

# From bureaucratic visibility to political autonomy: the unified registry and consultation protocols in Rio grande do norte, Brazil

## Abstract

This article analyzes the legal and political trajectory of Traditional Communities in Brazil, focusing on the state of Rio Grande do Norte, by contrasting two dimensions of state action: administrative recognition and the guarantee of territorial autonomy. The investigation examines the Unified Registry (*CadÚnico*) as a tool for bureaucratic visibility and access to social policies, problematizing its limitations in realizing territorial rights in light of the literature on bureaucracy and identity. In contrast, it discusses the potency of the Protocols of Free, Prior, and Informed Consultation, grounded in ILO Convention No. 169 and reinforced by State Law No. 11.228/2022, as instruments of self-determination. The theoretical discussion, anchored in political ecology and the critique of hegemonic development models, culminates in the case study of the *Primeira Lagoa* Quilombola Community. The analysis demonstrates how the development of an Autonomous Protocol allowed the community to transition from welfare tutelage to political protagonism, utilizing the legal instrument as a shield against exogenous undertakings and for the reaffirmation of their ancestry.

**Keywords:** traditional communities, prior consultation protocol, unified Registry, territorial autonomy, ILO convention No. 169

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## Introduction

In 1988, the Federal Constitution inaugurated a multicultural paradigm within the Brazilian legal system by recognizing the existence and the territorial and cultural rights of distinct groups. However, more than three decades after the promulgation of the Constitution, Traditional Peoples and Communities (PCTs) — a category encompassing *quilombolas*, indigenous peoples, riverine dwellers, coconut breakers, among others — still face a chasm between the formality of the law and the materiality of daily life. In this scenario, State action oscillates between the bureaucratization of welfare and the violation of autonomy, demanding a firm and innovative stance from the Judiciary: the construction of “necessary jurisprudence.”

This article proposes an analysis of the legal and political trajectory of these communities through two distinct, yet complementary, instrumental frameworks. On one hand, the Unified Registry for Social Programs (*CadÚnico*), which serves as the administrative gateway for state recognition and access to basic social rights. On the other, the Protocols of Free, Prior, and Informed Consultation, grounded in Convention No. 169 of the International Labour Organization (ILO), which represent the pinnacle of self-determination and territorial defense against external undertakings.

The central problem guiding this investigation lies in the frequent disconnection between these two poles. Often, the State recognizes the community for social assistance purposes (via *CadÚnico*), granting it statistical visibility, but ignores its political existence and its own decision-making rites when large infrastructure projects threaten its territories. It is in this void that judicial intervention becomes imperative.

The objective of this work, therefore, is to demonstrate that the effective protection of Traditional Communities depends on a jurisprudence that comprehends the interdependence between

administrative recognition and political autonomy. Through a bibliographic and documentary review, it is argued that respect for Autonomous Consultation Protocols must be viewed by the courts as a non-negotiable requirement for legal validity, consolidating a shield of rights that begins with the civil registration of the community and culminates in respect for its sovereign voice.

## Identity recognition and the state: the role of the unified registry

This analysis proposes to examine the Unified Registry (*CadÚnico*) beyond its immediate function of providing access to financial benefits, such as *Bolsa Família*, positioning it as a fundamental instrument of demographic visibility and formal recognition of existence before the State. Based on the legal definition established by Decree No. 6.040/2007, which institutes the National Policy for the Sustainable Development of Traditional Peoples and Communities, the complexity of the registration process is discussed. This process is frequently hindered by logistical barriers and cultural specificities that challenge the efficacy of governmental “active search” efforts. In this context, registration in the system transcends the realm of social assistance, consolidating itself as strategic documentary proof of “traditionality,” an indispensable element for legal validation and the defense of rights in judicial disputes.

State engagement with traditional populations, through social, conditional cash transfer, and health policies, reveals a complex scenario of advances and structural challenges in guaranteeing rights and ensuring the cultural appropriateness of services. While Hall (2008) and Piperata et al.<sup>1</sup> analyze the implications of programs such as *Bolsa Família*, discussing issues ranging from logistical difficulties of access in remote areas to nutritional shifts and changes in the ways of life of riverine communities, Coimbra Jr. et al.<sup>2</sup> delve into the landscape of indigenous health and nutrition, highlighting gaps in public assistance; this discussion is expanded by Biderbost and Bórquez,<sup>3</sup> who examine how the bureaucratic conditionalities of

these cash transfers interact with, and at times create tension with, the cultural practices of native peoples in Latin America.

