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From Disposable People to Professional Recyclers: Waste Pickers' Struggles for Labor Rights in Brazil and Colombia

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From Disposable People to Professional Recyclers: Waste Pickers' Struggles for Labor Rights in Brazil and Colombia

by

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University of California, Berkeley

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Abstract

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Flouting 150 years of scholarship on their political impotence, millions of informal workers—whose labor is not protected by the state—have organized for labor rights over the past three decades. In order to deepen our understandings of the sources, potentials, and constraints of this unanticipated development, this dissertation analyzes the labor rights struggles of waste pickers in Brazil and Colombia. Scholars, activists, and state officials tend to frame informal worker policy in essentializing terms, as if a self-evident set of best practices existed. This dissertation, in contrast, reveals the reimagination of informal work as "decent work" to be a creative, contradictory, and contested process that varies widely across local political cultures.

Waste pickers are a "least likely" case for successful organizing due to their marginality and atomization. Nonetheless, in dozens of cities across Latin America, Asia, and Africa, organized waste pickers have recently pressured public officials to remunerate them for their services and integrate them into formal waste management. Brazil and Colombia are at the forefront of this trend, hosting two of the world's oldest and largest waste picker movements. Drawing on 24 months of interview, observational, archival, and survey research, I study waste picker movements in São Paulo and Bogotá. I also

conduct secondary research in the next three largest cities and several smaller cities in each country.

The first part of the dissertation asks why, after toiling in anonymity for nearly a century, did disconnected groups waste pickers in Brazil and Colombia suddenly begin building powerful movements during the mid-1980s? I find that waste pickers and their NGO allies seized upon opportunities created by rising global norms of environmentalism, social rights, and democracy to contest understandings of what it meant to be a worker and an employer. To do so, the movements engaged in what social theorist Pierre Bourdieu terms 'classification struggles,' using symbolic strategies to publically recast the waste pickers from 'disposable people' to 'professional recyclers.' The reclassification helped the movements recruit members, mobilize elite resources, and—eventually—win legal rights. In this manner, ironically, the waste pickers pulled the state into playing a greater role in ensuring their livelihoods than it does for most formal workers.

The second part of the dissertation examines why the Colombian and Brazilian movements diverged in their self-conception and demands from 2000 to 2016. I find that as the movements became integrated into the state within divergent political fields, they increasingly differed in the way that they classified their constituents and opponents. In Brazil, the movement matured with robust support from the leftist Worker's Party, and adopted a discourse of "class struggle," casting the waste pickers as subordinated workers whose primary threat was exploitation by capital. In Colombia, in contrast, the movement had few allies in elected office, and instead advanced its interests through lawsuits in the Constitutional Court. It adopted a discourse of "human rights," discussing the waste pickers as akin to an indigenous group facing dispossession by the state from an ancestral territory. As these divergent classifications were refracted within the Brazilian and Colombian states, they would produce radically different laws, policies, and outcomes for the everyday lives of waste pickers. I conclude by reflecting on the fundamental questions that this comparison raises about the meaning of decent work and pathways to achieving it.

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> "In-depth, qualitative, doctoral-level research on important, contemporary political developments… requires that extremely busy people donate their time to graduate students (for interviews, to make contacts, to share archival materials, and so on) whom they have no reason to trust or care about, and from whom they can expect very little, if anything."
>
> -Daniel Aldana Cohen from the acknowledgements page of his dissertation, *Street Fight: Urban Climate Politics in an Age of Finance and Revolt* (2016, New York University).

As Cohen observes, dissertation research in general—and political ethnography in particular—requires research subjects to selflessly devote their time and energy to graduate students. The same could be said of our advisers, peers, university staff, funding agencies, friends, and family. When I have asked my own supporters how to repay them, their most common response has been to "pay it forward." I therefore see this acknowledgments section not only as an opportunity to recognize the people who have sustained my research and activism, but as a pledge to do everything in my power to pass along their gifts to others.

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Chapter 1: Organizing in the Informal Economy

The informal economy was once predicted to be erased by economic development (Rostow 1960), but has instead grown in many countries, and today employs the majority of the world's workers (Chen 2012). Labor and development scholars have long dismissed informal workers—whose labor is not recognized nor protected by the state[1]—as too weak and fragmented to organize as a class (e.g., (Marx 1977 [1852]; Geertz 1963; Bairoch 1973; Veltmeyer, Petras, and Vieux 1997; Arandarenko 2001; Kurtz 2004). Defying such predictions, millions of informal workers have mobilized to increase their voice and power over the past 30 years (Bonner and Spooner 2012). This unexpected upsurge of organizing amongst "the world's most vulnerable workers" has remained largely overlooked and undertheorized in scholarship until recently (Agarwala 2013, 5). In order to deepen our understandings of the potentials, constraints, and contradictions of informal worker organizing, this dissertation analyzes the labor rights struggles of waste pickers[2] in Colombia and Brazil.

Waste pickers, who eke out a living by salvaging discarded materials from dumps and streets, could be considered a "least likely case" for successful organizing due to their marginality and atomization. As Medina (2007, 64) observes, waste picking, "epitomizes the informal sector: it constitutes a labor-intensive, low-technology, low-paid, unrecorded, and unregulated activity." Nonetheless, waste pickers in hundreds of cities across Latin America, Asia, and Africa have begun organizing to increase their economic leverage and political voice. Brazil and Colombia are key sites for understanding the emergence of waste picker organizing, as they are home to two of the oldest, largest, and most influential waste picker movements in the world. In both countries, the movements' inception came in the 1980s, when Catholic NGOs began helping waste pickers organize cooperatives where they could collectively sort and sell their materials. The cooperative model spread rapidly in the 1990s and 2000s, and regional and national networks were built to exchange information, resources, and political solidarity.

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[1]This definitional approach was first proposed by Portes, Castells, and Benton (1989) and later widely adopted (e.g., Tardanico and Larín 1997; Cross 1998; Hussmanns 2004; Agarwala 2009). One advantage of this definition is that it defines informality in relation to state policy, thereby creating ostensibly clear lines of demarcation (Collier and Palmer-Rubin: 5). In practice such lines often become muddled, but they still provide the potential for a sharper conceptual framework than definitions that highlight the precarious nature of informal work or the lack of bureaucratic sophistication of informal enterprises. Moreover, the lack of state regulation and protection is a characteristic that decisively shapes the terrain for organizing, making this definition particularly suitable for analyzing the organizing of informal workers.

[2] Many terms are used to refer to waste picker in English including binner, dumpster diver, informal resource recoverer, poacher, rag picker, reclaimer, salvager, and scavenger. The most common term in Colombian Spanish is "recicaldor" (recycler) and in Brazilian Portuguese is "catador de lixo" (waste picker), though the waste picker movement prefers the term "catador de materais reciclaveis" (recyclables picker).

Today, Brazil's National Movement of Waste Pickers (MNCR) claims over 85,000 members, while Colombia's National Association of Waste Pickers (ANR) estimates a membership of 10,000—though it is difficult to corroborate these numbers.[3] Over the past decade, through a combination of mass activism and strategic advocacy, waste picker movements in both countries won national "inclusive recycling policies," which require all municipalities to create comprehensive recycling services and to contract waste picker cooperatives to provide them. These policies have begun to be implemented in over 100 cities across Brazil and Colombia. This has benefited thousands of waste pickers, and begun to push waste management from a model based on collection and burial towards one based on recycling and composting.

The Brazilian and Colombian movements have also served as an inspiration for parallel movements in many countries across Latin America, Africa, and Asia. Over the past 15 years, movement leaders from both countries have collaborated intensely in the construction of transnational waste picker networks, which facilitate leadership building, strategy exchange, and solidarity campaigns among waste pickers in over 30 countries. Together, they have lobbied state officials for zero waste policies and sent waste picker delegations to seven global climate summits to advocate for resource recovery programs as an alternative to waste disposal technologies. The movements have even achieved a measure of international celebrity: Brazilian waste picker leader, Tião Santos, was the subject of an Oscar nominated documentary and later became a Coca Cola spokesman; ANR president, Olivia Maza, has received awards from the likes of US President Barak Obama and Pope Francis.

It is important to remain sober eyed about these achievements. The vast majority of waste pickers in both Colombia and Brazil remain unorganized, and even those who have organized largely continue to live in poverty. In some cases, state-led formalization schemes have even resulted in perverse outcomes for waste pickers, including loss of income and autonomy. Nonetheless, the social and legal recognition of waste pickers represents a paradigm shift for countries that historically treated waste pickers as criminals, and treated trash merely as a sanitary problem, rather than as a social, environmental, and cultural one. This is an astonishing gain for a group of workers that until very recently was dismissed as powerless to contest policies that effect their lives.

Levels of Analysis

The national Brazilian and Colombian waste picker movements occupy only one tier of an elaborate, transnational mobilization structure. At the base, local organizations of waste pickers focus primarily on entrepreneurial activities such as

[3] Adjusted per capita, this would give the Brazilian movement approximately double the membership rate of the Colombian one. Notably, many waste picker cooperatives are not affiliated to the movements, so the actual totals of organized waste pickers would presumably be much higher than this. That said, the movement's membership estimates—especially the Brazilian one—appear to be inflated.

collecting, sorting, and selling recyclables. Such work also facilitates political mobilization by serving as a "shop floor" upon which the previously atomized workers forge social ties and cultures of comradeship. Political organizing primarily occurs at the second level by municipal associations of cooperatives, which also help to funnel financial and technical support to base level organizations. On the third level, sub-national networks of waste pickers facilitate exchange among waste picker organizations across four regions of both Brazil and Colombia. The fifth level, the national, also serves as a critical arena for political organizing, as movements have won national inclusive recycling policy in both countries. At the sixth level, the Latin American and Caribbean Waste Pickers Network facilitates leadership building, strategy exchange, and solidarity campaigns among recyclers in 15 countries. Finally, at the seventh level, the Global Alliance of Waste Pickers and Allies (GAWPA) connects recycler organizations and allied NGOs in 28 countries. It also organizes recycler rights delegations at global summits on climate change, sustainable development, and international labor standards (Ciplet 2014).

This dissertation touches on all of these levels of organization, but it focuses most tightly on the municipal level. This is a privileged site for observing my central outcome of interest: "waste picker movement politics"—that is, discourse, organizational form, policy demands, and political strategies. The most pivotal battles over waste pickers rights policy occur at the municipal level, because it is where solid waste management policy is created and implemented (though it is also partially structured and regulated at the national and state levels). The municipal is also the level at which base-level organizations are most active in policy construction, and the key level for observing the impacts of such organizing and policy on the everyday lives of waste pickers.

My municipal level analysis focuses on São Paulo and Bogotá, the largest cities in Brazil and Colombia respectively. Both São Paulo and Bogotá host the headquarters of their country's national waste picker movements and are considered to be world leaders in inclusive recycling policy. For example, a Economist Intelligence Unit (2017) report ranked São Paulo and Bogotá in the top three among 17 large cities in Latin America and the Carribean on inclusive recycling policy and waste picker organization.[4] I also conduct secondary research in the next three largest cities and several smaller cities in each country, which I use to highlight variation that exists between municipalities (see discussion below).

Waste Picker Politics and Policy in São Paulo and Bogotá

In São Paulo, the waste picker movement and its allies came to see waste pickers as subordinated workers whose principle threat was exploitation at the hands of intermediary buyers. They considered the act of digging through garbage on the street and transporting large loads in pushcarts to be dangerous and degrading, a form of

[4] See Chapter 4 for further discussion of this report.

modern day slavery. City officials and NGO staff saw waste picking as a premodern, unsanitary, and inefficient way to collect recyclables, and an impediment to the city's long-term goal of 'zero waste.' The movement and its allies therefore proposed a radical overhaul to waste management, which aimed to vastly expand recycling services, while gradually formalizing the city's 20,000 waste pickers. In 2002, the city created an official recycling route, run by private waste corporations, to take over waste picker's traditional role of collecting recyclable materials. The materials were delivered to state-owned recycling warehouses to be sorted, binned, and sold by waste picker cooperatives of. These cooperatives have been widely celebrated by scholars and policy makers for "recycling lives," that is, transforming the waste pickers into economic and political agents.

My research, however, reveals a more complex reality. By 2016, only 1,500 jobs had been created in the warehouses, not nearly enough to integrate the city's estimated 20,000 street waste pickers. Moreover, the jobs that were created did not align with the needs, capacities, nor logics of waste pickers. Street waste pickers typically experienced greater incomes and workplace freedom on the streets and thus quit the cooperative jobs within weeks. The cooperatives began hiring other workers in their place, who were classified as "waste pickers." According to my survey of São Paulo's 21 official waste picker cooperatives, 93% of the cooperative members had never worked previously collecting recyclables on the streets. To be sure, creating green jobs in the solidarity economy for these workers—the plurality of whom were black, women, and heads of households—was a valuable and praiseworthy project. Nonetheless, an estimated 20,000 waste pickers continued to work on city streets, where many reported that their incomes have decreased due to competition from the very recycling route designed to benefit them.

In Bogotá, in contrast, the movement and its allies came to see the waste pickers as "indigenous like," that is, similar to a persecuted ethnic group facing dispossession from an ancestral territory at the hands of the state. The waste pickers believed that state officials were conspiring to vanquish the waste pickers, whom they considered to be eyesores, and to sell off the increasingly lucrative recycling industry over to waste corporations. Thus, whereas São Paulo's movement sought to rescue waste pickers from the hardships and indignities of the street, Bogotá's movement sought defend their right to continue working on the street. Whereas São Paulo's movement advocated for an official recycling route and the creation of state-owned recycling centers, Bogotá's movement fiercely fought to block such initiatives. Whereas São Paulo's movement believed that jobs in waste picker cooperatives should be open to any member of the precarious working class, Bogotá's movement believed that they should be reserved only for people who had historically worked as street waste pickers. And whereas São Paulo's movement considered intermediary buyers to be exploiters and enemies of the

waste pickers, Bogotá's movement formed an alliance with them to protect their interdependent livelihoods.

In 2012, Bogotá's Mayor Gustavo Petro attempted to create an official recycling route and state-owned recycling warehouses, to be run by waste picker cooperatives—a system that resembled that of São Paulo. Over the next three years, organized waste pickers would use contentious protest to force the mayor to change course. Rather than creating a new recycling system and inserting the old waste pickers into it, waste pickers demanded that the city organize waste picker rights from within the extant informal recycling system. Thus, from 2012 to 2014, the city identified 18,000 waste pickers through an elaborate census process. It then provided 18,000 city uniforms, 3,000 trucks, and countless trainings to registered waste pickers and their organizations. The city also began paying bimonthly remuneration to 13,500 waste pickers via text messages that were redeemable for cash at ATMs. The payments were based on the quantity of goods that waste pickers sold to registered intermediary buyers, and represented about a 50% pay raise. Such policies have been criticized for entrenching informality rather than uprooting it and for failing to professionalize recycling services. Nonetheless, as shown in Table 1., they have improved the incomes and social standing of thousands of street waste pickers.

Table 1. São Paulo versus Bogotá Policy Outcomes

	São Paulo[5]	**Bogotá**[6]
Total number of informal waste pickers	20,000	18,000
Number of waste pickers in official inclusive waste program	1,500	13,500
Percentage of "historic waste pickers"[7] **in waste picker organizations**	7%	~100%
Percentage of informal waste pickers integrated into official service	Less than 1%	72%

[5] The estimate of 20,000 waste pickers comes from Grimberg (2007, 18)—for a discussion, see page 111. The other estimates come from my personal survey in 2016 of the leaders of São Paulo's 21 formalized waste picker cooperatives. These cooperatives represent 10,020 members, and the semi-formal cooperatives represent an estimated 400 members. For a discussion of the survey methodology see page 18, and for a discussion of outcomes see page 106.

[6] These estimates come from Bogotá's *Special Administrative Unit for Public Services* (UAESP 2015) official figures, based on its waste picker census, registry, and remuneration program.

[7] That is, waste pickers who previously worked salvaging recyclables from waste on the streets.

Model of "inclusive recycling"	Sorter cooperatives and privately run recycling routes	Cart pusher cooperatives, and provision of official remuneration, uniforms, and trucks

These findings lead me to three puzzles, which I address in Chapters 2-4 respectively:

1.) *After toiling in anonymity for nearly a century, why did isolated groups of waste pickers suddenly begin organizing powerful movements in the mid-1980s in Brazil and Colombia?*
2.) *Why did the São Paulo and Bogotá's movements increasingly diverge in their self-conception and demands during the 2000s?*
3.) *How did movement contexts, discourses, and strategies shape policy outcomes during the 2010s?*

1.1 "Unorganizable" Workers

Writing at the dawn of industrial capitalism, Karl Marx ([1853] 1978) first popularized the idea that workers who would come to be known as "informal" were too weak, fragmented, and capricious to organize as a class. He categorized "rag pickers" (waste pickers), "organ grinders" (street musicians), "knife grinders" (knife sharpeners), "tinkers" (iterant tin smiths), and "porters" (carriers) as "lumpenproletariat," an underclass of outcasts and criminals who lacked the solidarity and structural power to collectively challenge capital (p. 46). Ironically, some of Marx's fiercest right-wing critics, the Modernization theorists of the 1950s and '60s, helped entrench pessimism about informal worker mobilization. W. W. Rostow's (1960) "The Stages of Economic Growth: A Non-Communist Manifesto," proposed a linear theory of development, in which capitalism gradually led to widespread prosperity and security. By this logic, there was no need to contemplate the revolutionary potential of informal workers, as they were merely precapitalist relics, soon to be absorbed into the modern economy.

Both the Marxist and Modernization traditions share the "problematic assumption" that informal workers are "temporarily operating on the margins of the central labor-capital relationship" (Agarwala 2013, p. 8). And some scholars continue to dismiss informal workers as an "industrial reserve army… [so] marginalized and impoverished it was left to twist in the wind—without seriously affecting the capacity of capital" (Veltmeyer, Petras, and Vieux 1997, 46); "the excluded, the redundant, the dispensable… having nothing to lose, not even the chains of wage-slavery (Sanyal 2014, 77)**;**" and "[a] new category of economic cripples… [who] may in fact survive, but do not fully partake of the characteristics of *Homo Economicus"* (Illich 992: 102).

Such assumptions have been challenged over the past 35 years by a formidable and rapidly expanding body of literature on formal-informal sector linkages.[8] Much recent scholarship takes a more pragmatic, yet still pessimistic view about informal workers organizing. It does not dismiss informal workers' capacity to organize as a class wholesale, but rather, highlights a series of specific barriers that encumber their ability to do so. Ruth Berins Collier and Brian Palmer-Rubin (2011) summarize these barriers as "an unclear target of grievance (e.g., common employer), small networks for collective action, and minimal or uncertain flows of time and money available to devote to problem solving" (p. 28). Additionally, other scholars highlight another important barrier: most informal workers are women and people of color, whose political clout is at times undercut by gender and racial discrimination (Kabeer, Sudarshan, and Milward 2013).

While these barriers are very real, pessimism about informal workers' capacity to overcome them is in part an artifact of the "industrial unionism" model that has dominated the past 75 years of labor organizing. This model assumes that in order to organize, workers must be tied together by a common formal employment relation that allows them to bargain with employers, whose profits depend on production in fixed locales. This premise is no longer a good starting point even for many manufacturing workers with formal jobs, but makes no sense at all for most of the world's workers. Revitalizing global labor movements will thus require labor organizers to expand their strategic imagination.

Organizing the "Unorganizable"

Flouting 150 years of reports on their political impotence, millions of informal workers have recently begun mobilizing to make their voices heard by governments, employers, and transnational organizations. To be sure, organizing informal workers is not a wholly novel phenomenon. At the beginning of the 19th century all workers were informal, and examples abound throughout the twentieth century of worker groups defying assumptions about their lack of strength and unity.[9] What appears to distinguish the past thirty years, however, is the scale, pace, and sophistication of organizing among workers previously excluded from the labor movement. There have been major breakthroughs in organizing among domestic workers, street vendors, home-based workers, and waste pickers—all of whom have built robust transnational networks to exchange strategies and advocate to transnational bodies (Bonner and Spooner 2012). The networks have pushed the International Labor Organization to adopt resolutions on the rights of home-based workers (1996), informal workers (2002), and domestic workers (2011).

[8] For an excellent review of 200 recent works on formal-informal linkages, see (Meagher, 2013).

[9] For example, Bonner and Spooner (2012:20-22) provide accounts of how seasonal rice farmers in Northern Italy organized highly successful strikes and rebellions throughout the first half of the twentieth century, and Bolivian cooks and flower vendors inspired by anarchist ideologies formed the General Women Worker's union in 1927.

Unfortunately, there is little quantitative data on the growth of informal worker movements, which tend to evade traditional metrics of collective action such as union density, strikes, and protests. Nonetheless, the Indian government has conducted rigorous research on this phenomenon and estimates that 8% of the country's informal workforce—some 9 million workers—are unionized (Agarwala 2013: 8).Though the millions of organized informal workers represent only a tiny sliver of the total informal workforce, they pack an outsized punch, often winning political victories that benefit their non-organized counterparts. Recognition is growing among labor rights advocates that the informal economy is here to stay and that the vitality of labor movements in the Global North and South alike hinges on their ability to incorporate the invisible majority of the world's workers.

1.2 The Power of 'Powerless' Workers

How have precarious informal workers permeated structural barriers previously presumed to preclude their capacity for collective organizing? Chun's (2009) analysis of the "classification struggles" of marginalized workers provides a helpful framework for approaching this question. Chun analyzes six case studies of organizing drives of women and migrants in insecure, subcontracted service jobs—in the U.S. and Korea. These workers could be considered "irregular" or "semi-formal," as they work for formal firms under lawful frameworks, but hold fewer legal protections and institutional channels for contesting rights violations than do other workers in similar jobs. Building on Erik Olin Wright's (2000) and Beverly Silver's (2004) theoretical models, Chun finds that the irregular workers must cultivate associational power (power from self-organizing and connecting to other groups) due to their lack of structural power (power from labor's location in the economic system).

Chun (2008: c) argues that the irregular workers reconstitute their associational power by cultivating what Bourdieu (1984) termed "symbolic power," or the power of naming. Irregular workers engage in "classification struggles" through which they publically contest and redefine norms about what it means to be a worker and who has the responsibilities of employer, despite ambiguous employer-employee relations. Though these workers face constrained access to conventional avenues for building power (e.g., legal protections and grievance procedures), their position at the bottom rungs of the workplace hierarchy offers a distinct advantage. They "convert seemingly negative forms of marginality into concrete sources of leverage" by shifting contention from formal legal channels to the moral order of the public sphere (Chun 2008: xiii). Through dramatic acts of protest, which Chun terms "public dramas," the subcontracted workers leverage their underdog position to win public sympathy, which they use to pressure brand-sensitive employers.

Classification struggles of informal workers

My theoretical analysis of the processes of informal worker organizing takes Chun's framework as a point of departure. While Chun analyzes the role of classification struggles in movements of semi-formal workers, they play at least as salient a role in movements of workers located further down the "spectrum of informality" (Cobb, King, and Rodriguez 2009), who must make an even greater classificatory stretch to create and project dignified identities. The symbolically charged nature of their work makes classification struggles of stigmatized workers such as waste pickers and sex workers generative cases for analyzing the connection between what Fraser (1995) calls "struggles over recognition" and "struggles over resources." Such groups often struggle not only for recognition as workers from employers, but for recognition as human beings from society.

Chun proposes a model through which marginalized workers convert symbolic power (power of from naming) into hard power (coercion), by using public opinion to pressure brand-sensitive corporations. Such strategies are plausible, but not probable for most informal workers, whose structural weakness and elite dependency constrains their access to hard power.[10] Rather, informal worker movements—particularly in their early stages--more often cultivate soft power (attraction and persuasion). This is a limited strategy, as it is unlikely to compel elites to act against structural interests. Nonetheless, it serves versatile functions, which help explain how informal workers address Collier and Palmer-Rubin's (2011:28) three barriers to informal worker organizing (discussed above).

First, classification struggles help informal workers address the "small networks for collective action" problem by creating and projecting dignified identities. Social movement scholars have analyzed the role of identity work in "translating individual to group interests and individual to collective action" (Bernstein 1997, 536). Such processes help informal workers forge solidarity across divisions of gender, race, and class (Quiroz-Becerra 2013). Informal worker processes of identity construction both facilitate and are facilitated by entrepreneurial strategies that bring together scattered workers into cooperatives and worker centers (M. Chen et al. 2007; Fine 2006; Rodríguez-Garavito 2006).

Second, informal worker movements use classification struggles to tackle the "uncertain flows of time and money" problem by casting themselves as a "noble cause," in order to mobilize resources from elite benefactors such as NGOs, foundations,

[10] These terms are mainly used by political scientists in discussions of international diplomacy (Nye 2004). My application of this concept to informal workers, however, is inspired by Kabeer et al. (2013, 254), who review nine informal worker movements in four countries and find that "In place of the more confrontational tactics traditionally associated with the trade union movement, these organisations working… often seek to achieve their goals through the exercise of 'soft power', drawing on the resources offered by culture, discourse, information, and communications. Organisations have been skilled at choreographing actions around recognised cultural symbols and references to subvert or appropriate their meaning."

development funds, state agencies, corporations, and universities. Such processes are best understood not as unidirectional handouts, but rather a dynamic exchange of symbolic and material capital. Benefactors bring to the table both material capital (funding, technical support) and symbolic capital (institutional legitimacy). In exchange, informal worker movements provide symbolic capital (moral legitimacy), which benefactors often convert into material capital by classifying themselves as "champions of a noble cause." This classification may produce advantages in intra-elite competitions (e.g., NGOs win funding, corporations win customers, politicians win votes, researchers win grants).

Another path through which classification struggles help informal worker organizations mobilize resources is through entrepreneurial strategies of the solidarity economy—that is, an economy based not on profit maximization, but on camaraderie with and within oppressed groups (Bourne 2008). For example, by casting themselves both as "qualified professionals" and as "a noble cause," worker cooperatives and worker centers attract customers, access new markets, win service contracts, and negotiate with industry to achieve economies of scale. Indeed, base-level informal worker organizations tend to spend much more time on economic activities than on political ones—though the two strategies are typically interlinked. Although Chun focuses on how classification struggles enable workers to reconstitute associational power (based on internal and external organizing), these examples show that classification struggles can also be used to boost structural power (based on economic position).

Third, and finally, many organized informal workers overcome "the unclear target of grievance" problem by making rights-based demands to the state for legal protections (Bhowmik 2007; Cross 1998), welfare benefits (Agarwala 2013), and official remuneration (Jacobi and Besen 2011). This requires informal worker movements to engage in a second type of classification struggle, publically casting the state as having the responsibilities of an employer. When successful, informal worker movements often pull the state into playing an even more direct role in ensuring their livelihoods than it does for formal, private sector workers (Agarwala 2013). Notably, this strategy runs contrary to Chun's model: Chun argues that irregular workers use classification struggles to *circumvent* the state by shifting contention from legal channels to the moral order of public opinion. Fully informal workers, in contrast, typically use classification struggles to *enter* the state.

Putting classification struggles in their place: the field

Chun's study is one of convergence, which identifies surprising similarities in the strategies of marginalized worker movements across three industries in two countries. Though she identifies a general strategy that diverse groups of workers may use to attain power, she does not speak meaningfully about the contexts that enable

classification struggles of marginalized workers to emerge, nor about how the form and outcomes of classification struggles vary across political contexts.

To this end, I turn to another Bourdieusian concept, the field, or relatively autonomous local social orders (Fligstein 2001). Ray (1999) extends Bourdieu's concept by distinguishing between the distribution of "power" and of "political culture" within fields. The former refers to "force"—an organization's ability to shape policy, its network of allies, and other factors which social movement scholars traditionally considered important. The latter refers to "acceptable and legitimate ways of doing politics within a field" (Ray 1999, 9).

In her study of black movements in Brazil and Colombia, Paschel (2016, 11) builds comparative leverage into the concept by distinguishing between domestic political fields and the global fields within which they are embedded. Paschel finds that small and under-resourced groups of activists were able to create largescale changes in political structures and imaginaries at a period when "conditions of possibilities in global political fields and domestic political fields converge(d)"—a process that Paschel (2016, 19) terms "political field alignment." National processes of democratic reform played a key role in generating domestic political openings, while global opportunities centered on expansion of discourses and institutions of social rights.

Drawing on Paschel's framework, I center my research on three levels of nested analysis, each of which plays a distinct role in explaining my cases. First, we might look to global fields for clues as to why disconnected waste pickers in Brazil and Colombia began collectively organizing in the 1980s, soon to be followed by counterparts in many other countries as well. Second, I analyze the national level in order to examine why the two movements progressively diverged in their forms of claims making and policy demands as they became integrated into the state in the 2000s. And third, I study the municipal level—a level which is not central to Paschel's work—in order to analyze how waste picker rights struggles play out in local politics and in the lives of waste pickers.

1.3 The National Level

The Brazilian Movement: A Path of Political Participation

The Brazilian waste picker movement came of age during a turbulent transition from dictatorship to democracy and a period in which leftist social movements and political parties were on the ascent. Brazil's military dictatorship, installed in 1964, gradually began to relax authoritarian control in the late 1970s and early 1980s—a period known as "The Opening." During this period, an unprecedented wave of pro-democracy civic mobilizations exploited opportunities created by domestic economic strife, internal divisions within the ruling regime, and shifting international norms towards democracy. Many of these activists participated in the Worker's Party (PT),

which was founded in 1980 through a confluence of union and church based organizing. The PT and aligned social movements pushed for a return to electoral democracy and for a vast expansion of civil liberties and social rights, demands which were codified into law in the Constitution of 1988.

The PT would steadily gain popularity in the post-dictatorship era. During the late 1980s and 1990s, PT candidates won important mayorships and governorships. In 2002, founding PT-member, Luiz Inácio Lula da Silva won the national presidency, beginning a 13-year period of PT administration. In order to win national power, however, the PT forged alliances with centrist political parties and powerful business interests, forcing Lula and his successor, President Dilma Rousseff, to balance the demands of their grassroots base and elite alliance partners. As Tarlau (forthcoming) argues, three types of policy characterized this complex and ever-shifting class compromise. First, PT leaders embraced pro-growth market-friendly macroeconomic policies, including strategic austerity measures, free trade, and support for agro-business and extractive industries. Second, they promoted pro-poor social policies including cash transfer programs, minimum wage hikes, and the formalization of labor contracts. And third, the PT institutionalized the political participation of social movements through the creation of participatory democratic forums, the creation of new state institutions, and the recruitment of social movement activists to serve in government positions. Such efforts produced unprecedented state access for social movements, but also generated criticism from some activists for having limited policy impact and for de-radicalizing popular movements.

Against this political backdrop, the waste picker movement would advance its policy goals through what I term the "political participation path," characterized by collaboration between the movement and elected officials. The movement would shape policy through participatory democratic forums, backchannel advocacy, and political alliances. By casting themselves both as a vanguard in a broad movement of excluded workers and as environmental heroes, the waste pickers increased their symbolic importance to the PT. PT officials, in turn, championed the waste pickers cause, first on the municipal level during the 1990s, and then on the national level in the 2000s. From 2002-2010 President Lula, who collected scrap metal at points during his own humble upbringing, met regularly with MNCR leaders, and advanced several national programs and laws in support of their cause. Most notably, he passed the National Solid Waste Management Law of 2010, which required all municipalities to contract waste picker cooperatives to provide official recycling services. From 2010-2016, Lula's successor Dilma Rousseff would continue and expand federal programs in support of waste picker cooperatives. Though the PT remains the most critical ally of the movement, the movement has built up enough public legitimacy and political might to win the support of policy makers from a range of other parties.

The Colombian Movement: A Path of Human Rights

The Colombian movement, in contrast, came about under rightwing national regimes that violently repressed social movements and pursued aggressive agendas of privatization. Colombia is home to Latin America's oldest continuous democracy, but also to its longest running civil war—a low intensity conflict between the government, leftist guerillas, rightwing paramilitaries, and crime syndicates. Civil strife has plagued Colombia throughout the 20th century, but the current conflict began in 1964 and continues to this day. During the 1960s and 1970s, torture and disappearances were used to repress leftist movements in both Brazil and Colombia. However, whereas the 1980s represented an opening for such movements in the former country, it represented a closing in the latter. In the mid-1980s, Colombian rightwing paramilitaries began to systematically used massacres, forced displacements, and torture to advance their economic and political interests.

Over the next twenty years, over 4,000 Colombian labor unionists were murdered—a greater death toll than the rest of the world combined (Kuehnert 2008). Paramilitaries also targeted social movement activists and leftist politicians, murdering over 2,000 members of a single leftist political party in the early 1990s alone (Gómez-Suárez 2014). Such repression effectively crushed what had once been among the region's most vibrant labor movements and chilled leftist politics and discourse. Indeed, late 20th century Colombia is one of the last places in the Western Hemisphere that one might expect to find the emergence of a powerful movement of marginalized workers.

Unlike their Brazilian counterparts, Colombian waste pickers found few allies in elected office. To the contrary, during the 1980s and 1990s, some state officials acted in complicity with the social cleansing death squads who murdered over two thousand waste pickers, homeless people, and prostitutes. Though such efforts failed to remove waste pickers from the street, state officials would soon adopt a more refined tact. During the first decade of the 2000s, municipal and national officials would pass laws that threatened to criminalize the trade of waste picking, and hold bidding processes that would hand over waste pickers' traditional role to private waste companies. The difference between the Colombian and Brazilian political contexts at this time is perhaps best epitomized in the figures of leftist Brazilian President Lula da Silva (2003-2010) and rightwing Colombian President Álvaro Uribe (2003-2010). The former championed the waste picker's cause to a greater degree than any head of state in world history. The latter presided over legislation that would effectively criminalize waste picking, while his sons launched a private recycling company that would compete directly with waste pickers.

These new legal attacks posed a grave threat, but also a distinct opportunity for the Colombian waste picker movement. Beginning in 2002, Colombian waste pickers would advance their political interests through what I term the "human rights path."

The movement would cast waste pickers as victims of human rights violations due the threat of displacement. From 2002-2011, Colombian waste pickers and their pro-bono legal aid would win seven landmark cases in the Constitutional Court. These victories defined waste pickers as a protected population and established their rights to remain in their trade, to be remunerated by the state for their labor, and to be integrated into formal waste management.

1.5 The Municipal Level

My municipal level analysis centers on the cities of São Paulo and Bogotá, which host their country's largest waste picker populations, largest number of organized waste pickers, and national waste picker movement secretariats. I thus treat them as strategic research sites (Merton 1987) that offer privileged perspectives for examining movement origins, dynamics, and outcomes. Waste picker politics within these cities *reflect* their national contexts in that they are relatively similar to other large cities within it, despite caveats discussed below. Waste picker politics within these cities also *shape* their national contexts as their models are emulated by waste picker organizations, NGOs, and policy makers across their countries.[11]

However, São Paulo and Bogotá are also exceptional to their national contexts in ways that create distinct challenges and opportunities for waste picker movements. Both cities are the most populous in their respective countries, with 12 million and 8 million inhabitants respectively.[12] Though both cities are financial, cultural, and political centers, Bogotá is a national political capital, whereas São Paulo is an economic one, boasting the highest GDP in Latin America. For waste picker movements, the size of these cities increases both the hurdles and potential rewards to penetrating municipal bureaucracies and winning policy victories. Notably, while the size of São Paulo and Bogotá at times encumbers waste pickers access to municipal state officials, it also facilitates their access to other key institutions such as NGOs, development agencies, corporate foundations, and media organizations—many of which have headquarters in these cities.

São Paulo and Bogotá also produce more waste than any other city in their respective countries, creating a larger market for recyclables, including materials that are not valuable enough to recycle in smaller cities. This creates an opportunity for waste picker cooperatives to generate increased revenues, but also attracts competition

[11] This is especially true in the Colombian case, where both national politics and the national waste picker movement is heavily centralized in Bogotá. In Brazil, in contrast, the movement is more decentralized. São Paulo exercises outsized influence, but cities such as Belo Horizonte, Porto Alegre, Diadema, and Brasilia serve as key nodes for waste picker organizing and policy.

[12] The cities of São Paulo and Bogotá are relatively close in size, but their greater metropolitan areas are not. The São Paulo greater metropolitan area has 21 million inhabitants, while that of Bogotá has only 10 million inhabitants. Resultantly, waste picker organizations in São Paulo more frequently collaborate with organizations in neighboring cities both in trainings, entrepreneurial projects, and political mobilizations than do those in Bogotá.

from many actors including private waste companies, building managers, housewives, and other waste pickers. One challenge for waste picker movements is that waste picking in both cities occurs primarily on the street rather than in open dumps, which were shut down in the 1980s and early 1990s. Street waste pickers are more difficult to organize due to their decentralized and mobile worksites and their ethic of independence and autonomy.[13]

The demographic traits of waste pickers in São Paulo and Bogotá also create distinct challenges and opportunities for collective organizing. The large size of these cities geographically disperses waste pickers and weakens their social ties to one another and to the neighborhoods in which they work. Both cities are home to large populations of homeless and drug addicted waste pickers, who tend to resist organization. Moreover, the association of waste picking with indigence and crime in the popular imaginary increases public hostility to waste pickers.

Generalizing to other cities

Given the exceptional qualities of these cases, one might reasonably wonder how representative they are of their national contexts? Addressing this question comprehensively would require rigorous and systematic cross-municipal research that is beyond the scope of this dissertation. Nonetheless, I have conducted secondary field research on a limited range of variables in the next three largest cities in each country, as shown in Table 2, which could be considered "communities at risk for mobilization" (McAdams and Schaffer Boudet 2012). Additionally, I conducted research on several smaller cities based on interviews, field visits, and reviews of secondary literature. My findings suggest that while levels of organization and political gains varied widely across municipalities,[14] forms of waste picker movement politics (claims making, strategies, and demands) tended to hold relatively constant across national contexts.

Table 2. Secondary research sites

Brazil	**Population**	**Colombia**	**Population**
1. Sao Paulo	12,038,000	1. Bogotá	7,840,000
2. Rio de Janiero	6,499,000	2. Medellín	2,214,000
3. Salvador	2,977,000	3. Cali	2,119,000
4. Brasília	2,938,000	4. Barranquilla	1,146,000

[13] Most of Colombia's open dumps were closed during the 1980s, and very few waste pickers continue to work in dumps today. In Brazil, in contrast, many waste pickers continue to work in dumps, despite a national law that called for the prohibition of open dumps by 2015. (more detailed statistics to come)

[14] Bogotá is particularly unique within the Colombian context in terms of the levels of organization and policy victories achieved. In Brazil, in contrast, there are many cities that rival and even surpass São Paulo in terms of levels of organization and policy victories, though these cities are much smaller (e.g., Belo Horizonte, Porto Alegre, Diadema).

First, in regards to claims making,[15] I found that organized waste pickers in Brazil were more likely to make demands as subordinated workers who were combating exploitation, whereas their Colombian peers were more likely to make demands as historic members of a trade facing the threat of dispossession. These divergent discourses shaped movement practices, as actions that were legitimated and celebrated within one national political field, would have been considered perverse in the other. For example, waste picker leaders in all of the Brazilian cities that I visited saw a core function of cooperatives as providing jobs to *"desempregados,"* that is, poor people who had never previously worked as waste pickers. Such practices would have caused a scandal in most Colombian cities, where historic waste pickers were believed to be the only legitimate beneficiaries of inclusive recycling policies. Conversely, the Colombian movement's decision to form an alliance with intermediary buyers in defense of their collective livelihoods, would have been unimaginable in Brazilian cities, where intermediary buyers were seen as exploiters and enemies.

Second, waste picker organizations used similar strategies for affecting state policy within each national field. During my period of observation, Colombian waste picker organization strategies for affecting policy relied either directly or indirectly on human rights lawsuits. In cities such as Bogotá, Cali, Pasto, Barranquilla, and Cartagena,[16] waste pickers won human rights lawsuits against municipal officials. In other cities, such as Medellin, Popayan, and Bucaramanga, waste pickers used legal precedents from the aforementioned cities to pressure local officials. Due to mounting pressure from the Constitutional Court, Colombia's Ministry of Environment passed national inclusive recycling policies in 2016, which are gradually being implemented across the country. Such human rights-based strategies are not feasible in Brazil, where the judiciary is much more conservative, and thus waste picker organizations nearly universally rely on the strategy I term "political participation."

Conversely, relying on "political participation" has proved an inadequate strategy in the Colombian context, where waste pickers have historically had few allies in elected office. During the 1990s, when Colombian waste pickers relied on strategies of

[15] There were some discursive variations across municipalities—sometimes in ways that could be said reflect to a "municipal political field." For example, waste picker leaders in Rio Grande do Sul, were known within the Brazilian movement for using radical libertarian socialist discourses, which they had learned through local organizing traditions. Waste picker organizations in Medellín, alternatively, were known within the Colombian movement for their entrepreneurial and technical sophistication, which they claimed reflected entrepreneurial traditions within their city. There was also significant ideological and strategic differences between waste picker leaders within municipal contexts, which sometimes led to explosive conflicts. Nonetheless, what might be called the "meta-frames" of claims making (human rights v. class struggle) remained relatively constant across the two national contexts.

[16] On September 28, 2015, a judge fined the mayor of Cartegena about US $3,000 and sentenced him to three days in prison for failing to implement a Constitutional Court ruling that obliged him to integrate waste pickers into the city's waste management system and to protect their "right to work, to a dignified life, and to equality."

political participation they made few gains (see Chapter 3).[17] Only when they combined this approach with strategies of human rights did they begin to win transformative policy victories.

Third, though there is significant variation in inclusive recycling policies across municipalities, certain policy paradigms were unique to each national context. In Brazil, the dominant paradigm of inclusive recycling was the "sorter cooperative model," in which recyclables were collected along official routes—typically by private companies—and delivered to recycling warehouses, where they were sorted by cooperative members along assembly lines. This model was almost unheard of in Colombia, where cooperative members tended to take to the street to collect their own recyclables. On the other hand, no Brazilian cities have adopted schemes to remunerate street waste pickers for the quantity of materials that they collect akin to that which was piloted in Bogotá in 2013. This model may soon become widespread in Colombia, however, as the national inclusive recycling legislation of 2016 requires all municipalities to implement similar programs. Over the past year, three more cities—Medellin, Papayán, and Montería—have begun remunerating street waste pickers, and many others are preparing to do so.

1.6 Research Methodology: Political Ethnography

This study is a political ethnography (Tilly 2007) on recycling policy and politics in Brazil and Colombia focusing on the years from 1982-2016. Extant ethnographies of waste picker movements suffer from two weaknesses. First, most of them consist of single city case studies and no systematic cross-national ethnographies have been conducted. Given the centrality of the state in informal worker organizing, cross-national comparisons are needed to illuminate how political regimes shape movement strategies and self-conceptions, and how, in turn, movements transform state practices. Second, many studies rely on interviews with movement leaders and secondary literature, leading to distanced and idealized analyses that wash over the messy local politics of organizing. Grounded ethnography is needed to uncover which populations are included and excluded from waste picker organizations and how such organizations navigate asymmetric power relations with the government, private waste contractors, and allied NGOs.

From 2011-2017, I conducted 30 months of fieldwork in Brazil and Colombia, consisting of a.) 180 interviews with waste pickers, policy makers, NGO workers, scholars, and private waste contractors; b.) archival research on grey literature of NGOs and waste picker organizations, court documents, and newspaper articles; c.) 335 hours of observations of waste picker meetings, state meetings, and waste picker events; d.)

[17] For example, mayors in small cities such as La Plata and Chiquinquira temporarily contracted waste picker cooperatives to provide official services and congress passed a largely symbolic law recognizing the profession of waste picking.

surveys of the leaders of 95 waste picker organizations; and e.) 150 hours of participant observation in the work and lives of waste pickers. I have changed the names of some of the people that participated in this research to ensure privacy and confidentiality.

Research in Brazil

From 2014-2017, I conducted 14 months of survey, participant observation, interview, and archival research on waste picker organizing in São Paulo. Gradually, the focus of my research became analyzing the causes and consequences of the exclusion of street waste pickers from the inclusive recycling programs designed to serve them. In order to study this phenomenon, I focused on three sets of actors and institutions.

