

THE COMPATIBILITY OF THE VALUES OF ECOLOGICAL CITIZENSHIP WITH THE VALUES OF THE POSTWAR COMMUNITIES IN THE CONTESTADO

A COMPATIBILIDADE DOS VALORES DA CIDADANIA ECOLÓGICA COM OS VALORES DAS COMUNIDADES NO PÓS-GUERRA NO CONTESTADO

Article received on: 4/13/2022

Article accepted on: 6/12/2023

Carlos André Sousa Birnfeld

Universidade Federal do Rio Grande (FURG), Faculty of Law, Rio Grande/RS, Brazil

Lattes: <http://lattes.cnpq.br/5222584645381724>

Orcid: <https://orcid.org/0000-0001-5304-1947>

c4rlos4ndre@gmail.com

Andreza da Silva Jacobsen

Universidade Tiradentes (UNIT), Aracaju/SE, Brazil

Lattes: <http://lattes.cnpq.br/8494423740027563>

Orcid: <http://orcid.org/0000-0002-9862-0608>

raquelortorres.95@hotmail.com

The authors have no conflict of interest to declare.

Abstract

This paper aims to study the values of ecological citizenship and the values of the cabocla communities in the post-Contestado War period, analyzing the compatibility between them. Through an inductive approach, the research seeks to conceptualize and historically locate ecological citizenship, rescuing its main values. Then, it describes the cabocla culture remaining in western Santa Catarina and its inherent values. Once these bases are established, the compatibility between these values is demonstrated through bibliographical survey.

Keywords: caboclos; Contestado; ecological citizenship; values.

Resumo

Este artigo tem por objetivo estudar os valores da cidadania ecológica e os valores das comunidades caboclas no período pós-guerra do Contestado, analisando a compatibilidade entre eles. Por meio de abordagem indutiva, a pesquisa procura conceituar e localizar historicamente a cidadania ecológica, resgatando seus principais valores. Em seguida, descreve a cultura cabocla remanescente no oeste catarinense e seus valores inerentes. Estabelecidas essas bases, é demonstrada a compatibilidade entre esses valores por meio do resgate bibliográfico.

Palavras-chave: caboclos; cidadania ecológica; Contestado; valores.



Introduction

The main motivation for researching post-war *caboclo* values in Contestado and the ecological citizenship values came precisely from the perspective of working on an unprecedented comparative construction. These subjects require study attention, since they deal with common characteristics that need to be re-taken. Thus, it is essential to know in depth the *caboclo* cultural values and their historical process aimed at preserving their habits. Likewise, it is essential to locate the ecological citizenship values as a reference for a new model of citizenship. The values that will be addressed in this research dialogue interact and are compatible, so that, when established as a result of social relationships, they tend to promote changes in the experienced scenario. The research approach method is inductive, combined with the technique of bibliographical survey.

The problem that guides this research involves analyzing the compatibility of the ecological citizenship values with the values inherent in the remaining *caboclo* culture in western region of the state of Santa Catarina after the Contestado War. The hypothesis is affirmative, so the objective of this work is exactly to demonstrate this compatibility.

To this end, the article is organized as follows: the first section seeks to locate historically the ecological citizenship and its main values. The second section intends to describe the remaining *caboclo* culture in the western region of Santa Catarina and its main values. Finally, the third section, with the information obtained in the previous parts, aims to demonstrate that the values inherent to the remaining *caboclo* culture in the studied territory are compatible with the ecological citizenship values.

1 Ecological citizenship: conceptual references

According to Birnfeld (2006), in the investigation of the contemporary emergence of a new dimension of citizenship with ecological content, there are three distinct themes in confluence: citizenship; the emergence of environmentalism, and the legal-political context formed by normative emanations related to the respective civilization moment.

Birnfeld (2006), before demonstrating the emergence of a global and national environmental movement, with an ecological content and with significant repercussions in the legal field, retakes the concept of citizenship in T. H. Marshall (1967). Birnfeld (2006) points out that Marshall worked the concept of

citizenship in three dimensions, namely: civil citizenship; political citizenship, and social citizenship. Also according to Birnfeld (2006), Marshall relates the emergence of each of these dimensions to a different century, with civil rights linked to the 18th century, political rights to the 19th century, and social rights to the 20th century.

Civil citizenship brought freedom in its broadest sense as the main value, as a right to a private space for the exercise of its religions, thoughts, and commercial activities (HIRSCHMAN, 1995). Furthermore, civil citizenship would encompass individual freedom as virtue of the bourgeoisie, the goal of overcoming autocratic state control and the feudal model (BIRNFELD, 2006).

The political citizenship values are related to the political participation rights and the progressive extension of suffrage to a greater number of sectors of the population. It is the very democratic conquest¹ taken in all possible senses (BIRNFELD, 2006).

The social dimension involves the entire set of values related to the welfare state, a state action no longer neutral, but aimed especially at guaranteeing the population's well-being. There is a complexity of factors that allow its emergence, notably a series of union and popular struggles for better working and living conditions, in parallel with the advance of communism and an unprecedented capitalist crisis, which resulted in several policies – within the core of capitalism – of redistribution of income and opportunities (BIRNFELD, 2006).

The ecological dimension has its roots in this context, in which the productive system is perfected, multiplying, at the same time, industries, products, the consumer market, and the commitment to the environment.