### The impact of Bolsa Família and access in remote areas

Hall<sup>4</sup> conducted a critical analysis of the *Bolsa Família* Program (PBF) a few years after its consolidation, investigating whether it acts as an effective tool for emancipation or generates political and social dependency. The author acknowledges the program's success in alleviating immediate poverty and improving school attendance indicators but questions its capacity to resolve the structural causes of Brazilian inequality without being accompanied by improvements in the quality of public health and education services.

A central point of the text, especially relevant to traditional communities, is the discussion regarding targeting and access. Hall argues that, although the Unified Registry (*Cadastro Único*) is a powerful tool, the program faces logistical and bureaucratic difficulties in reaching the “poorest of the poor,” who frequently reside in remote rural areas, indigenous communities, or informal settlements. These populations often lack the basic documentation necessary for registration, remaining invisible to the State.<sup>4</sup>

Finally, Hall<sup>4</sup> concludes that *Bolsa Família* is a “double-edged sword.” While on one hand it empowers women (the titular beneficiaries) and stimulates local economies, on the other it runs the risk of being used for clientelist purposes at the municipal level. For vulnerable communities, the text suggests that income transfer alone is insufficient if the State fails to provide physical infrastructure and technical support for the development of economic autonomy.

### The nutritional transition in riverine communities

Piperata<sup>1</sup> examines how economic changes and the implementation of public policies, including cash transfer programs like *Bolsa Família*, affect the health and nutrition of riverine populations in the Amazon. The authors observe that these communities are undergoing a rapid transition from a subsistence economy to a market economy, which profoundly alters their dietary patterns and ways of life.

The research highlights that access to monetary resources (via social benefits or the sale of products) has facilitated the purchase of processed foods, which are frequently high in sugar, fats, and calories, but low in essential nutrients. This occurs because these foods are cheaper, non-perishable, and confer social status, replacing the traditional diet based on fish and flour, which, although monotonous, was protein-rich.<sup>1</sup>

The result of this dynamic is the phenomenon of the “double burden” of malnutrition: there is a simultaneous persistence of chronic malnutrition (stunting) in children and an increase in overweight and obesity in adults. The text concludes that public policies focused solely on cash transfers, without nutritional education and food security monitoring adapted to the local reality, may inadvertently exacerbate chronic health problems in these traditional populations.<sup>1</sup>

### Bureaucracy, identity, and quilombola recognition

Farfán-Santos<sup>5</sup> explores how rural black communities in Brazil negotiate their identities to access territorial rights and public policies guaranteed by the 1988 Constitution. The author tracks the struggle of a quilombola community to obtain official recognition from the State, detailing the exhaustive bureaucratic process required by bodies such as INCRA and the Palmares Foundation.

According to Farfán-Santos<sup>5</sup> public recognition policies create a trap: to gain access to land and basic services (health, education, sanitation), communities need to perform a specific “traditional” identity that fits into the State's rigid categories. The author shows how the Registry and official anthropological reports transform the living and dynamic history of these communities into static documents, often demanding proofs of “authenticity” that disregard the historical and economic changes these groups have undergone.

Farfán-Santos<sup>5</sup> conclusion points to the paradox of “Quilombolismo”: while quilombola identity is a vital political tool for survival and for demanding the State's presence, the certification process exposes these communities to institutional racism and administrative sluggishness. The text is fundamental for understanding how State bureaucracy not only registers but shapes and limits the existence of traditional communities.

### Indigenous health and the failure of universal policies

Coimbra et al.<sup>2</sup> present the results and methodology of the first national survey dedicated exclusively to mapping the health and nutrition of indigenous peoples in Brazil. The study was conducted to fill a historic data gap, as general national statistics frequently diluted or rendered invisible the epidemiological specificities of these populations, hindering the development of effective public policies.