First, I sought to understand the dynamics of the sorter cooperatives and the warehouse waste pickers who worked within them. After many preliminary field visits and much background research, I conducted a survey of leaders of all 21 of São Paulo's formalized sorter cooperatives from November 2016 to March 2017.[18] I visited all 21 of the formalized cooperatives and conducting a 75-question survey, which lasted 50-80 minutes. During these visits, I conducted 10 brief (10-20 minutes) interviews and held many informal conversations with cooperative members who were not in leadership position. These conversations helped me confirm information regarding conditions and incomes discussed in the survey. Additionally, I conducted pre-visits and/or follow up visits to six of the cooperatives, and additional interviews with leaders of six cooperatives. Also, to deepen my understanding of waste pickers practices and perspectives, I spent five days working in the cooperatives.

I visited six of the twenty non-formalized sorter cooperatives, to which the municipal government provides irregular support. I conducted the survey with the leaders of two of these cooperatives and conducted in depth interviews with leaders at the other four. Although I did not conduct a comprehensive survey of the non-formalized sorter cooperatives, their demographics appeared similar to the formalized ones. In particular, my primary research finding regarding the lack of inclusion of historic waste pickers in the formalized sorter cooperatives seems to hold true for the non-formalized ones. Follow up research should be conducted to confirm this, however.

Second, I sought to study the practices and perspectives of street waste pickers, a more challenging population to study due to their dispersed worksites and lack of organization. During my time of study, only two semi-formalized street waste picker continued to operate in São Paulo, both of which were served eviction notices by the city in March of 2017. I spent six days working alongside street waste pickers from these

[18] I also conducted a survey at São Paulo's 22nd cooperative, Coopermiti. I have excluded Coopermiti from the sample, however, because it is not considered to be a sorter cooperative. Rather, its 30 members use high tech processes to treat e-waste.

cooperatives, and conducted 10 interviews with their members. I also interviewed eight historic waste pickers (who previously worked on the streets) who worked in sorter cooperatives and/or in leadership positions MNCR. To get a better sense of the perspectives of non-organized street waste pickers, I conducted a brief survey (approximately 8 minutes) with 40 waste pickers whom I encountered working in the city center. I also conducted five interviews with independent waste pickers whom I met in the city center. Finally, I spent three days volunteering at homeless service centers, where I held informal conversations with many homeless waste pickers.

Third, I sought to understand the broader constellation of protagonists in inclusive recycling policy. To this end, I attended eight internal meetings, six conferences, and five protests of the MNCR. Additionally, I conducted 15 interviews with São Paulo-based MNCR leaders, 12 interviews with staff members of allied NGOs, and eight interviews with relevant government officials. Finally, I conducted archival research on court rulings, municipal reports, and newspapers. Although São Paulo was my main research site, I also conducted field visits in the next four largest cities in Brazil (Rio de Janeiro, Belo Horizonte, Brasilia, Porto Alegre) and several smaller cities (Salvador, Recife, São Jose dos Campos, São Bernardo do Campo), where I interviewed 13 cooperative leaders, six government officials, and five NGO staff members.

Research in Colombia

From 2011 to 2015, I conducted 14-months of research in Colombia during four field visits. The focus of my research became Gustavo Petro's polemic and transformative term as mayor Bogotá from 2012-2015. My four research visits spanned the start of Petro's electoral campaign (July-August 2011), his first year in office (June-July 2012), his final eight months in office (April-December 2015), and the start of the next administration (March 2016). The critical research period was late 2015, when I studied the mounting conflict among two waste picker alliances and the municipal and national governmental administrations. I attended 20 internal meetings, 6 social events, and 4 protests of the two waste picker assemblies. Additionally, I conducted 40 interviews with 20 waste picker leaders, and 15 interviews with rank and file the organization members. I attended 19 meetings between waste pickers and the municipal public service agency, the Special Administrative Unit for Public Services (UAESP) and four internal UAESP meetings. Additionally, I interviewed four former UAESP directors and 10 staff members. I also interviewed government officials from eight national ministries and two national regulatory agencies.

In addition, I interviewed many representatives of the broader constellation of protagonists in waste management policy, including fifteen independent waste pickers, who did not belong to any organization; four members of Colombia's Constitutional Court; two managers of private waste companies; and ten NGO workers from six NGOs that worked with waste picker organizations. In order to deepen my understanding of waste pickers' practices and perspectives, I spent twelve days collecting and sorting

materials alongside organized and independent waste pickers and six nights staying with waste picker families. Finally, I conducted archival research on court rulings, municipal reports, and newspapers.

Although Bogotá was my main research site, I also conducted field visits in the next three largest cities in Colombia (Cali, Medellín, Barranquilla), where I interviewed eight cooperative leaders, two government officials, and four NGO staff members.

1.7 Organization of the Dissertation

Each of the three empirical chapters of the dissertation analyzes the development of waste picker rights organizing and policy in São Paulo and Bogotá during a distinct historical period, and addresses one of the motivating puzzles described at the onset of this chapter.

Chapter 2 asks *why, after toiling in near anonymity for nearly a century, did disconnected waste pickers in Brazil and Colombia suddenly begin organizing powerful movements?* Based on archival and interview research, it traces the emergence of waste picker movements in Brazil and Colombia from the mid-1980s to the mid-1990s. I argue that three interrelated global shifts during the late 20th century generated threats, opportunities, and resources that provoked waste pickers to collective action. First, I trace the history of 20th century urbanization in Bogotá and São Paulo, and argue that decades of rapid and uneven urbanization followed by economic downturns in the 1980s led to an increase in the quantity of waste pickers working on the streets. The sudden appearance of thousands of immiserated people digging through garbage on the streets of wealthy neighborhoods generated both hostility and sympathy—setting the stage for the classification struggles that would follow. Second, the expansion of global discourses and institutions of socio-economic rights created new potential material and symbolic resources for waste picker organizing. In the early period, the most important resources were ideas—concepts of "Liberation Theology" and "popular education," which would inspire staff members of Catholic NGOs to help waste pickers organize cooperatives. Third, democratic reforms created powerful, yet distinct openings for waste pickers to challenge state policy and to demand integration into formal waste management.

Chapter 3 asks *why did the movements begin to diverge in their self-conception, discourses, and demands as they won inclusion into the state?* It focuses on the first decade of the 2000s, a period when both the Brazilian and Colombian movements would win national waste picker rights legislation, though only the Brazilian movement would make significant gains in implementing inclusive recycling policies on the municipal level. During this time, I argue that three factors would drive the two movements to diverge in their self-conceptions and demands: historical experiences of the state, dominant political cultures, and specific openings for influencing state policy. The Brazilian movement would adopt a discourse of class struggle, casting waste pickers as

subordinated workers whose primary threat was exploitation at the hands of capital. The Colombian movement, in contrast, would adopt a discourse of human rights, discussing waste pickers as if they were a persecuted ethnic group whose primary threat was dispossession at the hands of the state.

Chapter 4 asks *how did movement contexts, discourses, and strategies shape policy outcomes?* Based on ethnographic observations and survey research, this chapter focuses on policy creation and outcomes during leftist municipal administrations in São Paulo from 2013-2016 and Bogotá from 2012-2015. I argue that the "human rights" path in Bogotá achieved far greater levels of inclusion of historic waste pickers than did the "political participation" path in São Paulo for two reasons. First, the Colombian discourse prioritized the identification and inclusion of historic waste pickers, creating leverage for waste pickers to demand that state officials adapt to their logics, needs, and capacities, rather than the other way around. The Brazilian discourse, in contrast, prioritized the improvement of waste picking as a "profession" according to standards of formal industrial jobs, with no accountability to those who had traditionally worked as waste pickers. Second, the Constitutional Court provided the Colombian movement with a powerful weapon to pressure elected officials into adopting policies to their liking.

In Chapter 5, I revisit the theories discussed in this chapter in an attempt to illustrate how the empirical findings of this dissertation speak to and extend them. First, I find that classification struggles play at a salient role in the labor rights movements of precarious informal workers, and that both the potentials and risks of such strategies are greater than described in previous scholarship. Second, I find that national political fields deeply shape and constrain waste picker movement politics. Nonetheless, waste pickers still exercise significant agency within these constraints, as evidenced by political disagreements and conflicts within each national movement. Third, I discuss the practical implications of my finddings for informal worker organizing and policy, discussing the potentials and risks of strategies of human rights, participatory democracy, and the solidarity economy.

Chapter 2—The Birth of the Colombian and Brazilian Waste Picker Movements (1980s-1990s)

One of the first case studies of an attempted informal worker organizing drive appears in Chris Birkbeck's 1978 ethnography of families who subsisted by salvaging and selling paper, cardboard, aluminum, and plastic from a dump in Cali, Colombia. Birkbeck found that while the waste pickers at times organized on an ad hoc basis to protect their access to the dump from local authorities who viewed them as a source of crime and disease, they lacked the legal protections, bargaining counterparts, time, money, and solidarity to build enduring organizations and improve working conditions. Moreover, even if the waste pickers somehow gained a measure of power to restructure their work, they would face a terrible dilemma: the only way to improve waste pickers' incomes and conditions would be to introduce more efficient technologies and organizational forms, but this would reduce the quantity and accessibility of available jobs. Birkbeck concluded soberly that, "the revolution will be a long time coming to the garbage dump."

A mere decade later, large-scale insurgencies were already underway. Waste pickers had begun building organizations in dozens of Colombian cities and a handful of Brazilian ones, soon to be followed by counterparts in hundreds of cities across Latin America, Asia, and Africa.[19] This chapter analyzes the emergence of the Colombian and Brazilian waste picker movements in order to address one of the animating puzzles of this dissertation: after toiling in anonymity for nearly a century, why did isolated groups of waste pickers in Brazil and Colombia, separated by thousands of miles of terrain, suddenly begin organizing powerful movements in the 1980s?

I argue that three interrelated and overlapping shifts during the late 20th century generated what a crime detective might call 'the motive, means, and opportunity' for waste picker organizing. First, processes of rapid and uneven urbanization increased the numbers and visibility of waste pickers working on city streets—creating a constituency and motive around which to organize. Though waste pickers had worked in Brazil and Colombia for most of the 20th century, their numbers expanded dramatically in the 1980s due to increases in the production of waste, the industrial demand for materials, and the numbers of immiserated urban residents willing to collect recyclables. The specter of thousands of destitute people digging through the garbage of wealthy neighborhoods in the context of increasing urban poverty and

[19] It is difficult to trace the early history of global waste picker organizing, as many early waste picker cooperatives were short lived with low-public profiles. In a review of the history of Latin American waste picker cooperatives, for example, Sonia Dias (2011) identifies only one cooperative that was active in the 1980s outside of Brazil and Colombia, which was in Ecuador. Though cooperatives likely existed in other Latin American countries during this time, Colombia and Brazil were the first countries where they organized into movements that gained visibility and traction. By the late 1990s and early 2000s large scale organizing would start in countries such as Peru, Argentina, Chile, and Urguay, and today the Latin American Waste Picker Network contains representatives from 15 countries.

violence provoked a spectrum of responses from the public, who alternatively treated the waste pickers as criminal trespassers, invisible people, helpless outcasts, or exploited workers—classifications with life or death ramifications for waste pickers.

The second shift was the expansion of what I term the "global socioenvironmental rights field"—consisting of global discourses and strategies of human rights and environmental justice, as well as political actors and institutions such as development agencies, labor and environmental NGOs, corporations, and social movements. The crucial resource emanating from the global field in the 1980s was not support from NGOs and foundations of the Global North, however. Rather, it was the emergence of new organizing practices such as "solidarity economy" and "popular education," which were developed largely through political struggles in the Global South. Such ideas would lead staff of historic Catholic NGOs to shift from treating the poor as 'objects of charity' to 'subjects of their own emancipation,' and begin to see themselves not as 'alms-providing saviors,' but rather as 'solidarity-offering allies.' These new classifications allow for new possibilities of cross-class solidarity, which would help to spark the waste pickers own classification struggle. NGO staff in Colombia and Brazil would begin to engage homeless waste pickers in processes of collective reflection on the causes and consequences of their immiseration, as well as potential solutions to it. Through a multi-year, iterative process of grassroots experimentation and dialogue, waste pickers and their allies in Brazil and Colombia would unwittingly arrive at similar organizing models.

The third shift was democratic reforms, which would create channels for waste pickers to contest state policy and win inclusion into formal waste management. In Brazil, the catalyzing democratic reform was the reestablishment of electoral democracy, sanctified in the Constitution of 1989, a reform that paved the way for the political ascension of the leftist Worker's Party (PT). The PT would come to champion the waste pickers' cause, implementing waste picker rights policy on the municipal and state level during the 1990s, and on the national level in the 2000s. In the rightwing political context of Colombia, in contrast, waste pickers found few allies in elected offices. The pivotal democratic reform for them came in the form of new human rights policies, created in the Constitution of 1991, which waste pickers would capitalize on to win seven landmark cases in the Constitutional Court in the first decade of the 2000s. Unlike the Brazilians, the Colombians made little headway in influencing state policy in the 1990s. To illustrate this difference, I analyze waste pickers first experiences in official service delivery in Bogotá and São Paulo during the early 1990s, which produced divergent outcomes and movement learning. In São Paulo, a PT mayor implemented the country's first inclusive recycling policies, which soon after would be imitated by PT mayors in several other cities. In Bogotá, alternatively, a mayor contracted waste picker cooperatives to collect waste not out of any commitment to

waste picker empowerment, but rather in order to avert a sanitary catastrophe in the context of a municipal workers' strike against the privatization of waste management. Once the municipal union was broken and the system fully privatized, the city betrayed the cooperatives by cutting ties with them and selling off the rights to recycling services to private companies.

Ironically, during this chapter's period of analysis, from the to mid-1980s the mid-1990s, the Colombian and Brazilian movements had no contact with one another, yet developed strikingly similar strategies and discourses. But as I discuss in the following two chapters, over the next 25-years, even as the two movements began to collaborate intensely in transnational organizing campaigns, they would increasingly diverge in their self-conception, demands, and organizing models. I attribute the early convergence to the application of common organizing strategies (emanating from the global socioenvironmental rights field) to common social problems (emanating from rapid and uneven urbanization). I attribute the later divergence to the movements' increasing integration into the state within contrasting domestic political fields. In other words, as the movements won inclusion in formal waste management, differences in national contexts would begin to matter more.

2.1 The Birth of the Brazilian Waste Picker Movement

Though reports of waste pickers working on the streets of São Paulo date to at least the 1920s, their numbers mushroomed in the late 20th century due to factors related to rapid and uneven urbanization (Grimberg 1994). First, increases in urban population and per capita consumption amplified both the quantity of solid waste production and industry's need for raw materials, creating a demand for waste picker's labor. Second, decades of unequal development followed by a deep recession in the 1980s increased the production of what Zygmant Bauman (2004) terms "human waste"— unemployed urbanites without adequate means of subsistence, creating a labor supply to meet the demand. The sudden appearance of thousands of immiserated people digging through waste in wealthy neighborhoods in the 1980s was a social breech that occurred at precisely the time when São Paulo's elites were frantically attempting to extend their social distance from the poor—a period that Theresa Caldeira (1996) terms "the new urban segregation." In order to explain the significance of this breech and the diverse and contradictory reactions that it provoked, some historic context is in order.

2.1.1 Urbanization in São Paulo

Though Portuguese immigrants first settled in the territory that would become São Paulo in the 16th century, it remained a poor and relatively isolated backwater for most of its history. It did not emerge as a regional commercial hub until the late 19th century, and not as a megatropolis until the mid-20th century. From the 1930s to the

1980s, state investment in industry under both authoritarian and populist regimes would help transform São Paulo into the foremost industrial and economic center of Latin America. The promise of jobs attracted millions of domestic immigrants—first from other parts of the state of São Paulo and neighboring Minas Gerais, and then from the destitute and famine-struck Northeast. From 1940 to 1980, the city's population rose precipitously from 1.3 million to 8.5 million (Santos 1996: 226). During this time, São Paulo became the beacon of a national modernist ideology known as "developmentalism," premised on the belief that state-led industrialization and public works projects would lead to growth, progress, and widespread prosperity (Caldeira 2000, 304). Newly erected skyscrapers and modernist architecture in São Paulo's city center came to symbolize the national creed of "order and progress," even as the city's impoverished and chaotic periphery expanded outwards.

In 1964, Brazil's armed forces, with tacit support from the US Embassy and State Department, led a coup against leftist president João Gualart and installed a military regime that would hold power for 21-years. Despite rampant inequality and violent restrictions on democratic freedoms, the dictatorship initially maintained a base of popular support due largely to extraordinary economic growth. From 1968 to 1980, a period known as the Brazilian Miracle, national growth averaged nearly 10% annually--fueling the national mythology of progress and social mobility (Baer 2001). The military regime sustained this growth, however, by borrowing heavily. It had accrued the world's largest foreign debt by the end of the 1970s, which would become unsustainable in the face of global oil shocks. Brazil, along with many other Latin American countries, entered into a deep recession in the 1980s, which came to be known across the region as The Lost Decade (Grinberg 2008).

São Paulo was hit particularly hard by the reversal of economic fortunes. In the 1980s, economic growth and population growth dropped sharply, unemployment and informal employment rose, and rates of violent crime surged. Many low-income residents could no longer afford housing, and the number of people living in favelas rose from 4.4 percent in 1980 to 9.2 percent in 1991 (Marques and Saraiva 2003 as cited in Caldeira 2008, 61). Also, beginning in the late 1970s, hundreds of people began sleeping on the streets of the city center—a phenomenon previously unknown to São Paulo. Many homeless and near-homeless people would eke out a living by salvaging paper, cardboard, and scrap metal from waste left on the street. During this period, waste pickers typically used sacks that they carried on their heads rather than carts to transport their goods. The figure of the *homen do saco* (sack man) became so ubiquitous on the streets of Brazilian cities that middleclass parents famously disciplined their children by threatening, "you had better behave, or the *homen do saco* will carry you away."

The economic crisis would transform the imaginary of São Paulo, eroding the basis of the myth of "order and progress," and paving the way for new visions of the

city—two of which would have significant, yet contradictory consequences for the growing population of waste pickers. The first was the vision of the "walled city." Rising crime rates generated a culture of fear that was amplified by oft-repeated stories and narratives that presented simplistic and stereotypical interpretations of crime. Caldeira (2000, 19) poignantly documents how this "talk of crime" helped to "organize the urban landscape and public space, generating new forms of spatial segregation and social discrimination." Many of the city's elites abandoned the city center and migrated to what Caldeira (2000, 213) terms "fortified compounds"—that is, residential, leisure and workspaces that were walled off from the city by gates, surveillance cameras and private security guards. Perversely, the talk of crime also helped proliferate violence and crime by legitimating the use of private guards, death squads and vigilantism.

A second and oppositional vision, which I call the "participatory city," would arise from the ashes of the modernist mythology as well. This vision, in contrast, imagined the city's potential as an inclusive and democratic space structured around principles of popular participation and "right to the city." It was advanced by a national coalition of pro-democracy activists, who not only demanded electoral rights, but the right of the popular classes to design and make use of urban space. The urban resistance to the dictatorship had its core in São Paulo and was led by a broad coalition of independent trade unions and popular movements representing women, environmentalists, peripheral neighborhoods, homeless people, students, indigenous people, and black people. Due to its relative insulation from military repression and the rising popularity of Liberation theology, the Catholic Church served as a key organizing space for these movements, as well as for thousands of neighborhood associations in poor urban peripheries. During a period in the late 1970s and early 1980s known as "the opening," these movements seized upon opportunities created by growing international norms of democracy and domestic unrest. They pressured the military dictatorship to gradually relax authoritarian rule. As new spaces for popular expression were conceded, new movements sprung up to contest the dictatorship—a virtuous cycle of pro-democracy mobilization referred to as "the rebirth of civil society" (Alvarez 1990, 105).

These contrasting visions of the city would generate oppositional classifications of waste pickers. Through the 'walled city' lens, waste pickers were labeled as "deliquentes" (delinquents), "ladrões" (thieves), and "vagabundos" (vagabonds), leading wealthy residents to fear and scorn them, vigilantes to occasionally attack them, police to arrest them and burn their pushcarts, and the mayor to declare waste picking as a criminal offense punishable by prison sentences. Through the 'participatory city' lens, alternatively, waste pickers would come to be seen as exploited workers and a potential vanguard for poor people's movements, leading Catholic NGOs and other allies to help them build cooperatives. To be sure, these were not the only two classifications in circulation at the time. For example, formal labor unions would treat

waste pickers as unorganizable lumpen, traditional charities would see them as objects of pity and assistance, and many residents would classify them as "invisible people"—attempting to ignore their unnerving presence altogether. Nonetheless, as I explain below, it was these two classifications, "criminal trespasser" and "exploited worker" that would stimulate waste picker's collective organization in the 1980s.

2.1.2 Expansion of the Socioenvironmental Rights Field in São Paulo

A key contention of this dissertation is that the expansion of the global socioenvironmental rights field in the late 20th century would facilitate the emergence of the Brazilian and Colombian waste picker movements, which would mobilize symbolic, material, and technical resources through the field. Indeed, by the turn of the century, Brazilian and Colombian waste picker movements would build broad networks of support from international and domestic NGOs, foundations, corporations, universities, law firms, development funds, and government agencies. But in the 1980s, waste pickers' key supporters were not global NGOs nor corporate sponsors, but rather, historic domestic Catholic charities. And the pivotal new resource emanating from the global field that facilitated this development was not financing from the Global North, but rather new ideas forged through liberation struggles in the Global South.

In Brazil, this shift within the Church was largely articulated through Liberation Theology, a theological movement that emerged across Latin America in the 1950s and 1960s and emphasized the liberation of the poor and oppressed. It arose in response and opposition to the "Theology of Development', or Christian efforts to tackle poverty through increased development aid and charity, without contesting underlying systems of domination (Berryman 1987). While development theology advocated charity and development aid as a remedy to avoid social struggle.[20] Liberation Theology took Jesus's life as inspiration to fight for social justice alongside the poor. Liberation, its adherents argued, could not come from the dominant classes, but rather from the oppressed. Therefore, those choosing a path of social struggle must live and work alongside the oppressed. Drawing inspiration from the Brazilian educator and philosopher, Paulo Freire (1994), Liberation Theologists argued that evangelization consisted not of purely spiritual action, but rather processes of *conscientização*. This concept, which combines the Portuguese words for "consciousness raising" and "action," describes a process through which the poor develop critical awareness

[20] For example, Colombia's Pastoral Collective (1951) wrote: When the gospel principles of love of God and neighbor are forgotten by a nation, the result is an avalanche of hatred, divisions, and desires for revenge. We must be especially mindful that class struggle is the result of forgetting the duty of charity and justice toward the poor by the rich and employers toward their workers, and the obligations of the poor to their benefactors and proletarian classes to their company bosses. To each we recommend the social doctrine of the Church on the relationship between capital and labor, so that rich and poor, bosses and workers may always be united by the sacred ties of Christian charity and justice (quoted in Pérez and Echeverry 2007, 60).

through collective reflection on their social reality and collective action aimed at transforming it. A key aim was to interrupt the "culture of silence" through which people in positions of extreme poverty internalized negative self-images, created and propagated by their oppressors (Freire 1994).

In the late 1970s, Liberation Theology would inspire a group of nuns in São Paulo to embark on a radical experiment, the unexpected fruit of which would be Brazil's first waste picker cooperative. The nuns were staff members of São Paulo's most prominent Catholic charity, The Organization of Fraternal Assistance (OAF). Founded by a Benedictine monk in 1953, OAF ran a network of shelters, food kitchens, and community centers for destitute people in the city center. By the mid-1970s, however, many within OAF had grown critical of the charity-oriented approach, which did not address the root causes of São Paulo's intensifying epidemic of poverty and homelessness. Worse yet, the paternalistic charity model left the poor "feeling, on some level, at fault for their circumstances, alone, and impotent" (Grimberg 1994, 4).

In response to such critiques, OAF's leadership developed a controversial new approach, which would require staff and volunteers to embed themselves in the everyday lives of the growing population of people sleeping on city streets, and work collectively to develop strategies for political and economic empowerment. In 1978, OAF's 80 staff members were offered the choice to stay or leave, and nearly 90% of them left.[21] The remaining team of ten nuns and two monks preserved OAF's house of prayer, but shut down its homeless shelters, kitchens, and workshops, as well as a series of programs targeted towards other marginalized populations of the city center such as women, runaway children, and ex-prisoners. The team believed that other agencies and NGOs could take over such services. Rather, the remaining OAF staff would focus on an unmet need: bringing the new strategies of grassroots social movement organizing to the "povo da rua" (people of the street) (Scarpinatti 2008, 18).

The story of Sister Maria Regina Manuel is illustrative of the dedication and commitment of the twelve remaining staff members who would run OAF for the next decade.[22] Regina grew up in the countryside of São Paulo state, where at age 22, in 1977, she attained a stable government job as a social worker. She soon caught wind of the insurgency at OAF, and sympathized with the critiques of the patron-client hierarchy that typified homeless services. Despite her fear of the prospect of moving to an insecure job in the chaotic heart of South America's largest city, she decided to solicit work at OAF, which she saw as a testimony of her religious faith. OAF did not have the budget to hire her, however, so another staff member volunteered to split her income with Regina. In late 1978, Sister Regina and the other 11 staff members spent two

[21] Interview, Maria Regina Manuel May 8, 2017.

[22] Ibid. All quotes and information about the life story of Maria Regina Manuel came from this interview, unless otherwise noted.

months living and sleeping together on the streets in order "to gain an understanding of homelessness from up close, from beneath." To sustain themselves, they sold their blood, solicited handouts from social services, collected recyclables, and sold odds and ends that they salvaged from the garbage. Regina was shaken both by the solidarity she experienced from the homeless, and by the apathy and contempt that she experienced from the housed, which filled her with a terrible sense of loneliness. "People totally ignored me," Sister Regina said, "if they addressed me at all, it was only to tell me to get a job, as if I wasn't even human. One day, my own brother-in-law walked by and didn't even recognize me."

After its two-month stint on the streets ended, the OAF team rented out five houses in five central neighborhoods of São Paulo (Sé, Bela Vista, Brás, Luz, and Glicério). The houses thus formed a "protective belt" around an area of concentrated poverty, where approximately 1,000 homeless people lived. The OAF staff maintained an "open door" policy in their houses, meaning that homeless people could contact them at any hour, day or night. Indeed, in many instances, the nuns invited homeless women to live with them. Meanwhile, a team of church, university, and social movement-based volunteers began to collaborate with OAF and the homeless, forming a loosely bound movement called "The Community of the Sufferers of the Street," or for short, the "Community" (Grimberg 1994). In 1981, the Community opened a new community center in the neighborhood of Glicério, where homeless bathed, washed their clothes, and prepared collective meals. But OAF's principal focus became facilitating dialogue among the homeless through meetings held in the houses, in the community center, and on the streets, where they discussed problems of police violence and social stigma, as well as strategies for combatting them.

The Community's focus was on empowering the homeless, and the idea to create waste picker associations only developed iteratively over the course of the next decade through conversation and experimentation. At the time, homeless waste pickers primarily used sacks to collect their materials. During a Community meeting in 1982, however, a homeless man suggested waste pickers could transport their material more efficiently with carts. The Community raised money to buy a set of wheels, which homeless volunteers used to construct their first cart. Ten homeless men who slept under a viaduct in the neighborhood of Glicerio shared the cart on a rotating basis, with two men taking it out each day, and setting aside 10% of their earnings to buy new carts. Eventually, the group raised enough money to buy several carts, and the strategy was replicated in two adjacent neighborhoods.[23]

[23] At this point in the 1980s, carts were one of the major conquests of waste picker organizing, because they allowed waste pickers to carry large loads ergonomically. (Though it is strenuous work that sometimes results in stress injuries, by counterbalancing the weight on the front and back of the cart, waste pickers greatly reduce the impact of the loads on their own bodies.) By the time of my research in 2014, however, as I describe in the next chapter, MNCR

Also in 1982, the ten homeless men from Glicério created a second social fund to support a 3-day festival created by and for homeless people and their allies. Once per month, each team of two men would be responsible for dedicating a day's work to supporting the event. On that day, rather than selling their goods to scrap shops, they would store them in the yard of the OAF community center. The men would joke, "If we find gold in the trash today, must it go towards the festival?" (Scarpinatti 2008, 22). At the end of the month, the men sold their goods to a recycling plant, where they charged bulk rates, substantially increasing their earnings. The money went towards supporting the third annual edition of "The Mission," a three-day festival of food, music, theater, conversation, prayer, and protest that drew upwards of 1,000 homeless people and allies. This exercise helped the men understand the exploitation that they suffered at the hands of the scrap shops. In coming years, they continued to raise money for The Mission, but they also began to ask themselves "if we can sell collectively for the Mission, why not for ourselves?" One of the men, Amado Teodoro, would recall in a 1993 newspaper interview, "we saw that it was much better to work as a collective than to sell our little goods individually to the scrap shops."[24]

Over the next two years, the waste pickers gradually created systems for collectively selling their goods and began to refer to themselves as a "waste picker association," a title meant to convey that there was a serious profession, not just a "*bico*" (informal gig). In 1985, the group, which had expanded to about 27 men and three women, adopted the title "The Glicerio Association of Waste Pickers." (Grimberg 1994) They illegally occupied an abandoned building in Glicerio, where they stored their carts, and sorted and stored their materials. Soon after, OAF's staff negotiated with the building's owners to allow the waste pickers to pay rent and stay in the building. OAF also purchased an industrial scale for the waste pickers to weigh their goods and helped them to implement accounting systems.

Also that year, the association began to participate in more overtly political activities, leading a march of 200 waste pickers to protest a police crackdowns on their brethren (Scarpinatti 2008). Nonetheless, police repression of waste pickers only intensified over the next three years, under the administration of conservative mayor Jânio Quadros, who—known as an authoritarian— instructed police to imprison waste pickers, a policy that his administration justified to the press based on concerns of public sanitation and because they believed that waste picking enabled drunkenness

leaders and their allies, however, would come to see carts as dangerous, degrading, and inhumane. Thus, MNCR leaders often say that the cart pushing waste picker on their movement flag used to represent the movement's constituency, but now it is a reminder of their brothers and sisters who still work in subhuman conditions pushing carts on the streets.

[24] Jornal Comunitário, Sãop Paulo, September 1993, p.12.

and immorality. On May 1, 1986, the Glicerio Association of Waste Pickers responded by publishing the following letter in the newspaper *O São Paulo*:

> Our job is grueling. We face dangerous traffic with heavy loads of cardboard in our carts and on our heads. We work over 16 hours per day and for many of us, our cart is our only home. The city's waste collectors take our cardboard, threatening us with violence to increase their incomes. The owners of scrap shops cheat us on prices and, to boot, they collect recyclables on the street with their own trucks, an unfair source of competition. The price of cardboard has been frozen for over a year. After having passed many other decrees against the poor, now Mayor Jânio Quadros wants to prevent us from collecting cardboard, illegally instructing the police to seize our carts and rob our materials under the threat of fines, beatings, and imprisonment. The difficulties and injustices of our work are great, but we can't allow the mayor to keep us from working to feed our families. We are children, old people, women, and men—over 100,000 people who eke out a living from waste picking in São Paulo. If we couldn't work we would go hungry and it would be impossible to survive. Few people understand the great importance of recycling, which creates many jobs and makes paper cheaper for consumers. We ask for support to prevent the injustice that Mayor Jânio Quadros is committing. We are workers and we want to work and live in dignity.[25]

It's notable that this letter emphasizes how waste picking benefits the homeless and consumers, but it makes no mention of its environmental contributions, which were not well understood at the time. Beginning in the 1990s, waste picker organizations would increasingly classify waste pickers not only as "hard workers," but as "environmental stewards" as well.

The Glicerio Association of Waste Pickers continued to grow reaching a total of 50 members by 1988, a core of 15 of whom attended weekly meetings, where they developed plans to legally formalize the association as a "cooperative"—a status which entailed new responsibilities and privileges. The next year, with the help of Paulo de Tarso Carvalhaes,[26] a lawyer from the National Secretary of Cooperativism (Senacop), the waste pickers formalized as the Cooperative of Autonomous Paper, Scrap and Recyclable Materials Collectors (COOPAMARE).

By this point, the central strategies of what I term the "cart-pusher cooperative" were solidly in place. First, waste pickers improved their social standing by reclassifying their work from criminal activity to a productive profession. To this end, they used a variety of educational and performative strategies, including internal dialogue, the provision of uniforms and credentials, and public presentations. Waste

[25] Folha de São Paulo, São Paulo, March 29, 1986 as cited in Scarpinatti 2008, 37

[26] Interview with Paulo de Tarso Carvalhaes, June 1, 2017

pickers pursued their second objective, improved earnings and conditions, through entrepreneurial strategies aimed at transforming their position within the market and accessing state and philanthropic resources. The creation of cooperative enterprises enables waste pickers to pool resources, collectively process and sell goods, and negotiate with managers of buildings to directly access their recyclables. Third, the waste pickers would pursue political empowerment by making rights based demands to the state, through a combination of adversarial protest and negotiations. In the mid-1980s, the waste pickers demands were primarily *defensive*, demanding the right to work in the face of threats from authorities who saw them as sources of crime and disorder. In the late 1980s, however, they would seize upon a political opening to begin making their first *offensive* struggles as well, demanding a place in waste management. This would require another type of classification struggle—casting the state as of having the responsibilities of employer.

2.1.3 Democratic Reform in São Paulo

A third key shift facilitating the emergence of the Brazilian waste picker movement was democratic reforms that opened channels to influence state policy. In the context of shifting international norms in favor of democracy and domestic recession, the increasingly discredited military dictatorship gradually began to relax authoritarian rule. In late 1970s and early 1980s, it allowed for increased freedom of expression and local elections, culminating in the Constitution of 1988 which expanded civil liberties and rights. This turnabout was both fueled by and helped to fuel an unprecedented wave of pro-democracy civic mobilizations. In 1980, the Worker's Party (PT) was founded by three currents of this resistance centered in the greater São Paulo: the independent trades unions whose most prominent leader was Lula Inácio da Silva, Catholic clergy and laity inspired by Liberation Theology, and New Left activists who organized around a range of civil and political issues. As the PT began to win municipal elections in the late 1980s and early 1990s, it would begin to create the country's first municipal inclusive recycling policies. As the PT gained power in national government during the 2000s, waste picker cooperatives became a centerpiece of its agenda for a "solidarity economy"—that is, one based not on profit maximization, but on camaraderie with and within oppressed groups (Singer 2006a). Indeed, from 2003-2016, Presidents Lula and Dilma Rousseff of the PT arguably prioritized waste picker empowerment more than any other heads of state in world history.

The PT's first collaboration with waste pickers occurred in 1989, following Luiza Erundina election as São Paulo's first female mayor—what was described at the time as "the greatest electoral advance for the Latin American Left since Salvador Allende became president of Chile in 1970" (Hinchberger 1989, 4). The 54-year old social worker and longtime grassroots activist hailed from a humble family in the famine stricken

Northeast, and ran on an unabashedly pro-poor platform. In order to win the nomination of the fledgling Worker's Party (PT), a party that she had helped found a decade earlier, she had to overcome resistance from her own party's leadership, who saw her as too radical and combative. Then, in the general election, she was deeply outspent by her opponent, millionaire businessman Paulo Maluf, a close ally of the military dictators who ran Brazil from 1964 to 1985. Nonetheless, Erundina leveraged popular unrest and her deep ties with social movements and labor unions to eke out a narrow victory. As mayor, she implemented the country's first inclusive recycling programs, as well as pioneering programs of participatory budgeting, housing cooperatives, and affordable education and health services in poor neighborhoods (Singer 1996b).

OAF and Coopamare had an inside line with the new mayor, who as an alderwoman had collaborated with OAF on campaigns to expand public housing during the mid-1980s. Soon after her election, leaders of OAF and Coopamare began negotiating with Erundina over a series of waste picker rights proposals, the most pressing of which was a new space for Coopamare. Coopamare's leaders argued that they had outgrown the space that OAF had rented for them for the previous four years, and that a permanent site was needed to ensure the cooperative's autonomy and sustainability. They suggested that the city cede them unused spaces in Pinheiros and Vila Mariana, affluent neighborhoods that produced high quality waste.

Initially, the regional representatives of Pinheiros and Vila Mariana in Erundina's administration balked at this proposal. Many of their middleclass constituents scorned waste pickers, whom they viewed as sources of crime, litter, and disorder. The regional representatives feared that an alliance with waste pickers would leave them vulnerable to attacks from rightwing critics, who would blame them for the messes that waste pickers sometimes left on the sidewalk after sorting through bags of trash.[27] Thus, when Coopamare leaders proposed opening a recycling center in Vila Mariana, the regional administration refused to meet with them, proposing that OAF serve as the interlocutor instead.[28] OAF and Coopamare rejected this condition, and after months of stalemate, top officials from Erundina's administration pressured the regional administration into meeting directly with Coopamare. Some Coopamare leaders claim that they eventually won the trust of city officials by showing them their identification cards from previous jobs in the industrial sector. This proved that they

[27] As Erundina reflected in a 2006 interview (Scarpinatti 2008, 41), many conservatives blame her administration for sullying São Paulo by implementing social programs that made the city more accommodating to poor and largely afro-Brazilian migrants from the Northeast: "We suffered enormous retaliation from conservative sectors, who accuse us to this day of having dirtied the city and bringing the Northeasterners to be street vendors. It is a barbarity from those who don't accept democracy and want the poor to hide, to disappear, who don't want to see poor people in the street."

[28] Interview with Paulo de Tarso Carvalhaes, June 1, 2017

were not truly Lumpen, but rather unemployed proletariat who had lost their jobs and homes during the economic crisis of the 1980s (Grimberg 1994).

During the second year of her administration, Erundina implemented three pioneering waste picker rights policies, the first of their kind in the country. First, in May 1990, Erundina issued Decree 28.649, which recognized waste picking as a legitimate profession that made economic, social, and ecological contributions to the city, and outlined the terms for partnerships between waste picker cooperatives and the municipal government. Second, Erundina ceded two large open spaces under aqueducts in Pinheiros and Vila Mariana for Coopamare to use under OAF's supervision. The city built 30 stalls in each location, where waste pickers could individually store their carts and sort their materials. Gradually, the city government and OAF also collaborated to install bathrooms, leisure spaces, offices, and meeting rooms, and to donate equipment such as scales, presses, forklifts, and computers. Third, Erundina began to remunerate Coopamare for its services, helping to cover its administrative and maintenance costs. Over the next two years, Erundina's administration implemented two more waste picker rights programs as well: city-funded courses for Coopamare members on themes such as recycling value chains, workplace safety, cooperative management, and human rights, and a census of all of the waste pickers in the Pinheiros neighborhood so that they might be integrated into cooperatives in the future (Grimberg 1994).

In the newly ceded spaces, Coopamare continued to develop its organizing model, which sought to strike a balance between two seemingly contradictory goals: first, recognizing and accommodating waste pickers as they currently worked, according to individualistic, informal logics. And second, gradually incentivizing them to professionalize their practices and to act as an economic and political collective. Coopamare's members thus collected and sorted their materials individually, setting their own schedules and routes. As a Coopamare leader explained, "In the Cooperative, everyone makes their own schedule and there is no boss. The rules are created by the group." Meanwhile, members sold their materials collectively, enabling them to cut out intermediary buyers and sell closer to industry. This allowed Coopamare to pay waste pickers significantly higher prices for their goods than they had previously received from intermediary buyers. Coopamare did not seek a profit, but paid waste pickers 90% of the industry rate for their goods, and kept the other 10% to cover operational expenses.[29]

By the end of Erundina's term in 1992, about 150 waste pickers participated in the Pinheiros branch of Coopamare, processing some eight tons of materials daily (Scarpinatti 2008, 56). Multiple tiers of participation evolved in order to accommodate waste pickers heterogeneous needs and capacities. At the core, a rotating group of

[29] Interview with Eduardo Ferreira de Paula, June 21, 2017

approximately 15 waste pickers occupied leadership positions and served as public spokespeople. These 15 core leaders made up part of a larger group of 50 official cooperative members who rented space inside the cooperative to store their carts and materials, and participated regularly in meetings and political actions. The 50 members also worked internal maintenance jobs such as cleaning, accounting, and staffing the scale and forklift on a rotating basis. Beyond this, about 150 more waste pickers sold their goods at Coopamare, which paid higher prices than did the local scrap shops because it sold in bulk and did not seek profit. Gradually, Coopamare attempted to integrate these independent waste pickers into the cooperatives core activities. According to Sister Regina, approximately 90% of Coopamare's members at the time were men, as it was not common for women to push carts on the streets.[30]

This was a humble approach, which sought to iteratively improve the incomes and conditions of waste pickers who continued to work on the street, rather than to radically transform them. As Erundina would recall in a 2007 interview,

> Our policies were the bare minimum that you could expect from an administration of the people… we attempted to start from the conditions that waste pickers found themselves in at the time, and help them rise to slightly better conditions, with the hope of further gains in the future. (Scarpinatti 2008, 38)

This approach, however, was not without its critics. Barros, Sales and Nogeira (2002, p. 328), for example, argue that waste picking is an exploitative, unsanitary, strenuous, dangerous and undignified activity "that is exclusionary by nature." They therefore argue that calling initiatives that enable waste pickers to continue working on the streets "social inclusion" is a misnomer: "What is the quality of this inclusion? Is the fact of having access to work, regardless of how or in what, a guarantee of social inclusion? Is having a means to survive or to help one's family survive synonymous with social inclusion? Is this actually inclusion, or just another form of exclusion transmuted as inclusion" (Barros, Sales, and Nogueira 2002, 328). Coopamare may not have been a workers' utopia, but nonetheless, anecdotal accounts from OAF and Coopamare leaders suggest that Coopamare helped waste pickers improve their incomes, conditions, and sense of dignity. In many cases, the newfound sense of structure, community, and purpose helped alcoholic waste pickers reduce their levels of addiction or stop drinking altogether.[31]

Preservation of autonomy in the Coopamare model

As suggested by its name (The Cooperative of Autonomous Paper, Scrap and Recyclable Materials Collectors), autonomy was a core value for Coopamare. As Coopamare evolved, members sought to reduce their dependency on its parent

[30] Interview with Eduardo Ferreira de Paula, June 21, 2017

[31] Ibid.

organization, OAF. One strategy for doing this was diversifying Coopamare's network of public, private, and civil society supporters. New sponsors of Coopamare in the early 1990s included national and regional development agencies (FUNDAP, Inter-american Foundation), multinational businesses (CEMPRE), and private foundations (Instituto Polis, Instituto Goethe). The move to the new spaces in Pinheiros and Vila Mariana also helped to increase Coopamare's autonomy. Two OAF staff members continued to work at the new spaces with Coopamare to help with administrative tasks and strategic planning, but as Sister Regina recalled, "The waste pickers did the sales, accounting, budgeting. Our role, at most, was to store money for safekeeping if they asked us to... The perspective that we adopted was that waste pickers knew how to do everything, and we just participated in discussions with the group about *formaçao* [political, social, and entrepreneurial training]."[32] Coopamare's insistence on autonomy from OAF came at a cost, as it sometimes led to tensions between the two organizations, and reduced Coopamare's mobilizing capacity and organizational acumen. Nonetheless, leaders of both organizations believed that the cooperative's autonomy was needed both to ensure Coopamare's long-term sustainability and to increase its members' sense of agency and competence.

