

**THE RIVER IS OUR BACKYARD: THE CROSSROADS OF A RIVERSIDE COMMUNITY IN URBAN AREAS****O RIO É NOSSO QUINTAL: AS ENCRUZILHADAS DE UMA COMUNIDADE RIBEIRINHA EM ÁREA URBANA****Cilene Gomes<sup>1</sup>****Paulo Romano Reschilian<sup>2</sup>****Flávia dos Santos Cardoso<sup>3</sup>****ABSTRACT**

This article has as its first objective to discuss the reality of the inhabitants of a traditional riverside community, inserted for at least two decades, involuntarily, within the urban mash of the Urbanova neighborhood, west of the city of São José dos Campos, SP. These riverine community is formed by a traditional fishing community and live in an irregular settlement located in a risky and permanent protection area. The fact that they are not the landowners together with the omission of public power generate feelings of exclusion and socio-spatial segregation in addition to social and environmental problems. Secondly, it was studied the survival strategies adopted by the residents of this community. Finally, their perspectives of insertion in urban life will be investigated through the research conducted with these residents, and the documentary and bibliographic research. Facing so many uncertainties, it is estimated that the population is at a crossroad, which is seen as a dilemma or the impossibility of decision-making, except those ones involving the strategies of their survival and maintenance in the area.

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## RESUMO

O presente artigo visa discutir a realidade dos habitantes de uma comunidade ribeirinha tradicional, inserida há ao menos duas décadas, involuntariamente, dentro da malha urbana do bairro Urbanova, região oeste da cidade de São José dos Campos, SP. Esses ribeirinhos constituem-se numa comunidade tradicional de pescadores e vivem em assentamento irregular situado em Área de Proteção Permanente e de risco. A insegurança da não detenção da posse aliada à omissão do poder público geram sentimento de exclusão e segregação socioespacial além de problemas socioambientais. Serão investigadas as estratégias de sobrevivência adotadas pelos moradores da comunidade e suas perspectivas de inserção na vida urbana, valendo-se para tanto de pesquisa realizada com moradores, pesquisa documental e bibliográfica. Avalia-se que diante de tantas incertezas, a população se encontra em diferentes encruzilhadas, que se apresentam, assim, em seu horizonte, como dilema ou impossibilidade de tomada de decisão, a não ser a que envolve as referidas estratégias de sua sobrevivência e manutenção no local.

**Palavras-chave:** Território; Comunidade Ribeirinha; Segregação Socioespacial; Política Urbana; Área de Proteção Permanente.

## INTRODUCTION

Who is entitled to the city or what does it mean to be entitled to the city? Empirically observing numerous Brazilian cities of the size of São José dos Campos, a municipality with approximately seven hundred thousand inhabitants, which is part of the Metropolitan Region of the Paraíba Valley and North Coast, shows the socio-spatial segregation, noticeable in the infrastructure of its neighborhoods - including services, transportation, health care, buildings, green and leisure areas, squares and conservation of public spaces. Similarly, the opposite is observed in the central and noblest areas of the city. Magnani perfectly depicts this unequal distribution:

Between what is expected from the city, and what it really offers, there is a gap that is perceived not only in the form of shortages, but in terms of the unequal distribution of resources and equipment between "rich and poor," "weak" and strong, "" poor villages and cool neighborhoods "(MAGNANI, 1984, p.15).

The organization of the current Brazilian urban space is the result of a historical, political and social process that began to accelerate from the early-twentieth century, especially in large cities and

medium-sized cities. This organization happened in an heterogeneous and unbalanced way, shaped mainly by the rationality of peripheral capitalism, in which the high price of urbanized land, low wages (MARICATO, 2001) and the rhetoric of urban planning implied social, housing, environmental problems, which increased poverty, urban socio-spatial segregation, materializing new forms of distribution and location of populations in the city.

However, in this process of extensive urbanization (MONTE-MOR, 2006) and territorial organization that generates fragmented spaces, human settlements previously installed in areas of more recent urban expansion, as can be observed not only in São José dos Campos - SP, but also in other Brazilian municipalities, represent an emblematic conflict in the use and occupation of land, which will be the object of this article. The habitable spaces in floodplains or riverside areas reveal the emergence and permanence of traditional communities, often consolidated and enlarged by the existence of parental and inraparental ties and bonds, as can be seen in the Beira Rio community.

