THE MANAGEMENT OF URBAN WASTE AND WASTE PICKERS: CAN AN OCCUPATIONAL ACTIVITY SOCIALLY AND CULTURALLY EXCLUDING GENERATE SOCIAL INCLUSION?

Alexandre Coser

Specialist in Labor and Social Security Law from Universidade Feevale. Student of the Postgraduate Program in Cultural Diversity and Social Inclusion of Universidade Feevale. E-mail: alexandrecoser83@gmail.com

Valdir Pedde

PhD in Social Anthropology. Professor of the Postgraduate Program in Cultural Diversity and Social Inclusion of Universidade Feevale. E-mail: valpe@feevale.br

ABSTRACT

This article presents a reflective study on the environmental problems of waste and the social inclusion of people who labor with recyclable materials. The following question arises: "What are the possibilities of a socially excluding occupational activity to generate social inclusion?" In order to answer the question about the integrative function of labor in society, this article approach the technological transformations in the world of labor and aspects of social exclusion, the relevance of contemporary environmental problems, waste issues in Brazil after the National Solid Waste Policy - Law 12.305/10, aspects of the social condition of the waste pickers and the culturally contours inherent to the Brazilian context. The research method is the bibliographical analysis, with qualitative approach. The objective is to conduct a reflexive and approximative dialogue on the theme of social inclusion of the taster with aspects related to culturalism, social recognition and citizenship.

Keywords: Waste pickers; Solid waste; Social inclusion/exclusion.

O GERENCIAMENTO DE RESÍDUOS URBANOS E OS CATADORES: PODE UMA ATIVIDADE OCUPACIONAL SOCIAL E CULTURALMENTE EXCLUDENTE GERAR INCLUSÃO SOCIAL?

RESUMO

O presente artigo propõe realizar um estudo reflexivo acerca da problemática ambiental dos resíduos e da inclusão social das pessoas que trabalham com materiais recicláveis. Para tanto apresenta-se o seguinte questionamento: "quais as possibilidades de uma atividade ocupacional socialmente excludente gerar inclusão social?". Para tentar responder a pergunta sobre a função integradora que o trabalho deve cumprir na sociedade, este artigo aborda as transformações tecnológicas no mundo do trabalho e seus aspectos na dinâmica da exclusão social, a relevância da problemática ambiental contemporânea, as questões dos resíduos no Brasil após a vigência da Política Nacional de Resíduos Sólidos - Lei 12.305/10, aspectos da condição social dos catadores e os contornos cultuaris inerentes ao contexto brasileiro. O método de pesquisa é o bibliográfico, com abordagem qualitativa. Como objetivo pretende realizar um diálogo reflexivo e aproximativo sobre a temática da inclusão social do catador com aspectos relacionados ao culturalisno, ao reconhecimento social e cidadania

Palavras-chave: Catadores; Resíduos sólidos; Inclusão/exclusão social.

INTRODUCTION

The risk of ecological collapse and the rise of social inequality are eloquent signs of the crisis in the globalized world. According to Baumam (2005), the residuals of capitalist society are not only those resulting from the discarding of products already used and deprived of utility, but also the human residue composed of the excluded as a consequence of the contemporary model of social interactions.

When it comes to environmental relevance, the increase in solid waste is directly linked to the modern lifestyle based on the productionconsumption axis .In addition, another aspect is that the amount of waste is also linked to the numerical increase of the cities and their growth.

It is estimated that the world's urban population will double by 2050, which will generate greater environmental repercussions in these metropolitan centers, most probably due to insufficient basic services such as health, employment, food security and the deterioration of natural resources (New Urban Agenda - UN - Habitat III). The whole effort for environmental sustainability seems small and insignificant given the size of the challenge of adequate waste treatment. In addition, the increase in social inequality has a direct impact on the sustainable development aspects established in Agenda 2030 - UN (2015).

In 2002, the Ministry of Labor and Employment - MTE recognized the profession of collector of recyclable material, and the activity was officialized by the Brazilian Classification of Occupations - CBO. According to Miura (2004), after legal recognition of the profession, however, there are still problems related to the recognition and implementation of the rights of these workers to have decent working and living conditions that transcend the simple aspect of survival.

As Castel (2009) points out, wage labor is the structuring axis of social relations in terms of the configuration of social identity and community integration of individuals. In this regard, the article seeks to reflect on the activity of waste pickers, the basic question is whether this activity, even in an impoverished country with broad social inequality such as Brazil, can be considered an inclusive activity, and if so, to what extent.

Even though there are differences between the collectors who are associated in cooperatives and those who work in unrelated conditions, the social inclusion of these workers raises questions about the possibilities of a socially and culturally exclusive occupational activity to generate social inclusion? The research methodology is based on a bibliographical review, with the dialogue among several theorists and seeks to contribute as a reflexive study on the theme.

1 TRANSFORMATIONS IN WORK RELATIONS

The technology embedded in the means of production /market has presented the world with its perverse side: the transformations that have taken place mean that it is possible to increase production in industries while reducing the need for labor.

In the modern and contemporary world the problem of labor is reconfigured under the aspect of the new forms of manifestation of globalized capitalism, which currently presents its most aggressive way. It should be noted that until recently, job creation was a collective responsibility of governments and companies, and this responsibility was now transferred to the individual as if there were no obstacles of social and economic order.

In terms of contemporary dynamics, neoliberal economic and political rationality deserves attention, authors such as Dardot and Laval (2016) point to the set of political measures adopted in several countries from 1970 to 1980, which are based on the reduction of participation of the State as social protector and regulating agent of market relations for social welfare .The mark of this context is the transfer of the political rationality specially directed to foment the productive activity and /or investments that benefit and amplify the competitive participation in the market.