Similarly, Coopamare fought to maintain autonomy from the government, even under the sympathetic administration of Erundina. Thus, in 1989, when Erundina created São Paulo's first pilot recycling routes in a neighborhood adjacent to Coopamare's headquarters,[33] Coopamare elected not to participate. In this way, Coopamare differed markedly from the cooperatives that were created after 2000, which fully depended on the city's official recycling route to deliver materials to them. Coopamare's members, in contrast, took to the streets to collect all of their materials themselves—often forging agreements with the managers of residential, commercial and public buildings for exclusive access to their waste. Notably, Erundina's administration had no direct role in negotiating these agreements, though its endorsement helped smooth the path by elevating Coopamare's public legitimacy.[34]

Coopamare's autonomy from the city government and its diverse network of civil society support would prove key during the subsequent conservative municipal administration of Paulo Maluf (1993-1996), who quickly dismantled Erundina's inclusive recycling programs. Soon after taking office in 1993, Maluf suspended the official recycling route on the grounds that it was inefficient and expensive.[35] But this

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[32] Interview with Maria Regina Manuel May 8, 2017

[33] City trucks collected pre-sorted recyclables from 60,000 houses and 50 public recycling dumpsters, along 17 routes that crisscrossed the middleclass neighborhood of Vila Madelena. (Grimberg 1994, 29)

[34] Interview with Muna Zeyn May 4, 2017

[35] Indeed, one of the justifications that Maluf used to end the city's recycling routes is that they were not as efficient as the routes run by Coopamare. According to research conducted at the time, Coopamare recycled 25% of materials that it collected, while the city's official recycling route recycled only 5% of what it collected. And Coopamare's

did not impact Coopamare, which, as mentioned above, did not participate in the city's official route. Also that year, Maluf terminated the city's contract to remunerate Coopamare for its services under the justification the city could not legally give such preferential treatment to any worker group. Nonetheless, Coopamare had by that point diversified its revenue sources enough to weather this blow. The most potentially damning action that Maluf took against Coopamare was attempting to evict Coopamare from its headquarters on the grounds that its operation did not meet safety standards and posed a fire hazard. His administration attempted to cede the space to a Samba school instead. By this point, however, Coopamare had built a strong network of civil society, government, and private sector allies who issued statements and participated in marches in Coopamare's defense. In 1995, under pressure from council members, congressmen, neighborhood coalitions, political parties, social movements, religious leaders, universities, and labor unions,[36] Maluf abandoned his attempts to evict Coopamare. (Grimberg 2006)

Coopamare's first experience in formal service delivery was small scale and short lived. Nonetheless, it was, by most accounts a resounding success, increasing recycling rates and improving the conditions and public standing of waste pickers. As in the case of Erundina's pioneering participatory budgeting, housing, and healthcare policies, however, inclusive recycling policies would be discontinued by the two subsequent conservative mayoral administrations. Nonetheless, inspired in part by the São Paulo experience, Catholic NGOs would begin organizing waste pickers in cities such as Porto Alegre and Belo Horizonte, where PT mayors would begin creating their own waste picker rights policies, which would surpass those of Erundina in scope and depth. Eventually, inclusive recycling policies would make their way back to São Paulo under the administration of Mayor Martha Suplicy (PT, 2001-4) and become institutionalized under national law during the presidency of Luiz Inácio Lula da Silva (PT, 2003-2011). Nonetheless, as I shall describe in the following chapters, the models of inclusive recycling promoted in the 2000s, centered on the "sorter cooperative," differed vastly from the "cart-pusher cooperative" of the 1990s.

2.2 The Birth of the Colombian Waste Picker Movement

The domestic political fields that incubated the Brazilian and Colombian waste picker movements differed in several key respects. The Brazilian movement came of age during a tumultuous transition from military to civil rule, its ascent was closely tied to

collection cost only $50 per ton, while the city's services cost $417. These findings on the efficiency of Coopamare's services, however, did not stop Maluf from attempting to evict Coopamare. (Grimberg 1994, 31)

[36] Key institutional supporters included the Workers Party (PT), Unified Workers Central (CUT), Landless Workers Movement (MST), The Environmental Ministry, The National Movement of Street Children, The Business Commitment for Recycling (CEMPRE), The Cáritas Diocenessa, Pastoral of the Street, Citizen Action Against Hunger, and the College of Santa Cruz.

that of other leftist social movements and political parties of the time. The Colombian movement, in contrast, arose in Latin America's oldest continuous democracy, but in the midst of the region's longest running civil war. And though during the 1960s and 1970s leftist social movement organizers in both countries faced torture and disappearances, such repression decreased over the next two decades in Brazil, while it intensified in Colombia. Beginning in 1985, Colombian rightwing paramilitaries systematically used massacres, forced displacements, and torture to advance their economic and political interests. Over the next fifteen years, paramilitaries murdered thousands of labor unionists and leftist politicians, effectively crushing what had once been among the region's most vibrant labor movements and chilling leftist politics and discourse.

Nonetheless, the same three global forces that stimulated Brazilian waste pickers to begin collectively organizing in the late twentieth century also spurred their Colombian counterparts to action: rapid urbanization created a constituency of aggrieved waste pickers to organize, new discourses and institutions of socioenvironmental rights generated resources with which to organize, and—eventually— processes of democratic reform created opportunities for contesting state policy. These processes would unfold differently within each national context, however. In Brazil, the waste picker's movement was galvanized by *political opportunities* generated by the ascendance of the sympathetic leftist Workers' Party during the 1990s. The Colombian movement, in contrast, had few allies in elected office and did not make significant inroads in influencing state policy until the 2000s, when it began advancing its goals through human rights lawsuits. Rather, the Colombian movement's early growth was galvanized by *political threats* in the form of state sanctioned violence and dispossession. Or in the words of ARB cofounder Miguel Torres, "We were being massacred in the streets. To the state and society, we were an inconvenience. So for us, it was organize or die."

These divergent histories would deeply shape the movements' relationships to the state. In Brazil, movement leaders would come to see state officials, particularly those from leftist parties, as critical—if unreliable--allies. In Colombia, in contrast, movement leaders would develop a deep mistrust for state officials—even those who saw themselves, and indeed had acted, as sympathetic allies.[37] And eventually, while the

[37] Indeed, at times in my research, it was difficult for me to understand Colombian waste picker leaders constant accusations that state officials were attempting to displace the waste pickers. For example, under leftist Mayor Gustavo Petro, the city waste management agency hired a cohort of 20 social workers on low-paying temporary contracts to do waste picker outreach. I became close friends with many of them, most of whom were young people with backgrounds in community organizing and social movements, who seemed to work tirelessly and selflessly for the cause of waste picker empowerment. But ARB leaders, would accuse them of attempting to usurp the recycling industry for personal gain—a claim that struck me as baseless. ARB leaders seemed to genuinely believe this, however, and I agreed with them that some of the policies that Petro's administration was pursuing did pose threats of dispossessing waste pickers.

Brazilian movement would come to see the key threat to waste pickers as exploitation at the hands of intermediaries and industry, the Colombians would see it as dispossession at the hands of the state.

2.2.1 Urbanization in Bogotá

Whereas São Paulo remained a relative backwaters until the 20th century, Bogotá, dubbed the "Athens of South America,"[38] has been a cultural, political, and economic center for over a millennium. It served as a capital for the Muisca civilization (600s-1500s), the Spanish Empire (1538-1819), La Gran Colombia[39] (1819-1831), and the Republic of Colombia (1831-present) (Pavony 2000). Nonetheless, it remained a relatively small city until the mid-20th century, at which point it hit a growth spurt nearly rivaling that of São Paulo.[40] And as in the case of São Paulo, decades of rapid growth followed by economic slowdown in the 1980s would lead increasing numbers of the underemployed and unemployed to begin salvaging recyclables on the streets to eke out a living—provoking both public sympathy and anger. In Bogotá, however, this process was more deeply structured by violence, which was often perpetrated or sanctioned violence by the state.[41]

Indeed, ARB leaders have described the Colombian waste picker movement as a response to three successive *desplacamientos* (displacements or dispossessions).[42] First,

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[38] In his opening day speech in 1895, Monsignor María Rafael Carrasquilla, rector of Bogotá's Our Lady of Rosario School claimed that in recognition of the Bogotá's many universities and libraries, "Our Hispanic sister republics have called our capital the Athens of South America." There is no historic evidence the veracity of this claim, but the moniker would stick. (Mongan 1939)

[39] A federation encompassing the territories of modern Panama, Colombia, Venezuela, and Ecuador that was led by President Simón Bolívar.

[40] Both cities had less than half-a-million inhabitants in 1918. Today, a century later, São Paulo has 12 million inhabitants and Bogotá has 8 million—the first and fourth largest cities in Latin America respectively. The São Paulo metropolitan area, with 21 million inhabitants, however, is nearly double the size of the Bogotá metropolitan area, which has 11 million inhabitants. Nonetheless, the municipality, not the metropolitan area is the unit of analysis in this study because this is the level at which local waste management policy is set and at which waste pickers organize to influence it.

[41] Notably, though I emphasize the role of state sanctioned violence in dispossessing Colombian waste pickers from land, dumps, and streets, this is not to suggest that similar dispossessions have not occurred in Brazil. They have, but on a smaller scale. First, at many points in the 20th century, land grabs and violence in the Brazilian countryside have forced peasants and indigenous people to flee to cities, but the scale of such incidents pale in comparison to the displacements caused by the Colombian civil war. Second, the Brazilian state has evicted waste pickers from many open dumps, but this has not typically resulted in violent conflict because the process has occurred more gradually and in consultation with the National Waste Picker Movement (MNCR). Indeed, one of the MNCR's principle demands is the closure of open dumps and the creation of alternative livelihoods for displaced waste pickers. The MNCR successfully lobbied for a provision in the 2010 Solid Waste Management Law that required that all open dumps be closed by 2014. Third, local authorities and vigilante groups have also attempted to remove waste pickers and other populations deemed undesirable in Brazilian cities, but not to the same extent as has occurred in Colombia. For example, vigilantes have murdered homeless people in several Brazilian cities, but they have not carried out large scale and systematic social cleansing campaigns. Also, local policy makers in Brazil have at times attempted to ban waste pickers from particular neighborhoods or cities, but no national legislation criminalizing waste picking has been passed.

[42] Interview with Miguel Torres, May 27, 2015

beginning in the 1950s, displacement from land due to conflicts in the countryside would drive millions of peasants to flee to urban slums. Some of them, including the grandparents of many of the ARB's founders, began to search through waste to find food for consumption, scraps to feed animals, materials for shanties, and fuel for heat in the winter. Soon, they discovered their ability to earn a living from waste (Medina 2007, 55). Most waste pickers during this period collected from dumps and riverbeds, but a minority, known as *botelleros* bought newspapers, bottles, and jars from residents, while others known as *chatarreros* collected scrap metal on the streets.

Second, in the mid-1980s, Colombian municipalities began to evict waste pickers from state-owned open dumps, which were increasingly replaced by privately run sanitary landfills that prohibited waste picking. Though policy makers sometimes justified such regulations based on legitimate concerns about the health and safety of dumpsite waste pickers, as Melanie Samson (Samson 2009b) poignantly observes in a parallel case in South Africa, "complete loss of income is an even graver threat to the health of the reclaimers and their families" (p. 15). The closure of landfills often generated conflicts between waste pickers, city officials, and private waste contractors, which sometimes turned violent. Several members of the National Alliance of Recyclers (ANR), including its president, would be killed during such conflicts in the early 1990s. Such struggles were largely in vain, however, and by 2005, when Decree 805 nationally banned public access to dumps, waste pickers already had been shut out of most dumps for many years. State officials rarely offered displaced waste pickers alternative jobs or compensation.

Loss of access to dumps without alternative employment provisions pushed thousands of waste pickers into the more poorly remunerated and physically arduous worksite of the streets, where they traveled by foot or horse cart average distances of 20 to 30 kilometers per day.[43] The new worksite of the streets increased waste pickers visibility, according to ARB cofounder, Miguel Torres:

> Waste pickers have worked in Colombia for more or less, poorly counted, 100 years. We developed our trade for the first 60 or 70 years without any apparent problems. Why? Because we were in the dump where nobody entered. The politicians didn't go there, the government didn't go there, neither did the media. Nobody went there because it simply didn't exist. Society turned a blind eye to us. There were a few things moving around in the garbage, but they weren't human beings. They were garbage.[44]

The sudden appearance of thousands of people digging through trash on the streets of middle- and upper-class neighborhoods amidst the tumult and violence that consumed Colombia in the late 1980s provoked conflicting reactions. At one pole, a coalition of

[43] Interview with Federico Parra, July 19, 2011

[44] Miguel Torres, July 27, 2012

foundations, NGOs, universities, and government agencies helped waste pickers build organizations in order to improve their conditions and incomes. At another, waste pickers faced scorn from many residents and authorities, who saw them as a source of crime and disorder.

The latter reaction would provoke a third *desplacimiento*, this time from the streets. During the 1980s and 1990s, street waste pickers faced intensifying harassment from police, who routinely jailed them, burned their pushcarts, and sequestered their children. While police harassment of waste pickers is commonplace around the world, in Colombia it was complemented by an exceptionally sadistic form of repression. Fascist-inspired "social cleansing" vigilante squads, often working with police complicity, kidnapped and killed thousands of Colombian waste pickers, prostitutes, and beggars, whom they termed "desechables" (disposable people) (Góngora and Suárez 2008, 23). When death squads failed to remove waste pickers from the street, state officials adopted a different approach. They passed decrees and laws that attempted to criminalize the act of waste picking and to hand over waste pickers' traditional role to private waste companies. While dispossession from the dumps pushed waste pickers to organize into cooperatives in the 1980s, these attempts to dispossess waste pickers from their sole remaining survival niche of the streets would lead them to mobilize the cooperatives as a political movement in the 2000s.

Violent Urbanization in Bogotá[45]

Before delving further into the dynamics and consequences of these dispossessions, it is prudent to provide historical background about the context of rapid and violent urbanization in which they occurred. From the mid-1940s to the end of the century, Bogotá's population would mushroom from a half-million to over six million. During the same period, Colombia's population would shift from being over 70% rural to over 70% urban, an extraordinary rate of urbanization even by Latin American standards (citation). This shift was driven not only by Import Substitution Industrialization (ISI) programs typical of Latin American countries at the time, but by violence that ravaged the countryside throughout the 20th century and drove millions of peasants to flee to cities.

The violence peaked in the decade after the assassination of Liberal presidential candidate Jorge Eleciér Gaitán in 1948, which provoked massive riots known as the Bogotazo, that left much of downtown Bogotá burned and 5,000 dead (Donovan 2002, 36). The partisan conflict soon spread to the countryside, leading to a decade-long civil war that cost the lives of over 200,000 peasants. Thousands of farmers, particularly from the nearby regions of Cundinamarca and Boyacá, flooded into Bogota, settling in urban slums in the South and West of the city.

[45] *NOTE: I apologize about the redundancy with the previous section, I will restructure this section to correct that.*

Whereas São Paulo's elites would not begin to retreat from the city center until the 1980s, this trend began three decades earlier in Bogota, leading to even greater spatial segregation. In the wake of the Bogotazo riots and subsequent influx of migrants, elites and many large businesses began to abandon the city center and move north. Grand colonial buildings were converted into low cost, multiple occupancy housing through a system called *inquilinaje*, and the city center would become one of the most dangerous and dilapidated parts of the city (Michael G. Donovan 2008). The following decades would see an intensification of this pattern of spatial segregation, with the wealthy retreating to Northern enclaves, and the poor and working classes inhabiting the rest of the city. In 1964, a low intensity civil war broke out between the government, leftwing guerrilla groups, rightwing paramilitaries, and—eventually—crime syndicates.[46] Over the next 15 years, thousands of rural migrants would flood into Bogotá, often settling in the cities' sprawling southern and western peripheries. During this time Bogotá had an astonishing 7% annual growth rate—among the highest of any city in the world (Rueda-García 2003, 3).

Bogotá's growth rate would plunge in the 1980s, however, in the face of an economic slowdown and rising urban violence. From 1982 to 1991, the city's homicide rate would quadruple, and Bogotá would go from being seen as one of the safer parts of Colombia to one of the most dangerous places on earth. Daily kidnappings and assassinations of journalists, politicians, judges, business magnates, and everyday citizens were punctuated by spectacular acts of terrorism and violence. For example, in 1986, the M-19 guerrilla group launched a siege of the Palace of Justice, leading to a shoot out with the army that resulted in taking over 100 lives, including those of 10 of the country's 21 supreme court justices. 1989 alone witnessed the assassination of 12 judicial officers, a soccer referee, and a presidential candidate, as well the bombing of the *El Espectador* newspaper's offices, the National Security Service (DAS) headquarters, and several shopping malls in Bogotá (Richani 2013). Also that year, Pablo Escobar's cartel blew a commercial airliner out of the air, killing over 100 passengers, in a botched attempt to assassinate a presidential candidate.

The most dangerous place in the city at this time was a ten block area just a few blocks south of the Presidential Palace, Congress, and Supreme Court known as *El Cartucho*. In the 1940s, this had been an elegant area of Victorian mansions, but by the 1980s it had become Colombia's foremost symbol of urban decay and misery. The area

[46] This conflict began in 1964 and continues to the present, though in 2016, Colombian President Juan Manuel Santos signed a historic peace accord with leaders of the largest guerilla group, the FARC. At the time of the accord, the conflict had forced 7.5 million people, or 12% of the country's population, to flee their homes, giving Colombia the second largest population of internally displaced persons in the world, surpassed only by Syria. (*UNHCR*-2017) Importantly, in many cases, the displacement was not mere collateral damage of war, but rather the central objective of armed factions engaging in strategic land grabs. Much of the stolen and abandoned land has wound up in the hands of agricultural and mining interests with close ties to the armed groups responsible for the clearances—a process known as "reverse land reform."

had been taken over by drug syndicates, which paid law enforcement to turn a blind eye to drug dealing, prostitution, mutilation houses, and other criminal activities (Post 2017). El Cartucho became the primary wholesale drug market for the whole city, where drugs were sold at a fraction of the price of other neighborhoods. Thousands of homeless and near homeless adults and children lived in the area, often smoking *basuco*[47] and sniffing glue openly on the litter-filled streets. The recycling industry also relocated to Cartucho, as waste picking was one of the few survival resources for the destitute and drug addicted. By the early 1990s, the area contained 30 recycling scrap shops, some of which paid clients directly with drugs and alcohol (Stannow 1996). By the end of the decade, Mayor Enrique Peñalosa would demolish El Cartucho and erect a park in its place, and both open drug markets and recycling warehouses would disperse into adjoining streets and many other parts of the city. Notably, though the majority of waste pickers at the time did work in El Cartucho, waste picking was so deeply associated with the violence and misery of El Cartucho that, to this day, recyclables are referred to as "Cartucho" in Colombian Spanish.

As in the case of São Paulo, in the late 20th century, in the face of growing fear of crime and decreasing faith in police, Bogotá's upper classes retreated into fortified enclaves, and turned to private security and vigilantism for protection and vengeance. Bogotá's elites developed an even more extreme version of the "walled city" than that of São Paulo, however. By 1991, a virtual army of 50,000 bodyguards and private security agents protected Bogotá's upper classes (*New York Times* 1993). Meanwhile, "social cleansing" vigilante squads began assassinating waste pickers, prostitutes, and beggars, whom they termed "desechables" (disposable people). As urbanist MG Dovan (2002, 22) writes:

> *In the late 1980s and early 1990s death squads with names like Muerte a Gamines (Death to Street Children) acting in accord with local businesses and with the help of special police units, laid the base for urban "social cleansing." Wearing ski masks and carrying automatic weapons, the death squad members rode motorcycles in twos throughout the poorest areas of Bogotá, shooting randomly at the homeless. In the first six months alone in 1989, for example, over forty bodies of homeless people appeared along roads in Bogotá. Between 1988 and 1993, the nongovernmental Center for Research and Popular Education (CINEP) documented 1,926 cases of "social cleansing" throughout Colombia, many of them occurring in downtown Bogotá*

Though there are few reliable statistics on social cleansing, a 1992 study estimates that 20% of the victims were waste pickers.[48] Waste pickers were susceptible to the same types of assassinations and kidnappings as other street populations, but also faced an

[47] a cheap and destructive derivative of cocaine—deemed of too poor quality for exportation

[48] Instituto Latinoamericano de Servicios Legales Alternativos (ILSA), "Social Cleansing" in Colombia and Brazil: Genocide of the Poor, working paper, Bogotá, December 1993, p. 6. (as cited in Stannow 1996, 74)

additional risk: waste pickers often slept in their carts, either due to their lack of housing or lack of storage spaces for materials.[49] Death squads, including active and off duty police officers, sometimes set the carts of ablaze, burning whole families of sleeping waste pickers alive.[50] One of the most sadistic known acts of violence towards waste pickers occurred in the early 1990s at the Universidad Libre de Barranquilla. Over at two year period, the medical school had paid off-duty police officers to kidnap and kill at least 40 so-called "disposables," reportedly paying 90,000 to 140,000 (US$90-$140) pesos per body (Stannow 1996, 64). Medical students used the corpses for dissection, and the organs were sold for transplants. This atrocity was exposed on May 1, 1992, when one of the intended victims, Oscar Hernández, made a dramatic escape and alerted the authorities. When the labs were searched, they found the corpses of eleven waste pickers, and buckets full of blood and organs of many others. The medical school would subsequently be shut down, and in 1999, the Congress of Colombia would declare March 1st National Recycling Day—an event now commemorated by waste pickers in many parts of the world.

However, as in the case of Brazil, the turbulence of the 1980s in Colombia not only provoked visions of "walled cities," but also oppositional visions of egalitarian and democratic cites as well. Such visions would increasingly be framed in the language of human rights, a relatively safer discourse in the repressive Colombian context than anything that could be associated with socialism. Thus, beginning in the 1980s, social movements representing women, black people, indigenous people, students, peripheral neighborhoods, and other oppressed groups increasingly framed their demands in the language of human rights and democracy. Through this lens, waste pickers would come to see themselves and to be seen by other as victims of rights violations and subjects of special protections. And, as in the case of Brazil, this counter vision of the inclusive city would inspire Catholic NGOs and other political actors to begin helping waste pickers to collectively organize.

2.2.2 The Expansion of the Socioenvironmental Rights Field in Bogotá

The earliest known waste picker cooperative in Colombia—and, indeed, the world—was established in Medellin in 1962. Nonetheless, attempts at collective organizing over the next 25 years, such as those documented by Chris Birkbeck in the 1970s, were scarce and largely abortive. Birkbeck (1978) knew of only one enduring waste picker organization during the 1970s in all of Colombia, about which he wrote, "it

[49] Not all waste pickers who sleep in their carts are homeless. For example, many waste pickers from Bogotá's southern slums, for example, make two three-day long treks through the city per week, sleeping in their carts before returning home, in order to access wealthier neighborhood of the center and north with higher value trash. Also, after an evening of waste picking in wealthy neighborhoods, waste pickers sometimes sleep in their carts in order to protect their materials for the night while waiting for scrap shops to open in the morning.

[50] Interview with Federico Parra, July 19, 2011

is clear that outside agencies are essential in maintaining this kind of organization" (p. 1184). Birkbeck's axiom holds true today--what has changed is the availability of such support. In Colombia, as in Brazil, civil society organizations have proliferated over the past three decades due to democratic openings, frustration with state-centered development programs, increased polarization of wealth and resultant philanthropy, and communications technology breakthroughs. During this period, NGOs, foundations, transnational development funds, and individuals provided Colombian waste picker organizations with millions of dollars' worth of capital donations, loans, and in kind services (Aluna 2011). The waste pickers and their allies, in turn, leveraged this support to access even greater resources from the public and private sectors.

A signal moment in this development came in 1986, when La Fundacíon Social (FS), a Colombian foundation created by a Jesuit priest in 1910, began organizing waste pickers. As in the case of the Brazilian NGOs that supported early waste picker organizing efforts, FS staff members engagement with waste pickers was inspired by the increasing prominence of empowerment-oriented models in the global socioenvironmental rights field. Unlike its Brazilian counterparts, however, FS did not have explicit ties to Liberation Theology, and its discourse focused more on human rights and entrepreneurship than on class struggle. Also, while the Brazilian NGOs that supported waste pickers deeply rejected the charity model, FS would partner with organizations that provided free meals, childcare, and medical services to cooperative members (Fundación Social 1995). The approach of FS and its Brazilian counterparts had many more commonalities than differences, however, partially due to the fact that both drew heavily from Freire's conceptions of popular education and theories of cooperative labor.

The fact that FS did not explicitly embrace Liberation Theology is reflective of the national political context within which it was embedded. Though in the 1960s, Colombia served as one of the birth sites of Liberation Theology, liberationists would adopt a much lower profile in subsequent decades due to the theology's association with guerrilla groups and resultant repression.[51] In the 1980s, however, a new theology of human rights would emerge, strands of which had "more points of continuity than divergence" from Liberation Theology, according to sociologist Leila Celis (2016, 22). Celis finds that some of the same organizations and organizers who had advocated for Liberation Theology in the 1960s shifted to the language of human rights in the 1980s, which they argued was "the preferential option for the poor" in the Colombian context. Even as they adopted a discourse of human rights, many Colombian NGOs continued

[51] Colombian imaginaries of Liberation Theology were deeply shaped by two events: first, priest and sociologist Camilo Torres joined the National Liberation Amy (ELN) guerilla group in 1966 and was killed in combat the next year. Second, a group of revolutionary priests called Golcanda who argued that capitalism was inherently anti-Christian, were effectively wiped out through assassination, torture, imprisonment, deportation in the early 1970s. Several of its surviving members would join the Marxist Guerilla.

to use strategies of Liberation Theology, including biblical interpretation circles and popular education, and to criticize capitalist models of development as a root cause of human rights violations.

Such ideas would inspire FS staff to begin working with waste pickers in Manizales, a satellite city of Bogotá. In 1986, the city closed a dump where 150 waste picker families had worked and lived (Medina 2007). Local FS staff began organizing workshops and discussions with the displaced waste pickers oriented around self-esteem, collective identity, social capital, and strategies for economic empowerment. At the time, waste pickers were commonly referred to as *basuriegos* (garbage dwellers), or disparagingly as *desechables* (disposables) or *gallinazos* (vultures). Former FS Project Director, Maria Eugenia Querubín, says that the FS worked with waste picker to coin a new term:

> If people can't be garbage, then they can't be called *basuriegos*. So we held some large workshops and meetings in Manizales where waste pickers talked about their lives and said, "what we do is transform garbage." Then one of them, I can't remember who, suggested the term *reciclador* (recycler).[52][53]

As in the case of OAF in São Paulo, FS did not begin with the idea of organizing waste pickers into cooperatives—rather, this was an idea that emerged organically through dialogue and experimentation. FS began providing training, technical advice, moral support, and funding to help the displaced waste pickers form and fortify cooperatives.

Previously, foundations had only supported such initiatives on an ad hoc and small-scale basis. Based on its success in Manizales, however, FS began furiously promoting the creation of cooperatives across the country and linking them to one another, creating the networks and strategies that undergird the Colombian waste picker movement today. In his book, *The World's Scavengers* (2007), Medina writes, "[FS's] support for scavengers was unprecedented in modern times and made Colombia's the world's most active scavenger movement during the 1990s" (p. 157). Indeed, FS played a role in the creation of some 94 waste picker organizations and 40 warehouses for sorting and selling recyclables (Fundación Social 1996). In 1990, FS sponsored Colombia's first national meeting of waste pickers, which convened 27 organizations from 20 cities—laying the groundwork for the creation of the ANR two years later (Fundación Social 1995). By its apex in 1996, FS's annual budget for waste picker programs had grown to US $700,000, and FS helped waste pickers access an

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[52] Interview with Maria Eugenia Querubín August 8, 2011

[53] Paula Cubides, who directs an NGO program that works with waste pickers reflected to me, "One of the waste pickers' great victories is to have achieved self-definition at a time when society simply referred to them them as homeless, drug addicts, thieves... So their first exercise was to recognize themselves as people who did jobs that were not yet grammatically included in our vocabulary. They created a name for themselves that refers to what their labor produces, rather than the conditions under which they produce it and live. Because otherwise, we should be referring to financial traders as "stressers," just because they live in conditions of stress. "

additional US $300,000 in state funding (Aluna 2011, 106). That year, however, FS announced a plan to phase out waste picker programming over the next two years due to internal financial problems. But the movement that it had helped construct would endure and evolve.

The withdrawal of FS funding and the ARB's political turn

Though FS created organizations and networks that would engage in large-scale political struggle, such struggle did not take shape until after FS's withdrawal in 1996. During the early 1990s, ARB leaders focused their energies on cooperative development and social service provision. The downtown headquarters was used as a food kitchen and attention center, where members could receive free food, education, health, recreation, and child-care services. After FS's withdrawal, however, ARB leaders dramatically altered the organization's programming, shifting its focus to policy change, while continuing to develop revenue-generating projects. Torres explains:

> We realized that delivering a few lunches does not solve structural problems. It may calm today's hunger, but only by becoming a more politically active organization, more like a labor union . . . more class based, could we fight to win the structural changes that we needed.[54]

Shifts in both the ARB's external environment and internal composition helped incite the ARB's political turn. Though FS worked with grantees on strategies to diversify revenue streams, many cooperatives became financially insolvent after it withdrew support. ARB leaders, alternatively, kept the organization afloat by suspending social services, renting out the lower floor of its headquarters, and arranging fee-for-service agreements for garbage collection from markets and businesses. The leaders worked for two years without salary, recycling by night to sustain themselves.[55] An unintended consequence of this austerity appears to have been the development of a more politically militant, if smaller, membership. Many ARB members left during this period due to the reduction in short-term incentives for participation. According to founding ARB member, Ana Selina Arias, "Those who left had a more individualistic mentality; they only sought personal benefits. Those who stayed were more committed to the struggle of all waste pickers and more willing to attend meetings, to participate in trainings, to study laws, to protest."[56]

After FSs withdrawal, ARB leaders began strategically recruiting supporters who could boost the organization's political capacity by building legal strategies, discursive frames, and spaces for local, national, and transnational organizing. The most pivotal ally in this regard was a small group of well connected lawyers, who began providing pro bono services to the ARB in 2002. Among the first generation of Colombian

[54] Interview Miguel Torres, July 14, 2011

[55] Interview with Olivia Maza, July 24, 2012

[56] Interview with Ana Selina Arias July 5, 2012

attorneys to be trained under the Constitution of 1991, these lawyers used innovative arguments to win six historic victories in the Constitutional Court that affirmed and reaffirmed waste pickers' right to inclusion in formal waste management.[57]

In a second key development, the ARB and other Colombian waste picker organizations began to procure support from abroad. Backing from a cadre of high profile international NGOs, foundations, corporations, and development funds helped waste picker organizations boost their budgets and perceived legitimacy.[58] ARB leaders argue that these prestigious backers served as a "protective parasol" that helped to shield them from paramilitary repression.[59] Also, international supporters facilitated the creation of transnational waste picker networks, which served as platforms for leadership development, information exchange, solidarity protests, and diffusion of movement frames.

Third, ARB leaders forged alliances with a host of national and transnational environmental justice NGOs (e.g., ENDA, GAIA, CEMPRE, the Zero Waste Alliance) to demand policies that protect both waste picker livelihoods and the environment. Together, they have lobbied municipal officials for zero waste policies and sent waste picker delegations to five global climate summits to advocate for resource recovery programs as an alternative to waste disposal technologies. David Ciplet (2014) found that, though the transnational delegations have had limited policy success, they have generated "unprecedented" media attention for waste pickers, increasing their legitimacy in the eyes of domestic and transnational funders (p. 88).[60]

2.2.3 Democratic Reform in Bogotá

In both Colombia and Brazil democratic reforms created new openings for waste pickers to contest state policy, but the shape and timing of these openings diverged significantly. In Brazil, the key openings would come through expansion of electoral rights, which would pave the way for the election of sympathetic PT state officials, first at the municipal level in the late 1980s and 1990s, and then at the national level in the 2000s. In Colombia, in contrast, electoral reform did not play as transformative of a role. Colombia had already been a nominal democracy for most of the 20th century, but it

[57] Though Bogotá's three mayors from 2003-2011 failed to fully implement the rulings, they took initial steps in this direction. They conducted an initial waste picker census, providing uniforms and technical trainings to waste pickers, granted them access to waste from within government buildings, and built a facility for waste picker cooperatives to collectively sort and sell goods.

[58] Key backers include transnational development banks (e.g., the Interamerican Development Bank, the World Bank), foundations (e.g., Ford and Gates), corporate sponsors (e.g., Natura Cosmetics and PepsiCo), and NGOs (e.g., WIEGO, ENDA, AVINA, GAIA).

[59] Interview with Miguel Torres, July 14, 2011

[60] The ARB's embrace of the increasingly resonant environmental frame is a classic example of "frame extension," that is, the extension of a social movement's "primary framework so as to encompass interests . . . of considerable salience to potential adherents" (Snow et al. 1986:472) While waste picker movements in many parts of the globe have portrayed waste pickers as environmental champions, this framing may be especially important in the Colombian context as an alternative to the more perilous "labor rights" frame.

passed electoral reforms during the 1980s that decentralized power and permitted the direct election of mayors (who were previously appointed by governors). Nonetheless, Colombian waste pickers were not immediately able to capitalize on these reforms as they had few allies in elected office, much less a leftist party such as the PT willing to systematically champion their cause. The transformative reforms for the waste pickers thus would not come through electoral rights, but through human rights policies embodied in the 1991 Constitution, known as "The Constitution of Rights. The new constitution, catalyzed by a student and political movement called "We Can Still Save Colombia," definitively adopted the principles of the Universal Declaration of Human Rights and created new enforcement mechanisms. This would prove critical for the waste pickers in the first decade of the 2000s, when they won seven landmark cases in the Constitutional Court.

During the 1980s and 1990s, however, the Colombian waste pickers remained largely excluded from formal waste management in large cities,[61] with the notable exception from 1994-1996, when mayors solicited the services of the ARB in order to avert a sanitary crisis. In 1994, in the midst of a spate of privatizations of public utilities, Bogotá's mayor Jaime Castro (1992-1994) began to liquidate the state-owned waste enterprise, EDIS. EDIS's workers responded by striking, and to avert a sanitary catastrophe, the administration solicited services from the fledgling ARB, which collected 700 tons of waste daily during the strike.[62] The strike failed and the municipality disbanded EDIS gradually from 1994-96, during which time the ARB and FS jointly took a contract to provide 10 percent of the city's pickup and disposal services. After EDIS was fully dissolved, however, the new mayor, Antanas Mockus (1995-1997), terminated Bogotá's contract with the ARB. To add insult to injury, the city issued three private waste corporations exclusive 8-year contracts over all of waste management, including the right to recyclables collection and processing, in anticipation of a day when the waste corporations would take over the waste pickers' traditional role.

For ARB leaders, this experience proved to be a just one more in a long series of treacheries by state officials. Nonetheless, the experience did not dissuade the ARB's ambitions to win inclusion in formal waste management. To the contrary, it demonstrated the urgency of winning a place in formal waste management in order to avoid being supplanted by formal companies. As ARB-cofounder and president, Olivia

[61] In the early 1990s, FS negotiated on behalf of waste pickers with the city officials of small municipalities such as La Plata and Chiquinquira for waste pickers to provide official services. Making such arrangements in small municipalities logistically much simpler to coordinate than in large cities. (Ruiz-Restrepo and Barnes 2010:101).
[62] Adriana Ruiz-Restrepo and Shailly Barnes (2010), lawyers who have advocated for the ARB, claim that this decision was made with the "acquiescence" of the municipal workers union. Samson (2009a:80) argues, however, that this case fits into a troubling international trend of cities pitting waste picker organizations against municipal worker unions. I was not able to track down any members of the original EDIS union to corroborate Ruiz-Restrepo and Barnes account.

Maza said, "That experience was the basis for our struggle today. We learned that we *could be*, that we *knew how to be*, and that *we must be* included in formal waste management."[63]

Conclusion

In this chapter, I analyzed factors that spurred the emergence of the Brazilian and Colombian waste picker movements from the mid-1980s to the mid-1990s. Three global forces generated threats, opportunities, and resources that energized waste picker organizing. First, rapid and uneven processes of urbanization boosted the number of waste pickers on the street by increasing the production of municipal waste, raising the demand for recyclables by industry, and multiplying the supply of under-employed urban dwellers willing to salvage recyclables from waste. Second, the expansion of the global socioenvironmental rights field created new potential sources of technical, financial, and symbolic backing for waste picker organizing. In this early period, waste pickers' key allies were Catholic NGOs, but in coming years, support would be mobilized from non-profits, corporations, and state agencies working on a gamut of issues such as environmental justice, women's rights, children's rights, economic development, and the solidarity economy. Third, processes of democratic deepening in both countries created powerful, yet distinct openings for waste pickers to challenge state policy and demand integration into formal waste management. This process would not take full swing on the national level until the 2000s, but began to manifest itself on the local level in São Paulo and Bogotá in the early 1990s.

Although this chapter focuses on how global shifts led to convergences in the timing and form of the Brazilian and Colombian waste picker movements' origins, it also highlights differences between the way that these global forces would play out in the movements' distinct national fields—differences that would become consequential over time. First, state sanctioned violence played a more salient role in structuring the Colombian urbanization process. The *historical memory* of bloody dispossessions from land, dumps, and streets would leave Colombian waste pickers with a deep distrust of state officials, eventually leading them to advocate for policies that prioritized autonomy from the state, whereas their Brazilian counterparts called for heavy handed state interventions. Second, Catholic NGOs that worked with Brazilian waste pickers tended to frame their work in the language of class struggle, whereas their Colombian counterparts emphasized human rights—discourses which reflected the *political cultures* within which each movement was embedded. These discursive differences would influence the way that the movements thought about tactics and strategy, as well as more fundamental questions of "who are we?" and "what do we want?" Third, the

[63] Interview with Olivia Maza, July 24, 2012

Colombian and Brazilian waste pickers first experiences in official service delivery would produce different lessons about the nature of state officials. The Brazilian waste pickers would come to see leftist political officials as potentially valuable, if unreliable allies, and the ascension of the workers party as representing a *political opening* to influence state policy. The Colombian experience, in contrast, served as evidence of the treachery and corruption of elected officials, which would eventually lead the Colombians to attempt to influence state policy through another channel: human rights lawsuits.

What can the emergence of the Brazilian and Colombian waste picker movements teach us more broadly about the unexpected global boom in informal worker organizing in the late 20th century? Generalizing from just two case studies is hazardous, and the Colombian and Brazilian waste pickers have admittedly made exceptional gains relative to most of their international counterparts. Nonetheless, though much of the specific configuration of threats and opportunities that stimulated their movements are specific to their industrial and political contexts, many of the processes behind it had their genesis at the global level. It is not unreasonable to conjecture that given a local political context of democratic consolidation and a local social context in which civil society organizations provide support, grievances created by uneven urbanization are likely to provoke increased informal worker organizing efforts. Systematic cross-national and cross-industrial analyses of informal worker movements are needed to corroborate this hypothesis.

This hypothesis raises a second question, however: 'if the forces leading waste pickers to organize had their origins at the global level, then why did waste pickers begin organizing earlier and build larger movements in Brazil and Colombia than in other countries in the region?' I am unable to answer this question with a high degree of certainty, as I did not study waste picker movements in other parts of Latin America. Nonetheless, it is not entirely surprising that waste picker movements would emerge first in these two countries based on questions of demographics alone. Brazil and Colombia are respectively the largest and third largest countries in Latin America. A comparable movement has not formed in Mexico, the second largest, due to the structure of waste management (waste is not left on the street) and the influence of mafias within the waste management industry there. Another exceptional factor about the first two countries was the nature of political threats and opportunities. In Brazil the *political opportunities* created by the ascendance of leftist parties and social movements helped stimulate waste pickers to organize, whereas in Colombia, *political threats* in created by violent attempts at dispossession provoked waste pickers and their allies to action. The fact that global forces in the late 20th century generated both threats and opportunities that energized waste picker organizing in disparate national political contexts, challenges discourses that imagine neoliberal globalization and the resultant erosion of labor's power as an inevitable and monolithic process.

Chapter 3. Divergent Paths to Political Empowerment (2001-2011)

"We know that we live in a society that is divided into classes: rich and poor, oppressors and oppressed, those who give orders and those who obey. Our people are part of the oppressed classes, we are one sector among them. Nonetheless, there are many other sectors that are also oppressed by the capitalist system such as the landless, the homeless, Indians, Blacks and Kilomboloas,[64] salaried employees, etc. It is important to understand this because we cannot win our fight alone. True victory can only occur with a profound transformation of society—that is, one in which there is no rich and poor, no oppressed and oppressors, but only liberty and equality. To construct this new society, we must construct a movement based on solidarity among all of the sectors of the oppressed classes."
-Excerpt from the Brazilian National Waste Picker Movement (MNCR)'s Declaration of Principles and Objectives, Article 4 (2008)

"Cali's municipal government had closed the landfill and evicted the 1,200 waste pickers who worked and live there, while the national congress passed a law banning the extraction and transportation of recyclables from waste on the street, without providing alternatives to ensure the waste pickers' survival. Having exhausted other forms of legal defense, we requested a special measure of inclusion and affirmative action for the poverty-trapped, vulnerable waste pickers. We argued that the market niche of recycling services should be reserved for traditional waste pickers in order to ensure their survival and economic empowerment. In effect, we requested a constitutional recognition of waste pickers' traditional customary right to survive from waste, similar to aboriginal tribes' traditional customary right to survive from the forest."
-Excerpt describing Colombian Constitutional Court Case T-291 of 2008 by a lawyer who represented the National Waste Picker Association (ANR) (CIVISOL, unpublished)

These two epigraphs reflect divergences in the ways that the Brazilian and Colombian waste picker movements would come to conceive of their struggles during the first decade of the 2000s. The Brazilian movement embraced a discourse of class struggle, classifying waste pickers primarily based on their class position, as subordinated workers who faced exploitation at the hands of capital. This discourse emphasized the *commonalities* between waste pickers and other sectors of the oppressed classes, and the urgency for solidarity among them. The Colombian movement, in

[64] Communities of the descendants of Afro-Brazilian slaves who live on *Quilombos*, or hinterland communities primarily founded by runaway slaves.

contrast, embraced a discourse of human rights, framing the waste pickers as a bounded group that faced dispossession from an ancestral territory, akin to indigenous populations. The movement attempted to legally classify waste pickers as a protected population, which required emphasizing *differences* between waste pickers and other members of the working class, both in terms of the discrimination that they faced and the environmental contributions that they made.

Why did the Colombian and Brazilian movements begin to diverge in the way that they described their constituency and goals during the 2000s? Puzzlingly, this divergence occurred at precisely the time when the two movements began to intensely collaborate in transnational organizing campaigns and to receive support from many of the same global NGOs, development funds, and multinational corporations. Despite becoming increasingly linked, however, the movements' discourses would differ as they became integrated into the state within divergent national political fields (Paschel 2016), demonstrating the power of national fields to shape and refract classifications.

I argue that two related factors pushed the Brazilian movement towards a discourse of class struggle, and the Colombian movement towards one of human rights. The first, as discussed in Chapter 2, was *divergent national political cultures*, or the sanctioned and legitimized forms of political discourse (Ray 1999). The Brazilian movement was born in the midst of an effervescence of class-based social movement organizing in the 1980s, in which anti-capitalist discourses proliferated. In the Colombian context, in contrast, such discourse was violently repressed, leading many Colombian social movements to articulate their demands in the relatively safer language of human rights. Notably, although the Brazilian and Colombian movements both emerged in the 1980s, their discourses would not begin to diverge markedly until the 2000s.

This was due to a second factor, which is the focus of this chapter: the emergence of *divergent openings for influencing state policy.* As the leftist Worker's Party (PT) rose to national power in Brazil, it began to implement participatory democratic platforms and other policies designed to increase the voice of ordinary citizens—particularly those who were organized into social movements. The waste picker movement and allied NGOs exploited this opportunity through what I term the "political participation strategy," which involved convening large groups of stakeholders to design policy propositions and to mobilize for their implementation. By casting themselves as a vanguard in a broad movement of excluded workers, the Brazilian waste picker movement increased its symbolic import to PT officials and other potential allies.

This strategy led the movement and its allies to classify 'waste pickers' as a class category. Beginning in the 2000s, both in Brazilian legal definitions and in movement discourse, the term '*catador'* (waste picker) would be applied to any person working in a cooperative, regardless of their history in the sector. Indeed, movement leaders saw the creation of new jobs for '*desempregados*'—unemployed people who never worked

previously as waste pickers—as a central mission of their organization. As a result, the National Solid Waste Law of 2010 required that all cities implement comprehensive recycling services and contract waste picker cooperatives to provide them, but defined cooperative members as "any low income person," regardless of their history in the sector. Many other waste picker rights laws at the national, state, and municipal levels used similar language.

In Colombia, in contrast, the waste picker movement had few allies in elected office, but found a powerful ally in the Constitutional Court, which was charged with upholding the integrity and supremacy of the Constitution. It would advance its interests through what I term the "human rights strategy," with the central goal of winning legal recognition as a protected group, and using lawsuits to pressure municipal (and eventually national) administrations to implement waste picker rights policies. The Colombian movement argued that waste pickers were entitled to special rights due both to the threat of dispossession and to their historic service as environmental stewards.