According to Santos:

The production of urban space is closely linked to the game of interests between its agents and participants, as a result of the symbolic and contradictory relations of capitalism in its multiple facets. The urban space is artificial, it is built in the previously natural environment and then manipulated in a web of social actions, where the relationships between the subjects involved will not always result in applicable solutions aimed at of the majority expect. (SANTOS, 2008, p. 45)

In this sense, it becomes evident that the production of city space acquires a market character and, consequently, the land becomes a commodity controlled by sectors considered protagonists of urban entrepreneurship. Thus, the land (and its location) acquires status value within the urban space, since it can be understood as a socially produced commodity (VILLAÇA, 2001). For Maricato (2001, p. 51), "it is impossible to expect that a society like ours, radically unequal and authoritarian, based on relations of privilege and arbitrariness, can produce cities that do not have such characteristics".

In this context, it is common to find the following picture in most large and medium-sized Brazilian cities: the underprivileged portion of the population has their right to the city neglected, without access to an urbanized and qualified city. Therefore, social exclusion is related to the control of the space produced, " as a strategy of social domination and capital accumulation" (RESCHILIAN; SANTOS, 2014, p. 133).

Due to problem of urban land occupation in the rationality of a process of non-inclusive urbanization and planning, from the 1970s, areas which were distant, irregular or environmentally sensitive and not buildable began to be occupied by the inhabitants as housing alternatives - mainly from rural areas – because they were unable to access housing in urbanized places, as explained by

Santos (2005, p. 27): "People who came to the cities and were generally unable to live in an urbanized area with access to consumer goods; had as an alternative, irregular occupations which arose for them."

This urban sprawl is even more evident in places where urbanization rates are higher, such as São Paulo and Rio de Janeiro, but it can be found in all Brazilian regions (REIS FILHO, 2006). It created new "territorialities" and social, economic, institutional and environmental problems, classified as socio-spatial segregation practices (GOTTSCHALG, 2012), being even more serious, as they promote the increase of differences and unfavorable socio-environmental conditions.

Most of these environmental problems are related to the destruction of natural vegetation; occupation of hillsides and riverside areas; floods; landslides, soil and water pollution, among others (GUERRA and GONÇALVES, 2001), offering risks to the population (especially to the most vulnerable sectors of society), as well as degradation and environmental disasters. The disorderly expansion of the urbanization and industrialization system has also affected traditional communities, either by intensifying migration from the countryside to the city, or by imposing an arbitrary way in which capital has dominated the rural and natural environment in the name of progress and development.

However, although with less intense urbanization than the large metropolises, municipalities such as São José dos Campos have witnessed community-building processes since the 1920s, such as Jardim Nova Esperança, Banhado, and later, the community object of this study.

Such traditional communities settled in the territory, through families, webs of relatives and partners, ethnic groups and people who were already "there" when the "others" arrived. There are those who have their presence "discovered" in a certain natural space, and are conquered, dominated, subjected, surrounded and often expelled to another provisional frontier (BRANDÃO; BORGES, 2014).

Among environmental, political, socioeconomic and spatial crossroads is the Beira Rio riverside community which was formed around the 1950s on the banks of the Paraíba do Sul River, where Urbanova, a high-income class neighborhood, is currently located in west of São José dos Campos.

This paper aims to reconstruct the history of the territorial formation of the community and analyze the chain of events that materialized its current socio-spatial configuration, which can be represented as a meeting point of several crossroads that the Beira Rio riverside community lives in relation to their right to housing, the environmental protection and by the survival strategies of these residents. They live under some dilemmas there: remain invisible, have access the "legal city" through land and urban regularization, live in constant uncertainty as whether they will remain in

their territory of origin and identity and become visible and therefore risk to be eventually removed from the area.

The research method is quantitative and qualitative, being performed through document analysis, participant observation and questionnaire application to 52 community residents (who agreed to answer to it) in order to reach a socioeconomic profile of the community<sup>4</sup>.

The article is organized in two sections: the first, where the socio-spatial context and the characterization of the population of Beira Rio is presented, and the second section, where the crossroads in which the community is located will be explained and analyzed, especially through the analysis of the enlightening laws and bibliographic contributions.

