end of the 20th century, precisely in 1989, when a group of newly elected parliamentarians decided to go to South Africa to ask for the release of black leader Nelson Mandela. In addition to deputy Benedita da Silva and deputy Domingos Leonelli, João Herrmann Neto; the author of Law 7716 of January 5, 1989, Carlos Alberto Caó de Oliveira. Na ocasião, esta comissão que viajara em nome da Constituinte, foi

recebida por Winnie Mandela, então esposa do líder negro, que apresentou ao grupo a Carta da Liberdade, um documento popular consagrado à defesa da igualdade de direitos para todos os cidadãos sul-africanos, que teve a participação de Mandela, tendo sido elaborado em meados dos anos de 1950. O agora senador Paulo Paim conta que foi, nessa viagem, que começou o debate sobre o estatuto.

However, the struggle for racial equality in Brazil gained more strength with the emergence of the Black Panther movement in the US. This movement echoed across the continent, awakening the Black Diaspora in the Americas. It is as if Zumbi, the great leader of the Quilombo do Palmares who challenge the colonial necropolitics, had resurfaced to fight again for the freedom of his people, or as if the black leaders of the revolution that made Haiti a free nation, crossed space-time to reinvigorate the struggles of the past that still remain in the present time. In the midst of the military dictatorship, Afro-Brazilians began to reorganize the country's black movements. It was this reorganization that made the approval of Law 12,288/2010 possible. It continues to be fought by the heirs of colonialism that make up the predominantly white Brazilian elite, but the anti-racist and anti-religious intolerance movements continue to watch out for the attempts that have been made to render the Statute of Racial Equality inoperative.

It can be said that the Soweto Freedom Charter was the great inspirer of Law 12,288/2010. Like the South African document, the Brazilian statute has a democratic dimension, as, in addition to issues related to the anti-racist struggle, it includes the fight against other forms of discrimination, such as social gender and prejudice against people with special

needs. Article 2 of the Preliminary Dispositions already demonstrates a little of this breadth when it says:

Art. 2 – It is the duty of the State and society to guarantee equal opportunities, recognizing every Brazilian citizen, regardless of ethnicity or skin color, the right to participate in the community, especially in political, economic, business, educational activities, cultural and sporting activities, defending their dignity and their religious and cultural values.

This article and the previous one show that, finally, the Brazilian State recognizes its historic debt to Afro-Brazilians and, at the same time, lays the foundations for the country to become a multiracial democracy. This is a great challenge that Brazilian society needs to overcome, little by little, because racial inequality reflects a lot on the social issue. In other words, “there is no racial problem isolated from the social context”, as the writer Jorge Amado once said (1982, p.10). Rightly, the Racial Equality Statute gave the due relevance to the social demands that need to be met so that Brazilian society can be more egalitarian.

Barriers remain as long as Hitler lives among us. Those who fear democracy and racial and social equality continue to boycott this policy of promoting racial equality. The squalor, inhumanity and desire for power are the ingredients of this persecution and boycott of democracy and black people. But there is a lot of effort to prevent the backlash.

The Racial Equality Statute is a reality, as it is proof that there is a lot to be done for its functioning to be full and effective. During the period in which it was approved, Brazil was experiencing the most important moment in the history of its still young and immature democracy. The fund to maintain policies

to promote racial equality, as the statute fosters, does not yet exist; which has hindered its application and maintenance of what has already been undertaken in the social field, such as the programs: Brasil Quilombola, Luz para Todos, etc.

The existence of its own fund, to embody the actions of policies to promote racial equality, was already provided for in the statute, but it had to be removed from the agenda for the law to be approved. The Quotas Law (Law 12,711/2012) also had to be removed from the statute because there was an opposing action pending in the country's Supreme Court of Justice.

The results achieved in these ten years of existence of the Statute of Racial Equality and the Law of Quotas demonstrate that many black and brown people have benefited, judging by the numbers of these people in Brazilian universities. The Brazilian Institute of Geography and Statistics (IBGE) revealed, in November 2019, that, for the first time in the country's history, 50.3% of black and brown students are the majority in Brazilian public universities, those that enjoy the most prestige in the country. parents; but in private universities, the numbers are close to 50%, that is, black and brown students represented, in 2018, 46.6%. The institute also showed that, from 2010 to 2019, the increase in the number of blacks and browns in higher education was almost 400%. So, it can be said that there was a significant reduction in inequality in higher education with the implementation of policies to promote racial equality in Brazil.

