

# Drugs, Religion, and Cultural Heritage: An Analysis of the Public Policies Regarding the Use of Ayahuasca in Brazil

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*Abstract: In 1985, ayahuasca was banned for a short period of time by the Federal Council of Drugs (CONFEN). After more than two decades of debates and public policies, the Brazilian government consolidated the regulation of ayahuasca consumption for religious purposes and recognized ayahuasca groups as legitimate religions and part of the cultural heritage of the Amazon region. The aim of this work is to demonstrate that scholars played a crucial role in shaping public policy related to the regulation of ayahuasca exclusively for religious purposes, as well as influencing the public recognition of the Brazilian ayahuasca religions. Thus, by participating in the decision-making processes and incorporating elements from the academic field into the debate, Brazilian researchers contributed to mold the regulation of ayahuasca and shape public policies.*

*Keywords: Ayahuasca, Drugs, Religion, Culture, Public Policies*

## The First Public Policies Regarding the Use of Ayahuasca in Brazil

Ayahuasca<sup>2</sup> is one of the many names given to a tea with psychoactive properties produced from two plants native to the Amazon forest—the vine *Banisteriopsis caapi* and the leaves of a shrub, *Psicthrya viridis*. It contains, among other psychoactive substances, DMT (dimethyltryptamine), an internationally banned substance according to the 1971 Convention on Psychotropic Substances (CSP) of the United Nations (Labate 2012). In Brazil, besides the vast majority of indigenous groups that consume ayahuasca, one can also highlight the significant presence of three ayahuasca groups in the Amazon region founded between the 1930's and 1960's: Santo Daime, Barquinha, and the União do Vegetal. They are known in the academic literature as Brazilian ayahuasca religions.<sup>3</sup> In the late 1970s and beginning of the 1980's, the expansion of ayahuasca use throughout Brazil created new dynamics, as churches linked to Santo Daime and União do Vegetal were founded in some of the country's largest cities. As a result, ayahuasca groups acquired increased visibility.

The debate concerning ayahuasca use reached its highest peak in the 1980's with the participation of new social actors in the debate such as scholars, governmental institutions, and the national media. In the mid-1980s, ayahuasca was banned for a period of six months by the Federal Council of Drugs (CONFEN), but later its use was temporarily authorized by the Brazilian government. After more than two decades of debates and public policies, in 2010, the

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<sup>2</sup> Yagé, Caapi, Kamarampi, Natema, Santo Daime, Vegetal, and Hoasca are some of the names by which the drink is known. In the case of Santo Daime, however, the term refers not only to the tea, but also to the group itself.

<sup>3</sup> The anthropological category "Brazilian ayahuasca religions" first appeared in *The Ritual Use of Ayahuasca* (Labate and Araújo 2002) referring to three groups that originated in the Brazilian Amazon, whose origin was based on the ritualized use of ayahuasca: Santo Daime, Barquinha, the União do Vegetal (UDV) (Labate et al. 2008). According to Labate: "Although in several countries in South America, such as Colombia, Bolivia, Peru, Venezuela and Ecuador, there is a tradition of consuming ayahuasca by shamans and *vegetalistas* curiously it is only in Brazil that non-indigenous religions that make use of this drink developed. These religions, like the cases of Gabon Bwiti religion (which consumes Iboga, Tabernanthe iboga) and the Native American Church in Mexico and US (which consumes peyote, *Lophopora wiliamsii*), rebuilt ancient traditions based on a rereading influenced by Christianity. This rereading in Brazil is formulated by incorporating traditions from Amazonian healing systems and popular Catholicism as well as other sources: the African-Brazilian tradition, Kardecism and esotericism of European origin" (Labate 2004, 65).

Brazilian government, through the National Council of Drug Policy (CONAD), regulated ayahuasca consumption for religious purposes, recognized ayahuasca groups as religious organizations, and as part of the cultural heritage of the Amazon. In this light, the aim of this article is to analyze some of the key developments that contributed to the recognition of ayahuasca use from a potentially harmful drug to a religious and cultural tradition in Brazil. The article will focus mainly on the normative processes developed throughout three governmental institutions: the Federal Council of Drugs (CONFEN), the National Council of Drug Policy (CONAD), and the National Institute of History and Patrimony (IPHAN). The main objective of this article is to demonstrate how the work of scholars played a crucial role in the regulation and recognition of the religious use of ayahuasca, shaping the public policies over the last three decades.