The results reveal alarming disparities between the indigenous and non-indigenous populations. The study points to high rates of anemia, micronutrient deficiencies, and prevalence of infectious diseases, as well as a rate of stunting in children (an indicator of chronic malnutrition) much higher than the national average. The text demonstrates that, despite the existence of an indigenous health subsystem, the effective delivery of these services is flawed and uneven.<sup>2</sup>

The authors' conclusion emphasizes that the simple expansion of “universal” health services is not sufficient to serve these groups. It is necessary for public policies to consider the cultural, geographical, and social specificities of indigenous peoples. The article serves as a crucial evidence base to argue that the Brazilian State needs to reformulate its intervention strategies, moving from a generic approach to one that respects the diversity and concrete needs of the villages.<sup>2</sup>

### Territory as a space of life and resistance

In *Territories of Difference: Place, Movements* (2008), Escobar analyzes how traditional communities conceive “territory” not merely as a piece of land for economic production, but as a space where life, culture, and nature are inextricably linked, contrasting with the developmentalist view of the State and global capital.

The author discusses the “political ecology” of public policies, showing how development projects, environmental conservation, and modernization frequently deterritorialize these populations. He argues that when the State designs policies for these regions, it generally ignores local knowledge (“epistemologies of the south”), imposing a technocratic logic that fragments the social and environmental fabric of the communities.<sup>6</sup>

The work concludes by defending autonomy and the strengthening of local social movements. For Escobar, effective public policies for traditional communities should not be imposed from the top down, but built from the “politics of place.” This means recognizing that the defense of territory by these communities is, in itself, an advanced

form of environmental and social management that the State should support rather than try to substitute or control.<sup>6</sup>

The authors, Luciana de Farias and Rafael de Brito Dias, in their article (2018), analyze the trajectory of the Unified Registry for Social Programs (*CadÚnico*) between 2001 and 2015, using the theoretical framework of Infrastructure Studies and Social Studies of Science and Technology. Thus, they propose that *CadÚnico* should not be seen merely as a database or a bureaucratic form, but rather as a complex sociotechnical infrastructure. The study's objective is to open the "black box" of this tool, revealing the political disputes, technological choices, and institutional negotiations that allowed it to become the fundamental basis for the management of social policies in Brazil, overcoming simplistic views that ignore the complexity of its construction and maintenance.<sup>7</sup>

The text details the implementation phases of the registry, starting with the initial fragmentation of cash transfer programs (such as *Bolsa Escola* and *Bolsa Alimentação*) and the inter-ministerial disputes that marked its origin. The narrative addresses the pragmatic choice of Caixa Econômica Federal as the operating agent, the creation of the Social Identification Number (NIS) to avoid duplications, and the technological transition from offline systems (based on floppy disks) to online platforms. A central point discussed is the tension between the need for data standardization required by the federal government and the heterogeneous reality of Brazilian municipalities, demonstrating how the unification of programs under *Bolsa Família* was crucial to boost the consolidation of *CadÚnico* as a State tool.<sup>7</sup>

Finally, the article discusses the modernization of the system (such as the implementation of the Version 7 and the use of satellites to connect remote regions like the Amazon) and reflects on the nature of infrastructure in the "Global South." The authors conclude that, unlike infrastructures in developed countries which tend to be invisible and stable, *CadÚnico* operates in constant coexistence with failures, incompleteness, and local precariousness. Despite these limitations, it has established itself as a vital gear that articulates dozens of federal programs, proving that its efficacy lies in the capacity to coordinate multidimensional efforts to identify and serve the population in poverty.<sup>7</sup>

The document presents a rapid evidence review prepared for the Department of Health Promotion of the Ministry of Health, with the objective of investigating whether specific groups enrolled in the Unified Registry (such as indigenous peoples, *quilombolas*, gypsies, homeless people, and riverine dwellers) are being duly monitored regarding health conditionalities required by cash transfer programs, like *Bolsa Família*. These conditionalities involve essential commitments, such as prenatal care, compliance with the vaccination schedule, and monitoring the nutritional status of children.<sup>8</sup>