However, racial discrimination continues, as shown by the data obtained in the surveys carried out. Blacks and browns are still a minority in leadership positions in the country and 59% of the

targets of religious intolerance are against Afro-Brazilian religions. Changing the population's mentality is something more difficult to achieve. These affirmative policies, which complete 10 years of existence, also took exactly 10 years of processing in the National Congress.

With the arrival of the extreme right to power, not only did the rates of social inequality in the country increase, but also religious intolerance, racist practices and even slave labor. Attempts to dismantle what was previously achieved became central government policy. Corruption rates in the country have also grown frighteningly and Brazil is once again part of the hunger map. This other side of the situation reveals that democracy is yet to come, mainly because of institutional racism.

But the Racial Equality Statute is still a great instrument to come. The Quota Law and all programs linked to policies to promote racial equality are also a means of strengthening democracy. The Brazilian experience can serve as a model for several countries around the world, whether on the positive side or because of the challenges encountered along the way. Finally, the great lesson we can learn from this experience is that modern democracies cannot overlook the fact that “the more people are themselves, the better it will be for democracy”. In other words, it is necessary to guarantee that everyone has the same rights, that there is respect for both individuals and the collective.

In short, Brazil has managed to produce these legal provisions that do not only work as a means of making society more egalitarian and therefore more democratic, by combating racism and religious intolerance through social policies that have been denied to Afro-Brazilians since the first days of the

abolition of slave labor. At the same time, these laws contribute to the observance of human rights that, in a way, are present in the Brazilian Constitution, reinforcing the commitment established with the international community. The construction of the Statute of Racial Equality in Brazil is the result of more than a century of struggles by the black movement and an important chapter in the struggle against racism and religious intolerance in the Black Diaspora in this part of the Americas., it is also inscribed in history as struggle for democracy and as a chapter for the struggle for human rights. Therefore, the international community must also celebrate this achievement, as an important milestone in the history of humanity and must also ensure its maintenance, protecting it against the diseases of power, against the presence of Hitler that still haunts the world.

This document, which contains 65 articles, distributed in 4 titles with thematic divisions and subdivisions, managed to concisely and forcefully deal with how the Brazilian State and society can act in important sectors such as: education, culture, sport, leisure, health, means of communication, land, work and housing, in addition to contemplating the right to freedom of conscience and belief. This last point has to do with people's right to be themselves, to worship their ancestral memories and all the heritage that comes from them. As Foucault recalls in his text *The Subject and Power*, “Maybe the target nowadays is not to discover what we are but to refuse what we are.”³⁰ And the refusal to certain identities in the contemporary world has to do with the crisis of the old nationalist model that the European bourgeoisie revived for two centuries

30. Foucault, Michel. *The Subject and Power*. In: *Beyond Structuralism and Hermeneutics*, edited by H. Dreyfus and P. Rabinow, 208-226. The University of Chicago Press, 1983.

to maintain its domination in the world in the forms of Eurocentrism and colonialism. In this way, while in the colonial metropolises the French, English, Spanish and Portuguese citizenship were worshiped for their humanist and civilizing values; in the colonies, the subject peoples had to recognize that they were inferior and, therefore, should be grateful to be civilized by one of these European nations. In Brazil, this feeling of inferiority of the local nationality is known as the mongrel syndrome.³¹ In practice, there is an overvaluation of what comes from Europe and the USA. So, “We have to promote new forms of subjectivity through the refusal of this kind of individuality which has been imposed on us for several centuries.”³² The contemporary world can no longer sustain the old nationalism that neo-Nazi movements and the far right have been trying to revive from their almost comatose state. The Eurocentrism of the past no longer fits this scenario either. Today, old Europe increasingly needs immigrants to keep its economies in a position to compete with the USA and China. Despite this, Poland is in the process of building a wall on the border with Belarus to keep out immigrants from the Middle East! Soon Poland, which was invaded by Hitler's troops, was still the scene of the biggest and most horrendous Nazi concentration camps. The European Union, of which Poland is a member, has silenced this nonsense, becoming an accomplice. And here it is worth remembering again the words of Aimé Césaire about Nazism: “before being his victims, they were his accomplices; who tolerated it, that same Nazism, before suffering it, absorbed it, closed their eyes, legitimized it because until then it had only been applied to non-European peoples,

