

“THE SWEAT THAT MARKS THE LAND”: WORK, QUILOMBOLA RIGHTS AND TERRITORY IN THE ISLAND OF MARAJÓ - PARÁ¹

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Introduction

In face of the recurring changes in the Amazon Region, it is crucial to understand the reality experienced by the regions' different social groups, capturing the multiple aspects affecting their lives. It is therefore necessary to ensure that studies encompass the social configuration of groups, their relations and rules for using and maintaining traditional territories and, thus, seek to reveal their social-cultural complexity and diversity.

Within this context, it is important to construct a clear image of the way territories are used by traditional peoples¹, amongst them, the Quilombola communities and move away from definitions which only highlight the importance of land for common-use without further considering how this process takes place. Over the years, this task has become increasingly urgent for academic research, so as to understand the way of *being* and *doing* of different human groups. Furthermore, such a task would assist in formulating and implementing policies which benefit the traditional Amazon populations (BENATTI, 2011).

Understanding the property regime of a particular territory can lead us to understand the rules for accessing natural resources and the ways in which individuals are excluded from and included within the territory of a given group, their symbolic constructions of space, as well as the power relations imbued in the definition of areas of common use between conflicting subjects. These aspects allows us to understand the elements which define the social conflicts involved in the appropriation of natural resources, given that any definition whose aim is the exclusive use of a territory results in the exclusion of other subjects from that area (SACK, 1986). This occurs because traditional groups “are capable of creating institutions, elaborating essential rules and guaranteeing respect for those involved in the use of common goods” (SCMITZ; MOTA; SILVA JR, 2009, p.274).

Common property regimes are, according to McKean and Ostrom (2001, p.80), “arrangements of property rights in which groups of users share rights and duties towards

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natural resources". These resources are considered essential for the continuity of these populations in space and time and therefore, are governed by a set of regulations which establish the property regime of spaces for shift cultivation (or "*roça*"), homes, plants, trees, game and river fish. It is, therefore, essential to learn about the different forms of land ownership of the traditional communities of the Amazon region (BENATTI; ALMEIDA; CAMPOS, 2011).

Furthermore, it is also important to understand the configuration of these territories and the local legislation, ownership structures, as well as the local conflicts for land appropriation. Indeed, these conflicts show a confrontation between two rationales associated to the use and function of space. The first sees territory as a product for the land market and commercial exploitation and the second, conceives land as capable of fostering the socio-cultural reproduction of the group.

The former is marked by a private property rationale which conceives land as generating immediate or future financial gains. The latter - the perspective of traditional communities - conceives the territory as a source of life, tradition and socio-cultural reproduction. Little (2004, p. 259) argues that traditional populations do not follow the "hegemonic instrumental conception and the resulting property regime based on the public private dichotomy".

As Diegues (2001) highlights, traditional systems of access to common use spaces and resources are not old-fashioned, archaic or primitive and disorganized forms when compared with the private property regime, rather they constitute a variety of social processes which are typical of a number of different social groups in Brazilian society. Therefore, the aim of this article is to describe the specificities of the land property regime of the Quilombola communities in the Island of Marajó, municipality of Salvaterra in the state of Pará, Brazil, based on the notion that work gives rights to the land. This notion is one of the foundations of the theories of the geographer Raffestin (1993, 2012). In order to carry out this research, we will look at ethnographic examples which provide evidence of this phenomenon in the setting up of shift cultivation (*roça*), homes and gardens. Although this research is strongly based on the Quilombola community of Bairro Alto, data presented also comes from ethnographic research with the communities of Deus Ajude, Bacabal, Boa Vista, Mangueiras, Paixão, Pau Furado, Providência, Salvá, Siricari and Vila União, in the same municipality.

To conduct this work is to attempt to show what Almeida (2008, p. 29) describes as specific territorialities, that is, the "result of territorialization processes in which the degree of the definitiveness of boundaries depends on the correlation of forces of each conflicting social situation" in which groups find themselves. Therefore, data presented in this work leads to a discussion which seeks to increase our understanding of the ways of *being* and *doing* of the traditional communities in the Amazon region. He also argues for the need to increase the quality of our understanding of the reality of Quilombola social groups which are often thought to strategically use their identity whilst self-defining themselves in their relations with the State (POUTIGNAT; STREITT-FENART, 1998).

Working the land, marking space

Emilie Durkheim (2002) did not agree with the notion that land ownership resulted from work on the land, in contrast to the English philosopher John Locke. Durkheim argued that “when property is reduced to labour, we concede that the value of things is associated to objective and impersonal factors which escape all evaluation, and this is clearly not the case” (DURKHEIM, 2002, p. 175). Thus, he based his argument on the notion that what defines the right to ownership is any first occupancy: “there is no doubt, in fact, that when occupancy is not contrary to a pre-existing right (land belongs to humanity) it is an act that confers certain rights. In human society, prerogative has always been given to first occupancy” (DURKHEIM, 2002, p. 186).