### **SPACE SOCIAL CONTEXT AND THE RIBEIRIN POPULATION**

According to the Master Plan for Integrated Development of the Municipality of São José dos Campos (PDDI, 2018), the western region of the city was the area with the highest population growth rate (4.99%) between 2000 and 2010. According to data from the PDDI technical reading, the number of occupied households grew by approximately 90%, and more than 15,000 inhabitants came to live in the area. The western region occupies 44.01 km<sup>2</sup> of the urban area and is made up of four socioeconomic sectors. The significant population growth in this region was concentrated in sectors 18 (Urbanova) and 19 (Jardim Aquáriu).

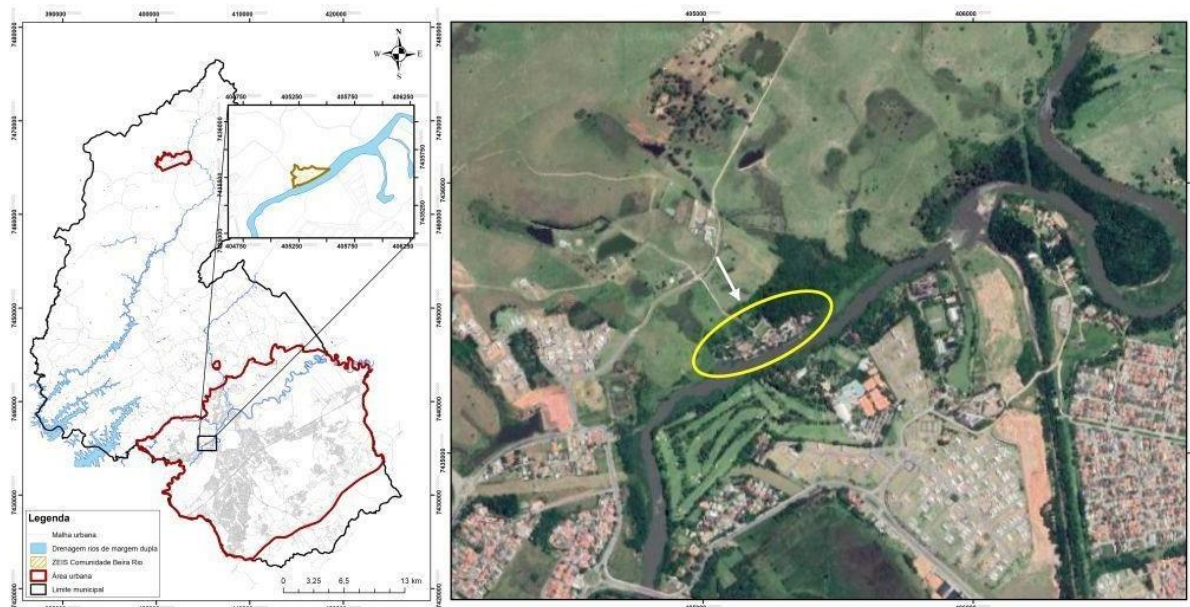
Urbanova, the neighborhood where the Beira Rio community is located, has a qualified urban infrastructure, containing private schools, universities, clinics and hospitals, concentrating predominantly horizontal and high-cost lots, which contribute to a strong process of real estate expansion in the extensive voids, spurred by real estate speculation. The intense urban occupation, associated with the presence of the campus of the University of Vale do Paraíba - UNIVAP, at the municipal limit of the Midwest vector, has been compromising accessibility to Urbanova, which today is made exclusively by only one access road. With the urban sprawl and constant real estate marketing that attracted a portion of the upper middle class to this region, under the ideology of social status and contact with nature, the Beira Rio community was involuntarily inserted into the urban mash of the city, but has no access to the benefits and infrastructure offered by the neighborhood.

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<sup>4</sup> The research was approved by the Ethics Committee and was registered under number CAAE 465051115.5.0000.5503. The survey was carried out between 2016 and 2017, for 14 months through weekly visits to the community, with questionnaires being applied on three Saturdays, from 9 am to 4 pm.

Located (Figure 1) on a land whose square meter is one of the most valued in the city of São José dos Campos, a small fishing community, which was formed around the 1950s on the banks of the Paraíba do Sul River, live on the border of the urban and traditional world. Living may not be the exact word: they survive to series of problems that reveal their weakness in the face of urban growth and the interests of capital.