31. In Portuguese: *Síndrome de vira-lata*.

32. *Idem, ibid.*

who cultivated it, are responsible for it, and that it it sprouts, breaks, drips, before submerging in the reddish waters of all the fissures of Western and Christian civilization.”³³ Likewise, it happened with the slave trade, which was "responsible for the deaths of approximately 10 to 11 million black lives by colonial necropolitics." (ARAÚJO, 2021b, p.). The survivors had to keep within themselves what they were forced to stop being: Africans to become barbarians! In this case, Césaire reminds us that “the idea of the barbarian black is a European invention.”³⁴

These contradictions of the contemporary world occur because we still have to deal with dishonest equations like: Christianity = civilization and paganism = savagery. The reason they continue to exist, perhaps, is because the world that is still Eurocentered and whitened is "incapable of solving two problems that their existence gave rise to: the proletarian problem and the colonial problem.”³⁵ Well, both one problem and the other are not solved because people are prevented from being themselves, that is, the working class cannot have its own opinions, those who were colonized cannot have a religion other than the Christian one, languages places should not be taught at school etc. In short, all this because it does not yet know how to deal with differences, with the different, with the dominant diversity that exists in the cosmos and in human societies.

The Racial Equality Statute is in charge of dealing with these issues and the contradictions of contemporaneity that are remnants of the recent past in human history. Its function is to remove the bonds that the colonization process placed on each

of us black men and women, helping to remove from our bodies what was inculcated in us during the colonial and post-colonial historical process. So, we have a decolonial document. But what merits this statute is the opening to dialogue and other forms of subjectivities, with the resumption of negated identities. And, as said before, it is a democratic instrument par excellence. It still has the possibility of becoming a means of conciliation. Therefore, it needs to be protected not only by the country's democratic institutions, but also by the international community, as it serves part of the Black Diaspora and part of the original peoples of the Americas.

The freedom of conscience and belief, which the statute contemplates, represents the entire historical struggle waged by Afro-Brazilians against racism and against religious intolerance in Brazil. At the same time, it reveals, as mentioned before, the commitment to the Declaration of Human Rights and other international provisions that are added to these evils inherited by European colonialism by colonized peoples. So, the fight for religious freedom and the anti-racist fight were not in vain. Having the second largest black population in the world, second only to Nigeria, Brazil begins the path of historic reparation against the cursed inheritance of colonization, which was able to deceive us through the collective hypocrisy that was “skillful in misrepresenting the problems to better legitimize the solutions” applied, as Aimé Césaire pointed out in his Discourse on colonialism. For a long time, this was a strategic way to maintain its domination over the colonized, inculcating lies with its dishonest equations. But today it is public knowledge that: “the bourgeoisie, as a class, is doomed, whether it likes it or not, to be responsible for all the barbarism of history, the

33. Césaire, Aimé. Op.cit., p.18.

34. Idem, *ibid.*, p.37.

35. Idem, *ibid.*, p.13.

tortures of the Middle Ages and the Inquisition, the reason of state and warfare, racism and slavery, in in short, everything against which it protested in unforgettable terms, at the time when class to attack embodied human progress.”³⁶

Well, just as it is necessary to remember that Nazism existed to not allow it to happen again, it is also necessary to remember all the colonial barbarism that lasted for centuries and that its effects are still felt in the bodies of the descendants of enslaved blacks. Law 12,288/2010 brings with it the memory of this barbarity, as its existence is justified by the harmful effects of this great barbarism that goes by the name of European colonialism. Indirectly, the Law reminds us of how inhuman the agents of European colonization were in relation to the colonized. Therefore, it also reminds us that we must keep this memory alive to prevent it from happening again and that Brazilian society needs to work to be in fact a racial democracy, showing the world its ability to solve the problems left by European colonialism with regard to Afro-Brazilians and native peoples. Contrary to what its opponents preach, the Statute of Racial Equality, approved and in operation in Brazil, does not and will never have the vocation to create racial ghettos, but to make possible the ghettos that the colonial heritage left behind, where several young black people are all exterminated. the days in the country where it is still said that there is no racism among us Brazilians. Therefore, the Brazilian authorities must hurry to approve the Constitutional Amendment Proposal number 33,016 that creates the fund for the policies to promote racial equality in the country. At long last, this is a fight for everyone, it is a fight for humanity, for diasporic peoples, for democracy.