Both labour, as the establisher of rights to ownership, and first occupancy define the debate on the origin of property. However, in this text, although our discussion involves both conceptions, we do not reach them through theoretical debate, but rather via the definition given by the Marajó Island Quilombola communities which, to a certain extent, is close to what both Durkheim and John Locke described as the defining principles of land ownership.

The Marajó Island Quilombola communities have a collective understanding of the right to land ownership as family property associated to the ability of the household group to transform nature through their work either by shift cultivation, planting fruit trees or keeping an area clean. This conception was present in European agrarian history between the 18th and 19th centuries when these two attitudes in relation to the right to land were in conflict: the first saw it as having a divine basis and the second associated it to work. In the latter, “the fruits of man’s labour belonged to him, because human creation and nature’s gifts were joined together by labour, thus transforming nature”. Galizoni and Ribeiro (2011, p.81) highlight that “work became an important marker, in terms of the different definitions of land appropriation, establishing the boundaries between spaces of common use and spaces used privately by families”.

Conceiving work as the defining principle of the right to land can, generally speaking, lead us to establish a link between this way of thinking about how property emerged with the first stage of John Locke’s theories in which property “is not simply an economic category *but* an economic category *in statu nascendi*” (DUMONT, 2000, p. 84-5).

It is at this stage of the intellectual work of the English enlightenment thinker that property becomes based on the *work* of the individual, rather than on human need. Indeed, according to Dumont (2000), this is what makes this conception typically modernⁱⁱ. Moreover, according to recent analyses, Locke can be thought of as the thinker who developed a “theory of the right to common use” (SANTOS, 2001, p. 136). This is partly because he was able to observe the transition from a system of common use of land, in place in England during the 17th century, to a private property regime (THOMPSON, 1998).

In *The Second Treatise of Civil Government*, Locke (1988 [1690]) describes in greater detail the emergence of property. One of the arguments he employs is that work transforms an object, originally in a state of nature, into something that is the property of a man’s craftsmanship. This idea was not original at the time. Dumont (2000, p 83)

argued that he had “transported the conceptions of the state of nature of his own time, mixing it with older, more medieval ideas”.

Thompson (1998, p. 131) highlights that for Locke, the paradigm for the origin of property is a mixture of human labour - man’s only original ‘property’, the control over himself and his own hands - with the system of common use. Therefore, “everything he removes out of the state of nature which is no longer changed by it and mixes with his labour [...], he transforms into his own property”. In this way, “through his own labour, man added to common goods something that excludes the common right of other men”.

The arguments we find in Locke are similar to those used by the people in the Marajó Quilombola communities. They are not substantially different in terms of explanations given as to why a man should have the right to appropriate a good given by nature. That is, they understand that “the deer becomes the property of the Indian who killed it; *thus* allowing those who have put in their own labour to own those goods, despite the fact that prior to these events, they were common to all” (LOCKE, 1988, p. 46). Similarly, a fisherman believes that it is unfair for a farmer to appropriate the goods nature provides, simply because they are, supposedly, on his land. What is given by nature belongs to everyone. Only cultivation and the capture of animals, in broad terms phenomena which involve labour, can guarantee the right to an object which was originally of common use. That is, it is work that transforms an object of common use, originally from nature into individual property. To deny this principle is to reject the laws of nature and of “men”. This is revealed in an interview:

Check out what is going on. The farmer leases the *açai* grove area, something he can’t do, because it belongs to nature. He didn’t look after a single *açai* tree. Nature nurtures, grows them and makes them produce. I go to pick some *açai*, if they catch me they take everything away: my mounting gear, the *açai* and on top of that they threaten me with guns. He shouldn’t do this. If he planted and cared for the place, then yes. But it belongs to nature.

If it belongs to nature, the farmer does not have the right to stay and sell, if it is in his own land? Not for me. The *açai* grove belongs to nature and it’s on the river bank. Has the farmer planted, is he cleaning the *açai* grove? No. Then it doesn’t belong to him. He has the same right over the *açai* grove as me. (Verbal information)ⁱⁱⁱ

When any of the men of the communities were asked about what gives them right over an area of land cultivated within common areas, about the fish taken from rivers, the game captured in the forest within a farmer’s territory, the *açai* extracted from the wetlands and natural resources in general, even if these are found in other people’s private property, their main argument is that anything that is provided by nature, by God, belongs to everyone. In this way, if people work the land, kill fish or extract *açai*, these objects become their property because their work is impressed on them, despite being fully aware that it is impossible for them to own the farmland areas in the same way they own their community land.

A man can own the trees, lianas, timber, *açaí* and fish inside the farm which borders the communities via a form of assimilation described as invasion. An *invasion* is the way in which nature's goods found inside farm areas, which are essential for survival, are appropriated. Therefore, there are not only ways of appropriating but also a definition of the elements which can be appropriated.