In addition to a rearrangement regarding its functions, the traditional Nation-State ends the 20th century weakened and limited in the face of immense private conglomerates; moreover, transnational agreements that expand the territorial limits of production and consumption spread. An unprecedented, generalized, and multiple process of exclusion is accentuated: in addition to the already historic exclusion of most of the fruits of wealth due to growing income inequality, contexts of exclusion from the production process itself multiply due to increasing technological advances; in the background, there is an exclusion of the great potential of creative capacity, of critical thinking, engendered by previous processes, in a complex context of co-option and alienation (BIRNFELD, 2006).

¹ In this new context, with the inclusion of a higher number of population segments in the order of formation of the state will, there is the perspective that the state can be directed at satisfying the interests of the majority of the population, and not just the minority that is holder of the means of production (BIRNFELD, 2006).

As a culmination, the 20th century ends with a glimpse of the greatest exclusion: the exclusion of the future, of the very possibility of the human species and the planet being preserved from extinction. Demographic expansion, the greenhouse effect, the hole in the ozone layer, the contamination and depletion of natural resources, the genocide of animal and plant species, energy, water and food crises, among other risks (BIRNFELD, 2006).

The exclusion of the future is connected to the idea of the inability of this productive system to deal with the planet. It concerns the devastation and depletion of terrestrial resources, the current and never achieved degree of contamination and risk for all species on the planet². This is the future exclusion of the largest number of living species on the planet, including the human species (BIRNFELD, 2006).

In this perspective, the ecological dimension of citizenship is conceived, according to Birnfeld (2006), as successive and parallel to the civil, political, and social dimensions, bringing a social reaction to the risks of exclusion in the future, as much as civil citizenship was a reaction to the feudal model, political citizenship to absolutism, and social citizenship to inequality, in the appropriation of the fruits of the productive process. In this sense, it incorporates the previous dimensions and the respective reactions, giving them new horizons. It is about thinking of a sustainable planet that aims to guarantee a dignified existence, freedom of creation, and political participation for contemporary future and generations (BIRNFELD, 2006).

In view of this, the emergence of the ecological dimension of citizenship at the end of the 20th century has the 21st century as the stage for its consolidation. At its core, there is an important set of values, and the main ones will be discussed below.

1.1 The ecological citizenship values

Ecological citizenship brings in its framework some assumptions that are important for the exercise of citizens' rights, duties, and responsibilities in relation

² Eric Hobsbawm, in a similar exposition, demonstrates that there are at least three effects of world capitalist development that are out of control: the first is ecology. Due to the destruction of the biosphere, the extinction of animals and the changing habitat of plant and human species, extreme changes end up happening. The second is the gap between developed countries and poor countries. The developed world has per GDP capita three times larger than the rest of humanity, consuming more and impacting the environment more intensely. The third question is about humanity being subordinated to the economy that breaks relations between human beings, with the creation of a moral vacuum, in which there is the individual's yearning for here and now (BLACKBURN, 1993, p. 267).

to the environmental issue. A healthy environment can only be enjoyed by future generations with a fight against the hegemonic model of development that favors the market and increasingly suffocates natural resources.

It is necessary to combat threats to nature, in addition to reconsidering other intrinsic values that aim to include and guarantee rights, even in differences, and also to consider all species of life and culture in all their forms and ancestral aspects. With the destruction of nature, many other processes are impacted, as the diversity of traditional communities and their relationships with nature.

In this conception, considering the objectives of this work, these four values inherent to ecological citizenship are addressed: (a) socio-environmental sustainability; (b) respect for natural and cultural diversity; (c) transgenerational equity: the right to have rights, and (d) broad anthropocentrism: a new look at the position of men and women in nature. Next, a more in-depth analysis of each one.

1.1.1 Socio-environmental sustainability

Sustainability involves ensuring the environment and natural resources for present and future generations. It is important to emphasize that this is a socio-environmental sustainability focused on maintaining the environment and the society's quality of life as a whole, differentiating it from mere economic sustainability, historically applied in the maintenance and expansion of the exchange of goods.

Human beings have always taken possession of natural resources for their maintenance and development, expanding exploitation practices after the Industrial Revolution. For centuries, the economic factor has been exerting strong pressure on the human environment, which is put in the background when there is a search for profit at all costs (BERGAMASCHI; AROSEMENA; GOMES, 2018).

Given this scenario, the concept of sustainability involves the sensible control of the use of natural resources and preservation of the environment to safeguard human health and life and other forms of life, conserving these resources for current and future generations (AYALA, 2012).

Thus, Bosselmann (2008) expresses that the aim is a potential development of all human rights, so that they express that this humanity is part of the biosphere, with nature having an intrinsic value and humanity being responsible for this nature. Thus, it is essential to recognize the correlation between human rights and environmental protection, always thinking that "human rights are concerned with the protection of individual well-being, while environmental law is concerned

with the protection of collective well-being” (BOSELMAN, 2008, p. 6).

According to Ayala (2012 qtd. in SILVEIRA; AYALA, 2012, p. 1.832),

[...] the consideration of a principle of sustainability emphasizes a pattern of plural justice, which integrates human needs and an imperative to protect natural resources, in addition to providing the affirmation of a plural morality, which adds a notion of interspecies and intergenerational justice.

The very concept of sustainability, in addition to defining responsibility towards present and future generations, assumes the State responsibility for taking on adequate protection measures, which must demarcate or neutralize the occurrence of damage to the environment whose total or partial irreversibility is capable of trigger negative effects, destructions and imbalances (CANOTILHO, 2010).

According to Veiga (2010), the essential sense of sustainability as a value portrays the responsibility for the opportunities and limits that will accommodate the lives of the next human species generations. However, sustainability as a value requires that a nation’s development takes precedence over its economic growth, so that it considers the individuals’ quality of life.