In 1985, *Banisteriopsis caapi*, one of the plants used in the making of ayahuasca, was included in the list of banned substances by the Division of Drugs (DIMED), an agency that belonged to the Ministry of Health. Months later, members of a Brazilian ayahuasca group, União do Vegetal (UDV), solicited the Federal Narcotics Council (CONFEN) to reconsider the measure. Ayahuasca remained banned for six months when CONFEN decided to allow the use of the tea until a final decision was made (Resolution no. 6, CONFEN, 86). After two years of evaluations, in which members of CONFEN visited ayahuasca groups, participated in rituals, and interviewed its members, CONFEN released the Final Report—Ayahuasca (1987). A number of scholars from various fields such of as anthropology, sociology, philosophy, psychology, and psychiatry worked as advisors prior to the publication of the report. It argued in favor of the exclusion of *Banisteriopsis caapi* from the list of banned substances (Labate 2005).

According to the report, most of the inquiries made by the working group during the investigations involved two categories in particular: “hallucinogens” and “cultures.”

For the last two years in which “ayahuasca” was an object of research of the working group, including studies of groups of users from various social segments, in Rio de Janeiro, in Brasília or within the Amazon forest, numerous questions were formulated that in fact already implied an *a priori* condemnatory judgment. These questions gravitated often around two words, “hallucinogen” and “culture.” Thus, the question, was: Is “ayahuasca” a “hallucinogen”? Is it advisable to allow its use by city people, given the different “cultures,” between “urban population” and “rural folk”? (Confen 1987, 29)

The main arguments of the report are divided in two categories: on one hand, the debate on the psychoactive substances, emphasizing the possibility that ayahuasca contained hallucinogenic properties; on the other hand, the concern about the cultural aspect of ayahuasca use, specifically focusing on the implications of the expansion of ayahuasca groups to some of Brazil’s biggest cities. With regard to the debate on psychoactive substances, the report presented a critique of approaches based on an alleged medical and pharmacological determinism, questioning the implications of the term “hallucinogen.” It states that the search for a peculiar form of perception sought by ayahuasca users does not resemble hallucinations—in the sense of madness or insanity. According to the report, there is a common goal related to the search for the sacred and self-knowledge within the members of ayahuasca groups. The report argued that it was not up to the working group to establish if the pursuit of sacred experiences or self-knowledge were illusions, daydreams, or fantasies, terms commonly related to hallucinations.

As for the culturalist perspective, the report highlighted the concern about the escalation of ayahuasca use on a nationwide scale. It also questioned the possible risks that the expansion of ayahuasca use from the Amazon region to the major Brazilian cities could cause. There was a fear regarding a possible uncontrolled proliferation of users, as ayahuasca spread out of its original cultural context. On this perspective, it is worth mentioning the position of the anthropologist Regina Abreu, presented at the end of the report:

It is necessary to add other considerations to the issue mentioned before relating to the conversion of segments of the urban-industrial society to the [ayahuasca] doctrine, a fact that raises concerns from religious groups, civil and military authorities and civil society sectors. The insertion of Santo Daime in big cities presents, thus, peculiar characteristics of the urban life. We will not find, obviously, typical jobs from the rural areas [...]. But the conversion to the doctrine of Santo Daime can lead converts to ritual practices and ways of life that share the basic features of rural religious communities. [...] In conclusion, these communities, belonging to the countryside or the city, which adopt “Santo Daime,” may seem exotic to the eyes of many, but to live with this diversity can be enriching not only for individuals but for society as a whole. (Confen 1987, 31–32)

It is also noteworthy that the last quote in the report belongs to *Race and History* (1952), in which Levi-Strauss states that no culture is isolated from relating to other cultures and building cumulative series. In his view, the only fate that could afflict a human group and prevent it from fully realizing its nature would be forcing it to be alone. The final quote of the report can be seen as an attempt to deal with cultural diversity in a political perspective, turning a possible fear of the expansion of ayahuasca groups into a legitimate historical process. Therefore, the final report proposes a framing of ayahuasca use and its spread throughout the country as a result of Brazilian cultural diversity.