Invasion, as a local category, is not at all thought of as a form of theft or similar behaviour. It is the exercise of a right guaranteed within a conception, similar to the one they use to take possession of common areas. They are aware that their local rights system is not the same as that of the farmers', given that the latter's rights are based on financial transactions. However, they do believe that this does not grant farmers full rights to everything in their farm, as these lands are not worked by the farmer's own hands, that of their relatives or friends and, often, not even by the hands of employees. When farmers purchase land, they acquire legal rights to land that is frequently left untouched. Therefore, whilst these areas are not worked, or marked by sweat, they are not thought to fully belong to the farmers. They have rights to the land within their fences because they have bought it, but not to what grows in it, to what nature provides, because, after all, there is no trace of the farmers in these goods, they are not marked by their sweat and the farmers have not made efforts to control nature with their work, an action which can only be carried out by man. Farmers have not marked their land with labour, if they had, they would have had full rights to all that belongs to them.

All Quilombolas know that when they invade these farms, their actions may be - and often are - defined as theft. But, they do not see this as an offence. It is the exercise of a right granted by the first imperative, that of survival, which precedes the right to private property claimed by farmers. Only work allows men to have full rights to an object. The fact that farmers may have exclusive rights to their lands does not mean that goods found therein are their property^{iv}.

Thus, farmers can own^v the fruits they gather, the trees they cut to make fences or houses, the fish they capture to sell or feed themselves. The simple fact that something is inside someone's property does not make it theirs, especially if it was provided by nature. This seems to be a perspective similar to that held by the so-called *quebradeiras*^{vi}, or *babaçu* [*Attalea speciosa*] nut breakers, in relation to the *babaçu* groves. Shiraishi Neto (2005) shows that these women understand that "no one owns this or that tree - in the farmlands. Palm trees are for common use". Similarly Pina Preto, a Quilombola, points to the meaning of invading farms:

Look, those who invade are those who are fishing outside the farm. Sometimes, it is not so good on the outside and they know that they'll find good fish in there. They need to make money, feed their families. So they go there at night. Everyone needs to. Because if there was [fish], and the farmer hadn't fenced them in, if they let them go, didn't hold the fish, let them go free, everyone would be able to fish, no problem. But the farmers fence the fish in, affecting everyone. Because if you fish in the river, and there are no dams, of course, that will bring in some money. If you go and fish there, for example,

you have to pay. Because in the river, fishermen only pay with their sweat, there's only their labour. And there, in the farm, they will be paid peanuts. It's no good. I am a family man.

Once I went in with compadre Mário. It was five o'clock on a Sunday evening, it was far. But we went anyway. We left our canoe on a hidden spot of higher ground. We spread our nets in the water. All we had to do was lay down our nets, and the fish were already jumping. So we laid our last net and went back for the first, the fish were already there, stuck. Man, that day was our best. It didn't take two hours. We caught 320 kilos of fish. There was so much fish. It was all very, very fast, in a quick trip we got a lot of fish. We almost couldn't get it all into our (small) canoe. Man, they were making a lot of noise. All in the net. Then we untangled them from the net in the boat" (Verbal information^{vii}).

In the Quilombola communities land is generally for common use. There are no clearly defined boundaries to each property. Land areas are associated to family groups who negotiate boundaries by means of symbolic markers. Subjects are linked to family groups via consanguinity or friendship ties. Thus, their right to use a space is guaranteed on the basis of their social relations. Therefore, people do not own an exclusive space to dispose of as they wish, given that it is family or friendship relations that define the terms of access to an area. In addition, it is generally understood that the land belongs to the heirs, always the heirs. It must, therefore, be safeguarded for future generations. However, there are ways of demarcating land for each household group, so that they come to consider the area they use as their exclusive property for a period of time.

Paoliello^{viii} (1998, 2002) claims that the organization of the common use of land consists of 'combined' systems where "the common use of an indivisible property is negotiated using kinship criteria which also regulate the standard of housing/yard/*roça* a family may own. Land ownership tends to be justified by the work invested by the family in each agricultural cycle". This can happen from the moment they imprint the marks^{ix} of their work on a particular space. However, the Quilombola do not think of land as appropriate for the market where it becomes the object of negotiation, wealth production, exchange or sale, because they see it as an asset associated to use. Land is, above all, conceived as a source of resources to guarantee life. In this conception, production is not planned so all their - and their relatives' - efforts are engaged in generating extra output to an excessive degree. They work the land by estimating their needs which are defined by the local culture, the limits in terms of accessing land, the workforce available within the family and others linked to their relations network. This does not mean that a man does not wish to generate surpluses through his work to improve his living standards. However, if this surplus is not achieved, he will not be overly concerned.