The research, conducted in various academic databases in November 2023, identified a significant knowledge gap: out of 273 initial records, only four studies met the inclusion criteria, and all of them focused exclusively on indigenous peoples, with no data available on the other specific groups. The analysis of these studies revealed severe barriers in health monitoring, including logistical and geographical difficulties, a lack of articulation between municipal management and the Special Secretariat for Indigenous Health (SESAI), as well as episodes of discrimination and institutional racism on the part of public agents and merchants.<sup>8</sup>

The conclusions indicate that, although access to income is fundamental, the current model for monitoring conditionalities is often inadequate to the cultural realities and ways of life of these

populations. The text highlights the urgent need to develop culturally appropriate actions, improve communication and access to health services, and conduct new research to understand the situation of other vulnerable groups in the Unified Registry (*Cadastro Único*) that remain invisible in current scientific literature.<sup>8</sup>

The study analyzes the trajectory and function of the Unified Registry (*CadÚnico*) as a central instrument for articulating social policies in Brazil, using the analytical model of Barca and Chirchir (2014) to evaluate its dimensions of data and system integration. The text describes the historical evolution of the tool since its creation in 2001, through its consolidation linked to the *Bolsa Família* Program and its modernization via "System Version 7" and the Brazil Without Misery Plan (*Plano Brasil Sem Miséria*). *CadÚnico* is presented not merely as a database for beneficiary selection, but as a large-scale decentralized infrastructure capable of characterizing the socioeconomic reality of the low-income population.<sup>9</sup>

The authors detail how the Unified Registry became the gateway to dozens of federal programs beyond cash transfers, including the Social Tariff for Electric Energy, *Minha Casa Minha Vida* (My House My Life), and exemption from civil service exam fees. The document explores the challenges arising from this expansion on three main fronts: institutional (federative governance and financing via IGD), operational (qualification of data collection and training of municipal teams), and technological (interoperability between systems, use of NIS versus CPF, and confidentiality issues). There is an emphasis on the existing tension between the need for data standardization for unified management and the specific demands of each user program.<sup>9</sup>

Finally, the text discusses the potential of the Unified Registry to transition from a single registry model for targeting (*Single Registry*) to an integrated management system or a *Single Window Service*. The conclusion points out that, to tackle poverty in a multidimensional way, it is necessary to advance in the integration of databases and overcome fragmentation barriers, allowing the registry to effectively coordinate the supply of services and benefits, reducing social vulnerabilities more broadly and efficiently.<sup>9</sup>

Although the Unified Registry and cash transfer programs are vital for immediate material survival and confer necessary statistical visibility, the analysis by Vianna<sup>10</sup> and Farfán-Santos<sup>5</sup> demonstrates that, in isolation, they operate under a poverty management logic that does not guarantee territorial security. Bureaucratic "paperwork," by itself, does not shield communities against exogenous undertakings nor ensure the maintenance of their ways of life. To transcend this administration of vulnerability and achieve effective self-determination, it is imperative to resort to a superior legal framework that transforms administrative recognition into inalienable territorial rights. It is upon this legal structure, ranging from the Federal Constitution to international treaties, that we will focus next.

## Legal framework and development policies: protection of traditional territories and populations

The analysis of socio-environmental impacts resulting from National and Regional Development Programs on traditional communities requires an understanding of the legal support that underpins the rights of these groups. The improvement of living conditions, health, and education must be a priority in economic development plans, conditioned upon the effective participation and cooperation of the peoples concerned.

The legal order guaranteeing rights to traditional territories and populations is multifaceted, structured across different levels of



governance — federal, international, and state. This chapter examines how these instruments, from the Federal Constitution to the state legislation of Rio Grande do Norte, converge to ensure the autonomy and socio-environmental integrity of these communities.

## Constitutional foundations and ILO convention No. 169

The basis of legal protection begins with the Federal Constitution of 1988. Article 225 ensures to everyone the right to an ecologically balanced environment, an asset of common use by the people and essential to a healthy quality of life. Specifically regarding territorial rights, Article 68 of the Transitional Constitutional Dispositions Act (ADCT) recognizes the definitive ownership of their lands to the remnants of *quilombo* communities.

