There are over 3,000 quilombo communities in Brazil. More than 1800 of these communities are now certified by the Palmares Cultural Foundation (Fundação Cultural Palmares)\(^1\) thanks, in part, to a Presidential Decree (4.887) signed by Luis Ignacio Lula da Silva in 2003. Decree 4.887 grants rural, black communities the right to self-identify as the descendants of quilombos (colonial fugitive slave camps), and formalizes the political process of granting these communities land rights. Since 2004, a Direct Action of Unconstitutionality (ADIn 3.239) has threatened to terminate Decree 4.887 in the Brazilian Supreme Court. As the number of politically recognized quilombo descendant communities increases, violent interactions between private landowners and quilombolas are also rising. The ADIn reflects the political and social contention over the creation of special rights for quilombo descendants. For rural, black communities, the choice to identify as the descendants of quilombos has meant the opportunity for national visibility and recognition; however, it has not come at a small price. Determining how to define the modern descendants of quilombos for the purpose of distributing land rights has also meant that communities are spiraled into a long and conflictive process of authentication. Since 1995, anthropologists have worked with the government to redefine the colonial definition of ‘quilombo’ to reflect the contemporary reality of its descendants. As more and more communities demand rights under the constitutional quilombo provision, the way in which ‘quilombo descendants’ are officially defined becomes crucial to the legitimation of a quilombola identity, and therefore, to the successful allocation of collective rights for black Brazilians.

In this article, I examine the role of anthropologists in defining the ethno-racial identity: remanescente de quilombo. While the colonial quilombo was used by the Portuguese Crown to refer to three or more ‘fugitive’ slaves in hiding, quilombo descendants have been defined beyond the limits of simply descendants of fugitive slaves. The purpose here is to think about how the political definition of the ‘quilombo descendant’ (also called quilombola) has been molded out of a language of multiculturalism, and an intellectual effort to reckon with the nation’s history of racism. I argue that in order to legitimate a quilombola identity, deserving of collective rights, Brazilian anthropologists needed to define quilombo descendants as a distinctive, ethnic group emphasizing a rubric of cultural, as opposed to racial, difference. Using the theory of “ethnic boundaries” developed by the North American anthropologist, Fredrick Barth (1969), race was excluded as an official characteristic of recognition for quilombo descendants. Quilombo descendants are historically racialized subjects; therefore, it is important to understand why racial identity was not included in the rubric of recognition. I introduce race as a social and ideological problem of anthropology and the Brazilian national identity. Here I ask: can there be blackness without race? While race-based policies have been introduced in the 21st century, forcing intellectual and political leaders to reckon with the place of race in the recognition of difference, racial democracy\(^2\) is still a dominant ideology in Brazil. Although neither Article 68 nor Decree 4.887 define quilombola rights as race-based, the

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\(^1\) A faction of the Ministry of Culture created in 1988 for the social, cultural, economic, and political integration of black Brazilians.

\(^2\) Racial Democracy is a term used to described Brazil as a place where people of different races interact freely and equally. The term has its roots in the mid to late 20th century when Brazilian society was forming its own racial identity vis-a-vis the segregated societies of the United States and South Africa.
implication of black Brazilians as the subjects of collective rights has created social and political conflict surrounding the constitutionality of special rights for black groups.