In "As metamorfoses da questão social: uma crônica do salário (The Metamorphoses of the Social Question: A Wage Chronicle)", Castel (2009) places the problem of social vulnerability as a result of the erosion of social protection systems in the wage society¹. The implications of these transformations came in the form of increasing unemployment, increasing social inequalities, advancing poverty and weakening representative institutions of workers.

Authors such as Silva and Oliveira (2009) point out that the changes in the world of work have negatively affected several workers. The modifications include aspects such as the crisis of the old Fordist model of

¹ For Castel (2009, p. 416-417), the salary society is one in which wage labor becomes the axis of social relations in terms of shaping the identity and the cul tural symbolic of individuals. The work will ensure a set of rights and protections against social risks (sickness, unemployment, accidents), as well as allowing an expanded participation in social life, through access to consumption, education, leisure and housing.

production, with the emergence of new forms of management that reduces the need for labor and /or allowed the transfer of productive units to places with lower productive costs.

As paradigm of this context, Galeano says:

The world economy requires ever-expanding consumer markets to extricate itself from rising production and to lower its rates of profit, but at the same time it requires arms and raw materials at derisory prices to lower production costs. The same system that needs to sell more and more also needs to pay less and less. (Galeano, 2011, p. 27).

The contemporary context according to Sousa Santos (2003), presents the structural predominance of the processes of social exclusion. The author emphasizes the problematic from the approach in the fragmentation of the society between three types: (1) the individuals that enjoy of accented forms of social inclusion; (2) those who hold the minimum expectation of realization of their basic social rights and; (3) individuals who are in the share of the society with the highest level of social exclusion.

According to Rodríguez (2002), two categories of individuals are exposed in the current economic logic, the capable and the incapable of facing the competitive world of contemporaneity: the first with high professional qualification are successful when allocating themselves in the modern sectors of the economy; the latter with little or no qualification are those who find themselves in precarious work, and can hardly guarantee their subsistence.

For Martins (2009), the capitalist social system has its own process of exclusion and re-inclusion. Modern society has resulted in a large mass of population that has an unlikely chance of being re-included in current patterns of development. In this scenario, the course of the path from exclusion to inclusion, which should be transient, is increasingly becoming a mode of permanent life.

It is understandable that technological evolution has been changing the economy and society as a whole, and that these changes require a greater need for individuals to adapt to the labor market. In this respect, recyclers are developing such activity due to the profound difficulties of insertion in the labor market, often related to questions of age, social status and low schooling. It is observed that the collectors perform their activities in extreme conditions, suffer prejudices and have low recognition of the role they represent in the economy and the environment.

The Report of the Institute of Applied Economic Research -IPEA (2013), about the social conditions of the collectors, indicates that many of them perform this activity full time for several years, some since childhood.The mentioned report points out that in several families this activity is followed by father to child, usually due to lack of better options.

Regarding schooling questions, the IPEA (2013) data indicate that 66.7% started the studies, but did not complete the fourth grade of elementary school, 16.7% declared themselves to be illiterate, and only 16, 7% have completed high school.Low schooling can be considered a clear factor in the social exclusion of recyclable waste pickers. It is therefore an important issue for tackling poverty and inequality, which shows how difficult it is for these people to meet requirements of the contemporary labor market.

In fact, when it comes to job configurations, the contemporary matrix requires new skills, and also requires an emotional economy, especially, according to Souza (2015), new attitudes of individuals who must be able to incorporate knowledge, especially for the increasingly competitive labor market.

Given this configuration of low schooling level, it is possible to recognize the social issue of collectors of recyclable materials, as one of the facets of the economic system, since most of these workers on a few occasions can enter the labor market or become unemployed in in view of the gradual technological changes that have taken place in the productive system.

2 THE PROBLEM OF THE ENVIRONMENT IN THE SOCIETY OF RISK

Before the twentieth century the production of waste from anthropic activities almost rested on organic wastes that are easy to decompose in nature. According to Porto-Gonçalves (2006), with industrial development and urbanization, not only the production of goods, but the production of waste was intensified and diversified.

In this regard, the notes presented at the United Nations Conference on the Human Environment (Stockholm, 1972) and the report "Our Common Future" in 1987 by the World Commission on Environment and Development point out that leading to a way of life that is not compatible with the finitude of the resources of the planet. Thus, it is pointed out that the environment was considered an element for achieving economic ends.

The expansion of the production and the increase of the consumption appear as a logic of maintenance of the system of accumulation. According to Penna (1999), Gatari (2000) and Bauman (2005), this economic system has become a dominant subjectivity for a large part of the population.

The more you consume, the more natural resources are extracted, the more pollution and waste are generated. Demonstrating how it is treated in everyday life with waste Bauman (2005) highlights:

The story we grow up in has no interest in trash. According to this story, what matters is the product, not the refuse [...] We remove the waste in the most radical and effective way: making it invisible, not looking at it, and we make it unimaginable for not thinking about it. (Bauman, 2005, p. 38).

In the social sciences, the sociologists Beck (2011) and Giddens (2005), who construct the conceptual analysis from the critique of modernity stand out. Theorists assume that contemporary society, called as post-industrial, is a society of risk.

In this respect, the mentioned authors refer to the phenomenon of the transition from the classical Industrial Society to the Society of Risk, described as the moment in which the production of wealth is systematically accompanied by the social production of risk.Such a question is directly involved with the capitalist logic of accumulation and environmental impacts can not be controlled by legal systems in the same way as in classical industrial society².

Advances in technology have not been accompanied by the scientific ability to accurately predict the extent of all its side effects. Adverse ecological effects that were once geographically restricted became global and affect living conditions across the planet, as Beck (2011) points out.