Both in court rulings and movement discourse, Colombian waste pickers would come to be classified as a group akin to an ethnic minority or caste, bound together by a common identity, history, knowledge base, terrain, practices, and—most importantly—experience of discrimination. Thus, the term *'reciclador'* (waste picker), and ensuing state rights and benefits, could only be applied to people who had worked for a considerable period of time collecting recyclables from dumps and streets. Whereas the Brazilian movement embraced *desempregados,* the Colomban movement termed such people *recicladores falsos* (false waste pickers)—that is, opportunists who never previously worked collecting recyclables, but sought to benefit from rights won by the waste picker movement. Colombian lawmakers and state officials went to great lengths to guard against *recicladores falsos*. For example, in 2011, Colombia's Constitutional Court nullified a billion dollar waste management tender in Bogotá due in part to the fact that it risked allowing the entry of *recicladores falsos*.

Table 3. Distinctions in Movement Classifications

	Colombia	Brazil
Cooperative members who previously worked collecting recyclables informally	historic waste pickers *(Recicladores de oficio)*	historic waste pickers *(catadores históricos)*
Cooperative members who did not previously work collecting recyclables informally	false waste pickers *(Recicladores falsos)*	unemployed *(Desempregados)*

3.1 Brazil: The Political Participation Strategy

The Brazilian waste picker movement and its allies would advance their political agenda through a strategy that I term "political participation." This strategy requires building broad coalitions of actors from the state, private sector, and—most importantly---organized civil society, first to design policy proposals and then to build pressure for their implementation. In Brazil, it first gained traction at the municipal level during the 1990s, then percolated up to the state and national level as the PT began to dominate national politics in the 2000s. Federal support was then used to spread and develop inclusive recycling programs at the municipal and state levels. Inclusive recycling programs were initially pioneered by PT administrations, and subsequently continued to receive the deepest support from the PT and other leftist parties. Nonetheless, over time, they also gained broad public acceptance from across the political spectrum, and in many cases were advanced or at least tolerated by centrist and rightwing parties.

There were three key elements to the political participation strategy. The first was the symbolic reclassification of waste pickers from indigents and criminals[65] to environmental workers, an identity around which both waste pickers and allies could be mobilized. To this end, the Brazilian waste picker movement developed colorful repertoires of symbolic actions including waste picker Carnival processions in which participants donned outfits made out of recyclables, handicrafts made out of waste, waste picker-themed restaurants and night clubs, graffiti art projects that painted waste picker carts with colorful cartoons and political messages, collaborations with fine artists, waste picker theater groups, and a plethora of movies, songs, plays, and books about waste picking (Carr 2018). In Brazil, waste picker cooperatives perform the professional identity by providing official recycling and educational services at high profile events such as the Rio Carnival, the World Cup, and the Olympics, as well as an array of conferences, public debates, festivals, and concerts. This reclassification both facilitates and is facilitated by affiliations with prestigious institutions such as universities, social movements, foundations, NGOs, government agencies, corporations, and transnational governance bodies.

[65] The most common name for waste pickers is "catadores de lixo" (waste picker), but the MNCR considers this term derogatory, and favors "catador de materiais recicláveis" (recyclables picker) instead. Historically waste pickers were referred to by the pejorative names "badameiro" (social blunders) and "urubus" (vultures), and also called a series of other insults such as "vagabundo" (bum), "indigente" (indigent), and "cheiroso" (smelly).

Photo 1. Waste Picker Theater Group in Downtown Belo Horizonte (photo: Sonia Dias)

Notably, the Brazilian waste picker movement has placed relatively more emphasis on art and culture than has the Colombian movement. This discrepancy, in part, reflects a difference in national social movement cultures, as Brazilian social movements have an exceptionally strong tradition of collaborating with musical, theatrical, and visual artists. It also reflects the fact that the Brazilian movement has received a higher degree of financial support, particularly from the state, generating more resources to dedicate to artistic endeavors. Yet the Brazilian movement's deep embrace of cultural repertoires is not merely a circumstantial happenstance or extemporization. Rather, it is a cultivated and calculated tactic of the political participation strategy, which hinges on winning the support of thousands of elected officials and, in turn, their voter base and influential political actors. [66]

By publically projecting itself as a vanguard of a broad movement of excluded workers, the Brazilian waste picker movement increased its symbolic importance to the PT and allied unions and movements. This choice of classification would also have important ramifications for the types of politics and policies produced through the movement. The Brazilian movement and its allies casted waste pickers as subordinated workers, whose principle threat was hyper-exploitation at the hands of intermediaries and capital. In response, movement leaders proposed a state-led, socialist restructuring of the waste picking industry, which promoted state ownership and worker control of the means of production. This project ultimately sought to eradicate intermediary buyers, and to hold industry accountable both for paying waste pickers just prices for

[66] The Colombian strategy of human rights, in contrast, relies principally on winning the support of human rights judges, who may be influenced by public opinion, but do not rely on it as deeply to advance their careers and political projects.

their services, and for reintroducing the waste that it produced into the production chain.

A second key element of the political participation strategy is building coalitions of representatives from the state, private sector, and civil society to construct policy proposals and to pressure elected officials to implement them. In the late 1990s and the early 2000s, the most central coordinating institution for this strategy was the Waste and Citizenship Forum—as I describe below. The Forum convened representatives from the state, private sector, waste picker organizations, NGOs, and other civil society groups at the municipal, state, and national levels. (Dias 2009) Given the magnitude and complexity of the issues involved in waste management, organizers sought to bring together a diverse array of stakeholders, in order to solicit their input, win their buy in, and increase the forums' public legitimacy. Once demands were created, forum participants pressured elected officials to implement their proposals through a broad array of tactics including strategic advocacy, symbolic protests, media engagement, research publications, and public speaking events. According to Beth Grimberg, a key organize of São Paulo's forum, it served "a double function: on the one hand, it collectively elaborated proposals… on the other, it was a political instrument to pressure the government." (Grimberg 2007, 25)

Importantly, the political participation strategy is a related, but analytically distinct concept from "participatory democracy." Although definitions are contested, participatory democracy is generally understood as a form of governance that seeks to deepen and radicalize democracy by devolving decision-making power from state officials directly to their constituents. During the 1980s in Brazil, many of the social movements, labor unions, intellectuals, and political parties (particularly the PT) that resisted the dictatorship, also pushed to expand citizen participation. As a result, the principle of citizen participation in the exercise of power was consecrated in the first article of the Constitution of 1988. In 1989, the city of Porto Alegre began its celebrated experiments in participatory budgeting, which would be emulated in hundreds of cities across Brazil, and thousands across the world (Baiocchi 2005). By the 2000s, the PT helped champion many other institutions of participatory democracy on the local, state, and national levels including policy councils, policy conferences, and policy monitoring institutions.

The political participation strategy for advancing waste picker rights policy drew from and advocated for institutions, discourses, and practices of participatory democracy, but did not rely on them exclusively. For example, in 2001 in São Paulo, Forum activists pushed forward a proposal for an official recycling route through a participatory budgeting process—an archetypical institution of participatory democracy. Nonetheless, the Waste and Citizenship Forum, was not such an institution itself. Although The Forum brought together a broad range of actors from the three sectors, it was convened by NGOs, rather than by state officials, and held no binding,

political decision-making power. Notably, in its Platform Document, São Paulo's Waste and Citizenship Forum () proposed the creation of an actual participatory democratic platform:

> To incorporate the participation of waste pickers in waste management it is necessary to create a participatory body to co-administer solid waste: the Waste and Citizenship Board.[67]

Municipal officials never took up this proposition, however.

Importantly, in 2000, São Paulo also saw the creation of a municipal waste picker network and two other forums that promoted inclusive recycling policy. The fact that all four of these institutions were created in the same year, independently of one another, is a testament both to the growing popularity of the cause of inclusive recycling and to the deepening belief in the possibility and necessity of organized civil society to effect policy change. The waste picker network was called the Metropolitan Committee of Waste Pickers, which was spearheaded by Coopamare, and linked waste picker organizations across the city. About 70 waste picker organizations were active in the city at the time, although most of them were only *"nuclei"*-- small and informal groups of street waste pickers with little infrastructure, support, or recognition (Grimberg 2007, 33). The next year, the Committee would serve as both a founder and regional representative of the MNCR. Representatives from the Metropolitan Committee would participate actively in the Waste and Citizenship Forum.

The two other forums were Recycle São Paulo, which convened actors who bought and sold recyclables including waste picker cooperatives and the *Zona Leste* (East Zone) Development Forum, which brought together state agencies, NGOs, universities, associations and cooperatives to promote sustainable development. There was enough overlap between the membership, missions and campaigns of the four bodies that people sometimes simply referred to them as "the forums." In this text, I focus on the Waste and Citizenship Forum because it played the most central role in coordinating amongst the three and in promoting inclusive recycling policy at the municipal level. I use "Forum" as shorthand for the assembly of 85 NGOs, waste picker organizations, state agencies, and business associations that participated in the São Paulo Waste and Citizenship Forum, and "Forum organizers" as shorthand for the smaller group of mainly NGO staff and waste picker leaders who convoked the Forum.

3.1.1 The Waste and Citizenship Forum

The National Waste and Citizenship Forum was launched in 1998 under the directorship of UNICEF in order to address social and environmental issues in waste management. That year, a UNICEF study had estimated that 45,000 children in Brazil worked in waste picking, 30% of whom had no schooling. (citation) The Forum was

[67] From the "São Paulo Waste and Citizenship Platform" of 2000, as cited in Grimberg 2007, 123.

created with the charter to eradicate child labor in open dumps and, eventually, to eradicate open dumps altogether and to replace them with sanitary landfills.[68] Additionally, the Forum sought to challenge traditional approaches to waste management, which treated waste as a purely technical issue, to be dealt with exclusively by engineers and state administrators. The Forum, in contrast, sought to advance understandings of waste also as a social, environmental, and cultural issue, which could not be addressed without dialogue, debate, and collaboration among many agencies and levels of government, as well as among sectors outside the state.

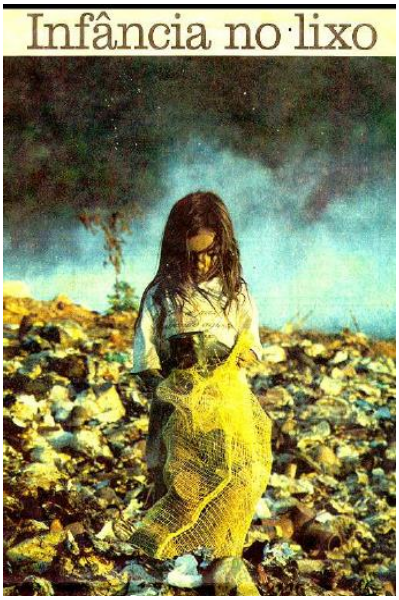

Photo 3. "Childhood in the Garbage"—a pamphlet created by UNICEF as part of its 1999 "No More Children in Waste" campaign. (From Dias 2006, 2)

By its peak in the early 2000s, the National Forum would integrate 56 major institutions, including state agencies, waste picker organizations, NGOs, and business associations. Additionally, this period saw the creation of 23 state-level and some 100 municipal level Waste and Citizenship forums (Dias 2006, 5).[69] These localized forums were autonomous from the National Forum, but shared a common mission of using participatory democratic practices to promote waste picker inclusion and sustainable

[68] UNICEF started working on these issues in Brazil in 1992, after a tragic incident in the Northeastern city of Olinda caused a national scandal. Several dumpsite waste pickers, including children, became extremely ill after consuming hospital waste that was suspected to contain human flesh. That year, UNICEF began supporting initiatives to prevent child labor in waste picking in five municipalities in the North and Northeast of Brazil, and soon thereafter would launch a national campaign.

[69] As of the time of this writing in 2018, the Belo Horizonte Forum, for example, continued to meet regularly. The São Paulo municipal forum is no longer active, but a new initiative, the "Zero Waste Alliance," which is also convened by Polis, plays a somewhat similar role.

waste management processes. According to Sonia Dias (2006, 5), a key organizer and scholar of the Belo Horizonte forum, organizers saw the creation of such forums as necessary due to "the country´s size, and its regional, cultural and physical peculiarities," as well as to the fact that much of waste management policy was constructed at the state and (especially) municipal levels. Also, by creating opportunities for engagement at the municipal level, the forums sought to expand the opportunity for ordinary people, including waste pickers, to participate in policy construction.

Dias and Galma Aves (2008, 19) highlight some of the combined accomplishments of the Waste and Citizenship Forums during the late 1990s and early 2000s, including:

- An estimated 46,000 children stopped working in dumps. This achievement was facilitated in part by the targeted extension of the "school grant" (bolsa escola) program to waste picker families, who were offered financial aid if children were enrolled in school.
- "Waste pickers" (catador de material reciclável) was included as a profession in the Brazilian Occupation Classification for the first time in 2001, defined as "someone who might collect recyclables in streets or at disposal sites, work as a waste sorter and/or other related activities either in cooperatives or junk shops." This recognition meant that waste pickers could be tracked in government databases, facilitating research studies as well as social service provision. (Dias 2011, 4)
- Coordination was strengthened among and between federal and municipal agencies to finance inclusive recycling programs. Also, the Ministry of Environment opened a US $2.6 million line of funding for waste picker cooperatives in 2003. In the years following, the federal government would invest hundreds of millions of dollars in waste picker cooperatives.
- The Ministry of Environment would make compliance with the social criteria proposed by the National Forum a precondition for municipalities to receive funding for solid waste management.
- The Ministry of Cities, in collaboration with many leading federal universities, created a national waste management training program with an emphasis on waste picker inclusion for waste picker leaders, municipal officials, and NGO staff.
- The National Public Prosecutor's office was enlisted to pressure mayors to implement inclusive recycling policy.
- The Federal Government launched public awareness campaigns about the importance of recycling and waste pickers' contributions, featuring famous artists.

One of the most important legacies of the National Forum was its role in facilitating the creation of two pivotal institutions for waste picker rights: The National

Movement of Waste Pickers (MNCR) and the Inter-ministerial Committee for Waste Picker Inclusion (CIISC).[70] The Forum fostered coordination, support, and visibility for the waste picker organizations that would found the MNCR.[71] Discussions held at the forum would also help inspire the creation of the CIISC in 2003, which was charged with improving the socioeconomic conditions and political voice of waste pickers. Soon after, the MNCR and the Inter-ministerial Committee would take over much of the National Forum's role as the convener of cross-sector dialogue, and the National Forum would be dissolved. Many of the State and Municipal Forums outlived the national forum, however, and some continue to function to the present.

3.1.2 The Creation of São Paulo's Municipal Waste and Citizenship Forum

In the sections that follow, I analyze one particular instance of the Municipal Waste and Citizenship Forum—that of São Paulo during the mayoral administration of Marta Suplicy (2001-2003). This was neither the first, the most enduring, nor the most harmonious Municipal Forum in Brazil. Suplicy only implemented a fraction of the Forum's proposals, and, much to the consternation of Forum organizers, she issued 20-year contracts for the rights to recycling collection to waste corporations. Nonetheless, the Forum's proposals that she did implement, such as the creation of 15 recycling centers where waste picker cooperatives work, represented the most transformative inclusive recycling policies in São Paulo's history. This would transform the paradigm for waste management in Brazil's largest city, and serve as a model around Brazil.

In 2000, UNICEF enlisted the support of a São Paulo-based think/action tank called Pólis to create a municipal Waste and Citizenship Forum. UNICEF nominated Pólis because it had worked to democratize public administration and to promote socially inclusive public policy since its founding in 1987. In 1999, POLIS had helped organize a Municipal Waste and Citizenship forum in the neighboring city of São Bernardo do Campo, then home to one of the largest dumps in Latin America. Over the next two years, the city would shut down the dump, and create new jobs for the dumpsite waste pickers in recycling cooperatives. Inspired by this success, POLIS set its eyes on an even more ambitious goal: formalizing the estimated 20,000 waste pickers who worked on the streets of the largest city in the Americas. As Pólis's Waste Management Coordinator, Beth Grimberg (2007, 23) later wrote,

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[70] The composition of the CIISC: Ministry of Cities, Ministry of the Social Development, Special Secretariat for Human Rights, Ministry of Science and Technology, Ministry of Development, Industry and Foreign Trade, Ministry of Education, Ministry of Environment, Ministry of Work and Employment, Ministry of Health, Presidential Staff Office, National Economic and Social Development Bank, Social Bank – and The National Waste Pickers' Movement (MNCR). (Dias and Galma Aves 2008, 23)

[71] As described in Chapter 2, the creation of the MNCR was proposed at the First National Meeting of Waste Pickers, held in Belo Horizonte in 1999, and was consecrated two years later at the First National Congress of Waste Pickers in Brasilia.

> Our experience in São Bernardo do Campo was the basis of POLIS's decision to create a network that could also transform conceptions of waste management in São Paulo. The new challenge was to collectively pressure the city to create public policies that would integrate the thousands of street waste pickers… who had never before had support or recognition from the government and society for their [environmental] contributions."

Notably, this quote demonstrates that the original intention of the Forum was to comprehensively integrate street waste pickers into formal waste management.

In April 2000, POLIS convened an initial planning workshop with representatives from nine relevant institutions, including waste picker organizations, NGOs, state officials, municipal worker unions, and business associations.[72] Participants at this meeting designed a much larger, two-day Waste and Citizenship Summit to be held in June, which would convene representatives from over 60 institutions (Grimberg 2007, 29). The format of the Summit, and all future Waste and Citizenship meetings, would be structured around "the methodology of moderation, which promoted the collective construction of proposals, the esteeming of everyone's voice without hierarchy, and the registering of consensus and dissensus." (Grimberg 2007, 29) At the Summit, participants formed working groups to elaborate proposals relating to four challenges: integrating waste pickers into formal waste management, eradicating child labor in urban waste picking, reducing waste generation, and separating hazardous waste. Among the proposals related to waste picker integration was the creation of a census and registry of waste pickers, resources for organizing waste pickers and training them to work in cooperatives, ceding of buildings and infrastructure for cooperatives to sort materials, and the creation of legal recognition for waste pickers and their cooperatives. The proposals were later summarized in a four-page Platform Document, which was distributed to hundreds of relevant stakeholders.

Over the next year, the Forum convened many strategic planning meetings in order to elaborate and concretize the Platform Document, culminating in a series of "guidelines both for municipal and national level legislations that integrated the

[72]This group included representatives from Coopamare, Organização de Auxilio Fraterno (OAF), Greenpeace, Cempre (an alliance of multinational businesses that promoted recycling), municipal officials from São Bernardo do Campo, former officials from Erundinha's administration in Sao Paulo. Soon, the Forum would nominate a steering committee that consisted of NGOs (Pólis, OAF, Water and Life, Greenpeace), government agencies (Ministry of Public Works, Public Sanitation Company, The State Council for the Defense of Children), and industrial associations (Plastivida, Agua e Vida), and the United Nations program (UNICEF).

objectives of the National Waste and Citizenship Forum." (Grimberg 2007, 36) The proposed model for São Paulo sought to teach residents to separate recyclables, which would be collected by public recycling routes, and processed in recycling plants—and to comprehensively integrate the city's waste pickers into all of these services:

> The model proposed by the forum… endorsed the creation of a system of recyclables collection, sorting, and sales that integrated the estimated 20,000 waste pickers that acted in the city's streets… (ibid.)

The plan centered on three levels of waste picker engagement. At the base level, city officials and organized waste pickers would conduct outreach to independent waste pickers ("*catadores avulsos*"), the most vulnerable group among waste pickers. According to Grimberg (2007, 14)

> The work of independent waste pickers is conducted under very precarious and undignified conditions. It was common to find whole families of waste pickers—including children—separating materials below bridges and viaducts, in plazas and in vacant lots. Their materials are generally sold to intermediaries… at extremely low prices.

Notably, many independent waste pickers were not prepared for the exigencies of working in the recycling centers, which required following rigid schedules and rules, as well as abiding by principles of cooperative labor. Thus, as illustrated in Figure 1, rather than integrating waste pickers directly from the street into cooperatives, they would in many cases pass through a second level: nuclei ("*nucleos*").

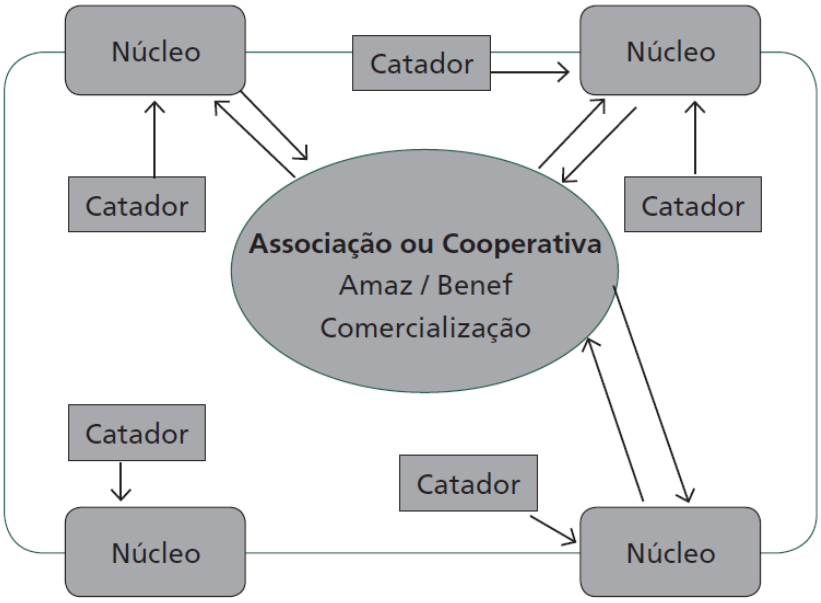

Figure 1. Waste Picker Integration Model. *A diagram produced by the Forum. Waste pickers (catadores) become integrated into nucleus (núcleo) which interacts with a formal Association or Cooperative (associação ou cooperative), which stores, processes and sells recyclable materials (Grimberg 2007, 37)*

The nuclei were informal groups, which typically consisted of three to ten independent waste pickers who had banded together to work collectively, share equipment and workspaces, and keep one another company. This was an organic, spontaneous form of waste picker organizing. Traditionally, the nuclei had worked in a similar manner to independent waste pickers: informally, on the street, with no type of state or NGO support.[73] The Forum, however, proposed that the city offer the nuclei trainings, equipment, spaces to sort recyclables, social services, and the opportunity for their members to join formal recycling cooperatives. In exchange, the city would require the informal groups to help recruit one new independent waste picker for every waste picker: the nuclei would have to commit to integrate a certain number of independent waste pickers—the number of independent waste pickers to be absorbed, in principle, would correspond to the number that were transferred to the sorting centers. (Grimberg 2007, 72) In this way, the nuclei would serve as feeder system for the cooperatives, recruiting waste pickers off of the street, training and socializing them, then directing them on to work in the recycling centers.

3.1.3 Mayoral Administration of Marta Suplicy (PT, 2000-2003)

The timing of the launch of São Paulo's Waste and Citizenship Forum was politically fortuitous for two reasons. First, 2000 was a municipal election year, creating an opportunity to win commitments from campaigning candidates. On August 30, the Forum would host a special event with 16 candidates for city council and eight mayoral candidates—including the eventual winner, Marta Suplicy. The event received coverage from major TV, radio, and newspaper outlets, increasing the Forum's public profile and the pressure on candidates to uphold their pledges if elected. All 24 participating candidates signed "pledges of intention" to implement the Waste and Citizenship Forum's proposals, which were outlined in a four-page platform document. Over the next three years, Forum activists would attempt to hold Mayor Suplicy accountable for her signed pledge by prominently displaying it, sometimes next to waste picker artwork displays, at events that she attended.

The second reason that the timing was fortuitous was that Suplicy was a member of the leftist Worker's Party (PT),[74] the Brazilian waste picker movement's most important

[73] Interview with Fabio Luis Cardoso, July 3, 2017

political ally. São Paulo's only previous PT mayor, Luiza Erundina (1989-1992) had created Brazil's first inclusive recycling policies—providing work space, equipment, and legal recognition to the country's first waste picker cooperative, Coopamare, and initiating a small pilot recycling route in two neighborhoods. The two subsequent mayors, Paulo Maluf (1993-96) and Celso Pitta (1997-2000) of the conservative Progressive Party (PPB), however, discontinued the recycling route and attempted to evict Coopamare (Grimberg 2006). Coopamare and its allies staved off these eviction attempts through a combination of contentious protest and political lobbying, but no new inclusive recycling policies were passed in São Paulo. Meanwhile, PT mayoral administrations in cities such as Porto Alegre and Belo Horizonte took up the mantel of inclusive recycling, implementing the world's most ambitious inclusive recycling policies in large cities at the time.

Thus, the election of PT candidate, Marta Suplicy in 2000 was a cause for cautious celebration among organized waste pickers and their allies. The waste picker movement was now positioned to make even greater political gains than it had under Erundina's administration, as it had more members, allies, public legitimacy, and policy precedents to draw from than ever before. The movement's relationship with Suplicy, however, would prove more fraught than it had been with that of her PT predecessor.

Although both Erundina and Suplicy identified as feminists and socialists, their political backgrounds and philosophies differed significantly. Erundina came from a poor Northeastern family and had been a social worker and grassroots political organizer for many years before running for office. While in office, she deepened and expanded her ties to popular movements, and engaged directly and intimately with the insipient waste picker movement and its NGO allies. As I will go on to argue, this produced policies that were smaller in scale, but better attuned to the needs, capacities and logics of street waste pickers. Notably, Erundina represented a radical leftist flank within the PT, which would become increasingly marginalized during the late 1990s and 2000s. In 1997, in the wake of the PT's third consecutive presidential defeat, the PT adopted a more centrist platform in order to increase its cross-class appeal. Erundina left the party in protest that year, soon to be followed by many likeminded colleagues.

Suplicy, in contrast, represented a new, more centrist face of the PT, which sought to marry redistributive social programs with business friendly macro-economic policies. In a post-election *New York Times* profile in 2000, Suplicy described her revamped brand of Marxism as "modern socialism… [that] doesn't seek state control of everything and

[74] The municipal elections of 2000 were a watershed moment for the PT, which won an impressive 187 mayorships, including those of major cities such as Porto Alegre, Belém, Recife, Goiânia, and Aracaju. This was a harbinger of the year ahead, when the PT would win the presidency for the first time.

doesn't see business as the enemy."[75] Suplicy hailed from one of São Paulo's wealthiest families and had little organic connection to social movements. She had previously worked as the anchor of a daily sex advice program on Brazil's most popular TV network, where she advocated for gay rights and feminism.[76]

At a time when PT mayors in cities such as Porto Alegre were gaining global accolades for bold participatory democratic policies, Suplicy's embrace of such initiatives was circumspect. On the one hand, Suplicy oversaw the implementation of São Paulo's first participatory budgeting platform, and integrated some of its propositions into her own agenda such as the construction of day care centers and elementary schools (Wampler 2007). On the other, Suplicy centralized decision-making in her office, delegating little direct power to participatory budgeting initiatives. Wampler (2007, 15) finds several reasons for Suplicy's "lukewarm" embrace of participatory platforms:

> her core set of advisors were not strong advocates of the direct participation of citizens in decision-making venues, she had little practical experience with participatory decision-making processes, and it was her rival's political faction (within the PT) that supported the delegation of authority.

As a result, participatory platforms served primarily as "signaling mechanisms" under Suplicy's administration, through which constituents indicated their needs and preferences. Suplicy's administration would take up some of the proposed policies and ignore others, while using her engagement with the participatory platforms to justify and legitimize her own political agenda. This meant that participants in such platforms, such as the waste picker movement, had to look to external means to pressure Suplicy, and be prepared to compromise on their proposals.

3.1.4 The Creation of São Paulo's First Large Scale Recycling Routes and Sorting Plants

In the first months of her administration, Mayor Suplicy began planning sweeping reforms to waste management, including the creation of an official recycling route.[77] At the start of her administration, the city only officially recycled 0.03% of its waste, thus Suplicy's administration set an initial goal to raise that rate to 1%-- about

[75] Rother, Larry. "Mayor Most Rare: Sexologist and Monied Marxist." *The New York Times.* November 26, 2000. Accessed on May 1, 2018 from https://www.nytimes.com/2000/11/26/world/mayor-most-rare-sexologist-and-monied-marxist.html

[76] Notably, Suplicy would also eventually leave the PT, but under very different circumstances from Erundina. In 2015, Suplicy would join the center-right Brazilian Democratic Movement (PMDB), where she would vigorously support the impeachment of PT President Dilma Rousseff.

[77] Although Erundina's administration had piloted recycling routes in the early 1990s in two neighborhoods, these were discontinued by her predecessors.

120 tons daily.[78] The city began convoking public hearings and meetings to discuss the changes to waste management.

In February of 2001, Suplicy's administration presented a model for a recycling route that was run exclusively by private companies, with no waste picker participation. Forum participants saw this as a betrayal the pledge that she made as a candidate to uphold the Waste and Citizenship Forum's platform and principles. As Grimberg (2007, 32) recalls,

> The discussions were tense, given that the movement defended a social technology, capable of Integrating the waste pickers, while the Secretary of Works presented a model of recycling route that used sophisticated technologies, but did not contemplate the participation of waste pickers… who had worked for decades in the city and country with practically no government support…

The next month, the city called a public assembly to discuss a new waste management tender. There, tensions flared between waste management corporations and Forum participants.[79] On the one side, Forum activists argued that the city should not contract private waste corporations to provide recycling service without clearly delineating what the role of waste picker organizations would be in the new model. On the other, representatives from waste management corporations questioned the efficiency and efficacy of the Forum's proposals for socially inclusive recycling routes and sorting centers. Media accounts would note the "contradictory pressures" faced by the director of the municipal waste management agency, who preceded over the meeting. (Grimberg 2007, 33)

Moreover, positions of officials within Suplicy's administration sometimes contradicted one another, as evidenced at a Seminar on Urban Cleaning in May 2001. On one panel, an official from the Secretary of public works who had participated in the Forum presented a proposal for a system that would deeply integrate waste picker organizations in the collection, sorting, and commercialization of recyclables. The next panelist, from the Secretary of Environment, proceeded to attack the proposition, questioning the viability of working with waste picker organizations (Grimberg 2007, 42).

Due to the contradictory positions of officials within Suplicy's administration, Forum organizers attempted to identify the potentially sympathetic ones and to cultivate relationships with them. One such opportunity came in mid-2001 when a

[78] Notably, in 2004, Polis estimated that São Paulo's waste pickers salvaged over ten fold that number of recyclables, some 1,300 tons daily. (citation) This number is rarely included in official statistics, however, which exclusively focus on the official recycling rate and made invisible the waste pickers' contributions.

[79] Interview with Minoru Kodama, July 9, 2017.

bureaucratic jurisdictional reshuffling led to the appointment of Jorge Hereda, a proponent of participatory democracy, as director of the Ministry of Public Works. Over the next 18-months, the Forum built a deep relationship of trust with Hereda and his team, who participated regularly in the Forum and made innumerous visits to waste picker cooperatives. But the Forum's fortunes would reverse in May 2003, when Hereda was replaced due to another bureaucratic restructuring. Grimberg (2007, 68) recalls:

> We had constructed a relation of trust with the previous team and the alteration caused fear in the Forum about the future of the programs. Moreover, we knew that the government's policy agenda was not following a homogenous line of action. In the interior of the government's organs, there were disputes about political vision, and contradictions in the directing of processes, that interfered with the state's relations to movements and society.

The subsequent director gradually distanced the Ministry of Public Works from the Forum and waste picker cooperatives, and abandoned many of the projects they had been working on together, including providing support to the waste picker nuclei.

The municipal administration's internal inconsistencies were also evident in the legislation that it produced. In August 2002, in what Forum participants saw as a major victory, Mayor Suplicy Decree 42.290. The decree instituted "the Socioenvironmental Waste Picker Cooperative Program" and affirmed "the importance of formalizing the work of waste pickers… and the need for the work of waste picking to be less unhealthy and hazardous..."[80] The decree also called for support for waste picker cooperatives, and the creation of a recycling route and recycling sorting plants run by waste pickers. It promoted principles of participatory democracy, declaring that "the program will be jointly managed by representatives of the Executive, worker cooperatives, labor unions and civil society." Although Decree 42.290 was non-binding and short on details, Forum participants took it as evidence that Mayor Suplicy intended to honor the commitment that she made while campaigning to advance its proposals.

Only two months later, however, Forum participants were blindsided by a new legislative proposal that they feared would undermine their vision for a democratic, socially inclusive, and environmentally sustainable waste management system. The Draft Law 685/02 proposed a radical transformation in waste management tenders, extending the contract period for waste management corporations from four to twenty years. The administration argued that longer contracts would help "ensure the necessary investments in the system, especially in regard to final disposal, treatment

[80] São Paulo Municipal Decree Number 42,290 of August 15, 2002. Accessed on March 11, 2018 at http://www3.prefeitura.sp.gov.br/cadlem/secretarias/negocios_juridicos/cadlem/integra.asp?alt=16082002D%20422900000.

and selective collection" (Jacobi and Besen 2011, 145). Forum participants, in contrast argued that the longer contract period would reduce opportunities for public input and accountability. Moreover, the law lacked strong language on waste recovery and recycling, and made precarious the position of waste picker cooperatives. The law established "permission" for waste picker cooperatives to work in public recycling sorting centers, but stipulated that such permission could be revoked at any time and for any reason, in which case cooperatives would have to vacate the premises within 30 days. Thus while waste management corporations were offered lucrative 20-year contracts, cooperatives would exist in a constant state of insecurity, relying on the goodwill of mayors for survival.

Forum organizers argued that the law represented a deepening of the privatization of waste management and a reduction of the waste corporations' accountability to the public. They felt betrayed by the fact that the law had been developed largely in secret. The only public hearing in which citizens were allowed to weigh in was held on December 27, a time when many of São Paulo's residents travel for vacation. Forum participants attempted to lobby PT city councilors for support, to little avail. A lawyer who worked for Polis wrote a letter protesting the law based, among other factors, on the way that it discriminated against waste pickers and their cooperatives. The law was passed through an expedited process by the city council early on the morning of December 30, a day which according to Grimberg (2007, 54), "marked a new chapter in waste management, which would be complex, polemic, and highly risky for the city."

3.1.5 Outcomes of the New Policies

The preceding sections have told the story of a clash between two visions of waste management that occurred in São Paulo under the administration of Marta Suplicy. The first, favored by waste corporations, treated waste primarily as a sanitary and technical issue, and believed that privatizing waste treatment was the most efficient way to deliver services. The second vision, favored by the Waste and Citizenship Forum, viewed waste management as a political, cultural, environmental, and social issue. By involving a broader array of actors in policy construction, the Forum sought to promote participatory democracy, environmental sustainability, and the social inclusion of waste pickers. The result of this battle would be a complex and fraught compromise.

First, in regards to participatory democracy, the Forum succeeded in massively expanding the breadth and scope of civil society input in waste management, but still fell far short of its original goals . Suplicy's administration engaged with the Forum, but did not devolve meaningful decision-making power to its participants. Moreover, Forum participants saw Law 13.478 as a betrayal both because it was created with little transparency or citizen input, and because it threatened to reduce citizen input in the

future. Shortly afterward, the municipality would hold a tender and award two waste management corporations 20-year concessions for the collection of ordinary waste and recyclables.[81] Second, in regards to environmental sustainability, Suplicy's administration would create the city's first recycling routes, as well as 15 recycling sorting warehouses where waste picker cooperatives would work. Nonetheless, the official recycling rate did not surpass 1% of all waste by the end of her term, and would not surpass 2% in the subsequent decade. Third, in regard to waste picker inclusion, only a relatively small number of positions were created within the cooperatives (approximately 800), and only a relatively small portion of them were occupied by historic waste pickers (approximately 10%)—for reasons I discuss in Chapter 4. Meanwhile, the project of supporting nuclei and organizing street waste pickers was quickly abandoned, and some 20,000 waste pickers continued to work informally on the streets. The waste picker organizations and their civil society allies would increasingly abandon the project of organizing street waste pickers, and focus on creating jobs in recyclables sorting centers for *desempregados*.

As I describe in the next half of this chapter, waste pickers won lawsuits in the Colombian Constitutional Court against the city of Bogotá for failing to sufficiently include waste pickers in waste management tenders in 2003, 2010, and 2011. Had such a powerful human rights court existed in Brazil, São Paulo's waste pickers might have succeeded in blocking the 2001 tender too.

3.2 Colombia: The Human Rights Approach to Political Empowerment

Unlike their Brazilian counterparts, Colombian waste pickers found few allies in elected office. To the contrary, during the 1980s and 1990s, some state officials acted in complicity with the social cleansing death squads who murdered over two thousand waste pickers, homeless people, and prostitutes during that period. Though such efforts failed to remove waste pickers from the street, state officials would soon adopt a more refined tact. During the first decade of the 2000s, municipal and national officials would pass laws that threatened to criminalize the trade of waste picking, and hold bidding processes that would hand over waste pickers' traditional role to private waste companies.

These new legal attacks posed a grave danger, but also an opportunity for the waste picker movement. Beginning in 2002, Colombian waste pickers would advance their political interests through what I term the "human rights strategy." The movement would cast waste pickers as victims of human rights violations due the threat of displacement, akin to an indigenous group facing dispossession from an ancestral

[81] Interview with Minoru Kodama, July 9, 2017.

territory, in order to advance their cause through human rights lawsuits. From 2002-2011, Colombian waste pickers and their pro-bono legal aid would win seven landmark human rights cases in the Constitutional Court (see Table 5 below). These victories defined waste pickers as a protected population and established their rights to remain in their trade, to be remunerated by the state for their labor, and to be integrated into formal waste management.

In what follows, the first section provides context about human rights-oriented social movement strategies in Colombia and Latin America, and the debates that they have provoked. The second section describes Colombian waste pickers failed attempts to gain political empowerment through strategies of "political participation" during the 1990s. I use this account to show how political fields constrain and shape movement strategy, as strategies that were successful in Brazil failed in Colombia because there was no powerful leftist party to champion the waste pickers' cause. The next sections describe seven Constitutional lawsuits that waste pickers used to win political empowerment, which I categorize into three groups. First, the cases of 2003 define Bogotá's waste pickers as subjects of special protection who were entitled to affirmative action because they faced marginalization and discrimination. Second, the 2009 cases in Cali helped to clarify the scope and breadth of waste pickers' rights, and how these rights were to be enacted in policy. Third, the 2010 and 2012 cases in Bogotá distinguished between "real" and "illusory" forms of waste picker rights policy, and levied substantial sanctions against the latter.

Table 4. Seven Landmark Colombian Constitutional Court Rulings (2003-20011)

	Problem	Resolution
Ruling C-741 (2003)	In 2002, the ARB attempted to bid for a contract to provide waste collection services to a portion of Bogota, only to discover that bidding was restricted to stock-owned companies.	The Court ruled that waste picker cooperatives and other solidarity-based organizations could work in all Colombian municipalities, as non-profit enterprises are not inherently less efficient than for-profit enterprises.
Sentence T-724 (2003)	The terms for Bogotá's waste management tender are drawn so narrowly as to exclude waste picker organizations from the competition de facto.	The 2002 bidding process would be allowed to stand, but future bidding processes would not only have to allow the participation of waste picker cooperatives, but create affirmative action clauses to guarantee their inclusion.

Ruling C-355 (2003)	A ban on use of animal-drawn carts in urban areas threatens the livelihoods of thousands of waste pickers.	Required cities to provide owners of animal-drawn carts with appropriate alternative means of transportation, to be determined through negotiations.
Ruling C-793 (2009)	National sanitation law imposed US$500 fine for opening garbage from bags or cans in public or transporting trash in non-motorized vehicles.	Nullified law on grounds that it is prejudicial against waste pickers.
Ruling T-291 (2009)	City of Cali fails to provide compensation and alternative livelihoods for 600 waste pickers evicted from city dump.	Requires emergency assistance for the evicted waste pickers, and that all Colombian municipalities develop processes for formalizing waste pickers and integrating them into waste management.
Order 268 (2010)	Bogotá's bidding process for waste services in the landfill, encompassing 8-years of contracts valued at US $127 million, did not sufficiently include waste pickers.	Orders the city to redo the bidding process, with new criteria that seek to guarantee the authentic participation of waste pickers, including a requirement that at least 3,000 waste pickers be given positions at landfill processing plants.
Orders 183 and 275 (2011)	Bogotá's bidding process for waste management operations, encompassing 8-years of contracts valued at US $1.37 billion, did not sufficiently include waste pickers.	Nullified bidding process and ordered city to redo it, with new criteria for the structural integration and remuneration of waste pickers.

3.2.1 Human Rights in Social Movements

Since the 1980s, social movement activists in the Global South have increasingly used the language of human rights to frame their political objectives, and turning to courts to advance them (Couso, Huneeus, and Sieder 2010). Many scholars have criticized this trend as undermining insurgent political projects and paving the way for imperialism (Douzinas 2007; Feldman 2009; Spivak 2012; Yiftachel 2006). For example, Wendy Brown (2012) argues that by focusing on negative liberal liberties (freedom from state oppression) rather than positive ones (access to food, shelter, and healthcare), the dominant human rights paradigm fatalistically concedes possibilities for "a more substantive democratization of power" (p. 462). Moreover, human rights discourse is

said to justify imperialist interventions by producing individualized, decontextualized, and depoliticized subjects who appear to need external assistance (W. Brown 2012; Rancière 2004; Žižek 2005). Meanwhile, juridical strategies for advancing rights are seen as legitimizing the status quo by circumscribing the role of mass-based movements and shifting contestation to sanctioned institutional channels (Munger 2012).

Given these condemnations, why are social movement activists flocking to frame social justice demands in the language of human rights? One response is that reductive critiques of human rights overlook the diversity of forms in which human rights are created and recreated through local movement struggles (Stammers 2009). Simin Fadaee (2014) argues, the very concept of "human rights" should be understood as "an empty signifier, that is, a concept which has no intrinsic meaning and only becomes meaningful in relation to specific contexts" (p. 568). My own research, however, suggests that Fadaee overstates her case, as the meta-frame of "human rights" does place some constraints on the Colombian waste picker movement's discourse and strategy. For example, winning human rights cases requires waste pickers to caste themselves as distinct from other members of the working class both in the challenges they face and protections that they are entitled to. This constrains the types of wider class-based organizing that occurred in the Brazilian case (e.g. creating jobs for unemployed people in waste picker cooperatives). And in this sense, human rights is perhaps better understood as a 'flexible signifier,' rather than as an empty signifier.

However, the Colombian case also defied many of the aforementioned criticisms of human rights strategies. Although the Colombian waste pickers only turned to human rights lawsuits due to their constrained access to elected officials, they demonstrated tremendous ingenuity and resourcefulness in their use of these lawsuits, advancing a quite radical political agenda. The ARB used human rights strategies to pursue both negative rights (countering laws that would cut off their access to waste) and positive ones (winning inclusion in the formal waste management system). Rather than rejecting politics, waste pickers pushed the state to expand its role in guaranteeing their livelihoods. And rather than abandoning popular protest in favor of legal advocacy, waste pickers used both strategies in concert. They organized protests first to signify the subjects and directives of rights, and then to hold policy makers accountable for their implementation. As lawyer Adriana Ruiz-Restrepo, who worked with the ARB, explains:

> These cases would have [hypothetically] been won in the abstract because they are about the reasonableness, the rationality, and the constitutionality of reform. So your rights are your rights—it doesn't matter if you're 1 or 300,000 people.

> Now, that is in theory of course. It's not the same if you have 300,000 people in front of the court.[82]

Indeed, organized waste pickers often showed up to public hearings *en masse*, though their largest turnouts have numbered in the thousands rather than hundreds of thousands.

Waste pickers also drew upon other traditional "contentious collective action repertoires" such as demonstrations, media outreach, and participation in public meetings, as well as solidarity statements and protests from allied domestic and international waste picker organizations (Charles 1978, 48). Importantly, winning the public's trust to perform a vital sanitary service required that the waste pickers not only communicate their worthiness and commitment as protesters, but as workers and managers. To this end, they created a variety of different symbolic repertoires, ranging from everyday performances of professional identity, to collective dramatizations of work. For example, to demonstrate their commitment to public service during a sanitary crisis in December 2012, 120 ARB members volunteered to sweep streets and collect garbage in the city's historic center for two weeks, which their NGO allies chronicled and publicized online through a mini-documentary (WIEGO and ARB 2013).