1.1.2 Respect for natural and cultural diversity

The current multicultural society encompasses the ethnic and cultural diversity of the various existing groups. However, there is also a finding of imbalance in access to economic and cultural assets by different groups, and aspects of social class, race, gender, and cultural diversity are striking in these contrasts³, so cultural diversity can be viewed as part of biodiversity itself (CARDOSO; MUZZETI, 2007).

In its own historical formation, Brazilian society holds pluralism, with diverse identity groups within the national territory claiming a peculiar ancestry and with a unique history of appropriation of natural resources. This social body also asserts itself as new subjects of specific rights. Respect for these groups’ cultural and natural diversity is linked to a broad humanist vision that respects the total multiplicity of creative energies existing on Earth. It is essential that there is harmony between these forces, in addition to the recognition of these new values. It is essential that all forms of dignity be considered as the main foundation for the preservation of life, respecting the minimum guaranteed fundamental rights. There must be a

³ As Baez and Wolf (2013) explain, the cultural dimension of human dignity considers the people’s or the social group’s cultural particularities to which they belong, taking into account the historical moment lived and respecting the individual aspects that differentiate them from one another.

process of cultural change to encompass the human kind's well-being based on the happiness of all with a new framework of values (RODRIGUES, 2009).

It is essential to reflect on the very subjects of diversity, so that these cultural values of groups that fight for their space and that often face a series of prejudices and discrimination can be respected (BAVARESCO; TACCA, 2016).

According to Oliveira (2015), establishing the protection of culture – which is an intrinsic value of the individual and the group, a result of the principle of human dignity and one of the foundations of the Democratic State of Law – emphasizes, therefore, the protection of cultural diversity.

1.1.3 Transgenerational equity: the right to have rights

In essence, the concept of equity involves impartial recognition of everyone's right before everyone else. In addition, the concept brings with it a sense of justice in which the treatment or the way of acting in relation to a certain person should be based on the recognition of each human being's individualities and specific needs, taken in its transgenerational perspective. Equity is not restricted to present individuals, but should also encompass future generations, individuals who were not even born to express their desires and needs;

Valuing the numerous plans, whether cultural, historical or economic, becomes indispensable, stating that each person has their own valuation, even if paired in a relatively homogeneous community (MERGULHÃO, 2018).

For Escorel (2009), currently the principle of equity is related to the minorities' rights, including the difference in the public environment of citizenship, which has the basic purpose of equality. According to this perspective, understanding the various social groups' differences, needs, and particularities enables well-being to replace an excluding and unequal system (BARROS; SOUSA, 2016).

According to Arendt (1987), the representation of citizenship is also the right to have rights, even in differences, as a fact that generates equality among citizens⁴. Therefore, equity is a fundamental practice to achieve the ideals of justice and full citizenship, capable of guaranteeing the enjoyment of a situation of equal well-being for all citizens (BARROS; SOUSA, 2016).

Transgenerational equity in the ecological dimension of citizenship involves acknowledging the other, not just the human and not restricted to the present

⁴ In the words of Sposati (1999, p. 128), "the notion of equality is only complete if shared with the notion of equity. A universal standard is not enough if it does not include the right to difference. It is no longer a homogeneous standard, but an equitable standard".

time, which implies the necessary broadening of sustainability perspectives and strategies.

1.1.4 Broad anthropocentrism: a new look at the position of men and women in nature

Especially from the 1970s onwards, it is possible to observe a prominent adjustment of the duty of the State to protect environmental goods. It is the beginning of the perspective of an environmental democratic State that is a little more focused on balancing the intrinsic risks of economic activities with the preservation of the environment (ROCHA, 2019).

Broad anthropocentrism brings at its foundations the understanding that the fate of the planet lies in human decisions, but offers the perspective that not all decisions are admissible. The concept is linked to decisions that relate the environment and the human being, revealing new visions of environmental goods, transcending the merely economic perspective (ROCHA, 2019). According to Leite (2007, p. 137), broad anthropocentrism “centers environmental preservation on guaranteeing the dignity of the human being”, constituting a broad model precisely because this environmental protection is necessary for the “survival of the human species itself”.

François Ost (1997) states that, in addition to the ecological crisis with the destruction of natural resources, the human being's bond with nature alternates in unethical and confusing extremes, as humankind treats nature sometimes as an object, sometimes as a subject of relationships legal issues, when it should be treated as a project.

Faced with this constant dilemma, Leite (2003, p. 76) highlights broad anthropocentrism as a mediating mechanism in the face of these views, representing the abandonment of ideas of separation, domination, and submission in order to seek “an interaction between the different universes and human action”.

In this way, broad anthropocentrism differs from traditional anthropocentrism – which limits the human being to the status of lord of all creatures –, recognizing that humans, through their idiosyncrasies, can identify in other species on the planet, as well as in the biosphere as a whole, relationships of interdependence and true partnership, thus assuming the perspective of an interaction with respect to biodiversity and the set of natural interactions, in which it will eventually occupy the position of manager with the purpose of restoring and guaranteeing the maintenance of nature with all its elements.

2 The remaining *caboclo* culture in the western region of Santa Catarina

Despite not being such a widespread event in the school environment, especially in light of its historical importance, the Contestado War was one of the largest armed conflicts in Republic history. Occurred between 1912 and 1916, it was caused by changes in land ownership, access to resources and the legitimacy of customs constituted by a large layer of the poor peasant population that lived in a vast inland area in southern Brazil. These changes affected decisively thousands of *sertanejos*, who rebelled in the name of what they considered their rights, demonstrating awareness of the fact that they were being attacked by the Republic (NUNES, 2017).