According to Porto-Gonçalves (2006), the transformations in the aspects of industrialization, among other features, meant the broad

² According to Carvalho (2008), law faces enormous difficulties in responding to problems concerning new environmental interests, because it has a structure based on individualism, conflict, conditional programming focused on what has already happened, intertwined with a restrictive anthropocentrism.

establishment of human rhythm in the exploitation of natural resources .For the author, the capital clock (*time is Money*) gradually began to command the anthropic relations in the disregard to the natural cycles.

Consequently in this context not only human life is involved to the extent it encompasses all the existing species that compose the biosphere. Therefore, the web of life described by Capra (2012), as the mutual relation of all elements of nature, responsible for the ecological sustainability of life is being affected.

In this respect, Diamond (2007) suggests the reflection:

The seriousness of our environmental problems is vigorously debated. Were the risks exaggerated or, on the contrary, underestimated? It is reasonable to think that with our powerful modern technology, a world population of nearly seven billion people is destroying the world environment at a much faster pace than a few million people with stone and wood instruments have already destroyed it locally in the past. (Diamond, 2007, p. 22).

Moreover, there is a gigantic mismatch between the effective legal protection of the environment referred to by Ost (1997), with the following consideration:

To establish the limits of the allowed and the prohibited, to institute responsibilities, to identify the interested ones, to determine fields of application of rules in time and in space, the law has the custom to use definitions with sharp outlines, stable criteria. [...] Ecology claims encompassing concepts and evolutionary conditions; law responds with fixed criteria and categories that segment the real. Ecology speaks in terms of ecosystem and biosphere, law responds in terms of limits and boundaries; one develops the long, sometimes extremely long time of its natural cycles, the other imposes the short rhythm of human predictions. And here is the dilemma: or the law of the environment is the work of jurists and can not understand, in a useful way, a decidedly complex and variable data; or the standard is drawn up by the specialist. (Ost 1997, p. 111).

Most of the agents' decisions, whether linked to the state or to the market, are directed at productive advantages. In this respect, Beck (2011) ponders the blindness in relation to environmental risks. Insofar as risks appear as industrially produced they are also politically reflexive, since they are occasioned by decisions, fruits of human actions /omissions, within a context of highly developed productive forces. According to Douglas and Wildavsky (2012), risk perception is culturally constructed. Thus, risks are defined, selected and culturally hierarchized, the authors point out the influence of the scale of social values and the definitions and attitudes towards risk .Obviously, we can add that much of this scale of values is amplified and solidified institutionally, especially if it is considered that the choice of risks are strongly subject by modern institutions, namely, the State and the Market.

In this way, contemporary society faces several problems that can be broken down into two basic classes, namely: (i) the depletion of renewable resources, since certain material sources have been dissipated in an orderly manner since the beginning of industrialization, and, (ii) the pollution of waste released into the environment, especially in the way the materials from the current production system are disposed of.

If the scenario remains unchanged, ie urbanization rates increasing more than progress in the environmental area, in the coming years, with waste disposed incorrectly without proper treatment, there will be an increase in the negative consequences on the life of the population.

3 THE NATIONAL SOLID WASTE POLICY IN BRAZIL

Although the environmental problem has been evident since the mid-twentieth century, when it comes to the adequate management of waste in Brazil, the problem is still not properly faced in terms of effectiveness. In a study carried out by IPEA (2012), it is pointed out that only 18% of the total municipalities have some system of selective waste collection.

In spite of the fact that it is possible to verify in the legal system the prediction on the management of the waste provided for in Law 11445/97, which establishes national guidelines for basic sanitation, specifically, only in 2010, with the enactment of Law 12,305 /10, the National Solid Waste Policy, being the initial framework for the regulation of the services to be carried out by the municipalities, obliging them to formalize urban waste management plans for the appropriate final disposal, also highlighting the objective of eradication of clandestine landfills known as dumps, where disposal is carried out without any form of sanitary control in relation to air, soil and water contamination.

The starting points of the National Solid Waste Policy are the differentiation between waste and tailings and the finding of solid waste as having a socioeconomic value .This definition is the foundation for recycling and proper disposal.

The final environmentally appropriate destination only occurs after the possibilities of reuse, recycling, composting, recovery and energy recovery of the waste have been exhausted³. Law 12,305 /2010 defines the correct disposal of waste, in its article 3, VII, namely:

disposal, which includes reuse, recycling, composting, recovery and energy use or other destinations admitted by the competent bodies of the National Environmental System (Sisnama), the National Health Surveillance System (SNVS) and SUSA, including the final disposal, observing specific operational norms in order to avoid damages or risks to public health and safety and to minimize adverse environmental impacts (Brazil, 2010)⁴.

In addition, the Law proposes shared responsibility for the product life cycle (Article 3, XVII of Law 12,305 /2010) "... as a set of individualized and linked attributions of manufacturers, importers, distributors and traders, consumers and holders of public services of urban cleaning and solid waste management". They are now responsible for collecting and properly disposing of post-consumer products. It is hoped that such regulation to minimize the volume of improperly discarded solid waste and waste generated, as well as reduced impacts on human health and environmental quality, however it is not a proposal for a simple realization.

Even with the prohibition of the disposal of waste to the dumps provided for in article 47 Law 12,305 /10, there are still three forms of final disposition of solid waste carried out in Brazil: landfills, controlled landfills and landfills that would be appropriate, namely:

The dumps, according to Milaré (2004), are places where various solid wastes (organic and inorganic) are disposed of without adequate soil treatment, causing air pollution by the emission of methane gas from the decomposition of organic waste, soil and groundwater source underground;

The controlled landfill is an improved dump where the waste is disposed on a land

³ The rejection under Article 3 XV of the aforementioned Law is what remains after all the possibilities of treatment and recovery have been exhausted by available and economically viable technological processes, they present no possibility other than the environmentally adequate final disposition".