Perhaps the most exacting role of mass mobilization in the Colombian waste picker movement, however, was to hold reluctant policy makers accountable for implementing the Constitutional Court's decisions—as I will go on to describe in Chapter 4. The need for such outside political leverage was evidenced by successive municipal administrations' (2003-2011) resistance to creating inclusive waste management policy, even after twice being found in contempt of court. ARB leaders accused municipal administrations during this period not only of flouting the court's rulings, but of attempting to undermine the waste picker movement as a whole by pitting organizations against one another and promoting the creation of "false organizations" run by government allies posing as waste pickers. Adversarial relations with municipal policy makers, waste management companies, and rival waste picker organizations pushed the ARB to rely on public protests not only to make claims about the rights of waste pickers, but to defend its own legitimacy as a representative of waste pickers.

The Colombian Constitution of 1991

In late twentieth-century Latin America, democratic consolidation led to a crop of new constitutions that expanded social, economic, and cultural rights, and created higher courts with stronger powers of enforcement. Colombia was a trailblazer in this

[82] Interview with Adriana Ruiz-Restrepo, July 1, 2012

regard, as significant democratic reforms were carried out throughout the 1980s, culminating in the ratification of the Constitution of 1991—also known as "The Constitution of Rights." The new constitution, catalyzed by a student and political movement called "We Can Still Save Colombia," definitively adopted the principles of the Universal Declaration of Human Rights. The Constitution not only elaborated classical fundamental rights (e.g. the right to life, speech, assembly), but social, economic, cultural, and environmental ones as well.

The Constitution of 1991 also created new mechanisms to enforce and protect these rights, the most important of which was the *tutela* (writ of protection of fundamental rights).[83] Any Colombian citizen could file a *tutela*, with or without legal aid, in any written format or even orally in the case of people who cannot write. Article 86 of the Constitution required the Court to issue a decision within ten days in order to avoid irreparable harm. Although the *tutela* was intended only as a mechanism of last recourse, its accessibility and efficiency soon made it enormously popular. Over 4 million actions were submitted between 1991 and 2011, leading critics to lament that the rash of "*tutelitus"* (excessive and frivolous lawsuits) has led to court backlogs. Nonetheless, defenders of the *tutela* argue that it has increased the accessibility of the law to Colombia's popular classes and helped deepen awareness of human rights across Colombian society. Other important innovations of the Constitution of 1991 include the creation of *the Defensor del Pueblo*--a Human Rights Ombudsman who monitors rights enforcement, and the creation of class actions designed to protect collective interests and rights.

According to Constitutional Court Order 268 of 2010, a key tenant of the Constitution of 1991 is "Social Constitutionalism," which

> questions the tenant of formal equality before the law, defended by proponents of classical Liberalism, and recognizes that people's actual life circumstances impinge on their real potential to effectively take advantage of rights. Due to the fact that historical dynamics such as discrimination based on gender, race, and social class shape possibilities of exercising one's rights, the State ought to adopt measures so that disadvantaged groups can achieve material conditions that enable them to effectively—and under equal conditions—exercise the rights to which they are entitled.[84]

By winning recognition before the court as a member of a group that faces marginalization and discrimination, plaintiffs can win entitlement to "affirmative

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[83]The *tutela* is established in Article 86 of the Constitution of 1991, which states that "Every individual may claim legal protection before the judge, at any time or place, through a preferential and summary proceeding, for himself/herself or by whoever acts in his/her name, the immediate protection of his/her fundamental constitutional rights when the individual fears the latter may be jeopardized or threatened by the action or omission of any public authority."

[84] Constitutional Court Order 268-2010: 28

actions" or "positive discrimination." Notably, whereas in the United States, affirmative action typically refers to admissions policies that seek to increase educational and employment opportunities for women and racial minorities, in Colombia the usage is broader. As can be seen in the case of waste pickers, affirmative actions can refer to a wide gamut of actions taken to rectify oppression faced by disadvantaged groups.

Notably, although human rights mechanisms contained in the Constitution of 1991 created opportunities for the waste picker movement, the Constitution also posed a distinct threat: it permitted and encouraged the privatization of public services and utilities in order to increase their efficiency, quality and scope, as well as to rationalize prices. In the five years following the Constitution's advent, approximately 100 state enterprises would be privatized, including waste management companies in Bogotá and several other cities. As discussed earlier in this chapter, the privatization of waste collection services in the developing world is often accompanied by a second form of privatization: a transfer in the legal status of waste from a common property resource to the private property of waste management companies, which attempt to usurp the role previously played by waste pickers (Melanie Samson 2009a: 84)

The principles of privatization for domiciliary services were concretized in Law 142 of 1994 and Decree 421 of 2000, which regulated domiciliary public services.[85] These laws stipulated that public service tendering processes in large cities would only be open to stock owned companies, which were presumed to be more efficient than other organizational forms. As Parra (Parra 2016, 405) argues, in theory, these laws promoted a "free market" for waste management in which anyone could compete. But in practice, the requirements for entering were beyond the reach of waste pickers, and paved the way for their displacement at the hands of private corporations. This tension between the Constitutional imperatives to protect the human rights of waste pickers, and the free market economic rights of the private waste corporations that might supplant them, would playout in the conflicts over waste management throughout the 1990s and 2000s.

Classifying waste pickers as subjects of special protection

In the sections below, I describe the seven landmark cases that the waste pickers won before the Constitutional Court from 2003-2011. Before describing the details of these cases, it is useful to describe one of their key outcomes: the classification of waste pickers as a subject of special Constitutional Protections. The Constitutional Court first designated waste pickers as subjects of special protection in Ruling T-724 of 2003, but the justification and implications of this designation would not be clarified until later rulings—particularly Ruling T-291 of 2009 and Order 268 of 2010.

In Ruling T-291 of 2009, the judge contemplates the argument of a previous trial judge, who ruled that waste pickers of Navarro cannot be a protected group because

[85] Law 142 regulates all domiciliary public utilities including water, sewage, cleanliness, electric energy, gas distribution, land telephone services and rural cellular telephone services (Ruiz-Restrepo 55)

they constituted "an open group, of which, it was impossible to establish who its members were… and to specify state protections for them."[86] To be sure, there is some merit to this argument. Although there are grey areas around the outer boundaries of who is included within many protected groups, drawing boundaries around professional groups is particularly difficult as people tend to have many professions across their lifetimes—often even simultaneously. And classifying waste pickers is particularly difficult due the profession's porous borders, unregistered nature, seasonally fluctuating workforce, and widely dispersed and mobile worksites.

In order to establish criteria for identifying a protected social group, the Constitutional Court drew upon the scholarship of American political theorists Owen Fiss and Iris Marion Young, as well as on Colombian case law on protected groups such as HIV/AIDs patients, senior citizens, and disabled people. First, the Court argued that the waste pickers shared a collective identity, as they self-identified and were commonly identified by the residents of Cali as, "the Navarro waste pickers." Moreover, citing the studies of Birkbeck (1978), the Court argued that, "the recognition of these waste pickers as a social group is so great, that even international scholarship in the 1970s began to analyze the life conditions of the 'Navarro Waste Pickers.'"[87] Second, the waste pickers shared a common history, terrain, and activity as waste pickers had worked in Colombian dumps since the early 20th century, and in the Navarro dump since it opened in 1964. Third, the waste pickers shared a common knowledge base, 'for if one thing is sure, it is that even though… waste pickers lack formal education and training, they know the ins and outs of recycling--a product of their long experience working in this informal trade.'[88]

While the prior three traits help establish waste pickers' status as a group, the next three establish why they are entitled to special protections. First, they face special forms of marginalization-- including extreme exploitation at the hands of intermediaries who pay them as little as 5% of the industry rate for their goods, heightened vulnerability to diseases transmitted by parasites, flies and mosquitos, and assassination at the hands of social cleansing death squads. Second, they face a common experience of discrimination and violent persecution based on their trade:

> Society shuns garbage and extends that shunning to those who work with it. This is why, a series of common stereotypes place waste pickers at the bottom of the social order, and generate a vision that they are bothersome, smell bad, rob people, block traffic, and soil the city. The prejudice against waste pickers is of

[86] Constitutional Ruling T-291 of 2009: 51

[87] Constitutional Court ruling T-291-2009: 601.

[88] Ibid: 54

> such a great magnitude that "social cleansing" campaigns have been created to eradicate them.[89]

Based on these arguments, the Court concluded that "the Navarro waste pickers unquestionably constituted a group that faced marginalization and discrimination." Therefore, the municipal authorities had a legal responsibility to cease all actions that perpetuated the waste pickers' predicament and to take actions that would improve their social status and material conditions.

Order 268 of 2010 also elaborates a new justification for special protections: "due to their work's environmental contributions… both for current generations and for those to come." Based on a review of environmental history and theory, Colombian jurisprudence, and scholarship on waste pickers, the Court finds that waste picking provides significant positive environmental externalities: saving space in landfills, reducing dependency on raw materials, mitigating climate change, and promoting a culture of conservation. The Court cites indigenous rights jurisprudence as evidence that "other social groups have been legally recognized for their environmental contributions based on their activities and way of life." Specifically, it cites the Rio Declaration on Environment and Development of 1992, which was adopted into Colombian law in 1993:

> Indigenous people and their communities and other local communities have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development.

The Court thus concludes that like indigenous people, waste pickers merit special protections not only due to the special threats that they face, but due to their environmental contributions.

3.2.2 Frustrated Attempts at Political Participation (1992-1999)

Although waste pickers' use of human rights lawsuits to advance their political interests seems commonsensical in Colombia today, it was neither an intuitive nor a necessarily feasible strategy during the 1990s.[90] Like their Brazilian counterparts, the Colombians attempted to advance national waste picker rights policies through political

[89] Constitutional Ruling T-291 of 2009: 56

[90] Notably, during the late 1990s, ARB members did make use of human rights law, but to make claims as informal settlers rather than as informal workers. The ARB helped members facing eviction from informal settlements win several Constitutional Court rulings on the grounds that the state could not take away their housing without providing viable alternatives. At the time, the rights of informal settlers as a protected population were already established in case law, but no such rights existed for waste pickers.

participation. However, the latter made few gains due to their lack of allies in elected office, demonstrating the constraints that their national political field placed on strategy. The limited gains made through these strategies in the face of the Colombian state's intensifying efforts to criminalize waste picking led one waste picker leader to describe this period as "one step forward, twenty steps backward."[91]

In 1992, Colombian waste pickers began attempting to lobby elected officials to pass national waste picker rights legislation. The catalyst for this effort was the discovery of 11 corpses of murdered waste pickers at the medical school in Barranquilla (see Chapter 2), which created new external sympathy and internal urgency for the waste pickers' cause. As Parra (2016, 393) describes, "This event showed the waste pickers that they could be *desaparecidos* (disappeared) with total impunity, and so they needed a formal action from the government that would say 'waste pickers exist and they are workers."

In response, the ANR organized its first national protests and held a "popular consultation" with 27 member organizations across 20 Colombian cities (Parra 2016, 109). Each organization was to hold a membership meeting to discuss what they would like to see in a national waste picker rights law. Suggestions were written out by hand on sheets of paper, which were sent to the ANR's headquarters in Bogotá. There, ANR leaders and pro-bono lawyers amalgamated the suggestions into an elaborate, 58-article proposal for a national waste picker rights law, which would overhaul waste management, vastly expand recycling services and contract waste pickers to provide them. ANR leaders delivered this proposal to congress, where it gained no traction because —unlike their Brazilian counterparts—the waste pickers had no allies to champion their cause.

Undeterred, the waste pickers continued to lobby congress, and after 7years, succeeded in pushing through Law 511 of 1999—a highly watered down version of the original proposal. The new law contained only seven articles and was only one-page long. It declared March 1 "National Waste Picker Day," established an annual prize for "distinction in recycling," encouraged mayors to "hold periodic campaigns to involve the whole community in recycling," and called for state agencies to provide waste pickers with education, housing, and health benefits.[92] Such benefits never materialized, however, and the law became "letra muerta" (dead law). To be sure, the toothless law was an important first step in increasing public appreciation of the waste picking trade (Ruiz-Restrepo and Barnes 2010:102).[93] Such symbolic recognition would prove cold comfort, however, in the face of the Colombian state's intensifying attempts to

[91] Interview with William Vásquez July 1, 2012.

[92] Law 511 of 1999 (August 4) established the National Day of the Waste Picker and Recycling.

[93] At the First World Conference of Waste Pickers in 2008, March 1 was declared "Global Waste Pickers Day," which is now celebrated annually by waste picker organizations in Brazil, Argentina, Chile, Paraguay, Honduras, Uruguay, India, South Africa, and—of course—Colombia.

criminalize waste picking and permanently hand over the waste pickers' traditional role to private contractors.

3.2.3 The 2003 Cases: Winning Recognition as Subjects of Special Protections

Ruling C-741: rights of cooperatives to provide public services

As discussed in the previous chapter, from 1994-1996, the ARB helped the city collect waste during the municipal waste collectors' unsuccessful strike and the subsequent period in which the state-owned waste enterprise was phased out. Once this process was completed, however, the city terminated its contract with the ARB and sold off the rights to recycling services to private corporations. Undeterred, ARB leaders prepared to compete for a contract in the subsequent tendering process in 2003. They procured international partners to provide financial backing, conducted studies of Bogotá's and Buenos Aires's waste management systems, and improved their own operational and financial capacity.[94] Also, they began to assemble a team of young lawyers, among the first generation to be trained under the Constitution of 1991, to advocate for them.[95]

When the ARB and its legal team began to prepare a bid in 2002, however, they ran up against a barrier to their entry into the competition. According to Law 142 of 1994, only stock-owned companies—not solidarity-based organizations such as the ARB—could compete for contracts in large cities on the grounds that this was the most efficient way to provide services. At this point, the ARB's legal team began working on a fully pro-bono basis and referring to themselves as "the friends of the waste pickers." They filed a lawsuit against Law 142, on the grounds that it discriminated against non-profit enterprises, which were not necessarily less efficient than for-profit enterprises. As ARB attorney Adriana Ruiz-Restrepo recalled, this case did not center on human rights, but rather:

> The core argument of the first ruling was about discrimination against non-profits. Forget about waste picker rights—that was just a collateral argument. We said, 'for-profits and non-profits are both neutral judicial personhoods, so you can't tell me that one can bid and the other cannot….' It's as if you were hiring a nanny. You can set requirements regarding the qualifications of the nanny, but you can't say 'I don't want an nanny who is African or Asian, the nanny has to be 100% White and Catholic.' If you put that in a newspaper advertisement, you would have legal problems, right?

[94] Interview with Olivia Maza, July 2, 2011

[95] The ARB's core team of attorneys, known as the 'friends of the waste pickers,' consisted of Adriana Ruiz-Restrepo, Nestor Raul Correa Henao, and Luis Jaime Salgar. Attorneys Alfonso Fidalgo, Elkin Velasquez and Diego Tobon also participated on a more limited basis. (Melanie Samson 2009, 67)

The Constitutional Court ruled in the ARB's favor, mandating an amendment to law 142 to allow for the participation of non-profit enterprises in public tender. Although the ruling centered on business organizational law, it also obliquely suggested that waste pickers might be entitled to special human rights protections:

> The legislation flagrantly violates the Constitution… by excluding various social sectors of the possibility of participating in an economic activity, thereby impacting other Constitutional values such as protection for vulnerable populations.[96]

Although this was only a thin reference to special protections for waste pickers, it would provide a legal toehold that the ARB and its attorneys would soon build upon and expand.

New legal threats to waste pickers' existence

Soon after Ruling C-741 granted the ARB the *de jure* right to compete in Bogotá's 2002 waste management tender, the , the Special Administrative Unit for Public Services (UAESP) would release the terms of the tender, which were drawn so narrowly as to bar the ARB from the competition *de facto*. The tendering process restrict bidding to companies that had provided services in cities with at least a half million people for the preceding five years. This effectively excluded the ARB from the competition, without affecting the corporations that had won contracts in the previous tendering process.[97] Worse yet, the terms of tender specified plans to hand over waste picker's traditional role to waste concessionaires, who would "carry out the collection of recyclable materials along an official route, to bring them to Recycling Centers, and to support the city's recycling programs."[98] [99] In response to the ARB's complaints, the city offered to reserve 15% of all grass cutting jobs in the city for a combination of displaced waste

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[96] *Corte Constitucional de Colombia, Sentencia C 741 de 2003, Capítulo III Demanda*

[97] I asked Ruiz-Restrepo if she thought that the tendering process terms had been intentionally designed to exclude the ARB. She said that she initially thought so, but now she believes that it was merely run of the mill corruption, "*At the time, I used the argument a lot that this was being done intentionally to exclude the poor. I thought it was cruel, so I was furious. But to tell you the truth, back then, the ARB was so irrelevant that I don't think this was being done to exclude them. Rather, it was just traditional corruption in tendering processes, which had an especially adverse impact on us. The creators of tendering processes always know what conditions their friends and cousins can comply with, and what conditions their enemies can comply with, and so they just make up a technical criteria to give huge multi-million dollar contracts to their friends and cousins, who pay them back a percentage later on—usually 10%.*" Notably, Bogotá's tenders were notoriously corrupt in the early 2000s, culminating in the "Contract Carrousel" scandal, which cost the federal government over $500 million, and in 2010 led to the suspension of Mayor Samuel Moreno, who is now serving a 24-year prison sentence on charges of graft and corruption.

[98] UAESP, Pliego de Condiciones licitación 001, 2002 as cited in Parra 2016, 407.

[99] Notably, the previous bidding process, in 1996, also included abstract language suggesting that in the hypothetical case that recycling routes should be created, they would be carried out by waste concessionaires. But such routes never materialized. The difference in the 2002 bidding process was that it laid out specific plans for how and when these routes would be created.

pickers and *desplazados* (people displaced by the civil war). Moreover, city officials said that once the public recycling centers were built, waste picker cooperatives could work inside, sorting recyclables.

During the same months, a series of new local and national policies threatened to criminalize the trade of waste picking. First, Bogotá's city council passed regulations prohibiting recycling activity to be carried out in public places on environmental grounds due to the supposed threat that it posed to public sanitation (Municipal Decree 79 of 2003). As Parra (2016, 78) argues, this policy was never comprehensively enforced, but inspired campaigns to prohibit waste picking in several neighborhoods of Bogotá. Second, President Andres Pastrana, on his last day in office, issued a national decree that stipulated that once garbage was left on the sidewalk in bags or bins, it became the exclusive property of the waste operator for that area, creating the potential that waste pickers who collected from the street would be charged with theft (Decree 1713 of 2002). Third, a new national transit code called for large municipalities to "eradicate" horse-drawn carts, which were primarily used by waste pickers, including some 3,000 waste pickers in Bogotá (Law 769 of 2002). The law was justified based on concerns of traffic, accidents, public health, and animal exploitation, but no alternative provisions were created for the thousands of waste pickers who depended on horse carts for their sustenance.

In the view of ARB leaders, these developments represented nothing less than a conspiracy on the part of state officials to remove waste pickers from the street. Silvio Ruiz Grisales would recall (quoted in Parra 2016, 417):

> Some people accuse us of being overly wary, but we believe that caution is warranted in the face of the collusion within the Colombian state to wipe out waste pickers. Because it is a very strange coincidence that in 2002, the year that mayor Antanas Mockus sought to sell off recycling routes to private companies through a bidding process, a new environmental code banned the act of searching through waste in public space, and a new transportation code prohibited the circulation of vehicles pulled by humans and animals. From our perspective, that was not a coincidence at all. It was coordinated and planned.

Ruling T-724 of 2003: Defining Waste Pickers as Subjects of Special Constitutional Protection

In the face of these legal threats, the ARB and its pro bono legal aid developed an innovative and unorthodox strategy—using a human rights lawsuit to constitute waste pickers' right to work and to be integrated into formal waste management. This approach presented a daunting challenge to the legal team, as human rights law is difficult to apply to highly technical administrative matters such as a tendering process. As Adriana Ruiz-Restrepo recalls:

> When I saw that the terms of tender had been drawn so narrowly as to exclude the waste pickers, that was my deepest moment of solitude. Because beating

> arguments about tendering processes--the terms of reference for contracts, the financial capability, the operational capacity—that is completely administrative law, not human rights law. Even [my own colleagues] said 'are you crazy? We're sooo not going to do this stupid strategy of trying to make a human rights case in administrative law. The judge will reprimand us.'[100]

Nonetheless, the ARB legal team would develop arguments that policy that was "technically and formally legal" could still undermine human rights principles by threatening waste pickers' sole survival niche (Samson 2009a:68). As Restrepo put it, "The terms of reference can be beautiful from a technical perspective and perfect from an administrative perspective, but still perpetuate poverty. And our constitution says that any opportunity you have to correct poverty, you must correct poverty."[101]

The ARB filed a *tutela* in municipal court against the UAESP on the grounds that the terms of tender discriminated against waste pickers and threatened to cut them off from their means of sustenance. The judge literally nearly laughed the waste pickers out of court, ruling that their demand for inclusion in formal waste management was "absurd." [102] Rather, he advised them to shift their work style from "an aimless, drifting activity into one that is regulated, recognized and organized… [and then] to seek out a tendering process that is within reach of their economic and mechanical capacities."[103] The judge defended the UAESP's tender on four grounds. First, preferential treatment could not be given to waste pickers because "participants in tendering processes must be treated impartially, that is, the principle of equality must be maintained."[104] (The irony of invoking principles of equality to uphold a lopsided and rigged competition between waste pickers and waste corporations appear to have been lost on the judge.) Second, the exacting requirements of the tendering process were necessary to ensure the highest quality services to tax payers. Third, exclusion from the tendering process did not endanger waste pickers' access to work, as they could continue to work informally. Fourth, the UAESP had already gone beyond its duties to any displaced waste pickers by preserving a portion of grass cutting jobs.

The ARB appealed this decision before another municipal judge, who upheld the first judge's ruling, arguing that the ARB had not demonstrated the technical and economic capacity to provide waste management services. After having lost the initial appeal, the last opportunity to have the case heard by the Constitutional Court was through a *"recurso de suplica,"* a special appeals process that could overturn municipal

[100] Interview with Adriana Ruiz-Restrepo, July 1, 2012
[101] Interview with Adriana Ruiz-Restrepo, July 1, 2012
[102] Constitutional Court Ruling T-2003: 9.
[103] Constitutional Court Ruling T-2003: 9.
[104] Constitutional Court Ruling T-2003: 9.

rulings in cases of extraordinary injustice and potential for new legal precedents. As Ruiz-Restrepo explained, however, winning such an appeal was unlikely:

> All of the country's failed *tutelas* are sent to the Constitutional Court. And there, about 200 students synthesize them into one paragraph each. And all of the paragraphs are then sent to the justice's office, to be checked by the clerks. So there are piles with thousands of rejected *tutelas*, and the clerks only select one or two to reconsider.

The ARB's case, predictably, was rejected. Ruiz-Restrepo was convinced that the case had merit, but was simply too complex and innovative for law students to understand. She thus leveraged her personal connections to plead the case:

> I was like 'Shit! Shit! Shit! The jobs of 300,000 people[105] who survive from waste are at stake, and I know we have a good case, but nobody can even see our arguments.' So that day, I said, [to ARB leaders] Olivia [Maza] and Miguel [Torres], 'get into a cab because we are going to the National Human Rights Institution to plead personally for the case.' So, we arrive, and I say to a judge there, 'dude, we went to law school together, give me 10 minutes to explain my case.' Then we went to two [Constitutional Court] justices and said 'you know me, I worked in the Court. This is not about money I am working for free. I am here for the common good.' So this is where, for better or for worse, social capital comes in. This is where you run up against the wall of the status quo and you have to find a way to pierce a hole.

A Constitutional Court magistrate and a national human rights agency wrote letters in the waste pickers' defense and the Constitutional Court agreed to hear the case.

The Constitutional Court ruled in the ARB's favor, overturning the previous judges' rulings. The Court found the municipal authorities plan to create a recycling route without including waste pickers represented "exclusionary and discriminatory treatment, and does not only go against waste pickers' fundamental right to equality, but it threatens their very right to survival."[106] Moreover, the judges argued that the mayor's plan to reserve 15% of grass cutting jobs for waste pickers and displaced people was "far from an adequate form of protection" for two reasons.[107] First, grass cutting is not the waste picker's profession, and second, the jobs would not encompass the totality of the city's waste pickers. As Parra (2016, 415) argues, this ruling marked a turning point in the waste pickers' relationship with the Colombian state. Previously, waste pickers had been persecuted by the police and made invisibile by the state. Now, the Constitutional Court declared them subjects of special protection due to their poverty and vulnerability, and as having the right to continue in their trade and to

[105] Three-hundred-thousand refers to a commonly cited estimate of the total number of waste pickers in Colombia (see Hower 1997).

[106] Constitutional Court Ruling T-724-2003: 5.

[107] Constitutional Court Ruling T-724-2003: 3.

affirmative actions. The ruling provided little detail, however, about the nature of waste picker's protections nor how they were to be implemented in practice.

Aftermath of Ruling T-724

Once the Constitutional Court accepted the waste picker's case, the UAESP expedited the closure of the tendering process and awarded contracts before the Court had a chance to issue a ruling. The ruling could not be applied retroactively and thus the waste pickers would have to wait another eight years for the next tenders, laying the grounds for legal battles in 2010 and 2011. In the meantime, the Court ordered the city to begin conducting studies of the waste picker population so that appropriate affirmative actions could be implemented in the future. Also, the Court ruled that the plans for a recycling route that excluded waste pickers should not be pursued, but rather, the city should begin to dialogue with the waste picker population in order to design and gradually implement inclusive recycling policies.

The waste pickers' designation as "subjects of special protections" would also provide discursive and legal leverage for combatting three remaining legal threats to their livelihoods. First, the waste picker movement used protests, media communications, and political advocacy to build pressure against National Decree 1713 of 2002, which transformed the legal status of trash left on sidewalks into the private property of waste corporations. In 2003, President Uribe nullified Decree 1712 and issued a new one that reclassified trash left on curbs as abandoned property that could lawfully be appropriated by anyone (Ruiz-Restrepo and Barnes 2010).[108] Second, the ARB filed a *tutela* against the National Transit Code of 2002, which mandated "the eradication of animal drawn carts" in large cities within a year's time. In 2003, the Constitutional Court ruled in the ARB's favor on the grounds that the removal of horse carts without alternative provisions threatened the livelihoods of thousands of vulnerable workers. The Court mandated, instead, that the state phase out animal-drawn carts through a gradual and orderly process, compensating cart-owners with equivalent or superior work tools.[109] Finally, Municipal Agreement 79 of 2003, which prohibited waste picking on city streets due to alleged threats to public sanitation, remained on the books, but was rarely enforced after 2003. Then, in 2009, the Constitutional Court would prohibit such regulations across Colombia, ruling that state officials could not prohibit waste pickers from collecting materials on the street without offering them superior channels to exercise their labor.

[108] ARB leaders are confident that this change in policy was a direct response to their activism, although Uribe's administration never acknowledged this. (Interview with Olivia Maza, September 10, 2015)

[109] Only after another decade of struggle, in 2013, would waste pickers finally pressure Bogotá's government to implement this ruling. The mayoral administration of Gustavo Petro would give pickup trucks to nearly 3,000 waste pickers who previously worked by horse cart.

Despite the Court's rulings, Bogotá's three mayoral administrations from 2002 to 2011[110] did not implement any comprehensive or systematic waste picker rights policies. Nonetheless, incremental progress was made. Police repression of waste pickers lightened, and city officials piloted several important small-scale waste picker rights policies. For example, they conducted two preliminary waste picker censuses, provided thousands of technical trainings and courses to waste pickers, provided ID cards and uniforms to some waste picker cooperatives, and granted organized waste pickers access to waste from within government buildings. Also, in 2004, the city worked with the ARB to create a small pilot recycling route and a public recycling plant called "La Alqueria," where some 60 waste pickers from various cooperatives sorted and sold materials collected by an official recycling route.

3.2.4 The 2009 Rulings in Cali: Clarifying the Scope and Breadth of Waste Pickers' Rights

While the Constitutional Court's 2003 rulings established waste pickers as subjects of special protection, the 2009 rulings would help clarify what these protections meant in practice. In 2008, a new attempt was made to outlaw the practice of collecting recyclables from the street nationally, this time on environmental grounds. Law 1259 imposed a fine of up to US $500 for opening garbage from bags or cans in public or transporting trash in non-motorized vehicles, once again threatening most waste pickers' sole survival niche (Samson 2009a:70). The ANR solicited assistance from CIVISOL, an NGO created by lawyers involved in the 2003 cases, which recommended an ambitious line of attack. Rather than challenging Law 1259 through judicial review, CIVISOL intended to demonstrate to the Constitutional Court that the law fit into a broader pattern of exclusion, then compel the court not only to revoke the law, but to mandate sweeping action towards protecting and formalizing all of the country's waste pickers. Moreover, CIVISOL sought "to obtain clarification, once and for all, of the scope and breadth of all waste pickers' rights in Colombia, whether in Cali or in Bogotá, whether surviving through recycling in a waste dump or by street collection" (Ruiz-Restrepo and Barnes 2010:104).

CIVISOL soon learned that waste pickers in Cali had already filed *tutela*s to protest their eviction from the Navarro Dump—ironically, the very site where Birkbeck wrote of the waste pickers' political impotence 30 years before. In 2008, the city had replaced the publically owned Navarro Dump with a private land-fill, the last step in a comprehensive privatization plan for Cali's waste management system. The city had promised 600 displaced waste picker families compensation for their loss of livelihood, but the assistance never materialized, provoking the waste pickers to occupy a historic church in protest (Samson 2009a). Twenty-four waste pickers filed *tutela*s, which were

[110] These mayors included Antanas Mockus (2001-2003), an independent and political centrist, and Luis Eduardo Garzón (2004-2007) and Samuel Moreno (2008-2011) of a leftist party called the Alternative Democratic Pole (PDA).

rejected on the grounds that the city had "no type of responsibility" to the waste pickers because "no contractual or legal relation" linked the two parties (Constitutional Court Ruling T-291-2009: 61).

CIVISOL began collaborating with the waste pickers to prove a broad pattern of rights violation by linking the *tutela*s to the case against Law 1259.[111] The lawyers argued that though there were legitimate environmental and health rational for closing the Navarro Dump, the new arrangement violated the Constitutional Court's 2003 ruling that waste pickers should be included in all waste procurement processes. Moreover, Law 1259 blocked waste pickers' access to waste on the street, threatening their Constitutionally-given right to a "*mínimo vital*" (minimum amount of resources needed to subsist.)

The court sided with the waste pickers and ordered the municipal government to take several actions in defense of waste picker rights. First, the Court mandated the guarantee of basic social rights to healthcare, housing, education, and food to the Navarro waste pickers who had filed *tutelas*. Second, the Court ordered the city to create a census of all of the waste pickers both in the Navarro dump and on city streets, and ensure the basic social rights of these waste pickers as well. Third, the Court struck provisions in the waste management tendering process that threatened to cut off waste picker's access to recyclables and to hand over their traditional role to private companies. Fourth, the Court mandated the creation of a multi-stakeholder commission of waste picker cooperatives, NGOs, waste corporations, and government agencies to design a plan to comprehensively formalize the city's waste pickers and integrate them into formal waste management. The plan, due in six months time, was to include precise indicators that the Court could use to track the progress of its implementation. Notably, the Court specified that the waste pickers should be formalized as entrepreneurs of the solidarity economy, rather than employees of large corporations:

> It must not be forgotten the fact that the waste pickers, although informally, acted as entrepreneurs. Therefore, an appropriate alternative, rather than converting them into employees of the big recycling companies, is providing them some space to keep acting as entrepreneurs, promoting their organizational capacity and strengthening their capacities and opportunities to appropriately carry out the activity that they had developed throughout time.15

Fifth, in order to ensure waste pickers' livelihoods until such programs were implemented, the Court demanded that the city create a campaign to teach residents to separate recyclables and hand them directly to waste pickers. Sixth, in a separate, but connected ruling, the Court overturned the provisions in National Law 1259 that

[111] Interview with Adriana Ruiz-Restrepo, July 1, 2012

threatened waste pickers' livelihoods by prohibiting the act of collecting recyclables on city streets.

3.2.5 2010 and 2011 Cases: Distinguishing Between 'Real' and 'Illusory' Waste Picker Rights

> By 2010, the question was no longer 'does the government have an obligation to include waste pickers,' but 'how?' And to UAESP officials, it was clear that they had met and even exceeded their legal obligation to the waste pickers. But for the waste pickers, it was clear that the UAESP had met the Court's orders in only in form, but not in substance, not structurally.
> -Federico Parra, NGO director and Anthropologist[112]

While the 2003 cases established waste picker's right to special protections on an abstract level, and the 2009 cases clarified the scope and breadth of those rights, the 2010 and 2011 cases would elucidate what these rights meant in practice by distinguishing between 'authentic' and 'inauthentic' social inclusion. Although Bogotá's waste pickers won the right to be included in future tendering processes in 2003, their first opportunities to exercise this right would not come until the 2010 landfill management tender and the 2011 waste collection tender, worth US $127 million and US $1.37 billion respectively. In both cases, the Constitutional Court would nullify both tendering processes for failing to provide "real and effective" inclusion of waste pickers, and force the UAESP back to the drawing board.

Before discussing these cases, it is prudent to provide information about the context under which they occurred, that of Samuel Moreno's mayoral administration (2008-2011), which had a highly antagonistic relation with the waste picker movement. Moreno, the son of a senator and grandson of a president, was a member of a center-left party called the *Polo Democratico Alternativo*. His mayoral administration perpetrated one of the largest graft scandals in Colombian history, the so-called "Contract Carousel," which cost the federal government over $500 million. Although this scandal centered on graft construction contracts for roads and bus infrastructure, his administration came under fire for contracting improprieties in many other areas as well—including waste management. Colombia's Inspector General removed Moreno as well as several of his top officials, including the head of the UAESP, from office in 2011.[113] In 2016, a judge accused Moreno of "looting" the city's coffers for accepting bribes by ambulance

[112] Interview with Federico Parra, June 29, 2012

[113] Notably, the Inspector General's removal of Mayor Moreno was widely seen as legitimate by actors on all sides of the political spectrum. Three years later the Inspector General would remove Mayor Gustavo Petro from office, as well, on grounds that his overhaul to waste management violated the free market rights of waste corporations and caused a sanitary crisis. This removal, in contrast, was widely seen as illegitimate and was eventually overturned.

companies, and sentenced him to 18 years in prison.[114] Moreno's sentence may be prolonged, as he still faces a gamut of other charges related to conspiracy, corruption, bribery, and extortion.

Under Moreno's administration, relations between organized waste pickers and Bogotá's government hit an all time low. ARB leaders and their allies accused Moreno's officials of being in the pockets of waste corporations, who conspired to usurp the increasingly lucrative recycling industry. Moreover, they claimed that his administration had promoted the creation of "false waste picker cooperatives," led in some cases by former politicians and military officers who sought to take advantage of the rights won by historic waste pickers.

Tensions further mounted after three incidents that the ARB interpreted as retaliation by the mayor against the ARB for the waste picker rights lawsuits. First, after leaving a contentious meeting with city officials, Maza and two colleagues were robbed at gun point by thugs who demanded Maza's computer, but showed no interest in money or other valuables. Maza and other ARB leaders also received anonymous death threats during this period. Second, two months later, the city jailed Maza for 10days based on a trumped-up offense that had allegedly occurred 14 years prior, but charges were quickly withdrawn. Third, the city evicted the ARB and two allied organizations from La Alquería, the large public recycling center that the ARB had cofounded in 2004 and worked in ever since. The city gave the ARB's spot to three smaller organizations that ARB leaders claim were staffed by "false waste pickers."

Ruling 268 of 2010: Distinguishing between real and illusory inclusion

Although Bogotá's waste pickers won the right to be included in future waste management tendering processes in 2003, they would not have an opportunity to exercise that right until 2010. That year, the municipal administration announced a tendering process for an eight-year contract to manage the city's sole landfill, Doña Juana. For the first time in the country's history, each waste corporation would be required to partner with a waste picker cooperative in order to submit a bid. The waste corporation would manage the landfill, but it would also be responsible for building a recycling plant at the dump entrance, where the cooperative would salvage recyclable materials. The city estimated that with proper infrastructure, the cooperative could divert up to 20% of waste from the dump—some 1,200 tons daily.[115] This represented a potentially lucrative proposition for the selected cooperative, which would be allowed to keep profits from recyclables sales. Moreover, the cooperative would be entitled to a

[114]"Condenan a 18 años de prisión a Samuel Moreno Rojas por el "carrusel de la contratación," *El Espectador,* March 29, 2016. Accessed May 1, 2018. https://www.elespectador.com/noticias/judicial/condenan-18-anos-de-prision-samuel-moreno-rojas-el-carr-articulo-624338

[115] Constitutional Court Order 268-2010: 18.

share of profits from the landfill concession. The portion of shares would be negotiated between the concessionaire and the cooperative prior to submitting the bid.

Although UAESP officials believed that they had met and even surpassed the Court's mandate for waste picker inclusion, many waste pickers disagreed. The ARB filed a "contempt of court" lawsuit against the UAESP for failing to create sufficient measures to include waste pickers. A municipal court ruled against the ARB, so the ARB appealed the case, which was taken up by the Constitutional Court. The Constitutional Court ruled in the ARB's favor, overturning the municipal judge's prior ruling, and forcing the UAESP to suspend the tendering process and rewrite its terms.

The most important legal precedent of the ruling was to draw a distinction between waste picker rights policies that are "real and effective" and those which are "illusory, nominal, and formal" or "eminently symbolic." Indeed, the word "real" appears 31 times and the word "effective" appear 34 times throughout the 55-page ruling.[116] Although the ruling does not offer a precise definition of what constitutes "real" waste picker inclusion, three key traits can be glistened from the text.

The first regards the *authenticity* of participating waste picker organizations—that is, whether their members are actually historic waste pickers. According to testimony submitted by a local development agency,

> The supposed waste pickers participating in the Doña Juana Landfill tendering process are not part of the waste picker population. They were recruited in recent months by the UAESP in an attempt to justify its shady dealings.

Indeed, in the months leading up to the tendering process, UAESP officials helped organize a flurry of new organizations, some of which were headed by retired military personnel, government officials, and other people who had not worked historically as waste pickers. A Colombian news organization reported that of the twelve organizations that the UAESP validated to participate, five were created in the months leading up to the tender, and—astonishingly—three more were created after the terms of the competition had already been announced, "when it was already clear to the whole world that there was a lucrative new opportunity for waste picker organizations."[117] The Court cited testimony submitted by the waste picker organization Pedro de Leon, which argued that in order to prevent "façade organizations," the UAESP must create criteria that ensure "bidders have a high representation and inclusion of historic waste pickers, which can be verified by the bi-laws as well as their membership records."

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[116] Including eight references to "real participation," four references to "real inclusion," four references to "real affirmative actions," and two references to "the real number of included waste pickers," ten references to "effective actions," and four references to "effective enjoyment of rights."

[117] León, Juanita, "Más allá de destitución de la directora de Uaesp, la licitación de basuras huele feo," La Silla Vacia, August 8, 2011. Accessed May 1, 2018 from http://lasillavacia.com/historia/mas-alla-de-la-destitucion-de-la-directora-de-la-uaesp-la-licitacion-de-basuras-de-bogota-h

The second factor regarded the *quantity* of participating waste pickers and, relatedly, the *quantity* of materials to be recycled. The Court argued that Case T-724 of 2003 required the municipal government to offer protections to the totality of the city's waste pickers, a population that was estimated to surpass 15,000. Although the Doña Juana recycling plant could not possibly create positions for all of the city's waste pickers, the Court argued that it had a duty to create positions for "the greatest number possible." The Court noted that at the time, the UAESP ran a public recycling center that recycled 10 tons of material daily and generated 60 permanent positions and 300 temporary positions for waste pickers.[118] The Doña Juana recycling plant had the capacity to recycle over ten times that quantity of materials and therefore employ a much larger number of waste pickers. And yet, the UAESP's requirements, which did not specify a minimum number of participants, could ostensibly be met by contracting a single waste picker to recycle an insignificant quantity of materials. The Court, thus, cited ARB testimony that:

> …the failure to integrate criteria of evaluation that privilege the participation and potential benefit to the largest quantity of waste pickers, results in the violation and mockery of the spirit of the Constitutional Court's orders.[119]

The third factor regarded the *quality* of waste pickers' inclusion. In Ruling T-291 2009, the Court mandated that waste picker cooperatives be integrated into formal waste management in an entrepreneurial capacity, rather than as employees of large companies. Yet the terms of the UAESP's tendering process did not ensure waste picker's right to participate in an entrepreneurial capacity. Thus, a local sustainable development organization predicted that the tender would, at best, result in

> the inclusion of 0.1% of [Bogotá's estimated 15,000 waste pickers]… as hired hands, paid a minimum salary without benefits or social security—a slap in the face to both the city's waste pickers and to the [Court's orders].[120]

Moreover, although the UAESP required waste corporations to provide a portion of shares in the contract to waste picker cooperatives, it failed to specify the quantity and purpose of the shares.[121] The ARB argued that under such terms, the shares did not represent a true business partnership, but "an act of charity, a handout, a percentage of profits without saying for what, why, or to what end?" Indeed, most of the bidding waste corporations offered their "partner" cooperatives only derisory quantities of shares such as 0.1% and 0.5%.[122]

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[118] Constitutional Court Order 268-2010: 18.
[119] Constitutional Court Order 268-2010: 12.
[120] Constitutional Court Order 268-2010: 14.
[121] According to the terms of tender, the UAESP would only take the portion of shares awarded to waste picker cooperatives into account as a criteria of last resort. That is to say, it would only be considered in the highly unlikely case that after points for all other criteria had been awarded, the two leading bidders finished in a numerical tie.
[122] Constitutional Court Order 268-2010: 18.

To rectify these shortcomings, the Court ordered the UAESP to integrate three new criteria into the tendering competition: the quantity of material to be recycled, the quantity of positions for waste pickers to be produced, and the quantity of shares to be issued to the partner waste picker organization. Also, the Court accepted the ARB's request that rather than partnering directly with base-level waste picker cooperatives, bidding waste corporations should partner with second-level waste picker organizations, such as the ARB, which agglomerated several base-level cooperatives. The Court argued that second level organizations represented a greater quantity of waste pickers and had superior mechanisms of accountability. Four such second level organizations existed in Bogotá at the time, which claimed to represent a total of approximately 4,000 members. Additionally, the Court ordered that apparent irregularities in the bidding process be investigated by National Inspector General.[123]

The aftermath of Case Ruling 268 of 2010

In 2011, I asked Constitutional Court clerk, Javier Francisco Arenas, the chief author of the 2010 ruling, for his assessment of its outcomes. He said

> One can't say it was a total victory, nor a total defeat. It was a victory in terms of the legal discourse we created in favor of waste pickers, but there were serious problems in the outcome. The tender was awarded to the bidder who offered the *least* in terms of waste picker inclusion and recycling services.

The bidder to whom Arenas referred was a Brazilian-Canadian waste consortium that had partnered with a newly created second level waste picker organization called Federincol. The consortium gave Federincol 2.5% of the shares from the tender contract, but never constructed the mandated recycling plant, and very few waste pickers appear to have benefited from the arrangement.

According to Arenas, the waste corporations had fiercely protested the Court's orders to include waste pickers and implement recycling processes. Arenas said, "their argument was simply that it was not economically viable. But by this, they did not mean that they were going to lose money, simply that they were going to earn a little bit less than they had planned." With support from UAESP officials, the waste corporations created a loophole to evade the accountability measures put in place by the Court. Although the Court obligated the UAESP to award points to waste corporations based on waste picker inclusion and recycling, it did not specify how much weight should be given to such criteria, as this would be beyond its competency. Arenas recalled,

> The problem is that I am not a mathematician—I can't create tendering equations. So, the UAESP pulled a cunning move, making the allotment of points

[123] Constitutional Court Order 268-2010: 62.

awarded for waste picker inclusion and recycling very small compared to the waste corporation's broader economic offer.

