Music to the ears of indigenous Brazilians

Inside View

ANGELA MARIA PAPPIANI

u Paulo: More than five centu-es after the 'discovery' of Ameri-, the plundering of indigenous lture continues with impunity.

Indigenous music, for exam-e, can be packaged and sold all er the world, producing huge ofits for businesses, without the thors or their descendants re-iving a cent, or having any legal course to win compensation.

The lack of concern over the ight of indigenous artists was un-rlined by the inaction of the Bra-ian parliament — where a bill protect the authors' right of in-genous peoples has languished r almost a year.

But in 1991, this age old habit cultural pillage was interrupted hen Milton Nascimento released e album *Txai*.

It contained, in addition to autiful music inspired by his ps to the Amazon, an absolute velty: traditional indigenous ngs and instrumentals.

For the first time in Brazil, anks to this famous musician, in-genous peoples were legally re-gnised as legitimate co-authors a commercially produced and bally marketed work.

Nascimento featured songs of Surui, Wayapi, and Kaipo peo-ples on one side of the record. The flip side featured Nozanina, a tra-ditional song of the Pareci (from the state of Mata Grosso), which was attributed to Hector Villa lo-bos and Roquete Pinto, the re-searchers who collected the song at the beginning of this century.

Including this song on the al-bum required the approval of the publisher and not the descendants of its creators. What happened with Nonazina is an example of the 'civilised' approach which treats the patrimony of indigenous Indi-ans as a treasure that must be cat-aloged and re-corded so that it will not be lost. The communi-ties that produced this music, however, received nothing in-return for the recording and docu-mentation.

The vast majority of indigenous groups have no idea how much of their culture and knowledge is tak-en from their lands — or for what purpose — without any benefit.

In 1992, when Mexican indige-nous communities heard Txai, they were amazed. They had never heard of a famous singer dedicat-ing a part of his record to make in-digenous traditional music known to mass audiences. They were even more surprised to learn that the communities that made this music actually received payment.

There are many records of their indigenous music that Mexi-can Indians had never heard; their music has recorded and distribut-ed without credit to the authors. This is common in Brazil as well. In most cases, foreign researchers collect material and leave it to mu-seums and institutions abroad that then issue records.

Brazilian law does not provide for the recognition of collective au-thors' rights, which makes protec-tion of the rights of indigenous communities extremely difficult. Even when a researcher who col-lected indigenous music is not credited as the author, the work is considered to be in the public do-main — regardless of whether the people, or the individual, who cre-ated it is known.

Appropriation of many other forms of indigenous culture such as knowledge of plants, herbs, fau-na and the environment, or artis-tic expression through body paint-ing, ceramics, textiles, basket weaving, and decorations, is com-mon and never considered crimi-nal, immoral, or even 'politically incorrect',

Concern over the issue of au-thors' rights and intellectual prop-erty of indigenous peoples has lead to many inter-national meet-ings to define the limits to these rights. But various economic groups have exerted pressure to keep the use of indigenous knowledge 'free' and beneficial to all — as long as prof-its end up in their bank accounts.

The bill presently before the Brazilian congress would be but of limited help. Though well intend-ed, it permits the use of indigenous art for 'educational and research purposes' without payment to or authorisation by the communities that produced it. Though it does require payment for commercial use, the line between what is and is not commercial is vague, espe-cially in the case of indigenous art.

In September 1994, the Nucle-us of Indigenous Culture produced the first professional recording of indigenous Brazilian music for commercial distribution. The re-cord is called *Etenheritipa — Songs from the Xavante Tradition* and was entirely produced in Pi-mentel Barbosa, the most tradi-tional village of Xavante people, with the participation of its inhab-itants.

Txai and *Etenheritipa* demon-strate that though there is no pro-tective legislation, there are ways to spread the art of indigenous people while respecting their will, culture and rights.

This work raises the hope that little by little the non-indigenous peoples will come to see the indig-enous peoples and their culture with the respect they deserve and consequently guard their right to their cultural activity, their knowl-edge, and their image.

Inter Press Service

The author is the communications coordinator of the Nucleus of In-digenous Culture in Sao Paolo.