⁴ It is important to highlight the differences between recycling and reuse. Thus, recycling comprises the "process of transformation of solid waste involving the alteration of its physical, physico-chemical or biological properties with a view to transformation into inputs or new products ..." (Article 3, XIV PNRS) and reuse the "process of using solid waste without its biological, physical or physico-chemical transformation ..." (article 3, XVIII of the PNRS)

without waterproofing or poorly waterproofed, there is no adequate treatment of the land and the solid waste deposited there is of several origins (domestic, industrial, hospital, etc.), disposed without any criterion, and;

In landfills, the soil is adequately waterproofed according to technical specifications⁵, receives constant specialized treatment and monitoring in order to avoid as much pollution as possible and the toxic gases produced by the decomposition of organic matter are harnessed as an energy source.

In addition to the objective of regulating environmental issues pertaining to the disposal and the correct destination of waste, this Law determines the National Solid Waste Plan, with targets associated with social inclusion and economic emancipation of recyclable material collectors (according to article 15, section V).Law 12,305 /2010 recognizes the need to integrate waste pickers into the recycling chain to promote citizenship through social inclusion through the generation of jobs and income.

The National Solid Waste Policy was conceived and built within the scope of an environmental policy with the objective of generating social inclusion within the context of the management of urban public cleaning services, based on the socioeconomic and environmental challenge of new local development standards.However, for its operation it requires new models of cooperation and partnerships between government and society that articulate social inclusion, income generation and environmental preservation.

According to the Urban Cleaning Sustainability Index for Brazilian Municipalities - SELUR (2017), the implementation of the goals set by the National Solid Waste Policy has presented considerable challenges.Of note is the non-compliance with the deadline for the extinction of the dumps, scheduled for August 2014 and its extension for the second half of 2018.

According to the Urban Sustainability Index for Brazilian Municipalities - SELUR (2017), of the 5,568 Brazilian municipalities, 3,326 still discard their waste incorrectly, estimating annually 41.3% of the 79 million tons of waste produced goes to open air leaks.

After eight years of validity of the National Solid Waste Policy, the applicability is still not fully implemented. In addition, the low

⁵ It is defined as an urban solid waste landfill, suitable for receiving domestic, public roads and comercial swept materials .Industrial waste must be destined for landfill of industrial solid waste (class II as non-hazardous waste and class I when it is hazardous waste), in accordance with the technical standard of ABNT 10.004 /04.

Veredas do Direito, Belo Horizonte, · v.16 · n.34 · p.253-277 · Janeiro/Abril de 2019

separation of materials by the population and the lack of a solid household waste management in the municipalities compose a prominent problem in several environmental and social aspects.

In order for recycling to be satisfactory, selective collection systems must be efficient, with the separation of waste by the population, which depends on the public power - responsible collection management and each citizen - responsible for separating their waste properly.

According to the IPEA (2012), in addition to the selective collection that would be the environmentally appropriate form, a strategy of the municipalities for the recycling of the waste that is being adopted is the direct use of plants or sorting stations without selective collection.

In this system, the waste collected by the companies, without separation in the generating source, is sent to the sorting units, whose operation in many cases is carried out by associations of recyclers. In the units where this occurs, the residue that is collected in a traditional way will be separated and at a later time whatever is usable is sent for recycling.

The place set for the collectors in this model generally limits them to the condition of triers, they carry out the sorting of the material coming from the collection in warehouses, the collectors who do not adapt to the work in the predetermined format by the managers will not be included.

The waste sorting format without previous separation, despite having a simpler implementation than that of the selective collection programs, presents a low efficiency, since the collected material that arrives at the point of sorting has a high degree of contamination. After sorting, non- recyclable waste - often unused materials due to contamination⁶, are deposited in containers and then transported to the landfill.

According to Wirth and Oliveira (2016) the management mode does not always present the desired social results. The economic principle also influences the technical solutions for waste management from the need for lower costs, the compactor truck, the sorting belts, the mechanized sorting are solutions to handle a large volume of waste occupying a small number of workers .In effect, selective collection finds problems to maintain and consolidate, since they present budgetary needs that come

⁶ When there is no separation in the residences, shops, etc., the garbage bags collected in the conventional collection are sent to the sorting, where the recyclable waste is separated from the organic ones. In this case the separation is much more difficult because the residues are mixed, making it difficult to disaggregate and compromising their quality.Paper and cardboard, present in large quantities in municipal solid waste, are almost always lost because they are contaminated with organic waste. In order for any solid waste treatment to be successful, it is necessary to separate it considering its physico-chemical characteristics, in addition, the better separated the waste, the greater its value added for sale.

into conflict with economic interests.

In addition to causing a decrease in the use of recyclable material due to contamination, with this form of waste management, workers at screening sites are exposed to numerous occupational hazards. Authors such as Arantes and Borges (2013) point out that these workers are exposed to several risks, including cuts, perforations and burns, as well as exposure to biological vectors .For the authors, it is possible to identify that the subjects who work in this activity are often unaware of the risks of illness, even though they handle contaminating material, and this is one of the features that should also be considered in the social inclusion aspects of these workers.

Also, it is worth considering that the remuneration of the workers of the sorting systems comes from the sale of the recyclable material, the better the separation more favorable will be the result of the sale of the material. According to Wirth and Oliveira (2016), this management model also feeds the dispute with the outside collectors, since it creates a split between formal and informal collection, which according to this logic, diverts the material from the official collection system.

As summarized here, solid waste management is a complex issue that involves environmental, administrative /economic, cultural and social aspects .Although the National Policy on Solid Waste brings prescriptions that incorporate the environmental paradigm, it is necessary to ask the extent to which society will be able to incorporate the necessary practical changes, since, in addition to legislation being recent, the historically predominant model is that of increasing consumption and not concern with the generation of waste.

4 THE SOCIAL CONDITION OF COLLECTORS

The theme of Recyclable Material Collectors is challenging because it involves questions that go beyond the classic approach to structural and conjunctural unemployment because it is a multifaceted problem, mainly involving the non-realization of the social rights of these individuals and their citizenship.