An additional problem was that there was not a reliable and up to date census of the city's waste pickers, nor legal processes for auditing waste picker organizations, making it difficult to verify the authenticity of participating waste picker organizations.

NGO director Federico Parra, who closely accompanied the process, argues that the suboptimal outcome exposed the risks of two forms of corruption. First, is the corruption by the municipal administration, as "during the tender, there were situations of manipulation and below the table wheeling and dealing" (Parra 458). Indeed, Colombia's Inspector General found UAESP's director, Miriam Margot, guilty of irregularities in the Doña Juana tender and resultantly suspended her and banned her from working in the government for ten years. Second, was "corruption by people who were not waste pickers… who created organizations of dubious constitution in order to benefit from affirmative actions created by the Constitutional Court." Notably, Federincol's president, Carlos Garay, was not a waste picker, but a construction magnate and seven-time former city councilor, who had created the organization in the months leading up to the tender.[124]

During our conversation in the summer of 2011, Arenas told me that it was very sad for him to see the outcome of the tender. Had the organized waste pickers stuck together, he argued, they could have negotiated a better deal from the waste consortiums, demanding more positions, higher incomes, and benefits. Arenas believed that the Court had handed the waste pickers "an atomic weapon," but the waste pickers had "lost it," as a small group of them had sold out the rest. I mentioned this comment to ARB president, Olivia Maza, who said that the Court was placing the blame in the wrong direction:

> We can't let people get away with saying that if we waste pickers are not all organized and unified, then justice can't be served or that inclusive policies can't be implemented. The truth is that the vulnerable sectors of society are vulnerable because they don't have education, because they don't have time to meet or to organize politically. To use the words of one of our defenders [Ruiz-Restrepo], poverty and vulnerability translate into a lack of time and space. So, for the people of the Court, who are well-educated and have many analytical tools at their hands, to say that they have given us a powerful weapon, but we can't use it because we are not all organized and unified, seems like a mistake to me—an

[124] In July 2015, I visited Federincol's headquarters in southern Bogotá, which were more ornate than those of any waste picker organization that I have ever seen. Garay's office featured a four foot electronic fountain, and the walls were adorned with over a dozen framed pictures of Garay and his family traveling across Europe, Africa, and the Americas. Some of the photographs also featured Garay with political leaders, including Colombian Presidents Álvaro Uribe and Juan Manuel Santos, both of whom he named "honorary founding members" of Federincol.

> appraisal error. From the way I see things, they should have given us a better weapon.[125]

As Maza poignantly notes, the same structural conditions that trap waste pickers in poverty weaken their organizations, and the weaknesses of waste picker organizations cannot serve as an excuse for the state to neglect the human rights of waste pickers.

Such disappointments notwithstanding, as Parra (2015) notes, the "battle for the landfill" should not be interpreted as a loss for the waste pickers. Rather, it was a learning experience that would help them develop legal precedents and organizational capacity that would pave the way for future victories. As Maza recalled to Parra,

> Our analysis was that it was important to fight [in this tendering process]… in order to see how the larger tendering process would go.... The tendering for the landfill is only about 15% of the full system, and waste collection and transportation is the other 85%... but, as they say, 'by eating breakfast, you can see what lunch will be like.' And so we knew that if just for 15%, the administration was going to behave in such an aggressive, criminal, mafioso manner, we knew what we were in store for in the larger tendering process.

Order 275 (2011): "The Battle of Lake Maracaibo"

In July 2011, during my first month of field research in Bogotá, I asked Arenas, the lead Constitutional Court clerk on waste picker rights, about the stakes of the upcoming tendering process. "The law is a battlefield," he told me, "and this is the Battle of Lake Maracaibo," evoking the culminating victory in La Gran Colombia's 19th century independence struggles. Not only was the US $1.37 billion tender the largest of its kind in Colombian history, but it was the first in which a city would have to respond to direct orders from the Constitutional Court to formalize waste pickers. Over the previous decade, waste pickers had won six landmark Constitutional Court cases that established and reaffirmed their right to be included in formal waste management. But Colombian mayors had largely ignored these rulings, or at best, addressed them only superficially. This led members of the ARB's exacerbated pro-bono legal team to lament that:

> Seemingly, a case lost by the authorities in front of the Court is believed and felt by the State as nothing more than a reproach, rather than a binding legal decision. The same attitude applies with respect to judicial writs, which are interpreted as suggestions (Ruiz-Restrepo and Barnes (2010 p. 106).

For ARB leaders and their legal team, the 2011 tender thus marked an inflection point: if they succeeded in pressuring the mayoral administration to begin to comprehensively formalize waste pickers, they demonstrate the gravity of the Court's rulings to mayors around the country. But if the mayoral administration got away with taking only

[125]Interview, Olivia Maza, Aug 8, 2011, Bogotá.

symbolic actions towards waste picker inclusion, and 10-years of waste picker rights case law be at risk of becoming "letra muerta" (dead law).

After several months of negotiations with organized waste pickers and other stakeholders, the UAESP had released the terms of tender in the spring of 2011. As in previous tenders, the UAESP partitioned the city into six "Exclusive Service Zones," for which waste corporations would place bids. This time, however, each waste corporation would be required to partner with two second-level waste picker organizations—partnerships that would be assigned randomly through a lottery. The UAESP proposed two principle forms of affirmative action for waste pickers. First, the waste corporation would offer the two second level waste picker organizations a portion of shares of profits from the contract—the higher the portion of shares offered, the more points the corporation would earn in the tender competition. Second, the bidding waste corporation would submit plans to the city for the creation of official recycling routes, which would be run and staffed by local waste picker organizations. The waste picker organizations would keep half of the profits from the material that they commercialized, while half would be invested into a municipal recycling fund.

As in the 2009 tender, UAESP officials argued that their proposed affirmative actions met and even surpassed the Court's mandate for waste picker inclusion, but the ARB and aligned organizations disagreed. The ARB, with the support of some 20 waste picker organizations, filed a Contempt of Court suit against the UAESP on the grounds that its policies would not benefit most of the city's waste pickers, and would even exacerbate their marginality. First, they argued the plan to remunerate waste pickers by offering shares to second level organizations was inadequate, as there was no guarantee that the shares would actually gain value.[126] Even if the shares did gain value, however, they would be distributed unequally among waste picker organizations, with no consideration given to the quantity of waste pickers represented nor the quality of services offered. This meant, perversely, that second level organizations would be incentivized to reduce the scope of their membership and services, so that shares could be divided among fewer members for less work. Moreover, unorganized waste pickers, who represented at least 70% of the total waste picker population, would be excluded from this scheme. ARB leaders, thus, argued that the city had a legal obligation to symmetrically recognize and remunerate the totality of the city's waste pickers based on the quantity of materials that they recycled, rather than handing out shares to a handful of organizations.

Second, ARB leaders argued that the UAESP's plans for the routes would pit the waste pickers who staffed them into direct competition with the local informal waste

[126] Indeed, there was a risk that the shares would lose value leaving waste pickers indebted. The waste pickers' suspicions of this unorthodox form of payment was heightened by the fact that many of the waste corporations offered excessive portions of shares (up to 70%) in order to gain advantage in the bidding process. They testified that "*cuando la limosna es tan buena, hasta el santo la pone en duda,,*" (*"if a deal looks too good to be true, then it probably is."*

pickers, sowing conflict and displacement--that is, if the routes were created at all. ARB leaders also claimed that the plans were so vague and confusing that they were unlikely to ever materialize. Indeed, one of the bidding waste corporations made similar critiques, refusing to submit proposals for recycling routes on the grounds that the guidelines were unclear. Others submitted proposals, but interpreted the guidelines in divergent and contradictory ways. A central problem was that while the city remunerated waste corporations based on the tonnage of materials brought to the landfill, no pay scheme had been created to remunerate recycling.

Another major grievance of the ARB was that by failing to include criteria to verify the authenticity of waste picker organizations (e.g. membership numbers, age of organization), the UAESP had once again incentivized the creation of "organizaciones de papel" (paper organizations). As in the case of the 2010 tender, several new organizations were formed in the months leading up to—and even after—the announcement of the terms of tender. This time, however, the ARB managed to call media attention to the issue by creating dramatic videos of confrontations with the "fake" waste picker leaders. On June 22, 2011, ARB lawyer Adriana Ruiz-Restrepo and allied waste picker leaders from organizations aligned with the ARB confronted leaders of the new organizations outside of a public hearing convoked by the UAESP. In the video captured on Ruiz-Restrepo's cell phone, an ARB leader shouts at the men, who wear matching black Adidas jumpsuits, "You are not historic waste pickers. You are opportunists who are only here for money." A shouting match ensues, and eventually Ruiz-Restrepo asks the leader of the new organization he if a historic waste picker and has been one for many years. He replies

> I am a retired sergeant of the national military. And after seeing that, in Bogotá, there was so much abandonment of the waste pickers because a few people who claim to be waste picker leaders don't share with other waste pickers, I decided to get involved."

In a second video, Restrepo asks the leader of another organization, who was wearing gold rings and bracelets, if he was a historic waste picker. After the leader responded affirmatively, Restrepo pushed further, asking him what blocks he recycled in and what type of a cart he used to carry his materials. The leader, who appeared lost for words, walked away.

The videos were shared on TV newscasts and social media, sparking outrage among many who believed that imposters were attempting to exploit policies created for historic waste pickers. In an editorial in *El Especatador*, a leading national newspaper, Sociologist César Rodríguez Garavito wrote

> Something smells funny in Bogotá's waste tender. As if by magic, thousands of new "waste pickers" have appeared, affiliated to organizations that were created overnight in order to exploit rules designed to benefit Bogotá's real waste pickers—the ones who have spent years digging through the trash and providing

> a priceless environmental service to the city. But now the service has a price, and a hefty one at that. $2.5 billion Colombian pesos (US $1.37 billion) will be awarded to the winning waste corporations, which, due to Constitutional Court rulings, must take on waste picker organizations as partners in order to place a bid. And in this manner, waste picking—once a profession occupied only by the loathed "desechables" (disposable people)—has become the trendy new profession for every variety of carpetbagger and opportunist.

ARB leaders argued that UAESP officials were promoting the creation of fake waste picker organizations in order to undermine and supplant authentic organizations such as the ARB, which dared to contest its corrupt policies. UAESP officials fired back that ARB leaders simply sought to maintain a monopoly on power and resources, which might be threatened by the arrival of new organizations.

Ruling on Order 275 (2011)

The ARB filed a lawsuit against the UAESP, and for the seventh time in a decade, the Constitutional Court ruled in favor of the waste pickers, finding that the UAESP failed to comply with its orders to comprehensively and systematically begin to integrate waste pickers into formal waste management. Whereas Colombian mayors paid little heed to the first six major waste picker rights rulings, this one proved transformational for three reasons (Parra 2015). First, it issued the largest sanction for the violation of waste pickers' rights in world history, nullifying the US $1.37 billion waste collection bidding process. This sent a strong signal to mayors about the Court's commitment to enforcing its rulings. As former UAESP director Lucia Bohórquez explained, "Sometimes you have to break something big before anyone pays attention."

Also, it gave the most detailed explanation of Bogotá's concrete responsibilities regarding inclusive recycling policies to date. First, the Court ordered that the city update the waste picker census, with the intention of

> registering and providing identification cards to all of the city's waste pickers [and of] working with waste picker organizations to establish recycling schedules and routes that are coordinated with the schedules and routes of the garbage collection…

Second, the Court ordered the UAESP to work with the national government to establish a tariff scheme to charge users and remunerate waste pickers for recycling services, as well as to support the creation of new waste picker organizations and public recycling processing plants. By involving the national government in this charge, the Court would pave the way for the recognition and remuneration of waste pickers across the country. Third, the Court would mandate the creation of broad and ambitious public education campaigns to teach residents to separate recyclables and hand them over to waste pickers. Fourth, the Court mandated that the city recognize waste picker cooperatives through the legal figure of "authorized organizations," which can be used to integrate the solidarity economy and non-profit organizations. Finally, the Court

ordered the district to create a plan to "dignify the activity of recycling and that formalizes and standardizes it through short term goals that are concrete, appropriate, measurable, and verifiable" within three months time.

Third, and most importantly, was the timing of the ruling. The Court suspended the bidding process on August 9, then deliberated for five months until December 19, two days before the end of the term of interim-mayor Clara Lopez. Lopez publically threatened to sue the court for dragging its feet, but the Court magistrates continued to deliberate, arguing that they needed more time to study the complex case. Many people close to the case, however, suggested that the Court had deliberately stalled in an attempt to wrestle waste management away from the scandal-ridden Moreno administration. In so doing, they gave mayor-elect Gustavo Petro, a champion of social and environmental causes, a carte blanc to recreate waste management.

3.3 Conclusions

How do the form and content of classification struggles vary across political contexts? Why do movements of workers in common professions, but different political fields, diverge in their responses to basic questions such as 'who are we?,' 'what do we want?,' and 'how do we achieve it'? This chapter addressed these questions through case studies of waste picker movements in São Paulo and Bogotá during the first decade of the 2000s. As movements in both cities won policy victories and became increasingly integrated into the state, two interconnected forces pushed them to diverge in the ways they classified their constituents, grievances, and demands. The first was the differing sanctioned forms of discourse and politics within each national political field, which Ray (1999) terms "the distribution of political culture." The second was the differing openings for shaping state policy, which Ray terms "the distribution of political power."

In São Paulo, the waste picker movement came of age during a period of ascent for leftist social movements and political parties, in a political culture in which anti-capitalist discourses were prevalent. The rise of the leftist Worker's Party (PT) to national power created new openings for influencing policy through participatory democratic platforms, mass demonstrations, and backstage lobbying. In this context, the Brazilian movement and its allies developed a strategy that I term "political participation." It involved convening large numbers of stakeholders to design policy proposals and to pressure elected officials to implement them. The movement and its allies discussed waste pickers as subordinated workers whose primary threat was exploitation at the hands of capital—a classification that reflected and resonated with the local political culture.

In Bogotá, in contrast, the waste picker movement matured under rightwing national regimes that violently repressed leftist movements and anti-capitalist discourse. Like many other Colombian social movements, the waste pickers would

adopt a relatively safer discourse of human rights. The movement would classify waste pickers as a group akin to an ethnic minority whose primary threat was dispossession at the hands of the state. This classification was both reflective of the political culture within which the movement was embedded, and strategically designed to take advantage of political openings created by Colombia's robust human rights law. Through human rights lawsuits, the movement would pressure the state into recognizing the waste pickers as a protected population with the right to continue in their trade and to be remunerated for it.

Whereas this chapter shed light on how classification struggles diverge across political contexts, the next one discusses how these divergences matter. It analyzes the differential policies and short term policy outcomes that resulted from waste picker rights struggles in Bogotá and São Paulo. Also, while this chapter has argued that political fields shape and constrain movement politics, the next one presents evidence of the agency waste picker activists exercise within these constraints. It discusses controversies and conflicts that erupted within waste picker movements in São Paulo and (to a greater degree) Bogotá over waste picker rights policy.

Chapter 4. The Antinomies of Successful Mobilization (2012-2016)

In 2017, The Economist Intelligence Unit published a report on inclusive recycling in Latin America and the Caribbean, which ranked 17 large cities based on inclusive recycling policy, waste picker organization, and the integration of waste pickers into formal recycling markets. São Paulo and Bogotá finished in the top three for each of these categories, with São Paulo achieving slightly higher overall scores.[127] The Economist (2017, 21) noted that Bogotá's waste pickers are "recognised as providers of public sanitation services, and as such they have a right to compensation similar to that obtained by providers of non-recyclable waste." The Economist (2017, 64) saved its highest praise for São Paulo, however, where it claimed that "the roles of and the interaction between users, [waste pickers] and privately owned waste management companies have been perfected, due to 20 years of implementing selective collection routes with the participation of cooperatives."

My research, however, conducted at the same time as that of the Economist, complicates this rosy assessment. My survey of São Paulo's 21 cooperatives found that only 7% of the 1,100 cooperative members had ever worked collecting recyclables from the streets. Most of the rest previously worked in other low-income jobs, and did not identify as "waste pickers." To be sure, creating green jobs in the solidarity economy for these workers—the plurality of whom are black, women, and heads of households with low levels of formal education—is a valuable and praiseworthy project. Nonetheless, an estimated 20,000 waste pickers continued to work on city streets, where many report that their incomes have decreased due to competition from the recycling route designed to benefit them. These waste pickers collect the lion's share of the city's recyclables, but receive no official recognition nor remuneration for the service, and often face harassment from police and building managers.

In Bogotá, in contrast, inclusive recycling policies sought to recognize and remunerate street waste pickers even as they continue to work informally. Such policies have improved the incomes and social standing of thousands of street waste pickers, but have been criticized for entrenching informality rather than uprooting it and failing to professionalize recycling services. From 2012 to 2014, the city created a registry of 18,000 waste pickers through an elaborate census and verification process. The city then distributed 18,000 government uniforms to registered waste pickers and issued 3,000 pickup trucks to waste pickers who had previously worked by horse-and-buggy. And most groundbreaking of all, the city began making bimonthly payments to 13,500 waste pickers in recognition of their public service through an innovative pay scheme. Through this scheme, waste pickers continued to sell their goods to scrap shops, which paid them on the spot and made an official registry of materials. Then, the city sent the

[127] Buenos Aires also finishes in the top three in all categories.

waste pickers a text message with a code redeemable for cash at ATMs based on the quantity of goods they collected in the previous months---representing about a 50% pay raise.

This chapter analyzes the nature and causes of the differential policy outcomes between São Paulo and Bogotá. Despite significant limitations, Bogotá created policies that were better attuned to the needs, capacities, and logics of street waste pickers, leading to higher levels of social inclusion. This finding is surprising in light of the fact that the Colombian movement came of age under rightwing national administrations that attempted to criminalize waste pickers, while the Brazilian movement matured under leftist regimes that championed their cause. Moreover, the Colombians won their key political victories through human rights lawsuits in closed courtrooms with scant popular participation, whereas the Brazilian policies were developed in participatory democratic forums, which purported to enlist waste pickers as policy co-creators.

I argue that the human rights strategies used in Bogotá produced greater waste picker inclusion for two reasons. First, the Colombian classification of waste pickers as "indigenous like" prioritized the identification and inclusion of traditional waste pickers. Constitutional Court rulings mandated Bogotá's mayor to comprehensively identify and formalize street waste pickers, though the Court provided few details about how this was to occur. This would enable the movement to demand that state officials adapt to waste pickers' needs rather than the other way around. ARB leaders described these policies as "waste picker recognition," in distinction to the "inclusive recycling" model enacted in São Paulo, which was favored by many Colombian officials as well. Waste picker leaders argued the state's role was to recognize and improve upon the existing recycling system, rather than to build a new one in which to include waste pickers. As ARB president Olivia Maza put it "If we start with inclusion, it's as if we were starting from zero.[128] But, as it turns out, we're not at zero. Twenty-thousand waste pickers already collect 1,400 tons of material daily in Bogotá, a quarter of the waste that the city produces, without any help from the state."

The classification of waste pickers as "exploited workers" in Brazil, in contrast, did not prioritize the inclusion of street waste pickers. Thus municipal and national laws required municipalities to contract waste picker cooperatives to provide comprehensive recycling services, but defined cooperative members as any "low income" person, and made no special provisions for street waste pickers. São Paulo's waste picker cooperatives were designed to rescue street waste pickers from the hardships and indignities of the street, but instead recreated some of the barriers that caused waste pickers to be excluded from the formal economy in the first place. Most street waste pickers lacked the desire and/or capacity to work on Fordist assembly lines

[128] Interview with Olivia Maza, September 10, 2015

sorting recyclables, where they experienced a loss of income, freedom, and dignity. Yet even when this miscalculation became clear, the "exploited worker" classification enabled the cooperatives to simply hire other low income people and classify them as "waste pickers"—giving the perception to outsiders that cooperative members had previously worked on the street.

Another factor contributing to the differential outcomes is that the human rights discourse in Colombia enabled the movement to convert symbolic power (power of naming) into hard power (coercion), which the movement used to pressure state officials at critical moments. One source of hard power were Constitutional Court rulings, which severely sanctioned mayors who failed to demonstrate that they had authentically integrated historic waste pickers, nullifying a billion dollar waste management bidding process in Bogotá in 2012 and leading to the jailing of a mayor in Cartegena in 2015. Also, the existence of an ally in the Constitutional Court increased the movements' political independence from elected officials, facilitating the use of strategic disruptive protest. For example, from 2013-2015, when Mayor Petro of Bogotá—a key ally to the waste picker movement—attempted to implement a system of recycling routes and sorting warehouses akin to that of São Paulo, the waste picker movement blocked his efforts through disruptive protests and threats to occupy the city dump.

In São Paulo, in contrast, the movement depended deeply on the goodwill of elected officials, particularly those of the PT, and could not as easily afford to antagonize them through disruptive protest. Thus, for example, movement leaders did not launch major protests against PT Mayor Martha Suplicy when she sold off 20-year contracts for recycling pickup to private waste companies in 2002. Instead, movement leaders voiced their critiques within participatory democratic forums hosted by Suplicy's administration, which made little impact. Such forums created the appearance of authentic consultation with historic waste pickers, but the actual participation and power of historic waste pickers in the forums was limited. Notably, Bogotá's mayor, Gustavo Petro (2012-2015), also organized extensive participatory democratic forums for waste pickers, but the ARB walked out on them in 2015 on the grounds that the forums were a merely a vehicle for legitimizing Petro's policies. They argued that Petro and the waste pickers held structurally oppositional interests on many issues, and such conflicts would only be resolved "on the streets" (through protest).

4.1 Unintended Consquences In São Paulo

> Those rich people, they look at waste pickers like the left overs of humanity, right? So, in my opinion, the way they built those warehouses, those sorter cooperatives, it was mainly to get waste pickers and homeless people off of the street. The rich wanted to imprison the waste pickers in a warehouse, in a space where they can control them, in order to assert themselves over the waste

pickers. The rich people think the poor are inferior, like nobodies on the street... They don't want to see waste pickers because it gives them shame. The waste picker does a service that the rich person doesn't do, putting his hand in garbage to remove the recyclables, you understand? Because these rich people lack education. The rich would like to get rid of the waste pickers and homeless people, to ban them from the center of the city, and throw them all in a tiny prison.
-Marco Bastos, street waste picker and founder Rio Grande Street Waste Picker Association

The way I think about how we should treat waste pickers has changed since I started working with them, 15 or 20 years ago. We thought that it was simple. We thought that we could just tell them, 'we have a warehouse for you. Come on, let's build a cooperative inside. We'll train you and equip you.' But it was much more complicated in the cooperatives: the interpersonal dynamics, the money, the collective work. We didn't understand how to serve that population. At that time, we thought that all the waste pickers had to work inside a shed… inside of a little square box. We thought, naturally, inside of the warehouses, they are going to earn more and be in a more secure place. But then we saw that the waste pickers would leave the sorter cooperatives, or they wouldn't even enter.
-Fabio Luiz Cardoso, NGO Staff member who worked as a consultant in the creation of sorter cooperatives during the administration of Martha Suplicy

In 2017, after 25 years of inclusive recycling policy, less than 1% of São Paulo's estimated 20,000 street waste pickers had been integrated into formal waste management. Why was the inclusion rate so low? The central argument of this chapter, as suggested by the quotes above, is that São Paulo created a model of inclusive recycling--centered on the sorter cooperative, that did not align with the needs, capacities, and logics of street waste pickers. But before elaborating on this argument, I review how this policy was created. How did well intentioned leftist municipal administrations, working in close consultation with the waste picker movement and its civil society allies, develop policies that functionally excluded the very vulnerable workers that they were designed to benefit? The puzzle becomes even more vexing when one considers that these policies were implemented under seemingly favorable political and economic circumstances: during the presidency of Luiz Inácio Lula da Silva, who arguably prioritized waste picker empowerment more than any other head of state in world history and in the midst of an economic boom that enabled the Brazilian state to invest hundreds of millions of dollars into inclusive recycling projects.

I argue that São Paulo's model of waste picker inclusion was the outcome of the collision of three competing political projects, each of which generated a distinct paradigm for classifying and engaging with waste pickers: *higienização* (hygienization or social cleansing); Recognition, Rights, and Resources (RRR); and State Socialist Formalization (SSF). The first paradigm, hygienization, treated waste pickers as sources of crime, disease, vagrancy, moral degeneration, and urban blight, and therefore sought to forcibly remove them from the street. This paradigm was epitomized by the policies of Mayor Jânio Quadros, who declared waste picking to be a criminal offense punishable by prison sentences in 1986 and oversaw intense campaigns of police harassment. Mayor Luiza Erundina formally reversed this policy, passing a decree in 1990 that legally recognized street waste pickers and their organizations. Nonetheless, the criminalization paradigm did not die. To this day, waste pickers continue to face sporadic and arbitrary harassment and even killings at the hands of police.[129] Meanwhile, city officials periodically evict homeless encampments, intermediary buyers, and street waste picker cooperatives under the auspices of sanitary concerns. Their true motivation, however, often appears to be vanquishing the streets of informal waste pickers and homeless people.

The second paradigm, which I term "Recognition, Rights, and Resources" (RRR) treated waste picking as a source of survival, resiliency, and—at times—even dignity for marginalized populations in the face of dehumanizing circumstances. It therefore sought to recognize waste pickers' contributions, and to provide resources that they could use to gradually improve their conditions. The inception of this paradigm came in the 1980s, when a group of nuns and homeless waste pickers in São Paulo worked together to build Brazil's first (cart pusher) *carroceiro* cooperative. Members of Coopamare continued to work individually on the street to collect materials, which they collectively stored, sorted, and sold. PT mayor, Luiza Erundina (1989-1992), worked with Coopamare and the nuns to design the city's first inclusive recycling policies, providing street waste pickers with legal recognition, land, equipment, and technical assistance. These policies only occurred on a small scale and Erundina's successor largely discontinued them. Nonetheless, over the next decade, the Coopamare experience helped inspire the creation of 70 more street waste picker organizations across São Paulo and hundreds more across Brazil.

The third paradigm, which I term "State Socialist Formalization" (SSF), saw street waste pickers as hyper-exploited workers, and waste picking as a degrading and dangerous activity. This paradigm therefore sought to rescue waste pickers from the hardships and indignities of the street, and relocate them to recycling cooperatives with industrial labor standards. To do so, state officials would attempt to dismantle the

[129] In 2017, the police killing of an unarmed waste picker in the wealthy neighborhood of Pinheiros called international attention to the going problem of police violence. (Sophie Gross and Sacchetta 2017)

extant informal recycling system, and replace it with one that aligns with principles of state socialism: scientific central planning, state ownership of the means of production, and democratic worker control of the means of production. The goal was both to rescue the waste pickers from the perceived indignities of the street and to transform them into a disciplined and politically organized workforce, which could serve as an agent of class struggle. The archetypal waste picker organization of the SSF paradigm is the *triador* (sorter) cooperative. In this model, a formal recycling route takes over waste pickers' traditional role of collecting materials on the street, which are delivered to cooperatives where members sort and sell them.

Mayor Martha Suplicy (PT 2002-2005) first created the sorter cooperative model, with input from the Waste and Citizenship Forum and several waste picker organizations. Critically, in the initial phase, Suplicy promoted a hybrid model of RRR and SSF, which supported the creation and development of both sorter cooperatives and informal organizations of street waste pickers known as *nucleos* (nuclei). These two organizational types were to collaborate with one another, with the sorter cooperatives providing infrastructure and technical assistance to the nuclei, and the nuclei recruiting and training street waste pickers to work in the sorter cooperatives. In 2004, there were almost equal numbers of waste pickers in each project, with 15 sorter cooperatives employing 684 members and 30 nuclei employing 651 members (Grimberg 2007, 72). To be sure, this represented only a tiny portion of the city's 20,000 street waste pickers, but still many fold the quantity that were organized at the time of my fieldwork from 2014-2017. By this point, the city had shifted to a nearly fully SSF model, working with 39 sorter cooperatives and only two street waste picker cooperatives, which employed fewer than 100 actual street waste pickers.[130]

What accounts for this shift from the hybrid model to the fully sorter cooperative model? I argue that, as Marco Bastos points out in the epigraph of this section, these developments are a product of the perverse confluence between the leftist paradigm of SSF and rightwing paradigm of hygienization, as both paradigms seek to remove waste pickers from the street. In practice, this meant that rightwing administrations tolerated the sorter cooperatives, maintaining similar levels of support as did the leftist administrations that proceeded them. In contrast, the rightwing administrations actively attempted to evict the cart pusher cooperatives, and in most cases, succeeded in doing so.[131] In summary, as Table 5 illustrates, São Paulo's right-leaning administrations

[130] In March 2017, the conservative Mayor served eviction notices to both of the remaining sorter cooperatives, which continue to battle for survival at the time of my writing.

[131] Due to its broad civil society support Coopamare was able to survive attempts at eviction by three rightwing administrations. But the third of these administrations, José Serra (2005-2006) succeeded in reducing Coopamare into a shell of its former self. When Serra entered office in 2005, Coopamare had 300 members, 90% of whom were street waste pickers. Under threat of eviction from Serra, however, Coopamare had shift from a *cart pusher* to a *sorter* model, and its membership plummeted to 30 members. In 2017, it only contained 22 members, and only five catadores históricos.

tolerated *sorter cooperatives* and repressed *cart pusher* cooperatives, while its left-leaning administrations championed *sorter cooperatives* and tolerated *cart pusher cooperatives,* resulting in a shift towards a fully *sorter cooperative* model.

Table 5. São Paulo's Mayors Since the End of Dictatorship

	Political leaning (party)	Cart pusher cooperatives	Sorter cooperatives
Jânio Quadros (1986-1999)	Right (PTB)	Repressed	NA[132]
Luiza Erundina (1989-1992)	Left (PT)	Championed	NA
Paulo Maluf (1993-1996)	Right (PDS/PPR/PPB)	Repressed	NA
Celso Pitta (1997-2000)	Right (PPB)	Repressed	NA
Marta Suplicy (2001-2004)	Left (PT)	Tolerated	Championed
José Serra (2005-2006)	Right (PSDB)	Repressed	Tolerated
Giberto Kassab (2006-2012)	Right (DEM/PSD)	Repressed	Tolerated
Fernando Haddad (2013-2016)	Left (PT)	Tolerated	Championed
João Doria (2017)	Right (PSDB)	Repressed	Tolerated

4.1.1 A Note on Terminology

The principle aim of the survey that I conducted in the 21 formalized waste picker cooperatives was to understand the relationship between them and the population that they had been designed to integrate, São Paulo's estimated 20,000 street waste pickers. I found that of 1,020 people who work in São Paulo's officially recognized waste picker cooperatives, only 7% (71), were *históricos*, or people who previously worked collecting materials on the street. The rest were *desempregados*, or people who had not worked previously collecting recyclables on the street. Based on my observations, I estimate that an additional 28 *históricos* work in the non-formalized sorter cooperatives,[133] which

[132] Sorter cooperatives were not created until Marta Suplicy's mandate in 2002

[133] Based on my observations and interviews, the rate of inclusion of *históricos* at formalized and non-formalized sorter cooperatives cooperatives was similar. The waste management agency estimates that 20 non-formalized sorter

would bring the total of *históricos* working in sorter cooperatives to 99. *This is to say, 15 years after their inauguration, the sorter cooperatives had only succeeded in integrating 0.5% of São Paulo's estimated 20,000 street waste pickers.*

Before moving on to my arguments regarding the functional exclusion of street waste pickers from sorter cooperatives, however, it is prudent to discuss the use of three terms used to describe members of São Paulo's cooperatives: *catador* (waste picker), *desempregado* (unemployed), *and catador histórico* (historic waste picker). These terms are not only descriptors, but political interventions. They bare implicit claims regarding which groups of the working poor are deserving of access to political voice, government benefits, and collective identities—or in short, 'who has a right to have rights.' And the way in which policy protagonists draw such lines of distinction often reflects broader political ideologies as well. It is thus important to distinguish between *categories of practice*--those used by the subjects of this study, and *categories of analysis*--my own categories. For the sake of clarity and accuracy, I maintain categories of practice in Portuguese, but translate categories of analysis into English.

The terms "*histórico" and* "*desempregado"* are somewhat misleading. Most *históricos* have a long trajectory in the profession, but this is not necessarily the case. A *histórico* could simply be someone who worked for a short stint as a street waste picker and then moved to a cooperative. Meanwhile, *desempregados* were not necessarily unemployed before they came to the cooperatives—many worked in other low paying precarious jobs in industries such as domestic work, construction, factories, or retail. Some of them were previously unemployed, but by definition, are no longer so once they begin working in a cooperative. A more accurate, yet clunky nomenclature would be "ex-street-waste picker" (*histórico)* and "non-ex-street-waste picker" (*desempregado).* Nonetheless, the waste picker movement created these terms not only for the sake of efficiency, but to legitimize the participation of both types of cooperative members. The *desempregados'* legitimacy stems from their exclusion from the labor market, while that of the *históricos'* stems from their trajectory working in the street.

Within cooperatives, these categories do not only refer to work history, but also to habitus. In many cases, *históricos* and *desempregados* may earn similar incomes and live in the same neighborhoods, but the *históricos* have experienced more intense social marginalization. Anecdotal accounts suggest that they are more likely to be illiterate, formerly-homeless, survivors of abuse, and in some stage of recovery from addiction. *Desempregados* anecdotally appeared to have slightly higher education attainment and formal work experience. Whereas, *históricos* tend to identify deeply as recycling professionals, many *desempregados* see their jobs in the cooperatives only as a temporary *bico* (gig) to help keep food on the table until they found higher paying jobs.

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cooperatives employ 400 waste pickers. If 7% of them are *históricos,* this would be 28 *históricos.* Follow up studies should be done to confirm this.

Another term that merits further analysis is *catador.* Several Brazilian laws define members of sorter cooperatives as *catadores de materaís reciclaveis* (waste picker).[134] MNCR leaders, state officials, NGO workers, and academics also use this term to refer to members of sorter cooperatives. Nonetheless, many members of sorter cooperatives reject the title of *catador*. MNCR leaders claim that cooperative members fear the stigma associated with term the *catador*. The MNCR therefore attempts to inculcate *catador* pride among cooperative members, using cultural strategies to promote the catador identity, including marches, art projects, t-shirts, and the catchy hymn "Eu Sou Catador" (I am a catador)—which is sung at most MNCR events. In 2011, the MNCR and an allied NGO even launched a national "Eu Sou Catador" campaign, which featured famous actors and musicians declaring themselves to be *catadores* in TV, online, print, and billboard advertisements.

[134] In Brazil, waste pickers are commonly called *catador de lixo* (waste picker), but the MNCR and its allies promote the use of the term *catador de materaís reciclaveis* (recycables picker) instead, calling attention to *catadores* environmental contributions.

Images 1-3. *The newspaper advertisement above features—from left to right—Darlan Cunha (actor), Milton Nascimento (singer), Marília Pêra (actress), Chico Buarque (singer), and Tião Santos (waste picker and star of the Oscar-nominated documentary, Wasteland). The below picture are of presidents Da Silva and Rousseff with "I am a Waste Picker" t-shirts.*

Among the 21 cooperative leaders whom I interviewed, only five said that members of their cooperatives identified as *catadores.* And even members of these cooperatives sometimes denied identifying as *catadores.* Many of the cooperative leaders rejected the catador title, which they claimed was demoralizing. One told me:

> I use *agente ambiental* (environmental agent). I think it is more beautiful, better for cooperative members' moral.

Another said:

> The cooperative members don't like the term *catador*. They prefer *cooperados* (cooperative members) or *agente ambiental*. Nobody wants to be called a *catador* because it is associated with pushing carts in the street.

Many cooperative leaders insisted, however, that their rejection of the catador identity was not primarily about stigma, as MNCR leaders claimed. Rather, they said that to call someone who works in a recycling plant a 'waste picker' was simply a misnomer:

> It's not a question of discrimination. Our cooperative's president used to be a *catador,* and it is a noble profession. But look, what does a *catador* do? He grabs his cart and takes to the street, picking recyclable material from waste left on the ground. And what do we do here? We receive recyclable material, we sort it, we press it, and we sell it. So we are not *catadores.* We are *triadores* (sorters). And actually, sometimes we also do the work of collecting recyclables with trucks, but we don't pick [recyclables out of the garbage], we collect [pre-sorted recyclables]. So, we are *colletores* (collectors) of recyclables, not *catadores*.

Several of these interviewees even accused the MNCR and allied NGOs of cynically using the term '*catador'* in order to win sympathy and funding from state agencies and international foundations, when they were actually were doing very little to help the *'catadores verdaderos'* (real waste pickers).

Nonetheless, those cooperative leaders who defended the use of the term *"catador"* argued that everyone in the cooperatives were *catadores* because they were low income people who salvaged recyclables. Some of them argued that the distinction between *desempregados* and *históricos* is divisive and unhelpful because they are all members of the precarious working class and therefore equally deserving of jobs in the solidarity economy. They would argue that by providing jobs for *desempregados*, cooperatives may be helping them avoid having to turn to waste picking in the future. Indeed, many movement leaders and allies consider the progression from working on the streets to working in the cooperatives as a natural evolution of their struggle. Rather than attempting only to improve the livelihoods of the individuals who traditionally worked as waste pickers, they seek to transform the profession itself.

4.1.2 São Paulo's Informal Recycling System

In this section, I present an overview of São Paulo's recycling system during the mandate of PT Mayor Fernando Haddad (2013-2016), which overlapped with my field research period (2014-2017). During this period, São Paulo produced a staggering 20,000 tons of waste daily. The lion's share of this waste was collected by two waste corporations, Loga and Ecourbis,[135] and transported to two nearby sanitary landfills. A significant portion of the city's waste, however, was diverted from the landfills through two recycling systems—one informal and one formal. In the informal system, *catadores de rua* (street waste pickers) and other actors salvaged materials from waste in streets and buildings and sold them to intermediary buyers. In the formal system, residents and businesses separated recyclables, which were collected by an official recycling route and delivered to cooperatives to be sorted by *catadores de galpão* (warehouse waste pickers). In what follows, I describe these two systems, and the role of waste pickers within them.

Statistical Overview of Informal Recycling

Informal waste pickers are estimated to collect nearly 90% of the material that is recycled in Brazil (Silva, Goes, and Alvarez 2013, 19) and have helped Brazil achieve a world-record 98.2% recovery rate for cans, according to the Brazilian Association for Aluminum (ABAL 2017, 37). Nonetheless, they are systematically excluded from official statistics, and their contributions often go overlooked in scholarship and political debate. São Paulo is no exception in this regard. São Paulo's informal recycling system dwarves the formal one in terms of the quantity and quality of materials recycled, the

[135] As described in Chapter 3, Mayor Martha Suplicy's administration awarded these corporations 20-year concessions for waste collection in 2003.

greenhouse gas reduction generated, the number of jobs produced, and its cost efficiency to the public. Nonetheless, it remains deeply understudied. Few studies have rigorously analyzed the size and scope of the informal waste picking system, and no census has been taken of the street waste pickers. This lacuna is an important finding in itself, as it demonstrates the lack of priority given to inclusion of informal waste pickers--especially in comparison to Bogotá, where four censuses have been conducted.[136]

Existing estimates of the quantity of street waste pickers in São Paulo range from 10,000 (CIPMRS 2014, 105) to 38,000 (Burgos 2008, 193). In this study, I use the estimate of 20,000 street waste pickers (Grimberg 2007, 14), which I consider to be conservative—the street waste picker population is likely much higher.[137] Nonetheless, I use this estimate because it is the most commonly cited estimate in scholarship, and the one favored by the MNCR and the Waste and Citizenship Forum. According to the same data set, the informal recycling system recycled 15% of the total waste produced by the city in the early 2000s. I consider this to be a relatively dependable estimate, as it aligns with official estimates of the informal recycling rates of Brazil and other cities in the Global South, including Bogotá.

Street waste pickers work style

Although street waste pickers' most famous work instrument is the *carroça* (pushcart), many also use sacks, wagons, bicycles, cars, and vans to collect and transport materials. Most street waste pickers salvage materials in the brief window of time (approximately two hours) between when residents and businesses place bags of waste on the curb and when the official garbage trucks collect it.[138] The official recycling

[136] Bogotá's municipal administrations conducted four censuses of the city's waste pickers from 2004 to 2012, each more comprehensive than the previous. Then, from 2013 to 2015, the city sent a team of 25 social workers to comb the streets of every borough in the city twice per week, talking photos and registrations of waste pickers while they worked in to verify the censuses.

[137] Polís (2007) created this estimate by dividing the average monthly quantity of waste diverted from the city landfill between 2000-2004 (39,000 tons) by the average monthly quantity of recyclables collected by street waste pickers (2 tons). I believe that the city's actual waste picker population is likely much higher for three reasons. First, according to the municipal waste management agency, 6,000 intermediary buyers work in São Paulo, most of which purchase directly from waste pickers (Interview with Edison Thomasi of AMLURB, July 6, 2017). If, for example, 4,000 of the intermediaries purchased materials 10 waste pickers each, this would give 40,000 waste pickers. Second, POLIS's estimate is based on information from 2001-2004. The city's waste production nearly doubled from 2001 to 2013, likely leading to an increase in waste pickers. Third, Bogotá's official registry includes 21,000 waste pickers, and many more are unregistered. Given that São Paulo is a larger city and generates significantly more waste, it is likely to host more waste pickers.

[138] Garbage collection occurs three times per week in most middle class and commercial neighborhoods, where the most valuable waste is produced. Some residents and building workers sympathize with waste pickers and separate recyclables to spare them the trouble of digging through trash bags. Others view waste pickers as sources of litter and crime, and attempt to deter them by waiting until just before the garbage truck arrives to place their garbage on the sidewalk. In some cases, residents groups mount lockable dumpsters to impede waste pickers' access.

route also passes by one or two times per week in many neighborhoods, and waste pickers sometimes appropriate materials before the arrival of the official trucks. Also, many waste pickers do not wait for the garbage pickup, but rather, salvage materials from public waste receptacles or informal dumpsites (e.g., riverbeds and empty lots). Still others secure *pontos* (spots), that is, buildings where they negotiate for direct access to recyclable waste—sometimes in exchange for providing auxiliary services such as cleaning.

With few exceptions, waste pickers consider waste left on the street to be a common property resource, which can be appropriated by anyone on a first come, first serve basis. Consequently, street waste pickers face great competition for materials both from one another, and from other actors such as the official recycling route and *"murcegãos"* (big bats)[139]—that is, trucks sent by intermediary buyers that collect recyclables ahead of the official recycling and garbage routes. Also, members of households, businesses, and buildings often guard recycables to sell themselves. Whereas the street is generally considered a shared territory, *pontos*, in contrast, are often held exclusively by one waste picker. Violent conflicts sometimes ensue when one waste picker attempts to poach another's *ponto*.

In March and April of 2017, I conducted a brief survey (approximately 10 minutes) of 30 waste pickers whom I encountered working on the streets of the city center. Admittedly, this was a highly unscientific sampling of the city's total waste picking population and likely contained a disproportionately large number of homeless waste pickers (22). Nonetheless, it offered some insights into the experiences of street waste pickers. The most striking finding was the level of disconnection between these waste pickers and the policies and organizations designed to benefit them. Among the 30, only two pertained to street waste picker organizations, and three others had worked in sorter cooperatives, but quit. Only four of them had heard of the MNCR, and none of them knew of the National Solid Waste Policy of 2010.[140] Twenty of them claimed that their incomes had decreased due to competition from the official recycling route—a policy that had been designed to benefit them.

4.1.3 São Paulo's Formal Recycling System

In 2013, at the start of Haddad's administration, São Paulo's official recycling route was run exclusively by two waste concessionaires, Loga and Ecourbis. The recycling route was much smaller than the garbage route: the garbage route employed a fleet of 292 trucks, which served the vast majority of the city's households three times

[139] In California, such operations are nicknamed "mosquito fleets." In both cases, the allusion to blood sucking creatures seems to refer to the fact that the trucks appropriate large quantities of valuable materials that would otherwise be collected by the official recycling service or by impoverished waste pickers.