The Contestado impacted and still influences the lives and culture of those who survive from it and are its descendants. According to Tomazi (2008, p. 1, adapted),

[...] after almost a century, Contestado has already been given a new meaning, in such a way that youth and the entire caboclo community find in it a sense, an inspiration and a mystique that allow them to live in the present in a solidary manner, with esteem and recognition, facing the harsh reality they are in, but confident in better days.

Faced with this permanence of habits, it is necessary to bring the concept of *caboclo* culture, locating it to later deal with its values. Culture is present in society as an enhancing element, which gathers value, incorporates socially; it expands intellectually, transmits customs, perpetuates visions, enhances a people's identity and forms citizens (BRAGA; SALDANHA, 2014).

From this perspective, the right to *caboclo* culture operates as a necessary flag for the rescue of values that contribute to its cultural permanence even in the face of a scenario that only aims to silence it.

2.1 The values of the remaining *caboclo* communities in the Contestado

Caboclo culture is understood as a set of values and representations built throughout the historical experience of the 19th century “which contains as fundamental elements a certain form of relationship with the land and nature in that region” (CARVALHO, 2009, p. 165).

As it does not occupy a central position in the cities, the *caboclo* population has its culture constantly violated and overshadowed. Nonetheless, this does not mean that this population stops seeking a position in the social and urban hierarchy (ZATTA; ROCHA; FRAGA, 2020).

Brandt (2007) reports that the colonization of the Rio do Peixe valley launched values external to the region, leaving two possibilities for the local population: adaptation or deletion. Deterritorialization, since the Contestado War, promoted a rupture of identity and destroyed the forms of *caboclo* social organization, which led the population to resist and fight even more for being closer to their natural place for the maintenance of their culture (SILVA; SOUZA; CORDEIRO, 2019).

The following are part of the *caboclo* material sacred culture: crosses, water sources, churches, caves, holy pictures, cemeteries and the natural formations where the main combats took place during the conflict (LINO, 2012). In the post-war period, culture, even if silenced, is renewed by agents in each theater, by each conversation, by each visitor in its history (SILVA; SOUZA; CORDEIRO, 2019). The pride of being a *caboclo* enhances the archaeological and historical heritage, the dissemination of the memory and identity of this diverse ethnic and social group (LINO, 2012).

The culture of the post-war *caboclo* population in the Contestado, although not immutable, is guided by local customs, aiming, in a way, to reinforce them. This is visible even with the zeal for nature, under the monks' precepts regarding the use of natural resources.

It is necessary to think of the *caboclo* as a collective being in terms of cultural diversity and the politics of difference, which is reconfigured in the current plan as an ethnic identity in a universe that still maintains a homogenized character of modernity and permanence of white culture (LEFF, 2008).

Still according to Leff (2008), valuing *caboclo* culture allows reliving the past in the present and rescuing the memories and unspoken stories, reconfiguring in this *caboclo* cultural being the updating of these meanings of the oppressed. For this purpose, it is necessary to contradict the discourse that diminishes the *caboclo* cultural being by stimulating their voices, mobilizing these new actors to open new horizons in this history. In view of this, it is essential to strengthen this people's right to culture, legitimizing their community precepts on their territories and ethnic spaces.

In this perspective and according to the purposes of this work, three struggles that express values immanent to the post-war *caboclo* culture of the Contestado are seen below.

2.1.1 Claim to cultural identity and a place for sustainability

For more than a century, the *caboclo* people of the western region of Santa Catarina, remnants of the Contestado War, have been fighting for their space,

claiming the right to cultural identity. In this war, the *caboclo* population lost much of its identity as a result of the bloody and cruel conflict (SILVA; SOUZA; CORDEIRO, 2019).

The place is the territory where sustainability is grounded on ecological bases and cultural identities. It is the social place where social actors exercise their autonomy to contain environmental degradation and boost environmental potential, the union generated in the face of synchronic and diachronic systems in self-management plans to meet the people's aspirations. Reflecting on the issue of place as an important element, it cannot be denied that the *caboclos* had a link with nature, demonstrated in their customs and their political and social desires (NUNES, 2017).

According to Alier (2007, p. 113), one of the issues that go back to the origins of the Contestado War was the disproportionate distribution of access to nature, "to the benefits obtained from natural resources and to the services provided by the environment as a life support system".

The rationale in the Contestado War and post-conflict scenario continues to be that of accumulation by dispossession, which in the past began with the commodification, privatization of land, the expulsion and violent elimination of these traditional populations, as well as the exchange of various forms of property rights (HARVEY, 2003).

Currently, what is claimed by these new actors and remnants of war is the issue of place, access to land, since it is with it that these agents can rebuild their ways of life and oppose new forms of environmental degradation that take place (LEFF, 2008).

The existence of large estates favors the exploratory expansion of wood and the constant degradation of the soil, which, in addition to transforming the landscape, is responsible for making roads impassable. Everything that is economically unfeasible remains in the environment as waste, deforming the landscape. The *caboclo* peasants' small property is suffocated, as the economic dependence on wood leads to a situation of normality, this in relation to the cultivation of pine, which invades the limits of the Contestado cities (GEMELLI, 2018).

The struggle of the post-war *caboclo* community of the Contestado for its identity is also the fight for a sustainable way of life. It is the fight for a socio-environmental sustainability context impregnated in its own culture, as it happens with the more than 200 indigenous nations scattered throughout Brazil.