It could be said that, within limits, the Marajó Island Quilombola communities are affluent societies. In Sahlins' (2004, p. 105-152) words, they enjoy material abundance with a low standard of living. It could even be said that men have sovereignty over their territory, though they do not own property according to the capitalist conception defined

in terms of the absence of duties towards one another. Godoi (1998, p. 114) shows that in certain spaces, land ownership can be defined by the potential for “abusing the property owned, as three elements are involved: *usus, fructus et abusus*” [use, enjoyment and abuse]. Thus, in the communities analyzed here, land can be characterized, above all, in terms of patrimony - an inheritance, an asset or a set of assets which is passed down from one’s father (*pater, patri*), a word which is also “a metaphor for the legacy of collective memory, something culturally common to a group” (SODRÉ, 2002, p.53).

Patrimony is defined by parental relations, where all individuals are answerable for it before the group. According to Godoi, the words “owner-patrimony together express the relationship man-nature, where land and other natural resources constitute ‘patrimony’ and access to these is expressed in terms of rights”.

Setting up “*roça*”, establishing a right

A man who wants to set up a “*roça*” [shift cultivation] finds a specific area and, with great precision, chooses and defines the size of land he will cultivate. The area is defined according to his practical experience of agriculture and the supply of land for planting within his family group’s territory. He also considers the supply of land for the following year. Choosing the site involves evaluating the condition of the soil, forest, grassland and the potential for getting a good harvest of produce such as manioc, maize, pineapple, watermelon and banana. If he wants to use more land, he will have to use the farmland areas that border the Communities, as some family groups do^x, usually with the farmer’s permission.

After choosing a new area for cultivation, he expresses his wish for using the land by communicating his desire to other members of the community. This is not done explicitly, but through the subtlety required in local conversations, seeking in this way to use the area, but without infringing other pre-established rights. Durkheim (2002, p. 185) uses Kantian arguments to warn that “my will can only make use of its rights without violating other private wills if they have not, up to that point, appropriated that same object”.

This act of communicating is a way of obtaining approval for the chosen site, if there are no other claims to the area. Communication is central for the stability of relations and becomes essential for establishing territorial rights, as Sack (1986, p.20) highlights. To set up a *roça*, a person invites various relatives and friends to get together and form a working group, so they can help him in this task. Working in a group comes with a wish for sociability with those he has reciprocity ties. This is because this invitation not only means reducing the amount of individual work, but also making and strengthening social ties, as well as increasing the amount of land cultivated by a family group dependent on the co-operation of others. This is when negotiations are established between work and exchange partners. These factors definitively bring social recognition to the area chosen as the property of the person who farms it. It is almost a form of public notice, acknowledging the ownership of land and the collective nature of work.

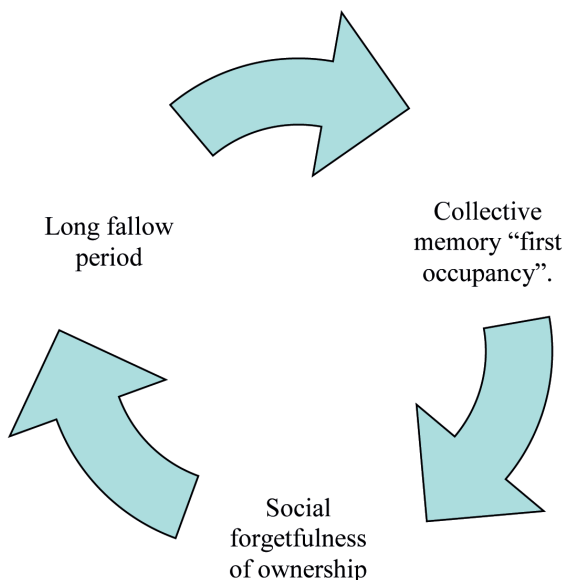
Choosing land for cultivation in this way implies social consent right from the beginning, as prior to starting a *roça*, others have already been notified of his intentions, plans

for that harvest year and the type of crops to be cultivated. It is important to ascertain from his peers whether someone else has claims to the land so as not to violate the rights of others, if there had been other *roças* set on that particular site and, if so, whether these owners have any objections, as well as finding out if there are any complications regarding its use. If, however, the area has an owner, another site will be set aside or there will be negotiations with whoever claims to be the owner.

Therefore, most family group areas are likely to have belonged to others and ownership is guaranteed for a certain period of time through the collective memory about that area, linking it to each family group. Halbwachs (2004, p. 151) highlights this aspect when he states that “whatever principle is used to substantiate the principle of property will only be effective if collective memory intercedes to ensure it is applied”. If on the one hand, collective memory can guarantee the right to property, on the other, forgetfulness, by erasing from memory the owner of a piece of land after a long pause, can allow others to acquire a site which had previously been cultivated. This forgetfulness, or erosion, of social memory about the property allows others to incorporate it to their patrimony for a similar, or indeed a longer, period of time, as if they had been the first to farm it, even if it had been cultivated before.

This system follows a cyclic order, given that the land in possession of each family group has set time limits. This ensures that there is always a “first owner” of a piece of common use land for which the rules governing use treat them as if they had been the first to occupy it. This transforms the space and its products into a bargaining chip. Land serves to consolidate reciprocity ties, given that after the first crop season it can be given to someone else, an act which consequently re-enforces these ties.