In Brazil social rights developed late and the capitalism of the country, according to Oliven (1982), is not able to incorporate to the productive system the entire population of working age. Thus, with the consideration of the transformations in the world of work previously

explained, it can be understood that the number of workers who are under conditions that constitute social exclusion is significant.

Social exclusion is a set of interrelated social phenomena, such as unemployment, marginalization, discrimination, poverty, loss of social identity and the weakening of social ties. In this respect, individuals who survive from waste separation are working under the most adverse and precarious conditions possible, without legal, labor or welfare support.On the characteristics of the collectors reality Bhowmik (2002) discusses:

These people are assigned the lowest status among the urban poor and economically are the poorest among the poor. Many of these garbage collectors are women and children. They wander the streets on foot, looking for trash, which they place inside the sacks they carry. They leave their homes at dawn, walking several miles every day, completing at the end of the afternoon. Their working tools are a collection bag and a stick for jabbing and rummaging around. At work, there are several risks: they get cuts and wounds produced by sharp objects and pieces of glass, or they contract garbage allergies caused by chemical waste. After the day's collection is complete, the collectors separate the materials, sold to the merchants. What they receive as payment for collection is very little, which leave these people at the edge of poverty. (Bhowmik, 2002, p.375).

Often the exclusion of these people comprises a dynamic process of social disintegration in which there is a deprivation situation in which individuals are taken to the margin of the diverse economic, social, political and cultural relations, situation that also includes the sharing of a state of poverty, discrimination, subordination, non-equity, non-fulfillment of social rights.

The estimated data of the Ministry of the Environment carried out by the IPEA (2013) indicate that in Brazil a total of approximately 400 to 600 thousand people perform the activity of collectors, of this total, about 10% work associated with the cooperatives.Despite the considerable number of workers, it - is a class with incipient and fragile joint, which recently slowly begins to acquire notoriety to society and to the government, given the emergence of environment - related issues.

A cursory analysis of the recyclable waste pickers population that evaluates these individuals as socially included because they are somehow allocated to the production process leads to a mistaken conclusion: that these people would be included because they are working. The appreciation of the social inclusion of collectors of recyclable materials from an economic /income point of view only shows profound inconsistencies, since it does not appreciate all the material and cultural aspects that are presented.

Some points in the routine of the collectors are exposed by Martins and Faccenda (2016), namely: (a) low value paid for the materials; (b) insignificant profitability in collecting certain types of materials; (c) poor conditions of availability of materials by the urban population; (d) Difficulty in passing through the city due to traffic on streets with a high flow of cars. (e) Disagreements and friction between the collectors, as in the case of some dispersing residues in the streets, denigrating the image of the class; (f) low social acceptance of the class; (g) low schooling; (h) the presence of pregnant women and children assisting in the work; (i) average hours of 8 hours in 6 days per week; and (j) long journeys carrying weight, with daily distances of up to 12 km.

In view of the above, it is possible to verify that the problem of social inclusion of the collectors goes far beyond having an occupation that allows a source of income and subsistence, because these people social rights are distant. These individuals are faced with severe situations of occupational precariousness exerting a strenuous activity, and, on several occasions presenting unhealthy situations.

5 THE CULTURAL ASPECTS

Historically, the people employed in the practices and services related to the removal of waste fall into the category of the social excluded. The people working in these activities are discriminated against and considered third-class citizens, according to Bauman (2005), they fit into the group of people classified as human refuse, excessive and redundant.

Most collectors in a few occasions can enter the labor market or become unemployed in the face of technological changes that have gone through the production system. Unequal conditions lead to stigmatizing situations, such as guilt by their own exclusion and shame, elements described in the studies of Miura (2004).

Collectors of recyclable materials, as Rodrigues (1999) points out, have their identities drawn from representations linked to poverty, exclusion and violence, which encourages discrimination and diminishes their possibilities and opportunities in the lives of these people.

These people, for the most part, engage in collecting recyclable

materials as the only option available for survival. In addition, there is the socially shared subjective element that Goffman (1988) conceives of such people as if they have been unable to seize the opportunities available for progress in the various ways established by society.

Often these subjects are seen as indolent. As for cultural aspects, according to Sousa (2015), there is a rationality that opposes and highlights qualitatively and substantially those who are called "dignified", that is, those disciplined for work - with self-control, prospecting and separate from people devoid of dignity - who in their opposite do not have these characteristics. In effect, according to the dominant capitalist rationality, those individuals who do not incorporate such values - cultural capital - are deprived of social importance.

According to Souza (2015), society is configured in social groups with unequal access to the dispositions to compete in equity, among them family rigidity, economic capital, social capital, to incorporate and assimilate practical behavior through implicit and explicit education. According to the author, this circumstance shows that people who belong to the higher social classes are more likely to acquire the requisites necessary to compete in the labor market, while the deprived tend to become manual.

Thus, Souza (2015) draws attention to the formation of a *scourge* : human beings that are not available to the system, in this logic are collectors of recyclable materials. In addition, Souza (2015) points out that one of the main causes of social exclusion is found mainly in the subjectivity of meritocracy, which is confirmed by a "symbolic violence" explained as subjectively shared social exclusion, due to the absence of discipline to work as the character of these people .In this feature, it is possible to perceive how the main institutions of society are clothed with evaluative values, which influence the meaning of dignity and recognition.

For Souza (2015), "cultural capital" is the result of the appropriation of useful and highly valued knowledge, such as technical or literary abstract thinking, language knowledge, socialization that helps in the production of advantageous personal relationships. Those lacking in the quest for daily survival do not enjoy the same conditions for acquiring such capital.