In the cultural field, the Constitution, in its Articles 215 and 216, establishes that the State shall guarantee to everyone the full exercise of cultural rights, protecting the manifestations of popular, indigenous, and Afro-Brazilian cultures. Brazilian cultural heritage is defined as assets of a material and immaterial nature, bearers of reference to the identity, action, and memory of the different groups that form Brazilian society, covering everything from forms of expression to the spaces destined for such manifestations.

This constitutional framework is bolstered by Convention No. 169 of the International Labour Organization (ILO), incorporated into the Brazilian legal system in 2004 by Decree No. 5.051 (currently consolidated in Decree No. 10.088/2019). This international treaty establishes the right to free, prior, and informed consultation (FPIC) as a central mechanism. According to Articles 6 and 7 of the Convention, governments shall:

- I. Consult the peoples concerned, through appropriate procedures and particularly through their representative institutions, whenever legislative or administrative measures are envisaged that may affect them directly;
- II. Guarantee that these peoples can participate freely, and at all levels, in decision-making in institutions responsible for policies that concern them;
- III. Ensure that these peoples have the right to decide their own priorities for the process of development, exercising control, to the extent possible, over their own economic, social, and cultural development.

The Convention further determines that such consultations shall be undertaken in good faith and in a form appropriate to the circumstances, with the objective of achieving agreement or consent to the proposed measures.

## The national policy for sustainable development (PNPCT)

To materialize these rights within the realm of public policies, the National Policy for the Sustainable Development of Traditional Peoples and Communities (PNPCT) was instituted via Decree No. 6.040, of February 7, 2007. This legal instrument offers crucial definitions for the application of the law:

- I. **Traditional Peoples and Communities:** Culturally differentiated groups who recognize themselves as such, who possess their own forms of social organization, who occupy and use territories and natural resources as a condition for their cultural, social, religious, ancestral, and economic reproduction, utilizing knowledge, innovations, and practices generated and transmitted by tradition.

- II. **Traditional Territories:** Spaces necessary for the cultural, social, and economic reproduction of traditional peoples and communities, whether used permanently or temporarily.

- III. **Sustainable Development:** The balanced use of natural resources, aimed at improving the quality of life of the present generation, while guaranteeing the same possibilities for future generations.

## State legislation in rio grande do norte: Law No. 11.228/2022

At the subnational level, the State of Rio Grande do Norte advanced in consolidating these rights through State Law No. 11.228, of August 3, 2022, which establishes the State Policy for the Sustainable Development of Traditional Peoples and Communities. This legislation translates and applies national guidelines (Decree 6.040/07) to the local reality, formally recognizing the existence and importance of *quilombolas*, indigenous peoples, artisanal fishermen, gypsies, and other groups within the territory of Rio Grande do Norte (*potiguar*).

The state policy is grounded in principles such as the recognition of autonomy and the communities' own forms of social organization; respect for cultural identity and traditional knowledge; and the guarantee of territorial rights. Among its concrete objectives are the promotion of land regularization, access to culturally appropriate public health and education policies, and support for sustainable economic activities.

## Strengthening consultation protocols

One of the most innovative aspects of State Law No. 11.228/2022 is the establishment of a direct and binding connection with the Protocols of Free, Prior, and Informed Consultation. The law transforms consultation from an abstract principle into a concrete procedural obligation for the State and private enterprises. This relationship is structured around four fundamental axes:

- I. **State Legitimacy:** The Consultation Protocol ceases to be an instrument based solely on federal and international norms. With the state law, it acquires local legal backing, obliging state bodies (such as IDEMA and infrastructure secretariats) to recognize and follow the rules established by the communities.

- II. **Mandatory for the State:** Consultation becomes an imperative duty. Projects such as road construction, wind farm licensing, or the creation of conservation units that affect traditional communities must mandatorily pass through the filter of prior consultation.

- III. **Recognition of Autonomy (The “How”):** The law validates the community's right to define the rules of engagement. The Consultation Protocol is the ultimate expression of this autonomy, establishing timeframes, interlocutors, meeting formats, and the appropriate language for dialogue.

- IV. **Legal Certainty:** By ignoring a Consultation Protocol, an enterprise or governmental body commits a direct violation of state legislation, strengthening the community's legal position in potential judicial disputes.