2.1.2 *Recognition of equal rights in diversity*

Faced with the struggle and *caboclo* resistance left over from the war, it is essential to discuss equality in the context in which this minority group lives. Equality prohibits the categorization of individuals and unjustified disparities, in addition to determining the neutralization of economic, historical, and social injustices, as well as respect for difference (BARROSO; OSÓRIO, 2016).

It should not be forgotten that the *Contestado caboclos* were the object of a civilizing process guided by Europeans (SEYFERTH, 2002). A narrative was built, fueled by stereotypes that, to this day, judge and deny not only the condition of *caboclo* existence, but their work and their relationship with nature, blaming, criminalizing and forgetting the *caboclo* people (GEMELLI; CHMURA, 2022).

From this perspective, it is necessary to remedy the social, economic, and racial injustices suffered by this population, which result directly from the lack of recognition. In fact, the *caboclo* does not fight for equality with the immigrant; they want to be recognized in their difference, without stereotypes attributed to their ancestors and descendants. It is fundamental to fight for equality as recognition when for more than a century persecution has been extremely visible. In countless cases, prejudice is explicit, in the rejection of color, in the exploitation of manual labor, in the marginalization of *caboclos* on the outskirts of cities (ZATTA; ROCHA; FRAGA, 2020).

It is essential to sustain a position against the hegemonic discourse that led, and still leads, to social control by a few elite groups. These are new fields of struggle in creating awareness and empowering those who mobilize to gain visibility and social legitimacy to guide more inclusive legal changes that do not hierarchize these marginalized groups (GOMES; FABRIS, 2021).

Therefore, the main demand involves, at the same time, recognition of diversity and equality and equal treatment, with the guarantee of respect for the diversity represented by the *caboclo* culture.

2.1.3 *The struggle for man/woman-nature reunification in the Contestado*

The support of a position against the hegemonic discourse makes man and woman to be closer to nature and is synonymous with freedom for the *caboclo* population. In addition, it represents the reconstruction of what was denied them, the main basis of his life: the land (GEMELLI, 2018).

The spatial structure in the Santa Catarina plateau region is identified by the

nature exploitation practices and the excessive implementation of pine planting in the region. Therefore, a man/woman-nature reunification is urgent. The reinsertion of the remaining *caboclo* population with the right to the native environment makes it possible to overcome capitalist economic rationality (GEMELLI; CHMURA, 2022).

The current scenario suffocates this population, since with the monoculture of pine all the relationships of the traditional people are subtracted, which configures a new process of population expulsion. The *caboclo* peasants' small property is suffocated, as the economic dependence on wood leads to a situation of normality in relation to pine, which invades the limits of the Contestado cities and rural area (GEMELLI, 2018). It is essential to rethink and, who knows, remake this whole history, overcoming the barriers imposed by repressors and hegemonic thinking, building the history of the vanquished (GEMELLI; CHMURA, 2022).

Ivone Gallo (1999) highlighted that the Contestado *caboclo* population referred to the land not with a sense of greed or appropriation of its greater quantity, but simply something that represents not only their home, without borders, something that is their livelihood. These precepts were passed on to their remnants as an internal logic created by the group, inherited from the indigenous people presence in the region. According to Marés (2003, p. 13), the Contestado is an example of that

[...] the more one destroys nature, the less life one makes possible, including human life, the more one alters living beings, the closer one is to death. There is something wrong with this inverse logic, it is not possible that the guarantee of an individual right is the scourge of the rights of peoples.

The reunification of man/woman-nature in the Contestado means refuting the homogeneous field of forms of production and an artificialized nature, commercially produced to meet the interests of the capital system. The consolidation of an economic logic full of contradictions, interests and conflicts represented the accentuation of inequalities, in a territory already marked by the spoliation logic of accumulation since the last century (GEMELLI, 2018).

This reunion with nature provides not only the reconfiguration of practices and knowledge of this peasant culture, but the maintenance of biodiversity conservation and the biological cycle (DIEGUES, 2008). This principle of reuniting human beings with nature goes against the discourse that always marginalizes them.

3 The compatibility of the main *caboclo* values with the ecological citizenship values

Face with the exposition of the main values, both of ecological citizenship and of traditional *caboclo* communities in the western region of Santa Catarina, this section aims to verify their compatibility.

Ecological citizenship involves a set of society's local and global reactions, by different social actors, to the exclusion of the very possibility of humanity and the planet not surviving due to environmental degradation. It is born in the context in which other forms of exclusion also deserve to be understood and overcome. In all parts of the world, citizenship has developed since the second half of the 20th century, with varying degrees of incompleteness, projecting itself as an effective and urgent challenge for the 21st century. In addition, citizenship carries values with a high degree of unprecedented in history, such as ecological sustainability, respect for natural and cultural diversity, and equity between present and future generations, packaged by a perspective that transcends traditional anthropocentrism: broad anthropocentrism.

Although the Contestado post-war period *caboclos'* values emerged at the beginning of the 20th century – with roots in previous centuries –, they are in line with the main values brought by ecological citizenship. Both values demand important changes in society's current way of life.

The affirmation of values common to ecological citizenship and *caboclo* culture, such as sustainability, respect for diversity and equity, requires more social actors' participation and better State performance, and the State needs to assume and urgently face socio-environmental demands, especially those that are already conformed in its normative order.