In the early 1990s, the regulation of ayahuasca was re-examined after some groups were anonymously accused of drug trafficking and of using illicit substances during the rituals. In 1992, Domingos Bernardo de Sá, a member of CONFEN’s council, conducted new investigations concerning the making and the uses of ayahuasca. Sá’s work on the matter is reflected in the CONFEN Report on ayahuasca from 1992. The report reaffirmed the conclusions stated in the Final Report—Ayahuasca, from 1987. The content of the report was advised by specialists from the fields of anthropology, psychiatry, and psychopharmacology. In an attempt to legitimize ayahuasca groups as religions, Bernardo de Sá referred to Clodomir Monteiro da Silva’s work (1983), stating that the use of ayahuasca had a clear social and ritual dimension. Sá quotes Clodomir Silva in the following words: “the use of Santo Daime [ayahuasca] is almost exclusively social, which always involves a sequence of acts or rituals” (Confen 1992, 16). The report is inspired on the analysis of the anthropologist Edward MacRae, who among other things, says the following:

Concerning cultural interests, ayahuasca has had an urban ritual practice in Brazil for almost 70 years. [...] The religious use of the psychoactive tea gave rise to the creation of institutions that provide ethical, social and cultural frameworks, around which people built their lives. The various anthropological and historical studies on the use of ayahuasca has stressed the peaceful and orderly conduct of the members of the various sects, whose core values resemble those considered emblematic of Western Christian societies. Far from leading to an abusive and destructive use of psychoactive substances, the most noticeable trend is to promote modest and austere lifestyles, focused on the cult of spirituality in family and communitarian values. (Confen 1992, 12–13)

In a later work, MacRae (2008) reaffirmed that the sociocultural aspects were decisive to CONFEN’s decision presented in the Final Report of 1987. MacRae stressed the relevance of the “rules,” “values,” and “religious rituals” that supported the regulation of ayahuasca. According to the anthropologist:

The 1987 report acknowledges that ayahuasca religions contributed to strengthen values considered emblematic of Christian Western societies, and to promote feelings of social cohesion such as discipline, generosity, familial love, communitarian sense and respect for nature. Today, anthropologists also consider these cults as “rites of order” and see

the religious use of ayahuasca as a good example of reducing harm related to the use of psychoactive substances, by providing a framework of rules and values, religious and social rituals, life structure for the followers and a control of the availability of the substance. (MacRae 2008, 293)

Thus, the recurrence of arguments in the academic literature and in public policies indicates that the religious aspects of ayahuasca institutions, with their “rules,” “rituals,” and “values,” promote social cohesion among its members, preventing abusive and destructive behaviors. It is safe to say, therefore, that arguments from academic literature—especially the anthropological framing of ayahuasca use as a socially integrative religious expression based on an Amazon cultural tradition—have become part of the orientation of the first public policies on ayahuasca. In this light, scholars and researchers had a leading role in defining the agenda of the first public policies for the regulation of ayahuasca in Brazil. The set of anthropological arguments that prevailed paved the way for the recognition of ayahuasca institutions as religions and set the tone for the regulation of ayahuasca for religious purposes only.

### **Recent Developments: The Preservation of Religious and Cultural Traditions**

Despite the favorable decisions of CONFEN in the 1980s and 1990s, the regulation of ayahuasca was questioned again in the early 2000s due to a number of complaints about newly supposed misuses, which included the same accusations of drug trafficking and the use of other psychoactive substances during ayahuasca rituals. Due to this situation, the National Council on Drug Policy (CONAD) released a resolution on December 31, 2002, attesting “that the ritual use of ‘ayahuasca’ constitutes a cultural and religious regional expression that has for long been recognized by Brazilian society.” CONAD’s (2002, 1) resolution also established the creation of a multidisciplinary working group in order to establish “rules of social control regarding the use of the tea ‘ayahuasca.’”