Figure 1 – Location of Beira Rio community, São José dos Campos, SP



Source: Google Maps, 2019.

## SOCIOECONOMIC PROFILE, WAY OF LIFE AND SOCIAL REPRESENTATIONS OF BEIRA RIO COMMUNITY RESIDENTS

The poraquê live in the lake, but the lake has dried up, there is no more here and there, at least not yet. Life goes by slowly and in a hurry in the countryside and in the city, the place is half country and half city, it is an urban place [...] The place is the privileged intermediate of the countryside and the city, not only because it is on the edge of both, but because it has not completed the urban process and, therefore, the rural is recurrent as a party, as work in the fields and as a way of life. You live in the city, but you are in the rural world (OLIVEIRA, 2003).

Understanding the lifestyle of Beira Rio residents is a challenge, because space and relationships are perceived in a very peculiar way. Although they are already incorporating the *habitus*<sup>5</sup> of urban life, after all, they live geographically in an urban neighborhood of the city of São

<sup>5</sup> Bourdieu (2004) defines *habitus* as a set of durable dispositions with which man deals with the world, incorporates values and imprints customs on other men.

José dos Campos and undergo social, political, economic and cultural transformations peculiar to urban life, but still preserve rural and riparian characteristics and traits that surprise those who live in isolation among the walls of the urban world.

According to geographer Marta Inez Medeiros Marques, way of living is:

(...) A set of practices and values that refer to a moral order whose core values are family, work and land. It is a traditional way of living, based on personal and immediate relationships, structured around the family and bonds of solidarity, informed by the language of kinship, having as its basic social unit the community. (MARQUES, 2004, p.145 and 146)

The socioeconomic profile of Beira Rio riverine residents, their way of living and social representations can be discussed as a strategy for survival, production and reproduction of their existence living in this fine line between rural and urban. In this sense, the data to be presented were collected *in loco* through participant observation, as well as the application of a survey, interview and direct interaction with the residents, which are fundamental for recording various elements of history and the local way of living.

Although Beira Rio community was founded before the construction of Urbanova neighborhood, it was eventually "swallowed up" by the growth of the neighborhood, a reflection of the city's overlap with the countryside driven by the expansion of capitalism.

In such situations, it is common to observe changes in the way of living of local residents, who suffer the consequences of the transition from rural to urban life, such as the replacement of "piraquaras" activities by commercial practices and / or professional occupations from the urban world; changes in personal relationships that are no longer communal but individual; increased cost of living; modification of eating habits, dressing and even language, among others.

As stated by Ferraz and Gonçalves:

A rapid and continuous process of modification of economic and social structures occurred, with alterations in the traditional way of living: transition from agricultural and fishing activities to the predominance of weekend business activity (bars and restaurants); (...) increased cost of living (...); decreased agricultural productivity (or that could serve as a trigger for industrialized food consumption); modification in their eating habits; emergence of new diseases; modifications in social organization, previously based on extended family and kinship; diminution of community cohesion; changes in values and spirituality; (...) possibility of working in other neighborhoods. (FERRAZ; GONÇALVES, 1998, p. 22)

It was observed in Beira Rio that the figure of the fisherman is still very present, as well as the symbolic relationship with the river. However, the relationship with the urban world is also evident. The wooden canoes made by the riparian themselves still stand, but the aluminum boats already take up space on the banks; some boat routes were replaced by the bus; bathing in Paraíba do Sul waters is rare, they prefer the warmth of the electric shower in shared bathrooms (not all

houses have bathrooms); lamps have been in boxes since electric power arrived in 2002; the mobile phone has already become an important means of communication.

Typical stick-by-pike houses have been replaced by brick houses; only one residence still retains its original feature, but it is because the City Hall stopped them and no renovations or alterations can be made since 2014. Some already have garages to store the residents' cars and motorbikes.

The approximate population of Beira Rio is 150 inhabitants distributed on average in 35 families. Although the original intention of the survey was to register all residents, this survey was done with the help of the community leader, given that many residents refused to talk to the researchers or participate in the registration, in addition to the absence of riverine residents during the collection days. The 52 riverside respondents who answered to the survey are all adult women living in Beira Rio for many years, many of whom were born there. All are direct descendants of riverside families from the Paraíba Valley region.