The *caboclo* population, when claiming its traditional lands, aims to protect nature, a customary practice inherited from its ancestors. The importance of culture, whether for the constitution of an ecological model or for the appreciation of *caboclo* habits, draws attention to respect for diversity and to updating legislation regarding new movements and new cultures. In this conception, the *caboclo* movement anticipates, by half a century, the demands of the new social movements that are at the root of ecological citizenship itself. It is the potentially revolutionary possibility of the subject, raised to the category of citizen, to influence the formation of normative paradigms destined to the collectivity. It is the belief in the collective transformative potential capable of engendering new values and transforming the current reality (BIRNFELD, 2006).

Caboclo demands, an expression of cultural diversity with reflections on biodiversity itself, are examples of the importance of valuing diversity, an immanent value of ecological citizenship. In this context, respect for cultural diversity proves to be a presupposition and key to respect for natural diversity, in order to guarantee socio-environmental sustainability.

In this vein, one cannot lose sight of the fact that the *caboclo* movements constitute legitimate precedents for a wide range of social movements with a significant environmentalist bias, among which it is possible to mention the rubber tapper movement in the Amazon, in Brazil, and the Chipko women's organization, in India. They are groups that question the interference of private capital in people's lives, the limitation of creative capacity and the alienation of culture itself, in global and local contexts. Furthermore, they call for a change in treatment, not with effects on their groups, but on nature itself (GALTUNG, 1983). All these movements, especially the *caboclo* people, in the simplicity of their daily demands for the maintenance of their way of life and sustenance, carry the same gaze required by ecological citizenship: an expanded anthropocentrism.

Final considerations

It is important to resume the objective of this work, which was to demonstrate the compatibility of the values of ecological citizenship with the values inherent in the *caboclo* culture remaining in the western region of the state of Santa Catarina after the Contestado War.

In this sense, in the first section, ecological citizenship was located historically, highlighting four of its immanent values: socio-environmental sustainability; respect for natural and cultural diversity; transgenerational equity, and broad anthropocentrism.

Then, in the second section, the remaining *caboclo* culture in the western region of Santa Catarina was briefly described, highlighting three of its main claims: a place for sustainability; equal rights in diversity, and man/woman-nature reunification.

Finally, in the third section, a rescue of previously worked information was made, verifying the compatibility of the values of ecological citizenship with the integral values of the claims of the *caboclo* culture remaining in the western region of Santa Catarina: claim to a place for the settlement of a sustainable culture, socio-environmental sustainability; to equal rights in diversity, respect for diversity and equity, and to man/woman-nature reunification, a perspective of broad anthropocentrism and transgenerational equity

References

- ALIER, J. M. *O ecologismo dos pobres*. São Paulo: Contexto, 2007.
- ARENDDT, H. *A condição humana*. Rio de Janeiro: Forense Universitária, 1987.
- BAEZ, N. L. X.; WOLF, A. Dignidade humana e o multiculturalismo. *Unesc International Legal Seminar*, Chapecó, v. 2, n. 1, 2013. Available from: <https://periodicos.unesc.edu.br/uils/article/view/4028>. Access on: Oct. 31, 2021.
- BARROSO, L. R.; OSÓRIO, A. “Sabe com quem está falando?”: Notas sobre o princípio da igualdade no Brasil contemporâneo. *Revista Direito e Práxis*, Rio de Janeiro, v. 7, n. 13, p. 204-232, 2016. Available from: <https://www.redalyc.org/pdf/3509/350944882008.pdf>. Access on: Jun. 08, 2023.
- BARROS, F. P. C.; SOUSA, M. F. Equidade: seus conceitos, significações e implicações para o SUS. *Saúde e Sociedade*, São Paulo, v. 25, n. 1, p. 9-18, 2016. Available from: https://www.researchgate.net/publication/299357712_Equidade_seus_conceitos_significacoes_e_implicacoes_para_o_SUS. Access on: Dec. 07, 2021.
- BAVARESCO, P. R.; TACCA, D. P. Multiculturalismo e diversidade cultural: uma reflexão. *Unesc & Ciência*, Joaçaba, v. 7, n. 1, p. 61-68, 2016. Available from: <https://portalperiodicos.unesc.edu.br/achs/article/view/8511>. Access on: Oct. 30, 2021.
- BERGAMASCHI, J. D. G.; AROSEMENA; R. I. M; GOMES, S. A. A sustentabilidade como um valor. *Revista Eletrônica Direito e Política*, Itajaí, v. 13, n. 3, p. 1.428-1.457, 2018. Available from: <https://siaiap32.univali.br/seer/index.php/rdp/article/view/13724>. Access on: Oct. 30, 2021.
- BIRNFELD, C. A. S. *Cidadania ecológica*. Pelotas: Delfos, 2006.
- BLACKBURN, R. *Depois da queda: o fracasso do comunismo e o futuro do socialismo*. 2. ed. São Paulo: Paz e Terra, 1993.
- BOSELMMANN, K. Direitos humanos, meio ambiente e sustentabilidade. *Revista CEDOUA*, Coimbra, v. 8, n. 21, p. 9-38, jan. 2008. Available from: https://www.researchgate.net/publication/270537805_Direitos_humanos_ambiente_e_sustentabilidade. Access on: Jun. 05, 2023.
- BRAGA, J. C. F.; SALDANHA, B. S. O direito cultural como elemento emancipatório e civilizatório e a efetivação da proteção do patrimônio cultural no Brasil. *In: XXIII CONPEDI*, 23., 2014, São Paulo. *Anais [...]*. Florianópolis: Conpedi, 2014. p. 330-350. Available from: https://www.researchgate.net/publication/328007046_O_Direito_Cultural_como_elemento_emancipatorio_e_civilizatorio_e_a_efetivacao_da_protecao_do_patrimonio_cultural_no_Brasil. Access on: Dec. 07, 2021.
- BRANDT, M. *Uso comum e apropriação da terra no município de Fraiburgo-SC: do Contestado à colonização*. 2007. 310 f. Dissertação (Mestrado em Geografia) – Centro de Filosofia e Ciências Humanas – Universidade Federal de Santa Catarina, Florianópolis, 2007. Available from: <https://repositorio.ufsc.br/xmlui/bitstream/handle/123456789/90647/241372.pdf?sequence=1&isAllowed=y>. Access on: May 31, 2023.
- CANOTILHO, J. J. G. O princípio da sustentabilidade como princípio estruturante do direito constitucional. *Revista de Estudos Politécnicos*, Barcelos, v. 8, n. 13, p. 7-18, 2010. Available from: <https://scielo.pt/pdf/tek/n13/n13a02.pdf>. Access on: Jun. 05, 2023.
- CARDOSO, S. M. V.; MUZZETI, L. R. As dimensões da diversidade cultural brasileira. *Revista Ibero-Americana de Estudos em Educação (RIAAE)*, Araraquara, v. 2, n. 1, 2007. Disponível: <https://periodicos.fclar.unesp.br/iberoamericana/article/view/451/330>. Access on: Oct. 03, 2021.