## Final considerations on the legal framework

In summary, the interplay between the Federal Constitution, ILO Convention No. 169, the PNPCT, and the state legislation of Rio Grande do Norte creates a protection system that aims not only at environmental preservation but also at the guarantee of the self-determination of peoples.

Socio-environmental impact studies must not be mere bureaucratic formalities, but tools that evaluate the social, spiritual, and cultural incidence of projects upon these peoples. The Consultation Protocol, backed by this legal framework, establishes itself not only as a technical document but as a “shield” for the protection of rights and natural assets, and as a political tool to prevent dispossession and violations. It establishes the benchmarks to measure the good faith of any proponent, serving as the non-negotiable starting point for any dialogue regarding the future and territory of these populations.

Having moved past the stage of administrative recognition, the analysis must advance towards the transition to the effective exercise of political decision-making power, materialized in the right to Free, Prior, and Informed Consultation (FPIC). This process of self-determination takes shape through Autonomous Consultation Protocols (or Community Protocols), fundamental documents in which the groups themselves establish, in a sovereign manner, the rules and rites by which they wish to be engaged by the State. From this perspective, it becomes imperative to distinguish the figure of the “public hearing,” frequently limited to a mere bureaucratic listening session, from true “prior consultation,” which demands the establishment of an honest intercultural dialogue endowed with real capacity to influence the undertakings that impact their territories.

The consolidation of this robust normative system — which unites the Constitution, ILO Convention No. 169, and the innovative state legislation of Rio Grande do Norte — provides the necessary legal “shield” for the defense of the communities. However, the existence of the law does not end conflicts; on the contrary, it inaugurates new interpretative battles. The application of these instruments faces resistance that pits hegemonic development logics against local dynamics of existence. To understand how these norms strain power structures and demand a new stance from the Judiciary, it is necessary to examine the theoretical and sociological disputes that underpin the relationship between State, territory, and identity, as we will discuss in the next chapter.

### **Necessary jurisprudence: challenges and constructions in the courts**

The relationship between the State and traditional or vulnerable populations is permeated by tensions that transcend mere administrative management, configuring itself as a field of dispute over the definition of spaces, identities, and rights. State action is not neutral; it operates simultaneously in the macro-structuring of territory — defining areas of conservation and use — and in the bureaucratic microphysics, where documents and records validate the social existence of subjects. The following texts explore these dynamics, from conflicts of political ecology and land titling to the daily processes of documentary legibility that include or exclude citizens from access to public protection.

The dynamics of state recognition of identities and territories reveals itself as a complex field of bureaucratic and symbolic disputes, in which French<sup>11</sup> and Farfán-Santos<sup>5</sup> analyze how identity, especially *quilombola* identity, is juridically articulated to navigate State structures in search of resources and rights. This politics of recognition, whose limitations in guaranteeing autonomy via land titling are pointed out by Anthias and Radcliffe (2015), intersects with conflicts of political ecology where state logics of development and conservation collide with local territoriality; in this scenario, while Little<sup>12</sup> and Diegues<sup>13</sup> expose the antagonism between exclusionary environmental protection models and traditional uses of space, Escobar<sup>6</sup> situates this tension as a fundamental defense of “territories

of difference” against the hegemonic pressures of capital and state governance.

Antonio Carlos Diegues dedicates this work to deconstructing the “myth of untamed nature,” a preservationist concept imported from the North American model that idealizes nature as a wild space necessarily uninhabited to be preserved. The author argues that this view is inadequate for the reality of the tropics, especially in Brazil, where forests (Amazon and Atlantic Forest) are not demographic voids, but rather anthropogenic landscapes inhabited and managed for centuries by indigenous and traditional populations. Diegues maintains that the premise that human presence is inherently destructive ignores traditional ways of life that, historically, have coexisted with biodiversity and even enriched it.<sup>13</sup>

The text weaves a severe critique of Brazilian public environmental policies that adopt the “parks without people” model (integral protection), resulting in the expulsion of communities such as *caíçaras*, riverine dwellers, and *caboclos* from their ancestral territories. The author denounces that this approach creates grave socio-environmental conflicts and generates the figure of “conservation refugees.” By criminalizing the subsistence practices of these populations and removing them from the land, the State not only commits a social injustice but also loses essential allies in forest protection, substituting traditional surveillance with a frequently absent and ineffective state bureaucracy.<sup>13</sup>