The resolution in question was issued on the last day of the administration of former President Fernando Henrique Cardoso, and the multidisciplinary working group was not constituted. However, in March 2004, CONAD asked its Council of Scientific and Technical Advice (CATC) to develop a new study and a technical report concerning the various religious uses of ayahuasca. The CATC held meetings on the matter, which included the participation of the anthropologists Edward MacRae, Sandra Lucia Goulart, and Beatriz Caiuby Labate (MacRae 2008). The discussions resulted in a resolution that stated the legitimacy of ayahuasca use for religious purposes, whose regulatory process started eighteen years earlier with CONFEN. The resolution pointed out the importance of ensuring the constitutional right to religious freedom and indicated that the regulation of ayahuasca should be supported by a wide range of information, provided by professionals from various fields of knowledge, governmental agencies, and general experience. Finally, the resolution established the formation of a multidisciplinary work group (MWG) to undertake a survey and to monitor the religious use of ayahuasca on an ongoing basis, research the therapeutic use of ayahuasca on a trial basis, promote a national registration of all institutions that use ayahuasca, and to develop a document that defined the ethics regarding the use of ayahuasca as a way to prevent its misuse (Conad 2004).

The MWG included members from the fields of anthropology, pharmacology, biochemistry, social work, psychology, psychiatry, and law. Six representatives of various ayahuasca groups also participated in the MWG. According to MacRae (2008), the members who participated in the MWG were researchers who had earlier provided consultations to CONFEN and CONAD on several occasions, including scholars who participated in the development of CONFEN’s first reports on ayahuasca. The MWG—Ayahuasca published a Final Report in November 2006, which reiterated the legitimacy of the religious use of ayahuasca, based on the constitutional principles of religious freedom, freedom of conscience, and the obligation of the state to guarantee the protection of indigenous and African-Brazilian cultures. Regarding the “religious

use of ayahuasca,” the document recognized that the “ritualistic use of Ayahuasca [...] has been recognized by Brazilian society as a legitimate religious practice” (Conad 2006, 6–7). As stated in the report:

The aim, therefore, is to ratify the legitimacy of the religious use of ayahuasca as a rich and ancient cultural manifestation that deserves state protection due to the relevance of its historical, anthropological and social values [...]. Practices that could jeopardize the legitimacy of religious use traditionally recognized and protected by the Brazilian government should be avoided, including the use of Ayahuasca associated with illegal drugs or outside of a ritualistic environment. (Conad 2006, 7)

According to the document, the MWG recognized the practices surrounding ayahuasca—such as the extraction of plants, preparation, storage, and its use—as an “act of faith, not as a business.” In these circumstances, obtaining profit from the consumption of ayahuasca would be incompatible with the religious use. However, the report ensures that ayahuasca groups have the right to promote events within the established legal limits, but it states that the groups should avoid measures that could turn a “responsible religious practice” into a “mercantilist practice regarding a psychoactive substance, enriching individuals or groups which promote inadequate practices and hide behind the argument of faith” (Conad 2006, 9).

As for the dissemination of information, the report highlighted that the “publicity of ayahuasca” had been subject to distortions and abuses, especially on the internet, and established that the “responsible ritual use is incompatible with the advertising and promises of miracle healings and astonishing personal transformations” (Conad 2006, 9). Thus, the MWG warned ayahuasca groups to treat this issue discreetly, without embellishing the effects of the substance. Regarding the organization of the groups, the report recommended that they turned into “formal organizations with legal status, consolidating the idea of responsibility, identity and social projection, which enables an environment of trust for ayahuasca users” (11), and that they should have the presence of experienced people who can deal with various aspects that involve the ayahuasca use.

Based on the points made in the report, some ethical principles regarding the religious use of ayahuasca were established: (i) the use should be restricted to religious rituals, and its use associated with illicit psychoactive substances was vetoed; (ii) the prohibition of commercializing ayahuasca; (iii) the groups should develop a self-sustainable use of ayahuasca; (iv) they should avoid any kind of tourist promotion of ayahuasca; (v) they should not advertise the use or benefits of ayahuasca; (vi) the recommendation for the groups to constitute legal organizations; (vii) the necessity to keep a record of participants, and new members. After the above points, the conclusion of the document states:

Finally, the religious ritualistic use of Ayahuasca, long recognized as a legitimate practice, constitutes an inseparable cultural expression of the identity of traditional populations of the Amazon region and part of the urban population of Brazil, and the State not only fully ensures this right to cultural expression, but also protects it by any means. (Conad 2006, 13)

In January 2010, CONAD established resolution no. 1, concerning the compliance by the public authorities of CONAD’s decisions on standards and procedures regarding the religious use of ayahuasca, as well as their ethical principles. The resolution determined the publication of the Final Report of the MWG, deciding to give wide publicity to the report and forward it to all members and counselors of CONAD, as well as the institutions that make use of ayahuasca (Conad 2010).