The subjectivity contained in the meritocratic model of thought comprehends that all individuals depart from the same situational point, this interpretative positioning disregards the other aspects that prevent social competition in equality .In this logic, the excluded is perceived as someone who possesses equality of conditions, and who moves socially from the same starting point, with identical material possibilities, and success or weakness is erroneously evaluated.

This feature does not evaluate, for example, the economic or family situation of the person as a tool factor to influence the possibility of acquiring higher professional qualification, since, greater economic capital will result in greater possibility of acquiring qualification. In this respect, society in its common sense tends to regard collectors as devoid of dignity.

These appearances in terms of social subjectivity for Souza (2015), reflect in the discontinuity or inconsistency of redistributive public policies aimed at establishing equity, since the predominantly cultural discourse points out that "it is the new lazy, who, by their own fault, have chosen humiliation and life unworthy. "(Souza, 2015, p. 214).

These subjective representations are not only results of individual constructions, but are also cultural constructions that originate the stereotypes of the devoid of dignity in a meritocratic society .It may be assumed that, even with the aforementioned normative framework of the National Solid Waste Policy - Law 12,305 /10, the recyclable waste picker continues to be stigmatized because it does not meet the professional standard established by society in the theoretical outlines described by Goffman (1988) and Rodrigues (1999).

In addition, common sense tends to relate poverty to violence. As Oliven (1982) mentions: "it is revealing that in Brazil "marginal" refers to labor that is not integrated with the capitalist production process" (Oliven, 1982, p. 11).

To the excluded, deprived of economic capital, cultural capital and dignity, here, according to Souza (2015), as amplitudes of capital related to better paid work opportunities, are exposed two possibilities: (a) to be subject to the dictates of market, in the condition of honest poor, reduced to the muscular energy, selling their work force often by insignificant consideration, or; (b) to rebel against the structure that places them in such a social category, as delinquents, in the activities of crime, in drug trafficking, prostitution, among others.

Given the contours presented here, pertinent to reflection / questioning: How can we expect the deprived that society itself ends up excluding (as a consequence of the economic mechanisms and the way in which these mechanisms act normally, creating unemployment and inequality), feel loyalty for the institutions and comply with the legal rules

that sanction their exclusion?

Common sense proclaims that the activity of the collector of recyclable materials constitutes a possibility of social inclusion. Given such perspectives, what is the way and quality of this type of social inclusion? For these individuals and their families, the recognition and the possibilities to obtain qualification - the cultural capital demanded by the labor market is practically insignificant, which makes the improvement of the social conditions of the collectors a simple task and demand the confrontation of the the social exclusion of these people.

FINAL CONSIDERATIONS

Ecological and social crises can be seen as an emerging perverse symptom of Western culture and the way social relations operate under capitalism. The present study sought to reflect on some of the points inherent to the social and environmental problematic^{7 8} of the contemporary context, in this aspect, the confrontation of such questions becomes urgent.

Most of the collectors have a history of precarious work with regard to labor rights and social guarantees, a circumstance that, in order to be confronted, makes it necessary, beyond social recognition, to strengthen institutions that guarantee social support in terms of providing social inclusion and improving quality in working conditions, access to education, social security guarantees, health care, professional qualification, etc.

The social exclusion of collectors of recyclable materials is a problem that deserves amplification of the discussions, in order to contribute to the visibility of this social segment, which demands actions aimed at transforming its reality, making it more just and egalitarian.

There is, nonetheless, a duty to create the conditions so that these people can participate as equal subjects of the system of socioeconomic cooperation that should be the society, which is a demand for social justice in a country with great socioeconomic inequalities.

A just democratic society is committed to guaranteeing equal

⁷ In its legal text, the Brazilian Federal Constitution of 1988 proclaims the objective of "eradicating poverty, marginalization and reducing social and regional inequalities, according to the text of Article 3: The fundamental objectives of the Federative Republic of Brazil are: I - building a free, fair and supportive society; II - ensure national development; III - eradicate poverty and marginalization and reduce social and regional inequalities; IV - to promote the good of all, without prejudice of origin, race, sex, color, age and any other forms of discrimination.

⁸ Brazilian legal doctrine points to the right to a healthy environment as a fundamental right, given that it is a prerequisite for the respect and concretization of the principle of the dignity of the human person.

basic rights and an equitable share of resources - income, wealth, and educational and occupational opportunities - to all its citizens. In this respect, to consider merely that the collector,s when exercising an occupational activity that gives themselves sustenance, does not mean in itself a real circumstance of social inclusion as proposed by Law 12,305 /2010.

There is a great difficulty in raising the awareness of the biggest generators of household garbage, since most of them live in large centers, or far from the final destination, and the problems generated by their waste are not within their eyes, and this change is necessary. culture. In addition, the insufficient implementation of selective collection systems by municipalities besides being environmentally negative, directly affects the conditions of the workers of the sorting stations, the non-separation of waste can also be considered as another form of symbolic violence.

Social recognition, as Taylor (1994) teaches, is an important factor in confronting social invisibility - an obstacle to equal rights and the building of citizenship. The inclusion of collectors demands at various levels the recognition of their importance to the social system, especially in the way they are considered in terms of the direction of public policies and social subjectivity towards the taster.

It is necessary to strengthen the citizenship of these individuals, but this strengthening is not revealed as a simple answer, because for these individuals the minimum requirements for participation in society are absent. It should be noted that to the extent that there is social exclusion, the excluded are those who do not exercise their citizenship and are seen as a sub- citizen, being unable to react to their reality before the institutions, thus being trapped in sometimes subhuman and distant living conditions of the ideal of dignity.⁹

Even with the legislative advance brought about by Law n. 12,305 /2010, the low adoption of the separation of the materials by the population in comparison with the volume that is produced is also highlighted; the insufficiency of the policy to include single collectors; the absence of adequate remuneration for services provided among other aspects.