Finally, the work proposes a paradigm shift towards socio-environmentalism or ethno-conservation. Diegues argues that environmental management in Brazil must overcome the dichotomy between man and nature, integrating local communities into conservation strategies. The conclusion points out that the protection of biodiversity depends intrinsically on the maintenance of cultural diversity, requiring public policies to recognize the territorial rights of these populations and value their traditional knowledge as an indispensable technical and political tool for the sustainable management of natural resources.<sup>13</sup>

Although focused on child protection, Vianna<sup>10</sup> offers valuable insights into how bureaucracy and documents (such as the Unified Registry and Certificates) “create” the citizen and allow or block access to rights, something very pertinent to vulnerable communities. Anthropologist Adriana Vianna analyzes State action not as an abstract entity, but as a concrete and daily presence in the lives of low-income families in Rio de Janeiro, through the child protection system (Guardianship Councils and Childhood Courts). The author explores how the boundaries (the “limits”) between the public and private become blurred when the State intervenes in domestic management, regulating moralities and defining what constitutes a fit or unfit family. The text demonstrates that state action is experienced by these populations through a bureaucratic management of affections and kinship relations.<sup>10</sup>

A central point of the analysis is the performative power of documents and “paperwork.” Vianna argues that birth certificates, judicial proceedings, and registries do not merely record reality, but produce it. A person’s social existence and their access to rights depend on their capacity to become legible to the bureaucracy. The text describes how the requirement for documents transforms citizenship into an obstacle course, where waiting times, queues, and the circulation of papers function as technologies of government that discipline and control vulnerable populations, requiring them to constantly prove their legitimacy to access basic services.<sup>10</sup>

Finally, the work concludes that state bureaucracy operates through a “management of suffering,” where the granting of rights is frequently intertwined with moral judgments about poverty and maternal conduct. For vulnerable communities, the State presents itself with a double face: it is, at the same time, the source of protection and rights and the agent of surveillance and punishment. Vianna’s analysis is fundamental to understanding how administrative tools (analogous to the Unified Registry) are not neutral, but active instruments that can both include and exclude individuals from the political community, depending on who holds the power to issue and validate the documents.<sup>10</sup>

In summary, the joint analysis of these works reveals that, whether in biodiversity management or social assistance administration, the State tends to impose exogenous logics that frequently disregard local realities and the ways of life of the served populations. While Diegues denounces the invisibility imposed by exclusionary preservationism, Vianna exposes the visibility controlled by documentary bureaucracy. Both contexts demonstrate that the realization of citizenship and territorial rights requires more than simple state presence; it requires a reformulation of governance practices so that they cease to operate as mechanisms of surveillance and moral punishment, moving to incorporate cultural diversity and the autonomous demands of these communities as central pillars of public policies.

The reflections of Escobar and Diegues evidence that the struggle for territory is, ultimately, a struggle for the affirmation of distinct ontologies, where nature is not a resource to be exploited, but a space of life to be preserved. However, these political ecology disputes do not occur in a vacuum; they gain concrete materiality when a specific community mobilizes these concepts to confront real threats. As an empirical synthesis of this trajectory—which starts from bureaucratic invisibility, passes through the legal framework, and culminates in political affirmation—we now turn to the case study of the *Primeira Lagoa* Quilombola Community, whose experience in developing its Consultation Protocol materializes the transition from tutelage to autonomy.

## Final considerations

### The protocol of free, prior, and informed consultation of the primeira lagoa quilombola community, Rio grande do norte, Brazil

As an empirical synthesis of the discussions on autonomy and territoriality, we present the case study of the *Primeira Lagoa* Quilombola Community, located in the municipality of Ceará-Mirim, Rio Grande do Norte. The analysis combines the Socioeconomic and Environmental Assessment (2022) with the community’s Protocol of Free, Prior, and Informed Consultation (FPIC), illustrating the transition from legal theory to political praxis. This case exemplifies how a traditional group, grounded in an ancestry of resistance and facing structural vulnerabilities and exogenous threats — such as the expansion of wind farms — appropriates global normative instruments (ILO Convention No. 169) and local ones (State Law No. 11.228/2022). By establishing its own rules of engagement with the State and the private sector, *Primeira Lagoa* not only highlights its demands for land regularization and public services but reconfigures the power asymmetry typical of development processes, becoming the central subject of the governance of its territory.