It is possible to explain why most of the people who participated in the interview are female. Women preserve a very strong characteristic of traditional riverside communities: they are responsible for the household chores, children care and the daily life of the community. Therefore, they are always in most of the community and become "spokespersons" when requested.

It is important to mention that the neighborhoods and cities mentioned, when asked about the place of residence prior to Beira Rio, are related to life in the floodplain. The cities in question are Guararema and Caçapava and the neighborhood is Santana. These residents were born or lived in riverside communities in these regions, but they are all descendants of the Ramos family. Their beliefs, values, perceptions, relationships, identity and memory go beyond, therefore, geographical boundaries. The place of these riverine people is a world of meanings (TUAN, 1983).

Not all riverside respondents are fully literate and there is a high school dropout rate. Most of them drop out of studies in the first grades of elementary school and the main reasons, according to the questionnaire applied, are: pregnancy, distance from school, financial conditions and work.

Beira Rio riverside women have young children on average at the age of 14. As most respondents are female, this explains why dropout occurs predominantly due to pregnancy and distance from school, as they take care of their homes and children. The scarcity of opportunities as access to education is also latent, not only because of the distance from the nearest school, but because they are unable to afford transportation, food, uniforms, books, etc.

In addition, some riverine youths who study at night commented that they had to drop out (1) because they were walking back to the community and were afraid of burglary along the way,



especially in the section that has no streetlight; (2) they needed to get up early to work and bring money home, so they dropped out their studies.

The interviewed riverine people do not have a fixed income source and few have a signed work contract. Most of them work in temporary jobs near the community, working predominantly in the field of construction and domestic jobs in condominiums in Urbanova and country club Santa Rita, located in the same region. Some improve their income by fishing and even use it as food, but it is no longer possible to live exclusively from this activity.

Regarding the predominant family income, ranging from  $\frac{1}{2}$  to 1 and  $\frac{1}{2}$  salary, some factors need to be considered. In most cases, there is no single provider at the residence, as boys often start working early, helping to increase the family income. The significant number of "I can't answer" responses is a reflect of the family dynamics of the riparian where, in most households, the man has the economic power, but does not have a fixed income source, and the woman ends up ignoring or even not knowing how much her husband and / or kids receive. The man is the breadwinner - women do not have the habit of going shopping -; the man who pays the monthly fees (water and electricity), as well as acquires the other goods necessary for the life of his family.

Interestingly, even with limited financial conditions (in the eyes of those who only know the urban world), when asked if the income is enough for their survival and family maintenance, all of them answered yes.

In general, the houses have very little furniture and some appliances, the most common are: bed, sofa, table and chairs, refrigerator, stove, radio, washing machine and cell phone.

It can be said that informal jobs are still the way out for most residents who answered to the survey, since access to the formal job market is still limited for them. This is largely due to the high school dropout rates previously mentioned. In fact, it is a vicious circle that is difficult to break: The riparians abandon their studies to work, consequently their insertion in the labor market is compromised and restricted. Due to the lack of theoretical and technical qualifications, they are compelled to accept any kind of work. According to Coelho.

In this regard, Bourdieu (1979) argues that, in general, men at an early age take the path of toil in search of a job, forcing themselves, in many cases, to drop out of school, if they really attended it for some time. This restricts the possibilities of choosing, and consequently, their insertion in the labor market. (COELHO, 2006, p. 93)

The relevant number of riverine respondents who answered "Do not work" is also explained by the fact that most women stay at home and are responsible for domestic activities, which they do not consider to be a work. Regarding the riverine women way of thinking, still from the perspective

of Bourdieu (1979), such a view reflects the capitalist economic impositions, as they depreciate women's activities, since they consider only work that generates some monetary income.

It is also worth mentioning that the interviewed riparian who carry out fishing as a professional activity replied that they have a fishing license regulated by the Ministry of Fisheries. Some even showed off their fishing licence with pride.

Moreover, it is considered important to comment how sad they feel because they do not live exclusively from fishing and need other types of productive activities to earn their living. This is what Marx (1982) defined as the degradation of labor in capitalist society, which deprived man of living his nature and turned him into a mere commodity.

When they were asked if they would work exclusively with “piraquaras” activities to support themselves, most answered yes. It is relevant to mention that the riparian who answered “no” stated that they like fishing as leisure and not as work, the reason for the negative answer. It is an example of how fishing has a heavy burden of subjectivity for them. This “no” does not mean they abandoned the activity; it is a “no” that carries several important meanings of remembrance, feeling, memories of the life in the floodplain.