Considering the development of public policies regarding ayahuasca, it is safe to say that the participation of researchers and scholars played a strategic role in advising public institutions.

These experts were gradually inserted in committees and working groups set up in order to investigate ayahuasca and its uses. Indeed, the anthropologist Edward MacRae (2008) highlighted the role of scholars in the ayahuasca regulatory process in Brazil, comparing them to the scholars in the beginning of the twentieth century that articulated the legitimacy of the African-Brazilian religions.

Attempts to regulate the religious use of ayahuasca have many points in common with the process of legitimation of African-Brazilian cults. Among them figure also the important role played by scholars or supporters of the cause, especially physicians and anthropologists [...], which in many cases were also associated in varying degrees to the practices of these religions. In the same way as Nina Rodrigues, Arthur Ramos, Edison Carneiro, Gilberto Freyre, Jorge Amado and others were of great importance in legitimizing the African-Brazilian cults, constituting a field of study around it and organizing scientific and political events such as the African-Brazilian Congress in the 1930s, physicians and social scientists [...] have contributed to expand and disseminate knowledge on the subject. (MacRae 2008, 32)

Therefore, the role of these scholars was crucial not only in giving visibility to the subject, but also in shaping the public perception of the phenomena in dispute. These measures, such as academic research, or participation in forums for the development of public policies, contributed to give legitimacy to ayahuasca groups by associating the use of ayahuasca with traditional religious and cultural manifestations in the Amazon region. They also helped to define what is understood as “religious” use as opposed to a “commercial” use of a drug, and to outline the acceptable parameters of regulation of these “religions” by the state.

In retrospect, it must be pointed out that the first measures taken by CONFEN in the 1980s primarily focused on the inclusion of ayahuasca in the list of banned substances and also on the aspects related to the production and consumption of ayahuasca. The debate was first polarized by the terms drug/culture and focused mainly on the issue of prohibition or the possibility of regulating ayahuasca. Thus, the main arguments of the first public policies focused on defending the legitimacy of ayahuasca use as a religious and cultural manifestation. From the 2000s, the CONAD resolutions stopped associating the use of ayahuasca with drug abuse. Its legitimacy was no longer a subject of debate and it became a well-established consensus that ayahuasca groups should be respected as religious heirs of an Amazon cultural tradition. In this new configuration, the debate focused on the social and legal mechanisms necessary to ensure the “responsible use of ayahuasca,” understood as strictly ritual and not-for-profit. This new concern culminated in the initiative to establish ethical principles for the use of ayahuasca, presenting a set of recommendations to prevent the development of decontextualized uses that could threaten the legitimacy of a respected cultural and religious tradition. Thus, the regulatory process undertaken by CONAD for ayahuasca consumption was accompanied by a constraint on the acceptable forms of use as specified in the MWG report.

## **The Religious Use of Ayahuasca as Intangible Heritage of Brazilian Culture**

In April 2010, Acre Legislature granted Acre citizenship titles to Raimundo Irineu Serra (founder of Santo Daime), Daniel Pereira de Mattos (founder of Barquinha) and José Gabriel da Costa (founder of the UDV) (Aleac 2010). Three years earlier, in April 2008, these three religious leaders had filed an application requesting the recognition of ayahuasca as Brazilian intangible cultural heritage by the Institute of Historical and Artistic Heritage (IPHAN) [...]. In September 2006, the installations of a Santo Daime branch, called Centro de Iluminação Cristã Luz Universal—CICLU-Alto Santo—were classified as historical and cultural heritage of Acre by a decree by Governor Jorge Viana and Mayor Raymond Angelim. This process represents an important achievement

in the history of ayahuasca groups, which have been, since its origin, often persecuted. The relationship of these groups with the government of Acre and the transition of the status of ayahuasca from the stigma of a dangerous drug to a regional and national cultural heritage represents a major transformation, and very little has been written about it so far. (Labate 2010c, 1)