36. Idem, *ibid.*, p.56.

The positive results achieved a decade after the statute's approval also show that the country's economy has only to gain, because when people can be themselves, having the same opportunities, they are healthier because they are happier and, consequently, they are more productive. This fact only demonstrates that the arguments of those who are against policies to promote racial equality, when they say that the country has no right to social policies, are wrong. Deep down, it is the fear of losing their privileges as heirs of the European colonizers that makes them deny the benefits of such investments. In short, this is the current picture of the struggles for these human rights in Brazil and this is the situation in the country after the approval of the Racial Equality Statute and the Quota Law. Here, we have proof that European colonization left a negative balance much greater than its probable benefits, because he always used “hateful solutions”. Its psychological effects are responsible for the rates of violence, delinquency, alcoholism, child prostitution, illiteracy, hunger, poverty, lack of housing, basic sanitation, problems that affect not only the economy, but the life of society as a whole. The destruction of the environment is also part of the progress we inherited from European colonialism. Its psychological and psychologizing effects are responsible for the rates of violence, delinquency, alcoholism, child prostitution, illiteracy, hunger, poverty, lack of housing, basic sanitation, problems that affect not only the economy, but the life of society as a whole. The destruction of the environment is also part of the progress we inherited from European colonialism. And as Fanon would say: “There is no doubt that this splitting is a direct consequence of the colonial adventure... And nobody thinks to

dispute that it feeds its main vein in the heart of the diverse theories that made the black midway in the development of the ape to the man. These are objective evidences that account for reality.”³⁷

■ Final considerations

This chapter was dedicated to dealing with how the struggles for racial equality and religious freedom were formed in Brazil, that is, it was about dealing with the historical process that led blacks and browns to fight for rights that became part of the Universal Declaration of Human Rights adopted by the General Assembly of the United Nations on December 10, 1948. As the country with the largest black population outside the African continent, Brazil presents a very particular historical process, as the anti-racist struggle is not dissociated from the struggle for religious freedom. In this part of the American continent, the fight for racial equality starts from the desire to worship African religious entities that for centuries had their cults banned on this other side of the South Atlantic. Therefore, in Brazil, religiosity and the fight for racial equality are sides of the same coin. Religious resistance gave rise to the Candomblés, these spaces that ended up being transformed into political-social-religious places.

The historical perspective adopted here had as its main objective to show how the anti-racist struggle was built throughout the history of the Black Diaspora in the Americas, especially in Latin America, where the Plantation system was adopted, and where Candomblé emerged “as a result of resistance and memory of black peoples brought from Africa to serve as slaves in the plantation system adopted by the European colonizer in Brazil, and also as a result of the relationships that developed

37. Fanon, Franz. *Pele negra, máscaras brancas*; tradução de Renato da Silveira. - Salvador: EDUFBA, 2008, p.33.

between indigenous peoples with Africans and with Europeans, leading to both syncretism. cultural and religious”³⁸ It was for this reason that we gave special importance to the struggle for religious freedom, as it was in the Terreiros of Candomblé that resistance gained momentum. It was in these religious spaces that many black men, women and children found comfort and support to keep alive the African ancestry and a little of the way of being what they were denied throughout their existence within the slavery regime that lasted in Brazil until 13 May 1888.

But abolition only freed captive blacks from slave labor, because they continued to live on the margins of Brazilian society. In other words, with slavery abolished, they were thrown into the streets without any social policies that ensured conditions for everyone to build a life without going through the privations of misery and the exploitation of poorly paid work. Despite the persecution that Candomblé followers suffered in these first years of freedom from slave labor, they managed to mobilize themselves to help each other. The neglect of the Brazilian authorities lasted, therefore, for more than a century.

In the 1930s, the justification for the lack of policies to promote racial equality was because it was said that racism did not exist in Brazil. This fallacy became known as the myth of Brazilian racial democracy. It lasts until today, as a kind of Hitler that inhabits every Brazilian, a heritage of European civility. Many blame the sociologist and anthropologist Gilberto Freyre for creating this myth that prevents Brazilian democracy from taking place in a more forceful way. But Kabengele Munanga

38. Araújo, Alex Pereira de. *O Candomblé e a desconstrução da noção de sincretismo religioso: Entre utopias do corpo e heterotopias dos espaços na Diáspora Negra*. *Abatirá - Revista De Ciências Humanas E Linguagens*, 2(4), 2021b, p. 358. Recuperado de <https://www.revistas.uneb.br/index.php/abatira/article/view/13036>