This figure shows the circularity of the appropriation of common use land to ensure a “first owner”.



Therefore, it seems that a cycle is maintained in which there is always a “first owner” who establishes his possession of a plot within a time frame of working on the land for a period of two or three harvests. The end of this cycle also coincides with the period in which the soil requires more time to rest in order to renew itself. After this phase, it stops belonging to that person and becomes the property of a new “first owner”.

It is, therefore, during this period that social forgetfulness regarding the ownership of the land occurs, because, among other things, it would not be possible, from the perspective of the group, for someone to have more land than necessary to meet family requirements. This scheme is only employed in common use areas, where annual cultivation (*roça*) take place, as for example, the farming of pineapple, manioc, banana, pumpkin and beans. The areas surrounding the communities’ houses - the yards - cannot be conceived in this way, because these sites are planted with perennial plants and are permanently incorporated into the family group as heirloom or because it is where they built their homes after marriage, making this site exclusive - their children’s inheritance.

Once a site has been chosen for a new *roça* and it has been certified that no rights have been violated, relatives and friends will be invited to help to set it up. This is a common pattern in the Amazon region, as part of the slash and burn system, prior to cultivation. Developing a *roça* on a site will turn it into the property of that family group. In future, and for a certain period of time, only that group will be able set new *roças* in that space. Even many years after the first harvest, the land will still belong to those who farmed it first. Others will only be able to cultivate it if there is *social forgetfulness* as to property rights. This, therefore, is the reason for always checking, whenever a new *roça* is created, that there are no claimants to the area.

Social forgetfulness about the property relates to the “first owner’s” wish not to use the same area in the future, given that this is the main objective of the enquiries on any potential claims. However, if there are claims to the land, it will continue to belong to the first person who, according to social memory, stamped their mark on the land.

Oliveira (2005) found similar attitudes in the Retiro Quilombola community, state of Espírito Santo, where people said that land remains *stuck* when it is in possession of a family group who is not in the region, but seeks to keep it. By contrast, in the Rio de Janeiro community of Preto Forro, studied by Rios (2005), the family group loses its right to the land when they leave. We can thus observe that each Quilombola group develops distinct legal forms of conceding and denying land rights. Thus by marking the land, work concedes subjects user rights to a territory, turning them into the effective owners of the land they work, cultivate, plant and grow and, through this activity, the owners of the products which feed their family and other relations.

This rule for establishing property rights is associated to the entire local universe and extends to encompass any other objects thought of as being of common use, including the sites farmers concede within the boundaries of their farms for setting up *roças*. These conceded areas are thought of within the logic that the first to farm it has sovereign rights over it, because he marked it with his labour, converting it into his own property. This system does not disregard the fact that there is a more important ownership claim affecting all the farmland, the farmer’s. Therefore, when they take possession of an area

in the farm, already used by a Community member, levels of negotiation are established. First, it is important to find out if the first person to farm the land will allow it to be used and then permission for a *roça* is sought from the farmer. This is because, given the recurrence of previous concessions, there is no doubt it will be granted again.

The house, inherited property

When a house is built, it marks, within a territory of common use, a property which has come about through the labour that built it. It also signifies that a particular site becomes permanently integrated to the family's patrimony. It is only in this way that we are able to understand the reasons why the very next action, after the construction of any house, is the planting of fruit trees in the spaces owners wish to establish as theirs. Fruit trees are planted, not only because of their practical purpose of providing fruits for family consumption. After all, it is, mainly the animals - pigs and birds - that consume these fruits more frequently, as do children when playing in the yard. They are cultivated precisely because fruit trees are different from other trees that appear without the direct interference of men and which happen to have grown in the site chosen for the property. Fruit trees are planted near homes to demarcate a property which was borne out of man's labour. They also establish the rights of heirs who stamp their marks on the area their houses are located - their yard - considered as permanent properties and transformed into their children's inheritance.

By contrast, people defined as "outsiders", namely, non-heirs, cannot plant trees which have a permanent character close to their houses. The houses of non-heirs are shacks, made of mud and straw, symbolically stating: your time here is represented by the same material of which your shack is made.

It is only by clearly understanding this principle that non-heirs are allowed to build their shacks^{xi} within Quilombola territory. The shack symbolizes the ephemeral, a relation of instability. It is through this signifier of instability that recently-formed family groups build their shacks for the first years of their lives together. Other ways are possible, such as using their family and friendship relations, but in this way they mark their first years together in the house they live. Over time this will change, because their home situation and relationships change. By contrast, "outsider" family groups do not have this privilege. Pina describes this in detail:

Someone gives me a plot of land to build a house. Then I have to ask him. Can I plant, can I care for it? If he says: no, you can't plant anything, you can build your house and you won't plant anything. Then I won't be able to plant anything at all. I can only build my house and go on living. This is how it works.