Beatriz Labate refers to one of the main recent developments of the public controversy concerning the use of ayahuasca in Brazil: the request undertaken in 2008 by representatives responsible for the Cultural Foundations of Acre and Rio Branco Municipality, in dialogue with representatives of Santo Daime, Barquinha, and UDV. They requested the Minister of Culture Gilberto Gil to start a recognition process of the religious use of ayahuasca as an intangible heritage of Brazilian culture. In November 2011, the IPHAN began to assess the application, opening a bid for it with the aim to undertake a preliminary survey of the National Inventory of Cultural References (INRC) on cultural goods and references associated with the ritual use of ayahuasca in the state of Acre. According to the request made to IPHAN:

The acts of these three founding masters—Irineu, Daniel and Gabriel [Santo Daime, Barquinha and União do Vegetal respectively]—laid the doctrinal foundations for a new religious tradition, syncretic and typical from the Brazilian Amazon, which enabled the formation of communities organized around the ritual use of Ayahuasca and began to play a role (political, social and cultural) in the very formation of Brazilian society in the Western Amazon. (Queiroz et al. 2008)

The request indicates that ayahuasca groups have become an important segment of Brazilian society by receiving recognition as cultural heritage. It is stated in the document that the ritual use of ayahuasca in religious doctrines meets the criteria that characterizes the notion of intangible heritage, understood as “practices, representations, expressions, knowledge and skills that communities and groups recognize as part of their cultural heritage.”

One month before IPHAN started the evaluation period, a meeting was held regarding ayahuasca diversity in the city of Rio de Janeiro. According to a letter from the representative of an ayahuasca group, Alex Polari de Alverga, members of various ayahuasca groups joined the meeting, which included representatives from IPHAN and the Ministry of Culture. The goal was to identify and register “ayahuasca diversity” in order to extend the application of the recognition of ayahuasca as intangible heritage of Brazilian culture made by ayahuasca groups of Acre. According to Alverga (2011), the Ministry of Culture and IPHAN considered it necessary to include, besides the main ayahuasca groups—the Santo Daime, UDV and Barquinha—the various institutions that were initially excluded from the debate.

According to Goulart (2014), the inventory of cultural references started in February 2012, and the first stage was completed in early 2013. However, for IPHAN to establish a final conclusion on the issue and ratify the registration of the ritual use of ayahuasca as Brazilian intangible heritage, it needed the complementary research of ayahuasca cultural references, which had not been done so far. It is interesting to note, as Goulart and Labate (2016, 15–16) highlight, that the dialogues and negotiations with government agencies on a possible recognition of ayahuasca as a cultural heritage resulted in the introduction of new actors in the debate, such as representatives of indigenous groups. Therefore, this ongoing process can be seen as a new stage in the development of public policies concerning the use of ayahuasca in Brazil, expanding the myriad actors involved in the debate and presenting new directions for disputes surrounding the recognition of ayahuasca use as a religious and cultural manifestation.

Although the recognition process has not concluded, it appears that despite the differences and disputes between ayahuasca groups regarding the practices and institutions that should be encompassed by the category of cultural heritage, the discussion is guided by a previous framing of the phenomenon as a legitimate religious and cultural tradition. These developments, which

were only possible after decades of debates and public policy development, enable us to attest to the consolidation of the categorization of ayahuasca as a religious and cultural phenomenon in the current configuration of the debate in Brazil.

## Conclusions

The aim of this article is to present a mapping of the regulatory process concerning the use of ayahuasca in Brazil, mainly focusing on the framing of the phenomenon from a potential harmful drug to a religious and cultural tradition that is entitled to federal protection. Thus, the article undertook an analysis of a series of documents produced by CONFEN, CONAD, IPHAN, and other institutions in order to understand the consolidation of such categorization. It argues that the possibility of regulating ayahuasca, as well as the recent framing of the phenomenon as an Amazon cultural heritage, became possible through the work of many scholars that took action in the public debate and were part of the elaboration of public policies. Thus, the categorization developed in the academic fields produced the foundations from which the use of the beverage could be regulated in Brazil.

In consequence, the processes of legitimation and recognition of ayahuasca groups as religious and cultural traditions involved a specific characterization of its practices, which led to a specific way to regulate them in the name of “responsible use.” In this light, the categorization of the use of ayahuasca as “religion” and “culture” secured the recognition of the legitimacy of the ayahuasca groups, but at the same time imposed a particular configuration to those groups, which prescribes that the use of the beverage should take place in a ritual and non-profitable context and should not be associated with illicit substances, among other measures. Finally, some aspects regarding the recognition of ayahuasca as cultural heritage were briefly presented. It was argued that despite the differences and disputes surrounding this issue, the debate was previously guided by the framing of ayahuasca use, as stated by CONFEN and CONAD, making it possible to certify the predominance of the association of ayahuasca groups as part of the Amazon religious and cultural traditions in Brazil.