- CARVALHO, T. M. *Coerção e consenso na Primeira República: a Guerra do Contestado (1912-1916)*. 2009. 214 f. Tese (Doutorado em História) – Instituto de Ciências Humanas e Filosofia, Universidade Federal Fluminense, Niterói, 2009. Available from: https://app.uff.br/riuff/bitstream/handle/1/26738/Coer%3%a7%3%a3%20e%20Consenso%20na%20Primeira%20Rep%3%bublica_%20A%20Guerra%20do%20Contestado%20%281912%20-%201916%29.pdf?sequence=1&isAllowed=y. Access on: Nov. 07, 2021.
- DIEGUES, A. C. S. *O mito moderno da natureza intocada*. 6. ed. São Paulo: Hucitec, 2008.
- ESCOREL, S. Equidade em saúde. *Dicionário da Educação Profissional em Saúde*. Rio de Janeiro: Fiocruz/EPSJV, 2009. Available from: <http://www.sites.epsjv.fiocruz.br/dicionario/verbetes/equsau.html>. Access on: Dec. 07, 2021.
- GALLO, I. C. D'Ávila. *O Contestado: o sonho do milênio igualitário*. Campinas: Editora Unicamp, 1999.
- GALTUNG, J. Los azules y los rojos; los verdes y los partidos: una evaluación de movimientos políticos alternativos. *Revista Alternativa*, Santiago do Chile, n. 1, 1983. Available from: <https://revistaalternativas.org/category/chile/>. Access on: Jun. 05, 2023.
- GEMELLI, D. D. “*Onde planta o pinus não dá mais nada*”: degradação da natureza e do trabalho no Contestado e a necessidade da reunificação homem/mulher-natureza (terra-trabalho). 2018. 266 f. Tese (Doutorado em Geografia) – Programa de Pós-Graduação em Geografia, Universidade Estadual Paulista, Presidente Prudente, 2018. Available from: <https://repositorio.unesp.br/handle/11449/154020>. Access on: Dec. 07, 2021.
- GEMELLI, D. D.; CHMURA, M. O povo caboclo no território contestado: Uma análise do processo de invisibilização. *Geographia Opportuno Tempore*, Londrina, v. 8, n. 1, p. 58-75, 2022. Available from: <https://ojs.uel.br/revistas/uel/index.php/Geographia/article/view/46711/48428>. Access on: May 31, 2023.
- GOMES, J. C. A.; FABRIS, L. Paradoxos do direito à igualdade: discriminação, diferença e identidade sob uma perspectiva crítica. *RDJ*, Brasília, v. 18, n. 97, p. 566-603, jan./mar. 2021. Available from: <https://www.portaldeperiodicos.idp.edu.br/direitopublico/article/view/5412>. Access on: May 31, 2023.
- HARVEY, D. *A condição pós-moderna*. São Paulo: Loyola, 2003.
- HIRSCHMAN, A. *A retórica da intransigência*. São Paulo: Cia das Letras, 1995.
- LEFF, E. *Saber ambiental: sustentabilidade, racionalidade, complexidade, poder*. 6. ed. Tradução: Lucia Mathilde Endlich Orth. Petrópolis: Vozes, 2008.
- LEITE, J. R. M. *Dano ambiental: do individual ao coletivo extrapatrimonial*. São Paulo: Revista dos Tribunais, 2003.
- LEITE, J. R. M. Sociedade de risco e Estado. *In: CANOTILHO, J. J. G.; LEITE, J. R. M. (org.). Direito Constitucional Ambiental brasileiro*. São Paulo: Saraiva, 2007. p. 156-220.
- LINO, J. A cultura material da Guerra do Contestado como documento histórico. *Cadernos do CEOM*, Chapecó, ano 25, n. 36, p. 45-70, 2012. Available from: <https://bell.unochapeco.edu.br/revistas/index.php/rcc/article/view/1152>. Access on: Dec. 07, 2021.
- MARÉS, C. F. *A função social da terra*. Porto Alegre: Sergio Antonio Fabris, 2003.

MARSHALL, T. H. *Cidadania, classe social e status*. Tradução: Meton Porto Gadelha. Rio de Janeiro: Zahar, 1967.

