

Eco-social Synergies: Legal Challenges at the Intersection of the Environmental and Employment Realms

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PANEL 1. The Environmental and Labour Encounters from a Legal Perspective

ABSTRACT

Waste pickers and legal subjectivity in Latin America: from the “trash room” to the “guest room” of capitalist sociability

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This proposal centers on the impacts of the capital's productive restructuring, leading to intricate shifts in the dynamics between labour and capital. Particularly, these changes significantly affect waste pickers, mostly informal workers at the base of the recycling process, primarily compensated for selling recyclable materials, the prices of which fluctuate in the global market. Thus, their livelihoods hinge on the quality and quantity of recyclables they recover. In addition, their occupation aligns with the concept of “green jobs”, acknowledged by entities like the United Nations Environment Program (UNEP) and the International Labor Organization (ILO), highlighting its positive contribution to pollution reduction.

Drawing from Karl Marx's labor theory of value and Evgeni Pachukanis's legal form critique, this proposal explores the construction of the legal subjectivity of waste pickers in Latin America, particularly in the context of environmental compensation initiatives. Through a comparative case study involving Latin America's most populous cities, Mexico City, Mexico and São Paulo, Brazil, the focus is on examining the relationships forged by these workers in the reverse logistics of plastic packaging. Employing triangulation methods for qualitative data acquisition, the comparative case study seeks to analyze how the notion of “green jobs” encapsulates the deepening exploitation of waste pickers. Proposals for formalizing these workers indicate a relative ascent and competition within the recycling chain in both cities. This uneven impact on waste pickers elevates them from the “trash room” to the “guest room” of capitalist sociability, echoing Carolina Maria de Jesus in “Casa de Alvenaria”. These contradictions illuminate the current perception of these workers as “entrepreneurial” legal subjects within the capitalist mode of production, holding implications for their political class organization