However, the consolidation of the recognition of ayahuasca groups as religions and cultural manifestations did not cause a suppression of some important issues of the debate, especially in regard to the stigma of drug use, drug abuse, and drug trafficking. It is still common to find statements and arguments on the matter in the public debate. A relatively recent example was the TV show “MTV Debate,” broadcasted in March 2010, which focused on the question of the use of ayahuasca in Brazil. The TV show entitled “Daime: Drug or Religion?” featured specialists from the areas of psychiatry, psychology, anthropology, toxicology, and some members of ayahuasca groups. The aim of the show was mainly to discuss public policies, religious freedom, and consumption of psychoactive drugs.

In February of the same year, a short time after the publication of resolution no. 1 from CONAD in 2010, the magazine *Isto É* published an article, “The Daime Crossroads,” addressing the Ayahuasca Multidisciplinary Working Group’s recommendations and questioning the regulation of ayahuasca for religious use in Brazil. According to *Isto É*’s report:

It all started in the early 20<sup>th</sup> century in the heart of the Amazon. Northeastern *caboclos*<sup>4</sup> attracted by the extraction of rubber immersed in the culture of the forest, inevitably absorbing much of its essence. Soon the so-called ayahuasca religions were born, mostly Christian groups who incorporated the use of a hallucinogenic tea used by the Indians in their rituals. Today, these same sects are at the center of a controversy involving delicate and dangerous issues such as respect for freedom of belief, drug trafficking and death. (Gomez 2010)

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<sup>4</sup> *Caboclo* is a term that usually refers to a person of mixed Indigenous and Afro-Brazilian heritage.



The report underlined the possible risks that the regulation of ayahuasca could pose because it set a precedent for the establishment of religions that included illicit drugs such as cannabis and cocaine, which could create a public health problem. Another article that enjoyed great visibility was published by *Veja* magazine in March 2010, after the assassination of the leader of an ayahuasca group in the state of São Paulo by one of its former members. Entitled “Madness and the Daime,” the article emphasized the risks of people with mental disorders taking ayahuasca. It also pointed out the risk of the interaction of DMT with other psychoactive substances. The article stated that the CONFEN decision to withdraw ayahuasca from the list of banned substances and to regulate it for religious purposes was “the first of a series of mistakes that led to the consecration of the beverage as a ‘sacred drink,’ a title granted to the hallucinogenic tea by the Brazilian government last January” (Betti and Coura 2010). At the time, a group of scholars questioned the focus given to some articles that addressed the issue of the regulation of ayahuasca. In addition, the anthropologist Beatriz Labate published three articles (2009, 2010a, 2010b) discussing the pieces published in the magazines *Isto É* and *Veja*, stressing alleged gross errors in their analysis.

Another noteworthy initiative during the same period concerns the Bill 2491/10, initiated by congressman Paes de Lira from the Christian Labor Party in order to revoke the resolution of CONAD regarding the regulation of the use of ayahuasca. De Lira claimed that “the religious use of a drug, in the case of the ‘tea Santo Daime’ or ‘Ayahuasca,’ should be banned when it generates harm to the individual’s health, that is the very reason to prohibit drugs’ use: that is to say, to protect the right to health, and ultimately the right to life” (Bill, 2491/10, 3–4). After being heavily criticized by scholars and lawyers who participated in the discussions surrounding the ayahuasca regulatory process in Brazil, the project was eventually withdrawn.

For the aforementioned, it is thus accurate to say that the debate on the legitimacy of the religious use of ayahuasca, far from being a consensus, is still the subject of debates and disputes, stretching across multiple segments of the population; it entered the political spheres, and it still fosters debates in the media and academic circles. Despite the constant update of these disputes, such initiatives have not been strong enough to question the persuasive force of anthropological arguments. Therefore, the recognition of ayahuasca use as legitimate religious and cultural tradition remains untouched, in spite of the most recent attempts to have CONAD review its decision.

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