MERGULHÃO, M. F. D. O princípio da equidade: por uma nova exegese. *Revista Serviam Juris*, Rio de Janeiro, v. 3, n. 3, p. 45-57, 2018. Available from: http://revistas.icesp.br/index.php/Serviam_Juris/article/view/378. Access on: Nov. 30, 2021.

NUNES, D. V. *Caboclos contra o progresso: conflito ambiental na guerra do Contestado*. 2017. 148 p. Dissertação (Mestrado em Ciências Sociais) – Instituto de Ciências Humanas e Sociais, Universidade Federal Rural do Rio de Janeiro, Rio de Janeiro, 2017. Available from: https://sucupira.capes.gov.br/sucupira/public/consultas/coleta/trabalhoConclusao/viewTrabalhoConclusao.jsf?popup=true&id_trabalho=5288020. Access on: May 31, 2023.

OLIVEIRA, J. M. A diversidade cultural como garantia constitucional. *Jusbrasil*, 29 jul. 2015. Disponível: <https://joaomarcos.jusbrasil.com.br/artigos/213667955/a-diversidade-cultural-como-garantia-constitucional>. Access on: Dec. 10, 2021.

OST, F. *A natureza à margem da lei: a ecologia à prova do direito*. Tradução: Joana Chaves. Lisboa: Instituto Piaget, 1997.

ROCHA, A. M. O direito ambiental como novo paradigma estatal. *Jus*, 30 dez. 2019. Available from: <https://jus.com.br/artigos/76399/o-direito-ambiental-como-novo-paradigma-estatal>. Access on: Oct. 22, 2021.

RODRIGUES, V. J. C. B. *Desenvolvimento sustentável: uma introdução crítica*. Lisboa: Principia, 2009.

SEYFERTH, G. Colonização, imigração e a questão racial no Brasil. *Revista USP*, São Paulo, n. 53, p. 117-149, 2002. Disponível: <https://www.revistas.usp.br/revusp/article/view/33192>. Access on: Dec. 10, 2021.

SILVA, E. F.; SOUZA, D. C.; CORDEIRO, S. M. A. O legado cultural na região do Contestado. *Geographia Opportuno Tempore*. Londrina, v. 5, n. 3, p. 188-201, 2019. Available from: <https://www.uel.br/revistas/uel/index.php/Geographia/article/viewFile/37827/26480>. Access on: Nov. 29, 2021.

SILVEIRA, P. G.; AYALA, P. A. A caracterização do princípio de sustentabilidade no direito brasileiro e o transconstitucionalismo como teoria de efetivação. *RIDB*, ano 1, n. 3, p. 1.827-1.859, 2012. Available from: https://www.cidp.pt/revistas/ridb/2012/03/2012_03_1827_1859.pdf. Access on: May 31, 2023.

SPOSATI, A. Exclusão social abaixo da linha do Equador. In: VÉRAS, M. P. B. (ed.). *Por uma sociologia da exclusão social: o debate com Serge Paugam*. São Paulo: Educ, 1999. p. 126-138.

TOMAZI, G. Heranças e direitos dos jovens do Contestado. *Visão Global*, Joaçaba, v. 11, n. 1, p. 113-138, 2008. Available from: <https://periodicos.unoesc.edu.br/visaoglobal/article/view/493/237>. Access on: Dec. 07, 2021.

VEIGA, J. E. da. *Sustentabilidade: a legitimação de um novo valor*. 2. ed. São Paulo: Senac, 2010.

ZATTA, A.; ROCHA, D. L.; FRAGA, N. C. Vozes circundantes no Vale dos Imigrantes: das redes que confirmam a região do Contestado ao ofuscamento das cidades caboclas que resistem oferecendo produto e cultura cabocla secular ao turismo regional. *Geographia Opportuno Tempore*, Londrina, v. 6, n. 3, p. 122-141, set./dez. 2020. Available from: <http://anais.uel.br/portal/index.php/contestado/article/view/938/1358>. Access on: May 28, 2023.

ABOUT THE AUTHORS

Carlos André Sousa Birnfeld

Doctoral and Master's degrees in Law from Universidade Federal de Santa Catarina (UFSC), Florianópolis/SC, Brazil. Degree in Law from Universidade Federal de Pelotas (UFPEL), Pelotas/RS, Brazil. Professor at Universidade Federal do Rio Grande (FURG), Rio Grande/RS, Brazil. Lawyer.

Andreza da Silva Jacobsen

Master's degree in Law and Social Justice from Universidade Federal do Rio Grande (FURG), Rio Grande/RS, Brazil. Specialist in Electronic Law, Faculdade Venda Nova do Imigrante (FAVENI), Venda Nova do Imigrante/ES, Brazil. Postdoctoral degree in Family Law from Centro Educacional Dom Alberto, Santa Cruz do Sul/RS, Brazil. Degree in law from Instituto Federal do Paraná (IFPR), Palmas/PR, Brazil.

Authors' participation:

Carlos André Sousa Birnfeld was responsible for the design, data analysis, writing, discussion of results and review. Andreza da Silva Jacobsen was responsible for the design, data collection and analysis, manuscript preparation, writing and discussion of the results.

How to mention this article:

BIRNFELD, C. A. S.; JACOBSEN, A. S. The compatibility of the values of ecological citizenship with the values of the postwar communities in the contestado *Veredas do Direito*, Belo Horizonte, v. 20, e202334, 2023. Available at: <http://www.domhelder.edu.br/revista/index.php/veredas/article/view/2334>. Access on: Month. day, year.