[140] When I asked if they had heard of the National Solid Waste Policy of 2010, four responded affirmatively, but when I asked what it was, none were able to say.

per week; the recycling route, in contrast, used only 20 trucks, which served just under half of the city's households once per week (Jacobi and Besen 2011, 148). The recycling route collected 1.6% of the city's waste and transported it to waste picker cooperatives to be sorted, binned, and sold. Frustratingly, however, the majority of materials received by the cooperatives were rejected due to poor separation by residents and the use of compactor trucks that contaminated recyclable materials with organic ones. The city's formal recycling rate thus remained below 1%.

Over the next three years, however, Mayor Haddad's administration would expand and improve the recycling routes, and contract cooperatives to help run the route with non-compactor trucks in many neighborhoods. Also, his administration would construct two large mechanized recycling plants, where materials could be sorted at a faster pace, although at a lower quality. These innovations boosted the city's official recycling rate to over 5% by 2016—an impressive increase, but still much less than the estimated informal rate of 15%.[141]

Sorter Cooperatives

During Haddad's mandate, the city maintained official contracts with 21 *cooperativas de triagem* (sorter cooperatives), which employed some 1,100 members. The city had formalized contracts with 14 of these cooperatives during Martha Suplicy's administration (2002-4), and with seven more during the two subsequent mayoral administrations (2005-2012). The municipal government paid the rent and utilities for the cooperatives' warehouses, and provided equipment such as conveyer belts, digital scales, presses, forklifts, computers, personal safety equipment, and uniforms. Additionally, the city provided technical support, trainings, and—of course—regular deliveries of materials from the recycling route. The city did not directly remunerate the warehouse waste pickers for their labor, however, but rather expected cooperative members to earn a living from the rents earned through selling recyclables.

Additionally, the city maintained relations with 18 non-formalized sorter cooperatives, with the hope of some day formalizing them. The city also provided materials, warehouses, equipment, and support to these cooperatives, but on a more limited and irregular basis. Also, many of these cooperatives negotiated agreements with businesses that donated materials to them. The non-formalized cooperatives varied widely in size and organizational capacity, sometimes passing through periods of inactivity. A waste management official estimated to me in 2016 that they employed some 400 members, making for a total of approximately 1,500 members of the sorter cooperatives.

The 'warehouse waste pickers'

[141] Interview with Simão Pedro, July 4, 2017

My survey of the 21 formalized sorter cooperatives found that members were predominately women (59%), Afro-Brazilian,[142] heads of households (94%), and without high school degrees (81%). The cooperatives also contain large numbers of groups that face labor market discrimination such as senior citizens, illiterate people, and ex-prisoners. Members were primarily recruited by word of mouth, with cooperative members and neighbors often referring job-seeking friends to the cooperatives. During the primary period of my research (April 2016-April 2017), unemployment hit record highs in Brazil, so the cooperatives had little difficulty recruiting members. Indeed, my interviews with cooperative leaders were frequently interrupted by job seekers stopping by to drop off CVs.

During interviews, the warehouse waste pickers described many advantages to their jobs: first, no prior experience, background checks, or educational degree were needed to gain work. Second, the cooperatives were an accommodating worksite for mothers, as 70% of cooperative members lived within 5 kilometers of the cooperatives, and schedules were flexible enough to accommodate childcare exigencies. Third, some cooperative members esteemed practices of collective self-management, and many women in the cooperatives valued comradery with other women who shared similar trajectories and challenges.

Nonetheless, there was high worker turnover in most cooperatives. Cooperative leaders estimated that 548 members left the cooperatives in 2016. The most common reasons for leaving were lack of satisfaction with income and working conditions, and the procurement of jobs elsewhere. Additionally, that year, cooperative leaders fired over 100 members, most commonly for excessive absences and larceny. Technically, this represents a 64% annual turnover rate in the cooperative workforce. Nonetheless, this statistic may exaggerate the workforce volatility for two reasons. First, nearly half of the turnover came from four problematic cooperatives. If these cooperatives are removed from the sample, the turnover rate goes down to 35%. Second, much of the turnover comes from cooperative members who quit during their first week of work.

While incomes varied from month to month depending on productivity, nearly half of the 22 cooperatives paid equal or less than the federal minimum wage (R$788.00 or US$220.00 per month) at some point during 2016, and some had to forgo paying members for months on end due to budget deficits. The rest of the cooperatives only paid slightly above the minimum wage, a difficult sum to get by on in Latin America's most expensive city. Moreover, many cooperative members find the work of sorting

[142] Categorizing race in Brazil is a confounded task, and my survey questions to cooperative leaders about the race of the cooperative members did not yield reliable results. Nonetheless, in my observations, the sizable majority of cooperative members appeared to be of African descent, and identified as such when asked. This is consistent with other studies of Brazilian waste pickers. For example, in a 2010 census, 400,000 Brazilians identified as waste pickers, 66% of whom self-identified as *negro* (black) or pardo (*mixed race—typically including black, white, and indigenous heritage*) (IPEA 2010).

through waste to be redundant, noxious, and lowly esteemed by society. Also, solidarity economy practices were highly uneven: some cooperatives were derailed by internal conflict, while others were run in a hierarchical fashion that resembled a traditional business more than a socialist utopia.[143]

4.1.4 Functional Exclusion From the Sorter Cooperatives

One might reasonably question whether "exclusion" or "choice" is a more accurate characterization of street waste picker's lack of participation in the waste picker cooperatives, given that many concerted attempts have been made to integrate the street waste pickers. When the sorter cooperatives were inaugurated under the mayoral regime if Marta Suplicy (PT 2002-2004), cooperative leaders, civil society allies, and government officials made significant efforts to recruit street waste pickers, and indeed, the majority original members were *históricos.* Yet most of the *históricos* dropped out in a matter of weeks, and others gradually left over the years.[144]

In the years since, most cooperative leaders have given up on the project of integrating street waste pickers. When I asked the 21 cooperative leaders if they made any special effort to recruit street waste pickers, only four answered affirmatively. They claimed that, on an ad hoc basis, they sometimes invited street waste pickers to join the cooperatives, but their invitations were rarely accepted. Most of the leaders claim that the vast majority of street waste pickers have no interest in joining, and most of those who do join quit within weeks.

Notably, from 2012 to 2014, the MNCR ran a federally-funded program called "CataRua" (Pick the Street), in which a team of three MNCR leaders--all *históricos* themselves—and three "*técnicos"* (hired professional staff), combed the streets of São Paulo looking for waste pickers. They entered basic information about 815 of them into an official registry and invited them to join cooperatives. Only six of the 815 street waste pickers accepted the invitation to work in the cooperatives, however, and no follow up was conducted to see how long they stayed there.

Professionals and Indigents

Despite the fact that in many cases street waste pickers reject opportunities to work in cooperatives, I contend that this is the result of a type of exclusion: functional exclusion. Most street waste pickers either do not have the capacity and/or desire to work in the cooperatives because the conditions within them do not align with their

[143] Many cooperative leaders hurled mutual accusations at one another of running "*coopergatos*" (cooper-cats), or for-profit businesses that, perversely, adopted the title of "cooperative" in order to skirt labor regulations and taxes, and to qualify for state benefits. In practice, the lines between a coopergato and true cooperative are often blurry.

[144] At seven of the cooperatives that I visited, leaders reported that a handful of the founders (5-10), who were *históricos*, worked in the cooperatives for many years—in some cases until they retired or died. Many in this initial cohort of *históricos* had a deep commitment to the cooperatives, likely because they had helped found them. Nonetheless, subsequently, it became very difficult to recruit and maintain *históricos* in the cooperatives.

needs, capacities, and logics. Similarly, we might say that a school or business that attempts to recruit underrepresented groups, but does not create the cultural and material conditions that such groups would need to persevere and thrive, functionally excludes such groups.[145]

There are at least two important categories of street waste pickers that face distinct types of functional exclusion. The first category, who sometimes self-identify as *professionais* (professionals), generally earn well over the minimum wage, are housed, have low levels of drug and alcohol reliance, and work outside the city center. The *professionais* are overwhelmingly male. Contrary to the perceptions of public officials and NGO workers, who see the act of picking through waste and transporting it with carts as undignified, dangerous, and premodern, the *professionais* take pride in their ability to push heavy carts of material through traffic-filled streets. It is a performance of traditional masculine values such as self-reliance, strength, resistance, courage, and mobility in public space. They also take pride in their social competence, which enables them to increase their income by convincing residents and business owners to grant special access to recyclables, or to perform odd jobs for pay. The *professionais* believe that they can earn more money and enjoy more workplace freedoms by working on the street. They dislike the rules (schedules, uniforms, supervision) and social conflict found in cooperatives, and fear that leaders of the cooperatives will steal money from them.

Some of the *professionais* whom I interviewed enjoyed turning the degrading stereotypes of their profession on their head. Thus, while MNCR leaders said that carrying large loads on streets was dangerous and physically taxing, *professionais* bragged about how much stronger and healthier they were than most Paulistanos. While proponents of the sorter cooperatives said that street waste pickers faced hyper-expoitation at the hands of intermediary buyers, some *professionais* said it was the cooperative members who faced exploitation at the hands of dishonest cooperative leaders—pointing out that street waste pickers often earned twice as much as did the sorters. While many residents saw street waste pickers as illiterate and ignorant, the *professionais* argued that their job required mental alertness and social tact. And most importantly, while many in the public thought that digging through garbage on the streets was degrading, many *professionais* said that it was not nearly as humiliating as

[145] On a related note, it would also be fair to say that most of the *desempregados* are functionally excluded from working on the streets due to their class and gender positions, even though they might earn higher incomes there. Most of the *desempregados* are women and have completed some formal schooling, and therefore would likely face a higher level of stigma and discrimination working on the streets. Many of my interviewees said that women do not have the strength to push carts through São Paulo's hilly terrain, but this explanation seems to be mainly a gendered stereotype, given that several women do push carts in São Paulo. To the degree to which women have slightly less physical strength on average than do men, this could marginally reduce their incomes. But incomes also vary depending on other factors (social ties, equipment), and many people with physical handicaps (the elderly and disabled) earn higher incomes waste picking than they could in other available jobs.

working in a formal job under the thumb of a boss. For example, Alexandre Souza, a street waste picker from the *Zona Leste* told me:

> The dude who says you have to get rid of *carroceiros* (cart pushers), he never was a *carroceiro* himself, you understand? He is a fucking idiot who doesn't know what it means to push a cart through the street, to experience the freedom of working without having to kiss your boss's ass, without having someone talking down to you all the time…
>
> Because when someone is working with a cart on the street, he doesn't have anyone telling him what to do, nobody busting his balls (*enchando o saco*) to follow a schedule, surveilling his every step. That's why street waste pickers become *carroceiros*--they are free. Because a real *carroceiro* doesn't accept being ordered, not just because he wants to do things the way he thinks they should be done, but because he really knows how to work. And his income is a lot more than the person who works in a sorter cooperative—that's for sure!

The second category of waste pickers, who are often labeled as *indigentes* (indigents) by the professionals and by other residents, are typically homeless, have high levels of drug and alcohol reliance, and work in the city center. Most of the *indigentes* are men, but there are a large number of women in this population as well. Many cooperatives exclude this population by requiring a fixed address for membership, a policy which is justified based on previous experiences in which *indigentes* were unable to follow cooperative rules (e.g., schedules, supervision, sobriety requirements). Moreover, cooperative leaders argue, it would be difficult for this population, which lives day to day, to adjust to the bi-weekly or monthly payment schedule of the cooperatives.

To be sure, a gamut of subjectivities exist among waste pickers that don't fit neatly into the *indigentes* and *professionais* binary. Nonetheless, distinguishing between these extreme ends of the spectrum of waste picker marginality may serve as a starting point in analyzing the range of work patterns, capacities, and needs of waste pickers, whom are often viewed as a monolithic population by outsiders. Indeed, one of the key shortcomings of São Paulo's inclusive recycling model is that it fails to account for the diversity of circumstances of the waste picker population. According to Fabio Luiz Cardoso, and NGO Staff member who worked as a consultant in the creation of sorter cooperatives during the administration of Martha Suplicy:

> I don't think that the plan we created contemplated the diverse people and realities of waste pickers in São Paulo. Maybe in a really small city, that proposal would be possible--given the quantity and characteristics of the people. But not in a city like São Paulo, of this size, with so many different realities of waste pickers. Waste pickers from the periphery, waste pickers who have houses, waste pickers who live on the street, who use alcohol and drugs. We wanted to put all

of them in a little box, in a model system where everyone would stay and work inside a shack.

4.1.5 Alternative Explanations

The central puzzle of this chapter is 'what accounts for the low rate of inclusion of street waste pickers in São Paulo's inclusive recycling programs?' My thesis is that the city adopted a model of waste picker inclusion that functionally excluded the very population that it was designed to serve. While in Brazil, I proposed this argument to many people who had worked on the policy implementation process including MNCR leaders, state officials, academics, and NGO staff. As described above, many of them sympathized with my analysis. Others, however, pushed back, continuing to defend the potentials of the sorter cooperatives to integrate street waste pickers, and offering two alternative explanations for their lack of success to date: first, the cooperatives had not been properly implemented, and, second, exogenous factors such as demographic and industrial shifts had undermined street waste pickers' capacity for collective organization. I contend that both of these explanations hold some truth, but that the central barrier to street waste picker inclusion in the sorter cooperatives is the organizing model itself.

Alternative Explanation #1: Poor Implementation

The first alternative explanation is that the cause of the street waste picker's exclusion was not flaws in the model for waste picker inclusion, but rather, flaws in its implementation. Proponents of this explanation include many NGO staff, waste picker leaders, and state officials who were involved in the policy construction process. They argue that several political factors impeded the full implementation of the proposals of the Waste and Citizenship Forum in 2002, such as lack of support by municipal officials, short electoral timelines, poor coordination among state agencies, lack of tax revenue, and the corrupting influence of private interests. Resultantly, the implementation of the Forum's proposals suffered from three key deficiencies.

First, the municipal government abandoned informal groups of street waste pickers, known as nuclei. In the original model proposed by the Forum, the nuclei would work in partnership with the sorter cooperatives, sharing infrastructure and engaging in collective sales. And critically, the nuclei would recruit street waste pickers and train them to work in the cooperatives, thus serving as a bridge between the two groups (see Chapter 3). At the onset of the new inclusive recycling model, in 2002 and 2003, the city worked with 30 nuclei, representing nearly 1,000 street waste pickers. Nonetheless, in 2004, once the initial 14 sorter cooperatives were installed, the city cut ties with the nuclei. Grimberg (2007, 89) describes the frustration of the street waste pickers with this betrayal:

> In the many meetings organized by the Forums, members of the nuclei increasingly expressed their despair over the abandonment that they had experienced, especially after the creation of the sorter cooperatives. With great angst, the street waste pickers pointed out that the municipal administration had prioritized the construction of public recycling infrastructure, the recycling routes, and empowerment of the sorter cooperatives… but the nuclei had been excluded from this process.

Indeed, at the time of my research in 2014, the municipal government had long since abandoned the project of supporting nuclei, leading to their dissolution. This meant that sorter cooperatives no longer had ties to local street waste picker populations.

Second, the city failed to provide sufficient support to the sorter cooperatives, and resultantly, incomes and conditions were so poor within them that street waste pickers had little incentive to join. MNCR leaders and their allies argued that this was due to the fact that the city had not implemented several of their original demands, including remunerating cooperatives for their environmental service, contracting cooperatives to collect recyclables, and hiring cooperative members to train residents to separate recyclables. Many also argued that the state should provide social assistance to *históricos* in order to facilitate their transition to cooperatives. As, René Ivo Goçalves, an NGO director who had worked with São Paulo's waste pickers since 1990s, put it:

> Paying cooperatives' bills for drivers, electricity, water, and rent does not cut it. Waste pickers need strong social support too. Its not just a question of organization of work, but organization of *lives*. And to me, this was our great error. We didn't provide holistic support to help the waste pickers organize their lives. These people don't just have financial problems; they have health problems, family problems, alcohol and drug problems. But we only focused on financial issues because the cooperatives had to become economically sustainable.[146]

Third, the city's 21 formalized cooperatives had generated only slightly more than 1,000 jobs, not nearly sufficient enough to integrate the city's 20,000 waste pickers—even if all the jobs had been reserved for *históricos*. Thus, Walter Ribeiro, an architect who had worked as a consultant on many municipal and national inclusive recycling projects, insisted that the sorter cooperatives represented "a promising path" for São Paulo's street waste pickers, but they must be expanded:

> Today we only have 21 cooperatives, but we proposed to have one in all 96 districts of the city. And that way, you could reach every neighborhood, which is necessary, because there are waste pickers pushing carts in every neighborhood, right? But imagine if the waste picker could work in a cooperative close to his house—he wouldn't have to travel far. And if we organized the cooperatives

[146] Interview with René Ivo Goçalves, July 11, 2017

well, there could be three shifts--two during the day, one at night. Imagine how many job openings we could create!

Some MNCR leaders and allies argued that expanding the city's current inclusive recycling programs would not only create more opportunities for street waste pickers in sorter cooperatives, but it would create increased incentive for them to leave the street. As MNCR leader Ruy Antonia de Oliveira argued:

> once we build sufficient cooperatives and expand the recycling route, there will no longer be very many materials left on the street. And at that point the calculation will change: it will no longer be worthwhile for waste pickers to work on the street in an individualistic manner. So they will have more incentive to come to the cooperatives.

The limits of the sorter cooperative model

Like the interviewees cited above, I believe that the city of São Paulo should increase support for sorter cooperatives in order to improve both the quantity and quality of jobs within them. Unlike these interviewees, however, I argue that it is unlikely that a large portion of the new jobs would be occupied by *históricos*. Indeed, currently, the cooperatives that offer the best conditions and incomes have among the lowest rates of inclusion of *históricos.* This is likely because there is greater competition for jobs at these cooperatives, and most *históricos* are not well adapted to the fast pace of work and rigid rules within them. Importantly, increasing the quantity of sorter cooperatives without increasing the quantity of *históricos* working within them would not lead to significant increases in street waste picker inclusion. At the current rate of 3.5 *históricos* per cooperative, the city would have to build 5,714 cooperatives in order to integrate the city's estimated 20,000 street waste pickers. Also, the notion that expanding the formal recycling routes would force street waste pickers off of the street by impeding their access to materials is unlikely. In most large cities across The Global North and South, informal and formal recycling systems co-exist.

Of the above proposals, the one that is most likely to increase the inclusion of street waste pickers would be to support organizing efforts among them, and foster collaboration between street waste picker organizations and sorter cooperatives. Nonetheless, it must be noted that even in 2003 and 2004, at the peak of state and NGO support for street waste pickers' organizations, only a fraction of the organized street waste pickers joined the sorter cooperatives, and only a fraction of those ones remained there for more than a few months.

But perhaps the biggest challenge with the aforementioned proposals is not their technical feasibility, but their political viability. These proposals would require increased and sustained state support for precisely the marginalized segments of the population whom have historically received the least support. The sorter cooperatives were created under highly favorable political and economic circumstances: under a president who arguably prioritized waste picker empowerment more than any other

head of state in world history, under a mayor of the same political party, and in the midst of an economic boom that enabled the Brazilian state to invest hundreds millions of dollars into inclusive recycling projects. If there waste picker movement was not able to generate sufficient state support to integrate waste pickers during this period, it is difficult to see how it will succeed in doing so in the current context of recession and austerity.

Alternative Explanation #2: Demographic and Exogenous Shifts

A second alternative hypothesis is that exogenous shifts in the structure of homelessness, the labor market, and the recycling industry over the past 20 years led to the functional exclusion of waste pickers. In regards to the former phenomenon, the crack epidemic hit São Paulo hard in the 1990s and has only grown since. Today, the modal homeless waste picker uses crack and sometimes other hard drugs, making it very hard for them to participate in cooperatives. In the 1980s, homeless people's substance of choice was liquor, which also encumbered their capacity to participate in cooperatives, but not to the same degree as hard drugs. Also, São Paulo's homeless waste picker population has mushroomed in recent years, potentially overwhelming the capacity of NGOs to do intensive engagement with small groups of homeless people as OAF did in the 1980s.

Meanwhile, the ranks of the urban precariat—and precarious women workers in particular--have also expanded, creating a new constituency to occupy vacancies in the cooperatives. Finally, recycling has become a much more lucrative and prestigious industry over the past 20 years. Indeed, recycling routes are now a mark of modernization and world class city status, so it is logical that the city government would want to take control of this industry and professionalize it. Moreover, both environmental NGOs and waste management firms have lobbied intensely for the creation of official recycling routes, which provide environmental benefits and business opportunities.

To be sure, both these hypotheses hold some truth: the functional exclusion of São Paulo street waste pickers from "inclusive recycling" policies is in part an outcome of the institutionalization of recycling services into the state, as well as of shifts to the structure of homelessness, the labor market, and the recycling industry. Nonetheless, all of these structural constraints were also at play in Bogotá (indeed probably to a greater degree),[147] but inclusive recycling policy there succeeded in integrating thousands of waste pickers into formal waste management, while in São Paulo it did not. Therefore, I

[147] I will elaborate on this elsewhere, but in my observations, a.) Bogotá's crack epidemic is comparable to that of São Paulo, b.) the precarity of Bogotá's working class is comparable to that of São Paulo, and c.) state officials in Bogotá have more aggressively attempted to repress (and even massacre) street waste pickers, and to hand over their traditional role to private waste management companies.

contend that the exclusion of street waste pickers in São Paulo was not the inevitable outcome of economic shifts or structural constraints, but rather the result of specific policy paradigms, which in turn, were the outcome of a specific process through which the Brazilian waste picker movement became integrated into the state.

4.1.6 Recap: the Functional Exclusion of Historic Waste pickers

In the proceeding sections, I have argued that São Paulo's waste picker movement classified waste pickers as subordinated workers whose chief threat was exploitation at the hands of intermediary buyers. This classification shaped the movements political demands and strategy, which in turn, influenced waste picker rights law and policy. In 2002, the movement pressured the city to begin implementing a policy paradigm that I term "state socialist inclusion" based on principles of scientific central planning, state ownership of the means of production, and empowered worker participation. The city attempted to relocate waste pickers from the street to recycling warehouses, where they would work in cooperatives sorting recyclables. Nonetheless, by 2017, after 15 years of such policy, well under 1% of the city's street waste pickers had been integrated into the cooperatives. This provoked the key central puzzle of the first half of this chapter: 'what accounts for the low inclusion rates of street waste pickers?'

I found the cooperatives did not generate nearly enough jobs to integrate the city's 20,000 waste pickers. And even more critically, most street waste pickers lacked the interest and capacity to work in cooperatives, which did not align with their needs, aptitudes, and logics. I used the examples of two ideal types of waste pickers to illustrate how such exclusion occurs. The first type of waste picker, the *professional*, experienced higher incomes and greater workplace freedoms on the street. The second type of waste picker, the *indigente,* did not possess the capacity to follow the relatively rigid rules and schedules of the cooperatives, nor to wait two weeks for pay. I conclude by contemplating alternative explanations for the low rates of inclusion of street waste pickers: poor policy implementation, industrial shifts in the recycling market, and demographic shifts within the waste picker population. I argue that all of these factors likely contributed to the low rates of inclusion of waste pickers, but the central problem was in the model of waste picker organizing itself. The key piece of evidence substantiating this argument comes in the second half of this chapter: the city of Bogotá, which is comparable to São Paulo in many other respects, achieved a radically higher rate of waste picker inclusion through an alternative policy model.

4.2 Recognition In Informality In Bogotá

By 2015, after 12 years of inclusive recycling programs, the city of São Paulo only succeeded in integrating 0.5% of the city's 20,000 informal waste pickers into its sorter cooperatives. Bogotá's municipal government, in contrast, provided uniforms and

monthly remuneration to 70% of the estimated 18,000 street waste pickers. What accounted for these dramatically divergent outcomes? I argue that the key difference were the models of inclusive recycling. The city of São Paulo had attempted to dismantle the traditional informal recycling system, mount a new formalized system, and insert the traditional waste pickers into the new system. The new system did not align with the needs, capacities, or desires of the traditional waste pickers, however, who preferred to work informality. In Bogotá, in contrast, inclusive recycling policies sought to recognize and build upon the existing recycling system, and organize waste pickers rights from within it. This system was not without drawbacks, but improved the incomes and status of thousands of waste pickers, and raised recycling rates.

In what follows, I discuss how this inclusive recycling paradigm was developed in Bogotá from 2012-2015. Notably, the city's mayor, Gustavo Petro and a faction of the waste picker movement, favored a model that was similar to São Paulo's model. I term this model "State Socialist Formalization" (SSF) as it aligned with principles of state socialism: state ownership of the means of production, centralized scientific planning, and democratic worker control over the means of production. The ARB and aligned waste picker organizations, however, pressured Petro to adopt an alternative model, which I term, "Recognition, Rights, and Remuneration" (RRR). It mandated the state to provide compensation, equipment, and protections to waste pickers from within the extant informal market.

4.2.1 Policy Dilemmas

"*Compañeros*, we are fucked," proclaimed Olivia Maza, likely the world's most prominent waste picker, from atop a pickup truck in the *Plaza de Bolivar*, Bogotá's historic and political heart on July 28, 2015.[148] She addressed a crowd of several thousand informal waste pickers (who salvage discarded materials from streets and buildings) and a few hundred intermediary buyers (who purchase materials). For 25 years, Maza explained, the waste picker movement successfully fended off the Colombian government's overt attempts to remove waste pickers from the streets, so now, the state had adopted a more subversive tact: dispossession through formalization, couched in the language of waste picker empowerment. She claimed that a planned overhaul of the city's recycling system, purported to improve the livelihoods of the city's 20,000 waste pickers, would in fact deprive most of them of work altogether.

The target of Maza's criticism was Mayor Gustavo Petro, a former member of the Marxist M-19 guerilla group, who just a year earlier nearly sacrificed his political career in order to implement some of the world's most progressive waste picker rights policies. At the time, Maza and her comrades led massive protests in his defense.

[148] Fieldnotes, July 28, 2015.

Today, however, they block traffic in front of his office, threaten to occupy the city dump, file lawsuits, and boycott his programs. Meanwhile, a smaller faction of waste pickers largely defends the mayor's policies and accuses Maza of representing the interests of the waste picker's exploiters, the intermediary buyers. Thus, when Maza announced the day's protest "In Defense of the Chain of Recycling," they organized a counter-protest "Against the Chain of Exploitation."

Why did Bogotá's oldest and largest waste picker organizations turn against the mayor who risked more and did more for waste pickers than any other in Colombian history? Why did other waste pickers in seemingly similar structural positions defend the mayor's plans? And what does this conflict reveal about dilemmas inherent in efforts to improve the conditions of informal workers, whose labor is not recognized nor protected by the state? Though all parties in the conflict accused their opponents of having "sold out," I argue that their dispute actually centered on a dilemma between two of the waste picker movement's goals that sometimes come into tension: the improvement of labor conditions and the defense of access to work.

Petro viewed the primary threat facing waste pickers as their *exploitation,* that is, the forced extraction of their surplus labor (Veneziani and Yoshihara, 2014: 2), which occurred on highly unfavorable terms due to their structural weakness. In order to improve waste pickers' conditions and incomes, he proposed a state-led, socialist restructuring of the recycling industry aimed at enabling waste pickers to collectively control the means of production and ascend the value chain. Maza and her colleagues, alternatively, saw the primary threat as their *dispossession,* or the use of state force to cut off their access to the means of production and subsistence (Levien, 2013: 382). They feared that any radical industrial transformation would displace thousands of waste pickers. Rather, they favored measures to gradually improve waste pickers' incomes and conditions within the free market, which Petro feared would only exacerbate competition and inequality.

Previously, scholars have conceived of informal worker policy dilemmas primarily as thorny, yet surmountable technical problems: a tension between the aims of producing more and better jobs, to be tackled by state bureaucrats who were assumed to possess the will, persistence, resources, and know-how to do both (ILO 1991; Packard, Koettl, and Montenegro 2012). By recasting the dilemma as a tension between the imperatives of combatting informal worker's exploitation and dispossession, this portion of this chapter highlights the state's implication in the problem that it seeks to solve. It thus exposes the difficulty of building robust alliances between informal worker movements and the state, even when the state sees itself, and has indeed acted, as a sympathetic ally.

4.2.2 Competing waste picker rights policy proposals (2012-2015)

As described in Chapter 3, from 2002-2011, Colombian waste pickers and their probono legal aid would win seven human rights cases in the Constitutional Court. These victories established the waste pickers' rights to remain in their trade, to be remunerated by the state for their labor, and for their cooperatives to be integrated into formal waste management. Colombian mayors paid little heed to the first six rulings, but the seventh, Ruling 275 of 2011, proved transformational for three reasons (Parra 2015). First, it issued the largest sanction for the violation of waste pickers' rights in world history, nullifying the city's 8-year, US $1.37 billion waste collection bidding process. Second, it detailed Bogotá's concrete responsibilities to waste pickers and ordered the city to create a comprehensive "Plan of Waste Picker Inclusion" within three months. Third, and most importantly, the Court deliberated for five months before announcing its ruling on December 19, 2011, two days before the end of a scandal-ridden mayoral administration. This effectively handed the mayor-elect, Gustavo Petro, a *carte blanc* to recreate waste management.

Our story in this chapter begins at the start of Petro's term in January 2012. About 20,000 waste pickers were estimated to work in the streets of Bogotá.[149] Just under 30 per cent of the city's waste pickers were organized into cooperatives, though this number would increase significantly by the end of Petro's term due to the city's organizing efforts (Castro, 2014: 4). There were about 150 waste picker cooperatives in Bogotá, and twelve second-level associations of cooperatives.[150] This article focuses on the role of one of these second level associations, the Associación de Recicladores de Bogotá (ARB), which was formed in 1990 by four cooperatives who came together to fight the closure of a landfill. By 2012, the ARB represented 18 cooperatives with 1,800 members (Acosta and Ortiz: 11). The ARB only directly represented a small minority of the city's waste pickers, but packed outsized political influence, leading municipal, national, Latin American, and global networks of waste pickers and allies.

In the following two sections, I analyze two competing policy paradigms proposed during Petro's historic and polemic mayoral term, each of which provoked criticism and backlash. The first, proposed by Petro's administration in 2012, attempted to help waste pickers escape the grip of exploitation at the hands of intermediaries by restructuring the recycling industry according to principles of state socialism. The second, developed by the ARB in 2013, sought to minimize the risk of waste picker dispossession by preserving the extant free market system, while gradually improving waste picker's conditions by providing official remuneration and equipment.

[149] The total number of waste pickers is uncertain. This estimate comes from Bogotá's official registry of waste pickers. See Parra, 2015: 4.
[150] Interview, ARB leader, July 12, 2015.

Table 3. Proposed recycler rights policy paradigms

	State Socialist Formalization (Municipal Government)	Recognition, Rights, and Resources (ARB)
Means of production	Public (owned by state, operated by recycler cooperatives)	Private (owned and operated by recycler cooperatives or intermediary buyers)
Organization of production	Centralized (recycling routes run along grid like garbage collection)	Decentralized (flexible, open recycling routes run by individuals or cooperatives)
Market Openness	*Closed* (only recyclers who were active before 2012 may participate)	*Open* (to any low-income person who works as a recycler)
Critiques	"Dispossesses recyclers at hands of state"	"Entrenches exploitation"

4.2.3 The First Proposed Paradigm: State Socialist Formalization (2012)

In 2012, Petro's administration advanced a waste picker rights paradigm that I term "State Socialist Formalization" (SSF) because it centers on strategies of state socialism: state ownership of the means of production, centralized scientific planning, and democratic worker control over the means of production. [151] The plan sought to vastly improve the scope and professionalism of recycling services, while reducing waste picker's exploitation by offering them state remuneration and empowering them to collectively move up the value chain. ARB leaders and their allies would contend, however, that efficiency gains, new workplace exigencies, and the enclosure of the previously common property resource of recyclables would result in the dispossession of thousands of waste pickers.

Born to a family of poor farmers in 1960, Petro joined the Marxist M-19 urban guerilla group at age 17. After helping negotiate the group's disarmament in the late 1980s, he earned a degree in economics and was elected to congress five times, before becoming Bogotá's mayor in 2012. As mayor, Petro embarked on a radical overhaul of waste management aimed at replacing waste burial with recycling and composting, and

[151] Though city officials never publically called the plan "socialist," some referred to it this way in interviews. I use the term because it aligns with central strategies of state socialism, which Badie et al. (2011: 2546–2547) describe as "public ownership and cooperative management of the means of production and allocation of resources." Nove (2003) describes state socialism as the nationalization and central planning of industry in order to dispossess capitalists, increase public revenue, restructure production to serve public interests, and increase workplace democracy.

replacing waste corporations with cooperatives run by the city's 20,000 previously informal waste pickers. Petro saw this ambitious policy experiment, which would charge some of the city's most vulnerable residents with running one of its most vital sanitary and environmental services, as a culmination of the three pillars of his mayoral platform: *defending public institutions* by wrestling waste management away from an oligopy of private companies; *combatting climate change* by moving the city towards a goal of zero waste; and *overcoming social segregation* by empowering waste pickers to vastly improve their incomes and conditions.

Upon taking office, Petro dismissed nearly all non-tenured personnel from the Special Administrative Unit for Public Services (UAESP), which oversees waste management. Among his new hires were some 30 previous M-19 members (including the agency's director), and many staff with backgrounds in social movements and community organizing. [152] To be sure, many of the new hires also had more traditional backgrounds in engineering, law, and public policy. Nonetheless, this was a seachange for an institution that had previously treated waste management exclusively as a technical issue, rather than as a social, political, and cultural one.

Three Principles of State Socialist Formalization (SSF)

Three months into the new administration, the UAESP released a 110-page Court-mandated document called the "Plan for Waste picker Inclusion," which outlined a waste picker rights paradigm that I term SSF. SSF was built upon three principles, the first of which was state ownership of the means of production. To this end, Petro would wrestle most of waste collection and disposal, which had been run by an oligopy of waste management corporations since the early 1990s, back under direct city control. Petro argued this was needed in order to facilitate the complex logistics of coordinating between the recycling and waste routes, and because waste management corporations would never allow him to implement a "zero waste" plan that sought to gradually drive them into extinction.[153] Also, the city would begin to municipalize the previously informal industries of recyclables collection, processing, and commercialization. The city would provide a flight of 60 trucks for recycling collection, 60 public warehouses where recyclables would be purchased, sorted, stored, and sold, and six large recycling parks for advanced added value processes. The new public infrastructure would gradually take over the role historically played by the city's 1,500 intermediary buyers (UAESP, 2012: 11–18).

The second principle of SSF was centralized scientific planning of the recycling industry in order to improve its efficiency, scope, professionalism, and working conditions. First, the city would *rigorously analyze* the extant system. Thus, in 2012, the

[152] Interviews with UAESP officials on November 14 and December 8, 2015.
[153] Interview, former UAESP director December 4, 2015.

UAESP contracted social scientists to conduct the most extensive census of waste pickers and intermediary buyers in Colombian history. Second, the district would gradually *enclose* the previously common property resource of recyclables. Thus, Petro closed the census to anyone who began recycling after December 2011, controversially interpreting Ruling 275's mandate to formalize waste pickers as only applying to those active at the time. Waste pickers who were not included could continue to recycle, but would not be eligible for state benefits, and, eventually, lockable dumpsters would be used to curtail their access to materials. Third, the district would *rationally restructure* recyclables collection, organizing the city's waste pickers into 60 large cooperatives that would work along fixed routes and schedules in designated zones, akin to those of garbage collectors. New technologies (e.g. trucks, compactors, uniforms) and accountability mechanisms ("co-responsibility" contracts) would increase efficiency and professionalism (Parra: 16–17).

The third principle of SSF was democratic worker control over the means of production, a strategy that aimed to increase not only workers' incomes, but their capacity to collectively design their work and lives. Thus, the plan calerled for the waste pickers not to be hired as public employees, but rather to be organized into autonomous cooperatives. Two thousand waste pickers would continue to collect recyclables on the street, but now with trucks, uniforms, safety equipment, and official routes. Moreover, public education campaigns would teach residents how to separate recyclables, sparing waste pickers the danger and indignity of digging through waste. Meanwhile, the rest of the waste pickers would leave the street, and begin working in the public recycling centers, where they would process and sell recyclables (UAESP, 2012: 11-18). By cutting out the middlemen and creating economies of scale, the waste pickers would climb the value chain. They would also have a new income source: the city would pay the cooperatives for recycling pickup at the same rates as garbage companies, and also hire waste pickers to lead public education campaigns. UAESP officials sought to enlist waste pickers as policy co-creators. Thus, from 2014 to 2015, they convened an (approximately) bimonthly city-wide "participatory democratic" recycling forum, and monthly local waste picker forums in each of the city's 20 boroughs.

SSF's Critics: "dispossession at the hands of the state"

Leaders of the Association of Recyclers of Bogotá (ARB) referred to the UAESP's Plan of Inclusion as a "siren's song," which sounded beautiful, but would lull the waste pickers into a rocky shipwreck of dispossession. ARB leaders acknowledged that the waste pickers suffered brutal exploitation, but evoking the adage that "under capitalism, the only thing worse than being exploited is not being exploited,"[154] they argued that the struggle to defend access to work must precede the struggle for improvement. According to ARB estimates, recycling sustained over 20,000 of the city's

[154] Interview, ARB leader, November 25, 2015.

most vulnerable residents and served as a safety net in times of crisis for many more. Yet, a UAESP-commissioned study projected that the new system would only employ 6,000 workers, while ARB leaders estimated that it would employ at most 4,000 workers, akin to Bogotá's garbage collection.[155] Also, ARB leaders argued that many vulnerable people turned to the profession because they lacked capacity to follow rigid rules and schedules, and would be effectively excluded from the new system. As ARB-cofounder Torres argued:

> We can't support this model because we can't allow a minority to exclude a majority. For us, it is more dignified that an old person earns two dollars per day than that he dies of hunger in his house, right? It is more dignified for many people to be able to eat a little bit, than for a few people to eat a lot.[156]

The UAESP's utopian discourse of worker democracy notwithstanding, ARB leaders argued that in the new system waste pickers would essentially become state employees, forced to follow fixed schedules and rules in exchange for a salary.[157] Moreover, past experience led ARB leaders to fear that the city would use its control over the public infrastructure to punish dissident organizations and coopt the waste picker movement. As described in Chapter 3, in 2004, the ARB proposed the creation of Bogotá's first public recycling park, which the ARB helped build and run for six years. In 2010, however, after the ARB won a lawsuit against the UAESP, the UAESP evicted the ARB from the park in an apparent act of political retaliation. [158]

ARB leaders believed that the first step in the UAESP's plan to dispossess the waste pickers would be to evict the city's 1,500 intermediary buyers. According to ARB estimates, the city's new ground use regulations threatened to put 90 per cent of them out of business.[159] Even if the UAESP were to make good on its ambitious plans to build 60 public recycling centers and six large recycling parks, this would still entail a severe reduction in the number of selling points available to waste pickers. Most waste pickers used sacks or push carts to transport materials, which they sold multiple times per day to conveniently located buyers, without whom, their work would become unviable. As Maza quipped at one meeting:

> What is the use of being a waste picker without *bodegas?* All you would have then is a cart full of trash. What does the UAESP expect us to do, eat *sancocho de chatarra* (scrap metal soup)? Or *arepas de plegadizo* (corrugated cardboard arepas)?[160]

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[155] Interview, ARB leader, December 4, 2015

[156] Interview, November 25, 2015.

[157] Ibid.

[158] Ibid.

[159] Interview, ARB leader, November 25, 2015.

[160] Fieldnotes, November 13, 2015.

Though UAESP officials sometimes painted the buyers as parasitic exploiters, ARB leaders maintained that most buyers barely managed to stay afloat, sometimes earning less than waste pickers. Indeed, lines between these professions blurred. For example, some waste pickers graduated to buying recyclables, sometimes even from their own family members. ARB leaders acknowledged the need to regulate buyers, but claimed that the district's persecution of buyers at the same time that it was mounting its own recycling centers represented a conflict of interest.

Moreover, even if the UAESP's plan had been technically feasible, ARB leaders contended that it was not politically feasible. Even under the garb of a social democratic administration, ARB co-founder Torres argued, the function of the capitalist state was to serve the interests of capital and, as such, it would not hesitate to displace the waste pickers if they "*dieron papaya*" (gave the opportunity). Based on past experiences, he said it was difficult not to see the UAESP's proposal as the latest in a long series of state attempts to dispossess the waste pickers:

> The Colombian state has attacked us so many times over the past 30 or 40 years. First, they evicted us from the dump. Then, they collaborated with social cleansing squads to kill us off on the streets. When that didn't work, they used laws and regulations to criminalize our trade and tried to sell off our industry through waste management bidding processes. And finally, when they realized that they couldn't get rid of us through any of those means, they said 'we'll take away the waste picker's source of water: we'll close the bodegas.'[161]

ARB leaders suspected that officials in Petro's administration's ultimate aim was to enrich themselves by taking over the recycling industry, and had only hired staff who were well versed in the language of social movements in order to dupe the waste pickers. However, they argued, even if Petro's administration was genuine about its intentions to empower waste pickers, there was no guarantee that future ones would be. The waste pickers' mistrust of state officials also stemmed from their observations of the dispossession of other informal workers. At internal meetings, ARB leaders often evoked the ruinous formalization processes of Bogotá's informal transportation workers (Colorado and Baquero, 2013), informal settlers (Blanco 2012), and, most resonantly, street vendors (Hunt 2009).

UAESP officials responded that although the waste picker's distrust of the state was understandable, it was not fair to judge Petro's administration based on the conduct of its predecessors. City officials believed that waste pickers' interpretation of the state as a monolithic entity blinded them from appreciating how radically the politics and practices of Petro's administration broke from previous ones. Moreover, they argued that the UAESP commissioned study that predicted only 6,000 jobs in the

[161] Interview, November 25, 2015.

new recycling system had failed to account for new jobs that would be generated through productivity gains and industrial expansion. Petro sought to set the city on a course to increase the rate of recycling and compost from 15% to 100%.[162] Waste picker cooperatives would not only collect all of this material, but sort, transform, and commercialize it, generating thousands of new jobs. UAESP directors also argued that most bodegas would be allowed to stay so long as they met basic environmental regulations, and some could be integrated into public recycling centers. The real threat of dispossession, UAESP officials warned, came from waste pickers own resistance to change. Formalized recycling was the way of the future, and if the waste pickers did not adapt, then private firms would surely displace them.

4.2.4 The Second Proposed Paradigm: Recognition, Rights, and Resources (2013)

In early 2013, the ARB and its allies pushed Petro's administration to radically shift course. The UAESP temporarily set aside plans for SSF, and began to pursue an alternative strategy that I term "Recognition, Rights, and Remuneration" (RRR). This approach aimed to moderately improve the terms of waste pickers' exploitation by providing them with state remuneration and equipment, while minimizing the risk of dispossession by allowing them to continue to work in the free market. Moreover, it recognized waste pickers' right to work, even in an informal capacity, free from police harassment and from competition by private firms. ARB leaders described these policies as "waste picker recognition," in distinction to the "inclusive recycling" policies promoted by state officials. They argued that the state's duty was to *recognize* and improve upon the existing recycling system, rather than building a new one in which to *include* waste pickers.

Three policies characterized the shift to RRR. First, was the introduction of a globally unprecedented pay scheme. The UAESP temporarily set aside plans to make waste pickers work in cooperatives with fixed routes and schedules, and instead began paying waste pickers on an individual basis even as they continued to work in the informal market. Beginning in 2013, the city would send a text message every two months to registered waste pickers with a code redeemable for cash at ATMs based on the quantity of materials that they had sold to one of 250 approved *bodegas*, representing about a 50 per cent pay raise (Abizaid 2015). Within two years, the city would use this pay scheme to remunerate 13,000 waste pickers on a bi-monthly-basis—a Herculean logistical feat, given that many waste pickers did not previously possess identity cards, let alone bank accounts and cell phones (UAESP, 2015: 41). Second, the city banned the use of horse carts on city streets, but provided nearly 3,000 pickup trucks to waste pickers who had previously worked with horse carts, finally making good on a Constitutional Court ruling from a decade earlier. Also, at the suggestion of ARB leaders, the district agreed to give out kits with safety equipment (boots, goggles,

[162] Interview, UAESP official, November 7, 2015.

masks, gloves) and official city uniforms to all registered waste pickers. By late 2015, the city handed over 11,000 such kits, and the specter of uniformed waste pickers became ubiquitous across every neighborhood of Bogotá (Ibid: 49).