In my case, Antônio (his wife's uncle) gave me the land where my house is. If he had not wanted me to have clay tiles on my roof, it would still have been covered in straw. The problem is that he owns the land, we have not bought it from him. And if he says: look, you can't build a house with roof tiles! Then what I would have to do is

to take action, talk to him, so I can build a house with a tiled roof. But thank God he understood and today I have built my house. A tiled-roof house can only be built if the owner allows it. People living in straw houses have no security. Planting brings security. Otherwise, you don't have any rights. When the owner arrives, he can, for example, give you some time and say: I'll give you this amount of time whilst you look for a small piece of land to build a house. Then you have to find a way of doing it.

I asked Antônio if I could plant and he said: You can plant. Then later I will buy what you have. Before I built my tiled-roof house, I called him and said: I need to improve my house. I would like you to allow me to build it, because I cannot live like this, in a straw house, forever. My work is hard, but I want to live in a better place with my children. So he said: no, it's ok, you can build your house, there's no problem. And he went further: I am going to sell you a few metres and give you some others. So things got even better. God willing, I'll manage, I'll be able to pay him at the Notary's Office and acquire the deeds, everything the way it should be". (Verbal information^{xiii})

A lady from Beiradão, a locality within Bairro Alto similar to a district, has been involved for over 30 years in an argument about her rights to a piece of land, because she grew plants on it, thus establishing her rights. But the argument only occurs because she is not seen as belonging to the group. She uses her plants to establish her rights to the land. Another person is in a dispute with her relatives because she has lived a long time in an area. Her main argument for remaining is based on the same principle, that is, what she has planted over the years. She says: "This used to be jungle, I have witnesses. The grass was very tall here. As proof I have this cashew tree and banana trees, and I am still planting. And everything here is clean" (Vitória, 32 years old).

Thus, it is not only the plants on the plot that are important, but the marks of the work which have become permanent whilst cultivating these plants, given that just cleaning the plot would have had the same effect. Watering, cutting grass, pruning, fertilizing and many other activities are necessary for a tree to continue to give fruits. It is these activities that provide evidence of labour and are the marks that grant right to the land. All this imprints the signs of man in the soil and gives rises to his long-lasting rights. There rights are no longer short-lived like plants with short-cycles^{xiiii}, which tend to be ephemeral and leave no traces on the land after harvest.

The yards, the people, the marks on the space.

The above description defines an area as the property of a family group. This system allows the areas where houses are built to be individualized, ensuring mutual and absolute respect for family properties. Some might think that there are no individual properties in common use Quilombola land, because there are no clear markers for specific areas, as opposed to land owned by farmers, enclosed by fences - sometimes kilometres long -

to demarcate their property. In Quilombola land, each area is demarcated by the work inherent in the cultivation of plants, *roça* and yards.

Front gardens and other areas which define a family property are kept permanently clean. This is not simply for reasons of aesthetics or cleanliness, but because this activity signifies the delimitation of individual areas as family property. *Terrenos* (land plots), as the areas where people live are called, are swept almost every day, obsessively. Sometimes it is difficult to understand why a man, usually after he gets up and has his breakfast, starts gathering the leaves that fall from the trees in his yard, because once gathered, other leaves will fall to fill the ground the moment the wind hits the trees. These are trees he planted and he takes pleasure in talking about the fruits they provide the animals with. If he cannot clean his plot in the morning, he will do so in the afternoon, this is an unavoidable task. If another activity prevents him from fulfilling this duty, he will make sure another family member does so. This task can never be left undone.

If the head of the household could do it, when his daughter arrived from work, often as it got dark, would gather the mango tree leaves covering the ground^{xiv}. Of course, an hour later, the leaves were all there again, a sign that this activity, though futile, is, nonetheless, important. It must be done with almost the same determination that goes into daily meals. Just as heads of households must always provide food for their children and wives, work in the fields, fish and hunt, keeping their plots clear implies the recognition of their property, as if this was also a social recognition of their value.

People's perception about yards defines the property area. This perception extends to the *roça* set up in other areas. For example in the farms near the community which, due to the lack of arable land, are used for shift cultivation. *Roças* set up in their own designated areas or in the farms are, to a certain extent, seen as incorporated to the family property as soon as the producer starts work on this land. Once the *roça* is entirely farmed, the marks of the people who work it remain. The name of the owner is transformed into the suffix of that particular plot. For example "This is Pina Preto's *roça*", "this is Conceição's field".

When a field is left in fallow it will remain untouched and not even its owner is allowed to use it prior to it being ready for the next crop. Even when the resting period is over, no-one will set up a *roça* or any other activity on that land, except for its owner. This is due to the recognition of the area's exclusive right of use. This right can only be passed on to another person with the permission of the first person to farm it. However, at the end of the concession period, it will return to its first owner. It is as if the owner is granting right of use to a tenant and, in this way, allowing him right of use for a particular amount of time. The tenant is aware that the land does not belong to him. However, in the relationship established it is clear that this permission is temporary, that property is not permanently transferred.