assures that “Freyre's great contribution is having shown that blacks, Indians and mestizos had positive contributions to Brazilian culture: they profoundly influenced the lifestyle of the noble class in terms of food, clothing and sex. Miscegenation, which in the minds of Nina and others caused irreparable damage to Brazil, was seen by him as an immense advantage. In other words, by transforming *mestizaje* into a positive and not a negative value under the aspect of degeneration, the author of *Casa Grande e Senzala* allowed him to definitively complete the contours of an identity that had been designed for a long time. Freyre consolidates the original myth of Brazilian society configured in a triangle whose vertices are the black, white and indigenous races. That's how the mixtures came about.”³⁹ Now, Freyre's work goes against the idea that miscegenation is a great enemy. Therefore, the author of *Casa Grande e Senzala* cannot be held responsible for the anti-black racism that is a consequence of the promotion of slavery that sustained European colonial enterprise and its colonialism for centuries, transforming free people into enslaved human beings. Finally, throughout this chapter, we try to show a path of resistance, which begins with *calundu*, passing through *candomblé*, the *Malês* revolt, the *obás* of *Xangô*, until reaching the implementation of the Racial Equality Statute. And throughout this trajectory, the dream of freedom has always been latent among the enslaved Africans brought to Brazil. This story cannot be forgotten, as it is a saga of hope and desire to make the world a place of dialogue, tolerance, cooperativism and fraternity among its peoples. On the other hand, the colonial barbarism that still persists among us, leads us to ask Ailton Krenak: “are we really a humanity?”⁴⁰

39. Munanga, Kabengele. *Rediscutindo a mestiçagem no Brasil: identidade nacional versus identidade negra*. 3ª edição – Belo Horizonte: Autêntica, 2008.

40. Krenak, Ailton. *Ideias para adiar o fim do mundo*. – São Paulo: Companhia das Letras, 2019, p.12.

■ References

- [1] Araújo, Alex Pereira de (2021). *Exu: the language as a crossroad in Black Diasporic Culture(s)*. Academia Letters, San Francisco, CA.
- [2] Araújo, Alex Pereira de. *O Candomblé e a desconstrução da noção de sincretismo religioso: Entre utopias do corpo e heterotopias dos espaços na Diáspora Negra*. *Abatirá - Revista De Ciências Humanas E Linguagens*, 2(4), 2021b, p. 358.
- [3] Carneiro, Edison (1978). *Candomblés da Bahia*. – 6th edition –. Rio de Janeiro: *Civilização Brasileira (Retratos do Brasil, v.106)*, p.18-19.
- [4] Césaire, Aimé (1978). *Discurso sobre o colonialismo*. Tradução Noémia Sousa. Lisboa: Livraria Sá da Costa. p.19
- [5] Fanon, Franz. *Pele negra, máscaras brancas*; tradução de Renato da Silveira. - Salvador: EDUFBA, 2008, p.33.
- [6] Foucault, Michel. *The Subject and Power*. In.: *Beyond Structuralism and Hermeneutics*, edited by H. Dreyfus and P. Rabinow, 208-226. The University of Chicago Press, 1983.
- [7] Krenak, Ailton. *Ideias para adiar o fim do mundo*. – São Paulo: Companhia das Letras, 2019, p.12.
- [8] Lima, Vivaldo da Costa. *Os Obás de Xangô*. *Afro-Ásia*, [S. 1.], n. 2-3, 1966. DOI: 10.9771/aa.v0i2-3.20246. Disponível em: <https://periodicos.ufba.br/index.php/afroasia/article/view/20246>. Acesso em: 23 dez. 2021.
- [9] Munanga, Kabengele. *Rediscutindo a mestiçagem no Brasil: identidade nacional versus identidade negra*. 3ª edição – Belo Horizonte: Autêntica, 2008.

- [10] Nina Rodrigues, Raimundo. 2006. O animismo fetichista dos negros baianos. Rio de Janeiro, Editora da UFRJ, p.116.
- [11] Ramos, Artur. A aculturação negra no Brasil. (1942). – São Paulo, Rio de Janeiro, Recife, Porto Alegre: Companhia Editora Nacional.
- [12] Reis, João José. (2012). Rebelião escrava no Brasil: a história do levante dos malês em 1835. Edição revista e ampliada – 3ª edição. – São Paulo: Companhia das Letras.
- [13] Silveira, Renato. Do Calundu ao Candomblé. RHBN, n.1, dez.2005, p.16-17.

■ **About the author**

PhD in Memory: Language and Society at UESB (with CAPES scholarship and PDSE scholarship in France). He graduated in Portuguese with French letters (1995-2000) at UESC, becoming a Master in Letters: Linguagens e Representações (2009-2011). He participated in the programs of the French Ministry of Foreign Affairs (Ministère des Affaires Étrangères): Connaissance de la France in 2000 and Profs en France (2007) at CAVILAM de Vichy (Blaise Pascal University). <http://orcid.org/0000-0003-4818-0912>