The document consists of a Socioeconomic and Environmental Assessment prepared by Antropos Consultoria Socioambiental in July 2022, at the request of the Municipal Government of Ceará-Mirim, Rio Grande do Norte. The central objective of the study is

to substantiate the recognition of the *Primeira Lagoa* community as a Quilombo Remnant Community, evaluating its vulnerabilities and potentialities to support the certification process with the Palmares Cultural Foundation and the implementation of public policies.

Historically, the community is inserted in the context of the Ceará-Mirim Valley, a region marked by sugar mills and enslaved labor. Oral tradition, preserved by local elders such as Mr. Antônio Pereira, and research by community teachers indicate that the origin of the settlement dates back to the escape of enslaved blacks and indigenous presence, configuring a centuries-old possession of the land and an ancestry of resistance that grounds the group’s identity.

The Protocol situates *Primeira Lagoa* within the Mato Grande Citizenship Territory (*Território da Cidadania Mato Grande*), an area with a significant presence of traditional communities, including indigenous peoples and other already certified *quilombos*, such as *Coqueiros* (Ceará-Mirim) and *Acauã* (Poço Branco). The assessment points to the invisibility of many of these families in official registries, such as *CadÚnico*, which historically hinders access to specific social programs and the guarantee of constitutional rights.

In demographic and housing terms, the community is composed of approximately 365 families, totaling about 1,500 inhabitants. The housing core has a street layout with partial paving, and the majority of houses are made of masonry, although wattle and daub constructions still persist. Land possession, despite being centuries-old, lacks regular titling, generating legal insecurity and the urgent need for land regularization by INCRA following certification.

Public service infrastructure presents significant contrasts pointed out in the assessment. While health is attended to by a Basic Unit and local community agents, education faces a severe crisis with the closure of the municipal school by the Public Prosecutor’s Office due to precarious structural conditions, forcing the displacement of students. Water supply is considered satisfactory, via pipeline and cisterns, but road access is hindered by dirt roads.

The local economy is based primarily on family farming, artisanal fishing in the river and local lagoons, and the raising of small animals in productive backyards. However, there is a strong dependence on social benefits (pensions and aid) and informal external work, such as in the region’s quarries or domestic services in the municipality’s seat. The study reveals that the community does not yet access specific rural credit lines (PRONAF) or adequate technical assistance.

Cultural and religious aspects are central to community cohesion, with an emphasis on Catholic festivals and novenas that mobilize the population. However, the document reports that previous cultural manifestations, such as dance groups, *quadrilhas juninas* (traditional June festivals), and a *Xangô terreiro* (religious yard), are deactivated or weakened, indicating the need for a cultural revival and the strengthening of political organization through a new association.

From the perspective of environmental and external impacts, the document highlights the expansion of wind energy in the region as a threat and a challenge. The proximity of wind farms and transmission lines requires the rigorous application of Convention 169 of the International Labour Organization (ILO), guaranteeing the community the right to free, prior, and informed consultation regarding any undertakings that affect their territory and way of life.

As a recommendation, the assessment proposes an ethno-development plan focused on territorial governance, digital inclusion, and the strengthening of social capital. Coordination with various municipal and state secretariats, as well as federal agencies,

is suggested to enable housing improvements, basic sanitation, differentiated education, and the promotion of agricultural production, in addition to partnerships with NGOs for resource mobilization.

Finally, the document provides technical and legal annexes that equip the community for the struggle for rights. It includes pertinent legislation, public policy guides, model statutes for the association, and a practical manual for the construction of evapotranspiration tanks (ecological septic tanks), reinforcing the conclusion that *Primeira Lagoa* meets all requirements to be officially recognized as a *quilombola* community.<sup>14</sup>

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## Conflicts of interest

The author declares there is no conflict of interest.

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