It is as if this land, after being cultivated for the first time, is permanently incorporated to the family group and can no longer be separated. When a member of the Quilombola community shows the plots of land inside the farm, she points out who owns the new and old *roças* and fallow lands. Once a man was seen asking another for permission to set up a *roça* in a field he had cultivated for the first time three years earlier. Initially, what made this situation difficult to understand was that this land did not legally belong to its

first owner, given it was the private property of a farmer. However, the formal ownership of the land was not at stake, what seemed important was that one of the Quilombola men had been the first to use the area, a fact which made it his property. Thus, the conception of property established leads these men to feel they own the farmed area.

The right to an asset is governed by an arrangement which operates as a general principle for regulating access to property. Indeed, it is extended to and underpins the appropriation of other spaces, such as the places fishermen put their traps in the rivers of the region. Local fishermen place their enclosures^{xv} in the rivers in the months of February and March which are used approximately until August. Prior to installing their traps, and in particular their enclosures, the fishermen assess the river using their knowledge of environmental conditions and of the best site for their traps. Once traps are set up, they spend months checking the enclosure every day to collect the captured fish which are used to feed their families and nurture reciprocity ties.

After the first fish harvest is over, the traps start to break up and deteriorate because they are made of thin rods which easily rot when left in the river. All that remains are the *moirões*^{xvi} (stakes), the name given to the territory markers used by the fishermen. Whilst the stakes remain visible and perceptible to the eyes of those passing on canoes, other fishermen cannot place their traps in that particular place, unless they do so with the owner's express permission. Therefore, here, the same principle for appropriating land in the Community is used.

However, if a fisherman owning a fishing area cedes it to someone else to set up their enclosure, this person must from time to time pay back the owner with fish. However, the enclosure can only be seen as someone's property as long as the marks on the riverbanks remain, so that other fishermen can identify it. For an area to remain under family control, fishermen must set up their traps every year, or give permission for others to do so.

Final Considerations Demarcating the Land

The Marajó Island Quilombola communities possess a system of local rights whose matrix is based on its own rationale with regard to the use of territory. This matrix then encompasses various other universes in which natural resources are appropriated and understood as being of common use. This system includes forms of appropriating yards, areas for *roças* and also rivers. It is founded on a conception that establishes a way of granting individual character to a collective asset. In other words, it is through the collectivity that the individual emerges. However, the element that provides individual value to a collective asset is the symbolization which people attribute, through their labour, to spaces for planting, fishing and hunting, generally speaking, the spaces and objects where men are able to imprint their marks.

Notes

- i The concept of traditional population has a very complex history, as partly shown by Barreto Filho (2006) when he analyzed the inherent problems of using this concept. The author's criticisms are very valid and point to conceptual paths which enable us all the more to recognize the historical and sociological specificity and diversity of the Amazon region's social groups. On the concept of traditional peoples see also Cunha (2009)
- ii Dumont (2000, p.84, note 4) explains that the right based on a person's needs originates from the idea of social justice or distribution founded on a person's work. It emerges from the conception of individuals as entities in themselves, that is, meta-social entities. In both cases we can talk of a right which relates to a social principle or an individual.
- iii Interview with Mário, 49 years old.
- iv This is complex, because a distinction is made between land as the exclusive property of farmers and what grows on it. The Quilombola are aware, for instance, that once someone acquires a farm, that person has rights to the land. Land ownership is always thought of as inviolable - no one builds a house or cultivates in land that belongs to others without permission - but they do not believe that what grows there, without effort or sweat, can be claimed to be exclusive. This difference is the basis of the notion that someone can own a piece of land, but if he has not planted something, cultivated it, then what grows is solely due to nature's efforts, it is of common use and anyone can take it to meet the food requirements of their family. This precludes invasion exclusively for sale purposes or lucrative ends, which is disapproved of. Invasion has a basic requirement: it must be for a person's own sustenance.
- v If the farmer pays for someone to work for him, it is recognized as belonging to the farmer.
- vi The babaçu nut-breakers fought to have free access to the fruits of the babaçu trees found in private farmland; they call this *coco preso* [bound nut]. According to Rocha (2006, p.7) the forms of private appropriation of the babaçu nut go against the peasants' logic, as they believe that natural resources cannot be privatized because, from their point of view, these goods cannot be individually owned. In fact, as common goods, they have use and exchange value which can be appropriated by however many people want or need them, via the family's labour.
- vii Interview with Pina Preto, 40 years old.
- viii Despite citing this author, it is important to highlight that the aim of her research when discussing the common use of land is to "develop an interpretation of smallholder tenants, pointing out that tenure is the fundamental mechanism employed to establish their estates, thus guaranteeing autonomy and permanence" (PAOLIELLO, 1998, p. 202-3).
- ix "Mark and be marked". For Deleuze (2004, p. 146), these two elements are the fundamental factors of any primitive society. He uses these principles to refute the theory that exchange is the founding basis of society, thus going against various authors who follow this line of thought. I argue that these theories have a certain value because they allow us to conceive the formation of the social world. On the other hand, the idea of marking a territory is interesting with regard to particular social groups, though I hope that this is not understood in the sense that, for example, a wolf marks out its territory. Here the meaning of marking is to attribute symbolic signifiers with which human beings define their universe of social relations that may have either a material or symbolic basis and which they believe carry something of themselves, their mark. Thus, to mark is to appropriate a territory when various actions and different dimensions of meanings result in the appropriation of space, from the least significant to the most complex. It is to look at the material and symbolic universe shared by members of a community so as to more clearly perceive the collective dimension they give their world.
- VERIFIQUE ESTA NOTA
- x In the past, the area of the Forquilha farm used to belong to the Bairro Alto Community. However, it was grabbed by farmers, in particular by Severino Fonseca da Silva. His heir, Albino, sold the land to an American - John Redmon - legally represented by his Brazilian daughter Kathaleen Elizabeth Redmon. Despite a change in ownership in 1984, there were no significant changes in the relations between the new owner and the Community. He allows them to continue to cultivate the land he bought. At first, he demanded in exchange the clearing of the fields. Bu his request was only met for the first two years.
- xi Negrão (2003, p. 229-256), when describing the "Traditional Land Systems" in Mozambique shows that in this country when land is given to someone who does not have blood or marital ties, the person who occupies the land cannot cultivate 'permanent' trees. He states: "The leasing of the land is subject to a number of rules, of which the temporary nature of the transfer of exploration rights and the ban on tree planting are the most important".
- xii Interview with Pina Preto, 40 years old.
- xiii Short-rooted plants which produce within six months.
- xiv Although we do not emphasize here the aesthetic sense of cleaning yards, neither do we disregard it. The cleaning of yards is an activity which also defines people. This is because clean yards are directly associated with careful, clean