Whether for leisure or profession, most of the interviewers, both men and women, often fish from 1 to 4 days a week for most respondents.

Although most homes are already supplied with electricity, there is no street lighting, which worries residents about the safety of the place, especially at night. The concern is greater with young people who study at night and make the journey to the community on foot, without any lighting and security. Residents say that there is no police force in the region where Beira Rio is.

Water supply is also a problem: the water supply system of the Beira Rio community is still shared among some residents, as Sabesp has not finished the water system implementation service. The company's argument, according to a community leader, is that the neighborhood is clandestine and therefore cannot receive any kind of investment in basic infrastructure. Thus, the pits implanted for most homes are the result of a project by the students of the Aerospace Technological Institute (ITA), and not by the government.

Regarding health services, the residents interviewed were categorical in stating that they do not have health insurance and use the health center located downtown because there is not any public health facilities in Urbanova. In emergency cases, it is extremely difficult to go to the public hospital in Vila Industrial or anywhere else to receive medical attention, not only for the distance but also for the lack of public transportation available. One resident reported that they called the

ambulance only once, but it did not come. Luckily, one of the residents with a car arrived early from work and took the victim to the hospital.

A transformation that has been taking place in the community and draws attention is in relation to religion. Until mid-2000, the community was 100% Catholic and assisted by parishes in the region. The predominance of the Catholic religion was important even for the configuration of the place, since the residents gave a special space of the land for the construction of an ecumenical space that is in the center of the community. Its construction differs from the existing buildings, made of masonry and large glass windows.

Figure 2 - Ecumenical space built by St. Augustine Parish in Beira Rio community.



Source: Flavia Cardoso file.

However, some residents have converted to the evangelical religion since 2000, and since then, Catholics and Evangelicals. It was not possible to collect the exact number of evangelicals from the community as the subject is still taboo among them. As the community leader is very Catholic, evangelical residents respect her and prefer not to be identified (although, among them, everyone knows who they are).

This question leads us to an interesting fact observed in daily life during the research: social representations are still relevant to Beira Rio riverine residents, although they are not clearly aware of it. An example of this is that consanguineous relations remain preserved, as well as the strong solidarity among residents and their social organization. Respect for hierarchy also prevails and the

figure of the community leader is very important for community life. More than that, the symbolic figure of the river is still very important for the identity of these riverine people.

The data prove it : when asked if they intend to leave the community and try life elsewhere, 100% of respondents said no. Regarding the importance of the Paraíba do Sul river in their lives, the main answers demonstrate the meaning of the river for their life, fishing and its use for bathing and eating.

It is a mistake, however, to believe that these social and territorial ties are merely "characteristics" of these riverine people. The maintenance of social representations is a strong survival strategy to the transformations faced by the urban world.

Jovchelovitch (1994) argues that, in order to face a dynamic world, men develop social representations that, although they belong to them and express aspects of their individualities, constitute a construction that transcends individual consciences and contributes to the formation of the social life of a community (COELHO, 2006).

All these transformations in the geographical, human and social configuration of the Beira Rio community are reflected in the inhabited space and the production and reproduction process of the riverine residents, who need to invent and reinvent life and ways of living to survive the conditions imposed to them by life urban.

### THE DAILY LIFE OF BEIRA RIO RIVERSIDE COMMUNITY

About the daily life of residents, Table 1 describes the main characteristics observed during the period of living with the riverine people in order to clarify and make the reading of the information more didactic:

Table 1 - Main characteristics of the riverine routine.

CHILDREN	WOMEN	MEN
<ul style="list-style-type: none"> <li>- Study in the morning or in the afternoon;</li> <li>- The girls help their mothers in house chores during part of the day;</li> <li>- The boys help their fathers or the adults fishing and planting;</li> <li>- The boys play soccer and kite</li> </ul>	<ul style="list-style-type: none"> <li>- Wake up early and take care of the children; in some cases, they help their husbands with fishing and planting;</li> <li>- Wake up early and go to work;</li> <li>- Get together under a tree in the afternoon to talk to other</li> </ul>	<ul style="list-style-type: none"> <li>- Wake up early to fish or work;</li> <li>- Either fish or plant.</li> <li>- Come back home for lunch; usually take a nap after lunch.</li> <li>- Some of them go back to work after the nap;</li> <li>- Play soccer in the</li> </ul>

in the community field; - The girls run and play hide and seek. - The kids like to play by the river.	women, mainly when they are waiting their children to come back home from school or watching the children play; - Prepare dinner for their husbands and watch TV. - Like to take part in festivals, specially the religious ones.	Community field in the late afternoon and on weekends. - Like to watch TV and listen to music. - Many of them are addicted to alcohol.
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Fonte: Authors.