RRR Critics: "entrenches exploitation"

Why did the UAESP veer from its original agenda of SSF to one of RRR in early 2013? According to UAESP officials, the primary reason was logistical. They needed more time and resources to build public recycling infrastructure, but they wanted to begin paying waste pickers immediately, so they authorized intermediary buyers to serve as "official weighing stations" as a transitory measure. However, some UAESP personnel highlighted another motivation: Petro could no longer afford to antagonize the ARB due to his political vulnerability. In late 2012, ARB-UAESP relations grew increasingly hostile, punctuated by an argument on December 3 in which Maza punched UAESP Director Henry Romero twice in the face at a meeting of 150 waste pickers. Maza claimed that many of the waste pickers in attendance had been "*recicladores falsos"* (fake waste pickers), who had never collected recyclables on the street. Romero stepped down as director four days later and a media circus ensued, with headlines like "Waste pickers attempt to Lynch UAESP director" and "Punch Costs UAESP Director His Job."

Just two weeks later, from December 14-17, trash piled up for three days on Bogotá's sidewalks as the city transitioned to public waste collection.[163] Petro's approval rating fell beneath 30 per cent, and a citizen movement to recall him gained steam (Freedman 2014). Meanwhile, national supervisory agencies began investigating Petro for his alleged waste management bungling. Given that Petro had remunicipalized waste on the shaky legal argument that it was necessary in order to comply with the Constitutional Court's waste picker's rights rulings, he needed the most powerful waste picker organizations in his corner. As one UAESP official put it, "The Inspector General, the Commercial Supervisory Agency, the whole national government was trying to take us out. We couldn't risk a war with the waste pickers too. Politically, it would have been impossible."[164]

The policies that Petro inaugurated in 2013 helped win the waste picker's support during his moment of greatest need. On December 10 of that year, the rightwing Inspector General impeached Petro and banned him from holding political office for 15 years on the grounds that the remunicipalization of waste management had provoked a sanitary crisis and violated the free market rights of private waste firms.

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[163] Though media outlets blamed Petro for the rocky transition to public waste collection, evidence suggests that the waste management corporations bear much of the responsibility, as they stopped collecting waste days before their contracts expired and refused to return public trucks to the city. Petro and his supporters alleged that the firms deliberately sabotaged the transition in order to force him to rehire them and to pave the way for his impeachment. See Samson et al., 2014.

[164] Interview, UAESP , November 7, 2015.

ARB leaders, thrilled with the policies that Petro implemented the year before, organized international petitions in his defense and spearheaded mass protests in the Plaza de Bolivar. Four months later, following an injunction by the Inter-American Commission on Human Rights, the Superior Court of Bogotá reinstated Petro. Petro's approval ratings jumped 20 points to over 50 per cent due to the perception that he had been a victim of a "soft coup," a rightwing plot to destroy his political career before he ascended to the presidency (Freedman 2015). Then, at the height of Petro's political strength, the UAESP began to attempt to dismantle the individualized waste picker pay scheme and to recover its original plans of SSF. The UAESP began pushing forward with plans to build public recycling centers, while stripping dozens of intermediary buyers of their status as authorized weighing stations, much to the ARB's consternation.

What provoked this shift? UAESP officials argued it was not a shift at all, as RRR was always intended only as a stepping-stone to facilitate the transition to SSF. In their view, RRR was not a satisfactory long-term solution, for though it ameliorated the symptoms of the waste picker's exploitation, it exacerbated the sources. Rather than helping waste pickers escape exploitation by intermediary buyers, RRR effectively subsidized the buyers and entrenched their power. Reportedly, some buyers used the official remuneration as a justification to reduce their own payments to waste pickers, while others defrauded money from the waste pickers' remuneration fund.[165] UAESP officials acknowledged that RRR helped waste pickers overcome a second type of exploitation, that which they suffered at the hands of the state, which had not previously paid them for their public service. Nonetheless, UAESP officials argued that unless the waste pickers organized into formal cooperatives that met professional standards, it was unlikely that future administrations would continue paying them.[166]

Just as ARB leaders grew to believe that the UAESP officials' true intention was to dispossess the waste pickers, some UAESP officials became convinced that ARB leaders' deepest interest was in maintaining waste pickers in extreme exploitation. These officials began to view Maza as the leader of a group of elite waste pickers, the 1% so to speak, with distinct structural positions and interests. "Some of the waste picker leaders were on a different part of the value chain, but they wanted to represent the waste pickers. That distorted our process," former UAESP director, Fernanda Gaviria, told me.[167] Elite waste pickers came from humble origins, but had risen on the value chain due to their domination of NGO resources and contracts for exclusive access to materials from within buildings. In the eyes of the administration, many elite waste pickers had become buyers themselves, as their organizations had built warehouses to purchase and sell recyclables. Thirty such warehouses existed in Bogotá,

[165] Interview, former UAESP director, November 4, 2015.
[166] Ibid.
[167] Ibid.

which were ostensibly owned and run by waste picker cooperatives, but UAESP officials suspected that the true beneficiaries were the movement leaders. Thus, these elite waste pickers defended the free market because they were winning in it, and they feared the mayor's plans, which would have leveled conditions among waste pickers.[168]

Some UAESP officials also accused ARB leaders of forging perverse alliances with waste pickers' exploiters: intermediary buyers and multinational businesses. Waste picker cooperatives in Bogotá and the ARB had longstanding business ties with intermediary buyers, and in 2010 the two groups formed a political alliance called the Recycling Pact. Correspondingly, industrial manufacturers also sponsored Colombian waste picker cooperatives as a form of corporate social responsibility. By the time of Petro's mandate in 2012, 30 multinational businesses (including Walmart, Coca Cola, Pepsi, and McDonalds) administered an NGO called CEMPRE that supported waste picker cooperatives and helped construct recycling policy in 15 developing countries. In Colombia, CEMPRE defended the ongoing existence of intermediary buyers, which UAESP officials interpreted as an attempt to prevent waste pickers from uniting to demand just prices for their goods. In April 2014, CEMPRE and other NGOs and business groups, the ARB and allied waste picker organizations, and four ministries of national government formed the *National Alliance for Inclusive Recycling*. The Alliance's mission was to expand the recycling market and improve waste pickers' livelihoods, but UAESP officials feared that its true objective was to monopolize the recycling market and preserve the system of brutal exploitation.[169]

ARB leaders, for their part, dismissed the UAESP officials' accusations as a cynical attempt to distract from their own plans to usurp the recycling industry. ARB-cofounder Torres argued that negotiating with relevant industrial groups and policy makers was a necessary part of the waste picker's struggle, just as it would be for any worker group:

> This discourse of exploitation is a bit *mamerta* (idiotic banal Marxism)… We waste pickers are very aware of our exploitation because we collect recyclables for multinational corporations who sell our goods for 15 to 20 times what they pay us, right?… But this unequal relationship did not come about because the ARB had a meeting with an intermediary buyer, a corporation, a public official, or an NGO. Those relationships are strategic for creating rights and benefits for waste pickers on a national level. They are necessary because we are not yet in conditions to simply declare that we will not be exploited. That would require a transformation of the structures and superstructures of society.

In the present, Torres defended the free market for recyclables, which provided the soul survival niche for thousands of the city's most vulnerable residents. Nonetheless, in the

[168] Interview, UAESP official, August 13, 2015.
[169] Interview, UAESP official, August 21, 2015.

long term, he argued, that "Our deepest interests are in emancipation from exploitation. But that is not something that is going to come out of recycling alone. Waste pickers could be a vanguard in that struggle, but it would require the unity of many sectors."[170]

Battles over Recycling Policy

In 2014, the leaders of a waste picker organization called the Associación de Recicladores Unidos para Bogotá (ARUB), who had worked closely with the ARB since the early 1990s, became critical of the ARB's close relationship with intermediaries and industry. They argued that waste pickers and their exploiters held opposing structural interests, especially regarding the UAESP's plans to create public recycling infrastructure. As ARUB President Iván Osorio explained, "Intermediaries and industrialists simply don't want us to have access to infrastructure, because once we rise, even a little bit, their slave labor force disappears."[171] Thus, at the inaugural meeting of the National Alliance for Inclusive Recycling in April 2014, ARUB leaders showed up with placards denouncing the pact as corrupt, while ARB leaders signed into it. A year later, UAESP staff would begin to work with ARUB to build an alliance of 30 waste picker organizations who would contest the ARB's stances. At the UAESP's bi-weekly citywide meetings, ARUB leaders and their allies largely defended policies of SSF, and accused their rivals of colluding with the intermediaries and *la gran industria* to maintain waste pickers in slave-like conditions. The ARB and its allies fired back that ARUB was promoting a plan that would displace the vast majority of the city's waste pickers, in the hopes that the city would hire them to staff the new recycling routes.

Due to a combination of logistical, budgetary and political obstacles, Petro never succeeded in transitioning Bogotá from RRR to SSF. By the end of his term in December 2015, the UAESP had built only four of the 60 planned public recycling warehouses and none of the six planned mega-recycling parks. Nor did it implement the planned centralized recycling routes with public trucks and equipment. In October 2015, the UAESP made a last-ditch effort to dismantle the individualized pay scheme and construct public recycling centers instead. However, Petro was forced to back peddle in 11th hour negotiations, after the ARB and allied organizations planned a retaliatory protest at the city landfill.[172] Meanwhile, center-right mayor elect, Enrique Peñalosa promised to dismantle many of his predecessor's waste management policies. Petro still had one ace up his sleeve, however: the 12-year waste management plan, which would set policy regarding recycling routes, infrastructure, and remuneration. On December 15, the UAESP released a 12-year plan that upheld the central tenants of SSF, ensuring that battles over waste picker rights policy would continue into the next administration.

[170] Interview, September 10, 2015.
[171] Interview Iván Osorio, March 2, 2016.
[172] Interview, Pablo Hernández, March 3, 2016.

4.2.5 Navigating the Threats of Dispossession and Exploitation

As informal workers gain a measure of power to reshape the organization and conditions of their work, yet continue to face structural constraints due to their subordinated positions in the broader political economy, tensions may emerge between the imperatives of combatting exploitation and dispossession. Recent conflicts over waste picker rights policy in Bogotá are illustrative of such dynamics. For the first 25 years of its existence, the city's waste picker movement experienced little tension between the imperatives of combatting exploitation and dispossession, as it had little capacity to do either. In 2012, however, when organized waste pickers became influential agents in local and national politics, conflicts exploded among and between waste pickers and state officials about how to navigate the twin threats. Mayor Petro viewed waste picker's primary threat as their *actual exploitation* within the free market and therefore proposed a state-led, socialist restructuring of the recycling industry aimed at enabling waste pickers to collectively take control of the means of production. The ARB and allied waste picker organizations, in contrast, saw their primary threat as their *potential dispossession* at the hands of the state, and favored measures to gradually improve waste pickers' incomes and conditions within the informal market.

The ARB decidedly won the short-term battle over recycling policy. At key junctures, the ARB and its allies used disruptive protest and legal pressure to force the mayor to adopt their preferred policies—a testament to their growing political might. Nonetheless, the mayor's original plans may have also failed due to over-ambition. The embattled administration appeared to lack the capacity to build a massive public infrastructure to collect, process, and commercialize all of the city's recyclables, much less to organize the city's 20,000 waste pickers to work within this infrastructure. ARB leaders will take the failure of the mayor's utopian plans as evidence that the capitalist state, even in its social democratic guise, is not a reliable guardian for their industry. The ARB's success, conversely, will not assuage the administration's criticisms that policies that confer benefits to waste pickers, without altering the informal and exploitative structure of their industry, will only exacerbate inequality among them, and leave them ill-prepared to compete with well-healed private recycling firms waiting in the wings.

Such dilemmas notwithstanding, the Bogotá case offers reasons to be optimistic about the potentials of informal worker organizing. Even waste pickers, who epitomize flexibility and precarity, can improve their conditions, incomes, and job security through collective organizing. Controversies notwithstanding, policies enacted during Petro's term—including the provision of remuneration, uniforms, trucks, trainings, and participatory democratic forums—benefited thousands of waste pickers. As Petro himself observed, creating and implementing these policies involved "social conflict, political conflict… a fight over power that provoked social and political convulsions,

not a peaceful technocratic or bureaucratic process."[173] Yet even the convulsions can be seen as indications of success, as they reflected the waste pickers' growing voice and stake in public policy. And though conflicts among Bogotá's waste pickers, which continue at the time of my writing, risk weakening and dividing the movement, they also hold potential to generate a stronger movement and better policy in time. Nonetheless, the movement will continue to run up against dilemmas and tradeoffs as long as it operates within the constraints of a broader system of social relations that is based on exploitation and exclusion.

4.3 Conclusions

Whereas Chapter 3 analyzed why the form of classification struggles diverged across political fields, Chapter 4 showed how these divergences mattered in practice. In Chapter 4, I found that the differences between the ways that São Paulo and Bogotá's waste picker movements classified their constituents, opponents, and grievances shaped movement demands and strategy. And as the movements won political victories, these differential classifications became refracted within the state, with profound consequences for law, policy, and the lives of waste pickers.

In São Paulo, the movement and its allies classified waste pickers through the lens of 'class struggle,' as subordinated workers, whose primary threat was hyper-exploitation at the hands of intermediary buyers. This classification would shape both whom was considered a legitimate subject of waste picker rights and what these rights consisted of. In order to combat the threat of exploitation, the movement demanded a radical transformation of the recycling industry that aligned with principles of state socialism, such as scientific central planning, state ownership of the means of production, and empowered worker participation. Beginning in 2002, the city of São Paulo instituted an official recycling route to take over waste pickers' traditional role of collecting recyclables on the street. Meanwhile, the city attempted to relocate waste pickers into recycling warehouses, where they would work in cooperatives sorting and selling recyclables. This new system sought to spare waste pickers the hardships and indignities of the street, and free them from the grip of exploitation by intermediaries.

São Paulo's policies, however, largely failed in their original goal of improving the livelihoods of street waste pickers for two reasons. First, the cooperatives did not generate nearly enough jobs to integrate the city's estimated 20,000 waste pickers. Second, those jobs that were produced were of little interest to most traditional waste pickers, who experienced greater incomes and workplace freedoms on the street. São Paulo's policies did produce one significant social benefit, however: they generated over 1,000 jobs to other precarious workers. When street waste pickers failed to join the

[173] "El Estado Vaticano Invita Gustavo Petro." *YouTube.* (July 22, 2015) <https://www.youtube.com/watch?v=ZfbvfAOQVd0>.

cooperatives, the cooperatives hired other precarious in their stead, whom were classified as waste pickers despite never having worked with recyclables previously. Subsequently, local and national laws classified any low-income person who worked in a cooperative as a waste picker, regardless of their history in the sector.

In Bogotá, in contrast, the movement and its allies classified waste pickers through the lens of 'human rights,' akin to an indigenous population whose primary threat was dispossession from their traditional livelihood and terrain by the state. Thus, whereas São Paulo's waste picker movement sought to help waste pickers escape the hardships and indignities of the street, Bogotá's movement prioritized the defense of waste pickers' right to continue working on the street. The movement won policies that would enable waste pickers to continue working in the informal recycling industry, but with state recognition and remuneration. Unlike in São Paulo, the subjects of such policy were defined not only based on their class position, but also based on their history in the profession. In Bogotá, the only legitimate subjects of waste picker rights policy were poor people who had worked for a substantial period of time salvaging recyclables informally.

Bogotá's policies succeeded in moderately improving the incomes and conditions of thousands of the city's waste pickers, even as they continued to work in the informal recycling industry. Between 2013 and 2015, the city began making bi-monthly payments to 13,000 registered waste pickers based on the quantity of materials that they had collected in the previous months. Additionally, the city issued 3,000 trucks and 18,000 uniforms and personal security kits to registered waste pickers. Such policies were not without controversy—critics maintained that they amounted merely to welfarist subsidies, which failed to structurally improve waste pickers working conditions or recycling services. Moreover, they argued that the individualized payment scheme was unwieldy and subject to fraud.

Chapter 5: Conclusions

Organizing informal workers, the invisible majority of the world's workforce, is arguably the most pressing challenge confronting the global labor movement today. Labor scholars and unionists have long believed that informal workers' structural weakness precluded their capacity to organize as a class.[174] Flouting 150 years of reports on their political impotence, millions of informal workers have mobilized to improve their incomes, conditions, and political voice over the past three decades. What are the sources, potentials and constraints of this upsurge in organizing amongst the invisible majority of the world's workforce?

To address this question, this dissertation analyzed the labor rights movements of waste pickers in Brazil and Colombia. Waste Pickers are a "least likely" case for successful organizing due to their marginality and fragmentation. Nonetheless, organized waste pickers in dozens of cities across Latin America, Asia, and Africa have recently pressured public officials to recognize and remunerate them for their services. Brazil and Colombia are home to two of the world's oldest, largest, and most politically influential waste picker movements. My primary research sites were São Paulo and Bogotá, the largest cities in their respective countries. I conducted secondary research in the next four largest cities and several smaller cities in each country, which I used to highlight convergences and divergences between municipalities. Through a combination of survey, interview, archival, and participant observation research, I attempted to surmount a central weakness of extant literature on informal labor movements: the adoption of distanced and idealized perspectives that wash over the messy local politics of organizing

Empirically, this dissertation centered on three puzzles. *First, why, after toiling in near anonymity for nearly a century, did disconnected waste pickers in Brazil and Colombia suddenly begin organizing powerful movements in the late 20th century?* I found that three interrelated and overlapping global shifts generated threats, opportunities, and resources that provoked waste pickers to collective action. First, decades of rapid and uneven urbanization followed by economic downturns in the 1980s led to an increase in the quantity of waste pickers working on the streets. The sudden appearance of thousands of immiserated people digging through garbage on the streets of wealthy neighborhoods provoked a spectrum of responses. At one pole, police and "social cleansing" death squads would violently attempt to remove waste pickers from the street; at the other, a coalition of NGOs, government agencies, and universities would help waste pickers organize to improve their incomes and social standing. Second, the expansion of global discourses and institutions of socioenvironmental rights created new potential material and symbolic resources for waste picker organizing—increasing the levels of domestic and international support available for waste picker organizing.

[174] e.g., Arandarenko 2001; Bairoch 1973; Geertz 1963, Kurtz 2004; Marx 1978 [1852]; Veltmeyer 1997

Third, democratic reforms in Brazil and Colombia created distinct openings for waste pickers to challenge state policy and to demand integration into formal waste management.

Second, why did the movements begin to diverge in their self-conceptions, organizing models, and demands as they won inclusion into the state in the 2000s? I found that two factors drove the movements to diverge in their politics: dominant political cultures (forms of sanctioned discourse) and specific openings for influencing state policy. The Brazilian movement matured under the patronage of sympathetic leftist governments, a context where anti-capitalist discourse was tolerated. The Brazilian movement would advance its policy goals through what I term the "political participation path," characterized by collaboration between the movement and elected officials. By casting themselves both as a vanguard in a broad movement of excluded workers and as environmental heroes, organized waste pickers increased their symbolic importance to the PT.

The Colombian movement, in contrast, came of age in a context in which leftist discourse and social movements were violently repressed. The waste picker movement found few allies in elected office, but a powerful one in the Constitutional Court, which was charged with upholding the integrity and supremacy of the Constitution. Waste pickers advanced their interests through what I term the "human rights strategy," using lawsuits to pressure elected officials to win legal recognition as a protected group. Both in court rulings and in movement discourse, Colombian waste pickers were discussed like an ethnic group," bound together by a common identity, history, knowledge base, terrain, practices, and experience of discrimination. The movement would come to see the waste picker's most pressing threat as dispossession from their "ancestral territory" of the streets at the hands of the state and private waste companies.

Third, how did movement contexts, discourses, and strategies shape policy outcomes? Although Bogotá's inclusive recycling policies were criticized for entrenching informality rather than uprooting it, they achieved vastly greater levels of inclusion of historic waste pickers than did the those of São Paulo. I found that there were two primary reasons for this discrepancy. First, the Colombian movements' discourse of human rights prioritized the identification and inclusion of historic waste pickers, creating leverage for waste pickers to demand that state officials adapt to their logics, needs, and capacities, rather than the other way around. The Brazilian discourse, in contrast, prioritized the improvement of waste picking as a "profession" according to standards of formal industrial jobs, with no special preference given to individuals who had traditionally worked as waste pickers. Second, the Constitutional Court's ongoing surveillance provided the Colombian movement with a powerful weapon to hold elected officials accountable for the inclusion of street waste pickers. In São Paulo, in contrast, there was no such powerful external entity monitoring the inclusion of street waste pickers.

In the following sections, I shift from discussing the empirics of these cases to their broader theoretical implications for labor movements and informal work. I revisit the theories of classification struggles and fields discussed in Chapter 1, in an attempt to illustrate how the findings of this dissertation speak to and extend them. I conclude by discussing some of the policy implications of this research for state interventions to improve informal livelihoods.

5.1 Movement Strategy: Classification Struggles

One of the key projects of this dissertation was to expand our understandings of how informal workers attain and wield power. To theorize such processes, I took as a point of departure Jennifer Chun's (2009) influential analysis of the "classification struggles" (Bourdieu 1984) of marginalized workers. Based on her research of the labor rights campaigns of subcontracted immigrant service workers in the US and South Korea, Chun finds that subcontracted workers, who lack access to conventional channels of power may cultivate "symbolic power," that is, the power of naming. To do so, they shift contention from the legal channels of the state to the moral order of the public sphere. The subcontracted workers engage in dramatic acts of protest, which challenge norms about what it means to be a worker and who holds the responsibilities of employer. This enables the subcontracted workers to win recognition as workers by the public at large, which they leverage to pressure brand-sensitive employers into granting them union recognition and contracts.

Brazilian and Colombian waste picker movements also advance their interests through classification struggles, publicly recasting waste pickers from 'disposable people' and 'vultures' (as they were historically called in Colombia) to 'professional recyclers' and 'environmental agents' (as they came to be known). To do so, they developed a diverse performative repertoire that transcends the contentious protests emphasized by Chun. For example, waste picker movements and their allies created "labor props" (uniforms and ID cards), shifted terminology (e.g., from "basuriego" to "reciclador" in Colombia), engaged in "art-ivism" (politically oriented theater, music, cinema, graffiti, crafts), and engaged in processes of knowledge production and dissemination (e.g., media campaigns, scholarship). Additionally, waste picker movements invested heavily in internally oriented processes of reclassification, such as political education and self-esteem workshops.

Not only are the forms of waste pickers' classification struggles more diverse than recognized in previous scholarship, but so too are their functions. In what follows, I discuss four ways in which my findings extend the model proposed by Chun and expand our understandings both of the potentials and the risks of classification struggles.

First, classification struggles are not only a mechanism for circumventing the state, but for entering it. As Rhomberg and Lopez (2017, 14) poignantly observe, Chun's analysis neglects the "institutional moment that accompanies insurgency," as the irregular workers whom she studies ultimately negotiate contracts through legally sanctioned collective bargaining. The institutional moment looms even larger in movements of fully informal workers such as waste pickers, however, who typically make demands directly to the state due to their obfuscated relations with employers. In both Colombia and Brazil, organized waste pickers used a combination of performative strategies targeted at the broader public, as well as political and legal advocacy targeted at state officials, to pressure the state into legally recognizing waste picker's right to be compensated by the state and integrated into formal waste management. As I shall go onto describe, processes of state formalization presented both opportunities and risks for waste pickers, as they often entailed a loss of economic and political autonomy.

Second, classification struggles work not only through coercion, but also through persuasion and attraction. Chun treats classification struggles as a pressure tactic that irregular workers use *in lieu* of the strike to force concessions from employers. Such strategies are improbable for movements of waste pickers, however, due to their structural weakness and lack of recognized employers. Rather, they more often use classification struggles as a form of "soft power" (Nye 1990), that is, the power of persuasion and attraction. By reclassifying waste pickers as "environmental workers," waste picker movements increase their symbolic import to beneficiaries such as state officials, foundations, and corporate sponsors. These beneficiaries, in turn, invest hundreds of millions of dollars in direct support and in kind support to waste picker movements. This is an effective strategy, but not without limitations, as soft power alone is unlikely to compel elites to act against their structural interests or to grant radical concessions. In some cases, however, soft power provides a path for organizations to build enough internal capacity and external support to exercise hard power. In other cases, in contrast, the cultivation of soft power generates elite dependencies that constrain organizations' capacity to exercise hard power and increase the risk of movement cooptation.

Third, classification struggles are not only a means for political empowerment, but an ends and basis for it as well. Chun treats classification struggles the way that many scholars treat "collective action frames," namely as a strategic discourse for achieving political ends. But for waste pickers, classification struggles serve at least two other critical roles as well. First, classification struggles help constitute and activate the movement's base by contributing to the construction of a dignified collective identity. As ARB-cofounder Miguel Torres argues, "Waste pickers can't organize politically or economically until they have a measure of self-respect." Second, for workers with degraded identities, the creation of dignified identities serves not only as a strategy, but as a primary movement goal. For waste pickers, who face harassment from police,

violence from vigilante groups, scorn from residents, and discrimination from public officials, stigma not only reduces self-esteem, but life chances.

Fourth, classification struggles may be used not only to transform social realities, but to simulate transformation. One of the key risks of classification struggles in waste picker movements is that they may be used to simulate forms of social inclusion that do not actually occur. In both Bogotá and São Paulo, communications from state agencies, waste picker organizations, NGOs, and even academics often exaggerate the depth and breadth of waste picker inclusion. For example, municipal officials estimated that approximately 10,000 of Bogotá's 18,000 registered waste pickers belonged to waste picker organizations. However, many of these organizations were *organizaciones de papel* ("paper organizations"), which did not engage in processes of collective production or even hold regular meetings. And even in Bogotá's strongest organizations, many of the listed members did not actively participate. In São Paulo, in contrast, all of the 21 formalized waste picker cooperatives participated in collective production and held regular meetings. Nonetheless, these organizations contained a total of only 1,000 members, 93% of whom had never collected materials on the street and did not, for the most part, identify as waste pickers. To be sure, the risk of exaggerated claims making exists in any social policy, but it is heightened for those that target precarious informal workers, who elude traditional forms of measurement and accountability.

A risk of exaggerated claims making is that it sustains magical thinking about the causes, consequences, and solutions to waste pickers' vulnerability. A particularly dangerous form of magical thinking in regard to inclusive recycling is the concept of "Recycling Lives" (the name of several Brazilian waste picker cooperatives and government programs), which presumes waste pickers to have "wasted lives" that can be transformed and rehabilitated through insertion into cooperatives. This is analogous to environmental magical thinking regarding recycling, which imagines that the planet can be saved through the technical fix of transforming waste, rather than by transforming the system that produces it.

5.2 Divergent Movement Politics: Political Fields

Chun's study is one of convergence, which identifies surprising similarities in the strategies of marginalized worker movements across three industries in two countries. She does not speak meaningfully about the contexts that facilitate the emergence of classification struggles, however, nor about how they diverge in form and outcomes across political contexts. To this end, I turned to another Bourdieusian concept, the field, that is relatively autonomous local social orders (Fligstein 2001). In her study of black movements in Brazil and Colombia, Paschel (2016, 11) builds comparative leverage into the concept of fields by distinguishing between domestic political fields and the global fields within which they are embedded. Thus, we might look to global

fields for clues as to why the Colombian and Brazilian waste picker movements emerged at the same time, but to national fields to explain why they progressively diverged in their discourses, strategies, and outcomes.

Waste picker movements were forged through processes of 'field grafting'

Like, Paschel, I found that small and under-resourced groups of activists were able to create largescale changes in political structures and imaginaries at a period when "conditions of possibilities in global political fields and domestic political fields converge(d)"—a process that Paschel (2016, 19) terms "political field alignment." In both of our studies, national processes of democratic reform played a key role in generating domestic political openings, while the global opportunities centered on expansion of discourses and institutions of social rights. One key difference between our cases, however, is that Paschel (2017:18) finds "the existence of black movements poised to take advantage of these field alignments" to be a necessary precondition for creating black rights. Waste pickers and their allies, in contrast, crafted a new movement, which had never existed previously in any part of the world. To do so, they had to classify a new "social problem," and designed strategies, discourses, and policies to address it.

The term "field alignment" does not sufficiently capture the creativity of this process, but the term "field creation," however, would suggest too radical of a historic rupture. After all, waste pickers' classification struggles drew heavily on existing material and symbolic resources from labor rights, environmental justice, solidarity economy, liberation theology, homeless rights, and women's rights fields. Thus, I introduce the term "field grafting" to describe how the waste pickers and their allies forged a new movement by appropriating and remixing resources from within the "global socioenvironmental rights field" (consisting of institutions and discourses of social and environmental rights). Waste pickers were well positioned to engage in this process of field grafting for two reasons. First, though waste pickers represent only a tiny portion of the working poor and by no means are the most downtrodden among them,[175] they occupy an outsized space in the public imagination due to the perception as "the poorest of the poor, the most miserable of the miserable." Such stigma may impede their life chances, but it also amplifies their capacity to make moral claims. Second, waste pickers are able to articulate their movement with a variety of well-established causes (worker rights, global warming, sustainable cities, women's rights, child labor, homeless rights, etc.).

[175] Waste pickers incomes and conditions vary widely, but in Colombia and Brazil, they generally earned between one and two times the minimum wage. Though waste pickers face many occupational hazards many of them reported to me that the work was less physically taxing and dangerous than previous jobs held in construction work or farming.

Waste picker movements diffused across national fields through transnational networks

Current theories of transnational labor solidarity focus largely on strategies for converting global supply chains into sources of strategic leverage; workers and consumers in positions of power exert pressure at "pinch points" to support the struggles of more vulnerable international allies. Such theories would not predict the emergence of global movements of informal workers, whose work is intensely local in its orientation. Nonetheless, over the past two decades, informal workers such as waste pickers, street vendors, domestic workers, and home-based producers began building robust transnational networks. Why are workers with few global supply chain linkages or collective targets organizing transnationally?

I found that the transnational waste picker networks are vehicles for diffusing and multiplying classification struggles, using information and communication with relevant national and transnational publics to shape ideas, beliefs and norms. Though waste picker movements in Brazil and Colombia emerged independently of one another, in the 2000s, they both played leadership roles in the creation of The Latin American Waste Picker Network (with representatives in 15 countries) and The Global Waste Picker Alliance (with representatives in over 30 countries). Such networks helped spread the waste picker movement across national borders and connect them by facilitating leadership building and strategy exchange. They also facilitated networking with transnational supporters such as NGOs, corporate foundations, and development agencies. Between 2009 and 2013, the Global Waste Picker Alliance sent waste picker delegations to five global climate summits to advocate for resource recovery programs as an alternative to waste disposal technologies. David Ciplet (2014) finds that the transnational delegations have had limited policy success, but they have generated "unprecedented media attention" for waste pickers, increasing their legitimacy in the eyes of funders, policy makers, and the public at large (p. 88).

…nonetheless, national fields continued to shape and constrain movement politics

A key outcome analyzed in this dissertation was "waste picker movement politics," that is discourse, organizing models, policy demands, and political strategy. During the 1980s, when the Brazilian and Colombian waste picker movements had no knowledge of one another, they developed strikingly similar politics. In the 2000s, however, the movements' politics would increasingly diverge. Ironically, this divergence occurred at just the time when the movements began to intensely collaborate in transnational organizing campaigns and to receive support from many of the same global NGOs, development funds, and multinational corporations. Despite their growing linkages to one another, the movements' self-conception would increasingly differ as they became integrated into the state within divergent national political fields, demonstrating the power of state institutions to refract and shape classifications. Two national level factors were especially influential in this regard:

dominant political cultures (i.e., sanctioned and legitimized forms of political discourse) and specific openings for influencing state policy.

The Brazilian movement matured under the patronage of sympathetic leftist administrations in a context where anti-capitalist discourse was sanctioned and tolerated. Against this political backdrop, the waste picker movement would advance its policy goals through what I term the "political participation path," characterized by collaboration between the movement and elected officials. The movement would shape policy through participatory democratic forums, backchannel advocacy, and political alliances. By casting themselves both as a vanguard in a broad movement of excluded workers and as environmental heroes, organized waste pickers increased their symbolic importance to the PT. The movement would come to see waste pickers' principle threat as exploitation at the hands of intermediaries, leading them to embrace a policy paradigm that I term "State Socialist Formalization" (SSF—see below).

The Colombian movement, in contrast, came of age in a context in which leftist discourse and social movements were violently repressed. The waste picker movement found few allies in elected office but a powerful one in the Constitutional Court. Waste pickers would advance their interests through what I term the "human rights strategy," with the central goal of winning legal recognition as a protected group, and using lawsuits to pressure municipal (and eventually national) administrations to implement waste picker rights policies. Both in court rulings and in movement discourse, Colombian waste pickers would come to be classified as a group akin to an ethnic minority or caste, bound together by a common identity, history, knowledge base, terrain, practices, and experience of discrimination. The movement would come to see the waste picker's most pressing threat as dispossession at the hands of the state and private waste companies, leading them to push for a policy paradigm that I term "Recognition, Rights, and Resources" (RRR—see below).

5.3 Informal Worker Policy Dilemmas

In both São Paulo and Bogotá, inclusive recycling policy has been the subject of debate and conflict among and between waste pickers, NGO staff, and state officials. Although there are many differences between the contours of these controversies in each city, they broadly center on a dispute over two competing policy paradigms. I term these paradigms "State Socialist Formalization" (SSF) and "Recognition, Rights, and Resources" (RRR). During my period of ethnography, the SSF paradigm had won out in São Paulo (and many other Brazilian cities), whereas the RRR paradigm was beginning to be implemented in Bogotá (and a few other Colombian cities). This provided a type of natural experiment to see the impacts of these policies in large cities with similar waste picker demographics. With some caveats, Bogotá's RRR policies produced more

favorable short-term outcomes for street waste pickers than did São Paulo's policies of SSF.

São Paulo: the risks of State Socialist Formalization (SSF)

The SSF paradigm viewed street waste picking as an inherently degrading, dangerous, and exploitative form of work—a form of modern slavery. Moreover, informal recycling was seen as a haphazard, premodern, and unprofessional recycling system, which could never bring cities close to the ultimate goal of zero waste. SSF's proponents therefore proposed gradually dismantling the extant informal recycling system, replacing it with a more just and efficient one and inserting the old waste pickers into the new system. The new system would be based around principles of state socialism such as state ownership, worker control of the means of production, and scientific central planning. State officials would educate residents on how to separate recyclable materials, which would be collected by an official recycling route and transported to state-owned recycling plants to be sorted, binned, and sold. Meanwhile, state operatives would identify street waste pickers, organize them into cooperatives, and contract the cooperatives to work within the formal system.

Although São Paulo began with a paradigm of RRR during the 1990s, in the 2000s, it would shift first to a hybrid RRR-SSF model and then to a fully SSF model. City officials in São Paulo saw informal recycling as undignified and exploitative, and thus hired private companies to take over waste pickers' traditional role of collecting recyclables. Meanwhile, the city created 1,500 new jobs at waste picker cooperatives, where members worked inside state-owned recycling warehouses sorting materials that had been collected along an official recycling route. However, the rigid rules of the new jobs did not jive with the needs, capacities, and logics of the waste pickers, who typically quit within weeks. State officials began to hire other low-income people to take their place, whom were categorized as "waste pickers" despite never having previously worked in the sector. Meanwhile, an estimated 20,000 waste pickers continued to work on the streets, where many reported that their incomes had decreased due to competition from the recycling route.

Bogotá: the potentials of "Recognition, Rights, and Resources" (RRR)

The second paradigm, which I term "Recognition, Rights, and Resources" (RRR), did not treat waste picking as the source of waste picker's vulnerability. Rather, it saw waste picking as a resource that vulnerable populations had created over several generations in order to survive and sometimes even thrive—a feat of great resilience and ingenuity. Moreover, proponents of RRR argued that in developing countries, informal recycling systems far outperformed formal ones according to metrics such as the quantity and quality of materials collected, cost efficiency, job production, and greenhouse gas reduction. The RRR paradigm, therefore, was designed to improve

upon the extant gradually recycling system rather than to replace it, organizing waste picker's rights from within the informal economy. It would do so by legally recognizing waste pickers' right to work and supporting their organizations. Moreover, it would provide resources such as ID cards, uniforms, equipment, and official remuneration to street waste pickers in recognition of their public service.

In Bogotá, Mayor Gustavo Petro (2012-15) sought to implement a model of SSF, with an official recycling route that delivered materials to sorter cooperatives, akin to those of São Paulo. Whereas most of São Paulo's waste picker organizations embraced this model, most of Bogotá's waste picker organizations rejected it on the grounds that it would reduce the quantity and accessibility of jobs for waste pickers. Organized waste pickers in Bogotá therefore used contentious protest to force the mayor to abandon the agenda of SSF and adopt a model of RRR. Whereas São Paulo's policies prioritized improving recycling as a category of work, Bogotá's policies prioritized defending the rights of historic waste pickers to continue in their trade and be paid by the state for it.

From 2012 to 2014, the city created a registry of 18,000 waste pickers through an elaborate census and verification process. The city then distributed 18,000 city uniforms to registered waste pickers and issued 3,000 pickup trucks to waste pickers who had previously worked by horse-and-buggy. Additionally, the city began making bimonthly payments to 13,500 waste pickers in recognition of their public service through an innovative pay scheme: waste pickers continue to sell their goods to scrap shops, which pay them on the spot and make an official registry of materials; then, the city sends the waste pickers a text message with a code redeemable for cash at ATMs based on the quantity of goods they collected in the previous months—representing about a 50% pay raise. Such policies have been criticized for entrenching informality rather than uprooting it and failing to professionalize recycling services, but nonetheless they have improved the incomes and social standing of over 13,000 street waste pickers.

Human rights strategies yielded greater social inclusion than did political participation

I found that Bogotá's inclusive recycling policies were better attuned to the needs, capacities, and logics of street waste pickers than those of São Paulo. This finding was unexpected in light of the fact that Bogotá's movement came of age under rightwing national administrations that attempted to criminalize waste picking, while São Paulo's movement matured under leftist regimes that championed their cause. Moreover, Bogotá's waste pickers won their key political victories through human rights lawsuits in closed courtrooms with scant popular participation, whereas the Brazilian policies were developed in participatory forums, which purported to enlist waste pickers as policy co-creators.

I do not suggest that human rights strategies universally yield favorable outcomes for waste pickers, but in the Bogotá case, they offered distinct advantages.

First, the Constitutional Court's classification of waste pickers as "subjects of special protection" prioritized the identification and inclusion of historic waste pickers. Second, the courts severely sanctioned mayors who failed to demonstrate that they had authentically included historic waste pickers in formal waste management. For example, a billion-dollar waste management bidding process was nullified in Bogotá in 2012 and a mayor in Cartegena was jailed in 2015. This external leverage would enable the movement to demand that state officials adapt to waste pickers' logics, needs, and capacities, rather than the other way around.

In São Paulo, in contrast, the classification of waste pickers as "exploited workers," did not prioritize the inclusion of historic waste pickers. Rather, any low-income person could participate in waste picker cooperatives and be legally classified as a waste picker. There were no legal mechanisms to hold policy makers accountable for including street waste pickers. Also, participatory forums used to construct inclusive recycling policy had little participation from street waste pickers, who remained largely unorganized. Rather, the forums were dominated by elite actors who assumed that waste pickers would prefer to work inside sorting warehouses rather than on the street. Also, organized waste pickers and their allies had relatively few external sources of political leverage and were thus largely dependent on the goodwill of elected officials to implement and uphold policies. This meant that many of their policy proposals were never implemented and others were discontinued by future administrations.

Potentials for informal worker-state alliances

Scholars, activists, and state officials tend to frame informal worker rights policy in essentializing terms, as if a self-evident set of best practices existed. Inclusive recycling policy, in particular, is pitched as a "triple-win" that unequivocally benefits waste pickers, the environment, and business. This dissertation, in contrast, reveals the reimagination of informal work as "decent work" to be a creative, contradictory, and contested process. State interventions into the informal economy hold potentials to improve workers' conditions, income, and voice. But they also may favor some groups of workers and stakeholders over others, or lead to perverse (though not necessarily unintended) outcomes. Thus, even when, in the face of great odds, waste picker movements in Bogotá and São Paulo gained a measure of power to transform the conditions and structure of their work, they faced difficult choices due to their subordinated position within the broader political economy.

A critical policy dilemma centers on informal work's "complex and contradictory" relationship to social inclusion (Brown et al. 2014: 33). On the one hand, due to its low barriers to entry and ample availability, informal jobs such as waste picking enable billions of people to survive and sometimes thrive on the bottom rungs of the global economy. On the other, informal workers' exclusion from legal protections and state services entrenches their vulnerability to meager wages, arduous working

conditions, and egregious rights violations. Vexingly, policy schemes that seek to reduce the exclusionary traits of informal work through regulation, mechanization, or social enclosure, may also undermine its inclusive traits, reducing the quantity and accessibility of jobs.

This dilemma is exacerbated by the challenges of building robust alliances between informal worker movements and the state--even when the state sees itself, and has indeed acted, as a sympathetic ally. In both Bogotá and São Paulo, building alliances with leftist state officials was critical to the movements' political empowerment. Nonetheless, the outcomes of these alliances raise questions about the state's capacity to create spaces for continuation of self-organized informal work. Are state structures antithetical to the milieu and métier of informal waste pickers, and vice versa? In the case of São Paulo, state interventions transformed the nature of the work of recycling, and with it, the nature of the workers and their organizations. In Bogotá, organized waste pickers pressured the mayoral administration to adapt to their needs, capacities, and logics rather than the other way around. Nonetheless, it is questionable whether such a policy regime is sustainable in the long term—especially given that Mayor Petro attempted to retract such policies soon after issuing them.

Brown et all (2008, 34) observe that that state interventions in the informal economy aimed at improving labor and environmental standards can lead to perverse effects, "but how pervasive such effects are and how to identify when they are likely to occur remain poorly understood." Indeed there is a need for more rigorous and systematic analysis of this. Nonetheless existing scholarship suggests that the risks are increased in heavy handed interventions that attempt to relocate informal workers to new worksites or alternative jobs. In some cases, state-led formalization schemes offered to a minority of workers are used justify violent crackdowns on the majority that continued to work on the street, as has occurred to street vendors (Hunt 2009) and day laborers (Varsanyi 2008). And in many cases, even workers who are included in formalization schemes experience "disappointing or even perverse outcomes" (Cinner et al., 2009: 129). State officials may not follow through on their promises, causing the displaced workers to face starvation as has occurred to evicted dumpsite waste pickers (Ruiz-Restrepo and Barnes 2010). Alternatively, new worksites may not be economically viable, as in the case of street vendors and day laborers who have been relocated to off-street locations with reduced access to clients. When such schemes fail, displaced workers often return to informal jobs, but in less desirable worksites with increased police harassment.

Indeed, some of the world's largest and most influential informal worker movements to largely abandoned the thorny project of improving labor standards, and instead to shift energies to winning welfare benefits and citizenship rights (see (Agarwala 2013; Garay 2007). Some scholars even call on formal labor movements to follow suit. For example, Standing (2014: 183) suggests that Spanish trades unions made

a "historic error" by resisting "the flexibilization of labor relations that came with globalization," and should instead have offered to accept flexible labor practices in exchange for universal social protections that are not attached to specific professions.

Though the flexibilization of labor both heightens the need for universal social protections and confounds attempts at improving labor standards, my findings suggests it would be premature to abandon the struggle for decent work. Even waste pickers, who epitomize flexibility and precarity, can improve their conditions, incomes, and job security through collective organizing. Controversies notwithstanding, policies enacted during Petro's term—including the provision of remuneration, uniforms, trucks, trainings, and participatory democratic forums—benefited thousands of waste pickers. And although the inclusive policies implemented in São Paulo during the 2000s benefited relatively few street waste pickers, the cart pusher cooperatives created during the 1990s benefited many more. Nonetheless, the waste picker movements will continue to run up against dilemmas and risks as long as they operate within the constraints of a broader system of social relations that is based on exploitation and exclusion.

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