and attentive people who are worthy of trust. Thus, the cleaning of yards not only talks about the land, but the people who care for them.

xv The trap used to capture fish, made of small rods and lianas, are placed in the river, on the beaches or sandbanks.

xvi Each of the thicker stakes to which thinner rods are fixed horizontally, forming a trap that catches the fish when the tide rises.

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"THE SWEAT THAT MARKS THE LAND": WORK, QUILOMBOLA RIGHTS AND TERRITORY IN THE ISLAND OF MARAJÓ - PARÁ

LUIS FERNANDO CARDOSO E CARDOSO

Resumo: As comunidades quilombolas estão lutando arduamente pelo direito aos seus territórios tradicionais. Uma luta empreendida muito antes dos dispositivos legais que marcam os debates sobre os direitos das comunidades negras rurais brasileiras, em 1988. As lutas de tais comunidades não são por terra, para que possam fazer dela mercadoria, mas por um território em que estão suas próprias expressões de vida e percepções de mundo. O presente artigo, com base em pesquisa de campo junto às comunidades quilombolas do município de Salvaterra, na ilha do Marajó, mostra como essas comunidades definem os espaços de apropriação da terra, da mata, dos rios e das casas e como os espaços quilombolas são cercados por expressões simbólicas das formas de ser e viver dessas populações.

Palavras-chave: Comunidades quilombolas, territórios, Ilha do Marajó (PA).

Abstract: The Quilombola communities are fighting hard for the right to their traditional territories. A struggle which started before the legal instruments that influence the debates about the rights of rural black communities in Brazil were established in 1988. The struggles of these communities are for land not as a market good, but for a territory in which their own expressions and perceptions of the world are rooted. This article is based on field research conducted with the Quilombola communities, in the municipality of Salvaterra, Island of Marajó, Brazil and describes how these communities define the appropriation of spaces such as land, forest, rivers and houses. It reveals that the Quilombola spaces are imbued with the symbolic expressions of these populations' ways of being and living.

Keywords: Quilombola communities, territories, Marajó Island (PA)

Resumen: Las comunidades quilombolas están librando una dura batalla por el derecho a sus territorios tradicionales. Una lucha emprendida mucho antes de la aparición de los dispositivos legales que marcan los debates sobre los derechos de las comunidades negras rurales brasileñas, em 1988. Las luchas de tales comunidades no son por la tierra, para que puedan hacer de ella mercancía, sino por un territorio en que se encuentran sus propias expresiones de vida y percepciones del mundo. El presente artículo, basado en investigación de campo entre las comunidades quilombolas del municipio de Salvaterra, en la isla de

Marajó, muestra cómo las comunidades definen los espacios de apropiación de la tierra, de los bosques, de los ríos y de las casas. Muestra que los espacios quilombolas están cercados por expresiones simbólicas de las formas de ser y de vivir de esas poblaciones.

Palabras clave: Comunidades quilombolas, territorios, Isla de Marajó (PA).
