

Cultural references as a basis for spatial planning and environmental justice - Environmental Licensing and the preservation of cultural heritage in Brazil

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This paper aims at discussing the preservation of cultural heritage as an important aspect for both spatial planning and environmental justice. It proposes understanding heritage from an environmental point of view. Such approach derives from the perspectives set forth by legal and socio-environmental debates on environment, which is understood as a broad category that includes both natural and cultural aspects (MARÉS, 2006; RODRIGUES e MIRANDA, 2012; SANTILLI, 2005), as well as the relations between man and natural resources, or, in other words, between culture, nature and space. It also proposes discussing heritage given the present heritage policies, which are based on affirming cultural rights, empowering identities, respecting cultural diversity and promoting social economic development (BRASIL, 1988; IPHAN, 2012).

This work proposes to study preservation initiatives and the role of the Brazilian Institute of National Historical and Artistic Heritage – IPHAN in the context of environmental licensing. Our analyses understands such context as an important arena for conflicts related to environmental justice, cultural, memory and land rights, as well as spatial planning, particularly when faced with development policies and the construction of major infrastructure projects, as proposed by Brazil's Growth Acceleration Program - PAC (LEAL e SILVA, 2015; OLIVEIRA, 2015).

In order to do so, we will work with legal documents and IPHAN's initiatives, by means of case studies referring to some environmental licensing processes in which IPHAN takes part. Its institutional role foresees demanding environmental impact

assessments to evaluate the impacts on cultural properties on the regions affected by the infrastructure projects and seeking alternatives to prevent, minimize or event mitigating the impact. Analyzing such demands and their results may enable us to discuss to what extent IPHAN promotes communities' rights to their cultural references, to their culture, to their land, to participating in proposing cultural and spatial planning policies agenda, by demanding environmental impact assessments to evaluate the impacts on cultural properties on the regions affected by the infrastructure projects and seeking alternatives to prevent, minimize or event mitigating the impact.

From the creation of environmental licensing in Brazil, by means of Law no. 6.938/1981, until recent regulation on IPHAN's role in such context (IPHAN Normative Instruction no. 001/2015), environmental and heritage policies have been through great changes. These have been greatly influenced by the 1960s and 1970s debates on concepts and categories such as nature, culture, development, sustainability, environment – both cultural and natural environment –, socio-environmentalism, cultural and natural heritage and, of course, environmental licensing. (OLIVEIRA, op. cit.). This paper intends to analyze this trajectory from an interdisciplinary and transversal approach (BRAGA e SILVA, 2014; LEAL e SILVA, 2015). It also aims at highlighting the differences and convergences in the uses and understandings of both heritage and environment; the role they play in the struggles for rights; and how various agents act in such confrontational arena - governmental and non-governmental organization, social movements, traditional communities, indigenous people etc.

That is to say we understand environmental licensing as a fruitful and useful instrument for preserving cultural heritage, not only because of the possibilities of dialog and conflicts it offers, by means of bringing together various agents and involving a myriad of institutions, but also because of the procedures it encompasses, such as environmental impact assessment and heritage education. We also think of environmental licensing as central aspect in the struggles for environmental justice and for social participation in spatial planning, when and if “managed by a broader net of multidisciplinary knowledges, envisaging symmetrically and dialogically the diversity of possible standpoints on the same phenomenon: environmental impact “ (BRAGA E SILVA, op cit., p. 104).

Case studies related to IPHAN's initiatives in the states where we authors work – states of Rondonia and Paraíba, respectively in the North and Northeast regions of Brazil – will enable this paper to indicate and discuss limits and possibilities of institutional intervention in the environmental licensing processes that took place in such states. It is worth to highlight that both Rondonia and Paraíba are states in which IPHAN's preservation actions are modest, which means both few initiatives for identifying cultural properties and little protected cultural heritage. In our point of view, such condition would enhance environmental licensing possibilities, to the extent that expected procedures of producing information about the region, such as environmental impact assessments, could contribute in producing knowledge on and mapping cultural assets and manifestations.

Therefore, we insist on the understanding of heritage as environment, which means highlighting the relations among cultural and natural properties, landscapes, sites and territory; the struggle for affirming and acknowledging not only cultural and identity rights, but also ecological, environmental and land ones. We also intend to discuss the different logics, rationalities, experiences and knowledges present in the processes of identifying, valuing and protecting properties, manifestations, people and territories – that is, in protecting both heritage and environment.

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