⁹ Within this line of thought, it must be recognized that the set of existential rights that make up the dignity belongs to men in equal proportion, Sarlet (2002, p.60), analytically, defines the dignity of the human person as: a the intrinsic and distinctive quality of each human being that deserves the same respect and consideration on the part of the State and the community, implying, in this sense, a complex of fundamental rights and duties that assure the person against any degrading act and inhumane, as they will guarantee the minimum existential conditions for a healthy life, in addition to fostering and promoting their active and co-responsible participation in the destinies of their own existence and life in communion with other human beings.

It is worth reflecting that with the National Solid Waste Policy, a step was taken to open space for cooperatives. But what about individual collectors? By law, to participate in inclusion projects, collectors must participate in cooperatives or associations, many can not participate for a variety of reasons, so that social inclusion is questionable because it has an exclusionary character.

In view of what has been presented here, it asks to question the possibilities of a socially and culturally exclusive occupational activity to generate social inclusion? Since above the apparent configurations of social inclusion, exclusion forms may also coexist.

The answer to the question of the title of the present text has not been answered, there are still significant improvements to be implemented both in the way waste is disposed of and in the viability of social inclusion through work, leaving the questioning open even as concerns about the environment, there will be an increasing recognition of collectors by society?

The present study does not exhaust the subject, it tries to show the complexity of the theme that deals with environmental aspects of the residues and the social inclusion of the collector of recyclable materials in the contemporary context.

REFERENCES

ABNT – ASSOCIAÇÃO BRASILEIRA DE NORMAS TÉCNICAS. *NBR* 10004: Resíduos sólidos – classificação. Rio de Janeiro, 2004.

ANTUNES, Ricardo. *Os sentidos do trabalho:* ensaio sobre a afirmação e a negação do trabalho. 6. ed. São Paulo: Boitempo, 2002.

ARANTES, Bruno Otávio; BORGES, Livia de Oliveira. Catadores de materiais recicláveis: cadeia produtiva e precariedade. *Arq. Bras. Psicol.*, Rio de Janeiro, v. 65, n. 3, p. 319-337, 2013. Disponívelem: http://pepsic.bvsalud.org/scielo.php?script=sci_arttext&pid=S1809-52672013000300002. Acesso em: 10 jul. 2018.

BAUMAN, Zygmunt. *Vidas desperdiçadas*. Rio de Janeiro: Jorge Zahar, 2005.

BECK, Ulrich. *Sociedade de risco*: rumo a uma outra modernidade. São Paulo: Editora 34, 2011.

BRASIL. *Constituição da República Federativa do Brasil de 1988*. Disponível em: http://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm. Acesso em: 15 out. 2017.

BRASIL. Lei n. 11.445, de 5 de janeiro de 2007. Estabelece as diretrizes nacionais para o saneamento básico, cria o Comitê Interministerial de Saneamento Básico, altera a Lei n. 6.766, de 19 de dezembro de 1979, a Lei n. 8.036, de 11 de maio de 1990, a Lei n. 8.666, de 21 de junho de 1993, e a Lei n. 8.987, de 13 de fevereiro de 1995, e revoga a Lei n. 6.528, de 11 de maio de 1978. Coletânea de legislação e jurisprudência, Brasília. Legislação Federal e marginalia. Disponível em: http://www.planalto.gov.br/ccivil_03/_ato2007-2010/2010/lei/l12305.htm >. Acesso em: 15 out. 2017.

BRASIL. Lei n. 12.305, de 2 de agosto de 2010. Institui a política nacional de resíduos sólidos; altera a Lei n. 9.605, de 12 de fevereiro de 1998; e dá outras providências. Coletânea de legislação e jurisprudência, Brasília. Legislação Federal e marginalia. Disponível em: http://www.planalto.gov.br/ccivil_03/_ato2007-2010/2010/lei/l12305.htm Acesso em: 15 out. 2017.

BHOWMIK, Sharit. As cooperativas e a emancipação dos marginalizados: estudos de caso de duas cidades na Índia. In: SINGER, Paul et al. *Produzir para viver:* os caminhos da produção não capitalista. Rio de Janeiro: Civilização Brasileira, 2002.

CASTEL, Robert. *As metamorfoses da questão social:* uma crônica do salário. Petrópolis: Vozes, 2009.

CAPRA, Fritjof. *A teia da vida:* uma nova compreensão científica dos sistemas vivos. 13. ed. São Paulo: Cultrix, 2012.

CARVALHO, Delton Winter de. *Dano ambiental futuro*: a responsabilização civil pelo dano ambiental. Rio de Janeiro: Forense Universitária. 2008.

COMISSÃO MUNDIAL SOBRE MEIO AMBIENTE E DESENVOLVIMENTO. *Nosso futuro comum.* 2. ed. Rio de Janeiro: Fundação Getúlio Vargas, 1991.

DARDOT, Pierre; LAVAL, Cristian. *A nova razão do mundo:* ensaio sobre a sociedade neoliberal. São Paulo: Boitempo, 2016.

DIAMOND, Jared M. *Colapso:* como as sociedades escolhem o fracasso ou o sucesso. Rio de Janeiro: Record, 2007.

GALEANO, Eduardo. *De pernas pro ar:* a escola do mundo ao avesso. Porto Alegre. L&PM. 2011.

GOFFMAN, Erving. *Estigma:* notas sobre a manipulação da identidade deteriorada. 4. ed. São Paulo: LTC, 1988.

GIDDENS, Anthony. Sociologia. 4. ed. Porto Alegre: Artmed, 2005.

IPEA – INSTITUTO DE PESQUISA ECONÔMICA APLICADA. Diagnóstico dos resíduos sólidos urbanos. Brasília, 2012. Disponível em: <http://www.ipea.gov.br/agencia/images/stories/PDFs/ relatoriopesquisa/121009_relatorio_residuos_solidos_urbanos.pdf>. Acesso em: 25 out. 2017.

IPEA-INSTITUTO DE PESQUISA ECONÔMICA APLICADA. *Situação social dos catadores e catadoras de material reciclável e reutilizável.* Brasília, 2013. Disponível em: http://www.ipea.gov.br/agencia/images/stories/PDFs/situacao_social/131219_relatorio_situacaosocial_mat_reciclavel_brasil.pdf>. Acesso em: 25 out. 2017.

MARTINS, José de Souza. *Exclusão social e a nova desigualdade*. 4. ed. São Paulo: Paulus, 2009.

MARTINS, Ricardo Rodrigo de Oliveira; FACCENDA, Henrique Baldi. Forum Internacional de Resíduos Sólidos. Comparação dos agentes Selecionadores de Materiais Recicláveis em Santa Maria – RS. *Anais do* 7° *Forum Internacional de Resíduos Sólidos*. Jun. 2016. Disponível em: <http://www.institutoventuri.org.br/ojs/index.php/firs/article/ view/16/12>. Acesso em: 4 out 2017.

MILARÉ, Édis. *Direito do ambiente:* Doutrina – Jurisprudência – Glossário. 3. ed. São Paulo: Revista dos Tribunais, 2004.

MIURA, Paula Orchiucci Cerantola. *Tornar-se catador:* uma análise psicossocial. Dissertação (Mestrado em Psicologia Social) – Pontífica Universidade Católica de São Paulo, São Paulo, 2004. Disponível em: http://www.sapientia.pucsp.br/tde_arquivos/25/TDE-2009-09-09T13:34:15Z-8342/Publico/Paula%20Miura%20completa.pdf>. Acesso em: 12 jun. 2018.

NAÇÕES UNIDAS NO BRASIL – ONU BR. *A agenda 2030*. Disponível em: https://nacoesunidas.org/pos2015/agenda2030/. Acesso em: 13 mar. 2016.

OLIVEN, Ruben G. As vítimas da violência no Brasil. In: *Violência e cultura no Brasil*. Petrópolis: Vozes, 1982.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS. *Habitat III:* nova agenda urbana. Disponível em: https://habitat3.org/about>. Acesso em: 24 mar. 2018.

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

PENNA, Carlos Gabaglia. *O estado do planeta:* sociedade de consumo e degradação ambiental. Rio de Janeiro; São Paulo: Record, 1999.

PORTO-GONÇALVES, Carlos Walter. *A globalização da natureza e a natureza da globalização*. 2. ed. Rio de Janeiro: Civilização Brasileira, 2006.

RODRIGUES, José Carlos. *O corpo na história*. Rio de Janeiro: Fiocruz, 1999.

RODÍGUEZ, César. À procura de alternativas econômicas em tempos de globalização: o caso das cooperativas de recicladores de lixo na Colômbia. In: SINGER, Paul et al. *Produzir para viver:* os caminhos da produção não capitalista. Rio de Janeiro: Civilização Brasileira, 2002.

SARLET, Ingo Wolfgang. *Dignidade da pessoa humana e direitos fundamentais na Constituição Federal de 1988*. Porto Alegre: Livraria do Advogado, 2002.

SILVA, Marcelo Kunrath; OLIVEIRA, Gerson de Lima. Solidariedade assimétrica: capital social, hierarquia e êxito em um empreendimento de "economia solidária". *Rev. Katálysis*, Florianópolis, v. 12, n. 1, p. 59-67, jun. 2009. Disponível em: http://www.scielo.br/scielo.php?script=sci_arttext&pid=S1414-49802009000100008>. Acesso em: 29 dez. 2017.

SELUR – SINDICATO DAS EMPRESAS DE LIMPEZA URBANA.
Índice de sustentabilidade da limpeza urbana para os municípios brasileiros.
2. ed. São Paulo: PwC Brasil, 2017. Disponível em: https://www.selur.com.br/wordpress/wp-content/uploads/2017/08/ISLU_2EDICAO_2017.
pdf>. Acesso em: 10 jul. 2017.

SOUZA, Jesse. *A tolice da inteligência brasileira:* ou como o país se deixa manipular pela elite. São Paulo: Leya, .2015.

SOUSA SANTOS, Boaventura de. Poderá o direito ser emancipatório. *Revista Crítica de Ciências Sociais*, n. 65, p. 3-76, maio 2003. Disponível em: http://www.boaventuradesousasantos.pt/media/pdfs/podera_o_direito_ser_emancipatorio_RCCS65.PDF. Acesso em: 25 out. 2017.

TAYLOR, Charles. *Multiculturalismo:* examinando a política de reconhecimento. Lisboa: Instituto Piaget, 1994.

WIRTH, Ioli Gewehr; OLIVEIRA, Cristiano Benites. A Política Nacional de Resíduos Sólidos e os modelos de gestão. In PEREIRA, Bruna Cristina Jaquetto; GOES, Fernanda Lira. (Orgs.). *Catadores de materiais recicláveis:* um encontro nacional. Brasília: Ipea, 2016. Disponível em: http://www.ipea.gov.br/portal/images/stories/PDFs/livros/livros/160331_livro_catadores.pdf>. Acesso em: 20 abr. 2018.

Artigo recebido em: 20/08/2018. Artigo aceito em: 06/02/2019.

Como citar este artigo (ABNT):

COSER, A.; PEDDLE, V. O gerenciamento de resíduos urbanos e os catadores: pode uma atividade ocupacional social e culturalmente excludente gerar inclusão social?. *Veredas do Direito*, Belo Horizonte, v. 16, n. 34, p. 253-277, jan./abr. 2019. Disponível em: <http://www.domhelder.edu.br/revista/index.php/veredas/article/ view/1336>. Acesso em: dia mês. ano.