It is interesting to observe the multiplicity of occupations of these men and women within their logic of social-spatial coexistence, defended by Vaz (1996) when he argues that the riverine does not perform a specific occupation and performs various functions according to their need, which guarantees them some economic autonomy.

The river is not only a source of fishing and mobility, but also a leisure option, especially for children and young people. Although water quality is compromised, it is common to see them having fun in Paraíba do Sul waters, as shown in Figure 3.

Figure 3 - The Paraíba do Sul River as a leisure “facility” for children.



Fonte: Guilherme Cicerone File.



Still on leisure, children, young people and adult men play soccer on the field at the entrance of the community almost every day (Figure 4). The soccer field, by the way, also plays the role of social meeting place among community members, as women often sit nearby to watch the game.

Figure 4 - The lawn that serves as a soccer field for the community.



Source: Flavia Cardoso file.

Young people did not enter Table 1 (above), because it is clear the rapid transition into adulthood still in late childhood. Boys and girls start a relationship very early, already live together or have children at the age of 14. The adolescents become breadwinners (especially boys) and sacrifice their studies, which leads them to acquire habits and characteristics of a common adult men.

The riverines usually eat rice, beans, vegetables (planted in the community), flour and fish, although they also consume chicken (they slaughter the chickens they raise in the yard) and meat. Strained coffee is also present for breakfast and in the afternoon break, as well as sweet and savory bread and crackers.

According to the community leader's testimony, alcohol and drug use like marijuana increased considerably during a period (but she does not know exactly when) in the community, but she said it decreased with the help of the church.

In general, although they live in an urbanized area and suffer the impacts of urbanization, these riverine people are still very much connected to rural life. Men, women and children have not (yet) disengaged from life on the floodplain and this link with the rural world is precisely because of the river. The river commands life (TOCANTINS, 1973).

## THE CROSSINGS OF THE BEIRA RIO COMMUNITY

### CROSSROADS I - BRANDS OF TERRITORIAL FORMATION AND COMMUNITY IDENTITY BEIRA RIO

Located in the West Zone of São José dos Campos, on the banks of the Paraíba do Sul River, Beira Rio is a traditional community founded by fishermen in the mid-1950s on private land on a farm owned by Eliziário Augusto J. Penteado. The story begins with the fisherman Manoel de Lima who lived with his sisters in a log house on the banks of the river, with the consent of the owner of the farm.

In the mid-1960s, when the sisters, who were debilitated, decided to live in the city, Manoel decided to invite his first cousin, Alziro Ramos, his wife and children to live "on their land," to help him with fishing. and with health care. According to current reports of the residents, the owner of the farm did not oppose to the invitation made by Manoel to his cousins at the time.

Mr. Alziro and his wife, Mrs. Antonia, were first cousins of Mr. Manoel, who were born and raised on an island on the banks of the Paraíba do Sul River, in the Lower River District, North Zone of São José dos Campos, and were members of a fishing family for generations.

By then, they lived with their children in a log house and used to fish in the North Zone of the city or in Caçapava.

However, Antonia's father decided to sell the piece of land where the couple's house was located, who was forced to look for another place to live. Soon, Cousin Manoel's invitation came at a good time and was an opportunity for them to continue living by the river, in contact with nature and developing their fishing activities normally.

Following the death of Manuel de Lima (the date and year of his death were not found), Mr. Alziro invited other direct relatives to live there due to the attractiveness of fishing as a means of subsistence and the prosperous marketing of the product on the downtown market. It is important to note that Alziro had 22 children from his first marriage and 14 children from the marriage with Antônia and most of them still live in the Beira Rio community. That is, there were already a considerable number of people living there before Alziro invited other relatives to share the same space.

It is important to mention that there is a high rate of consanguineous marriages, not because it is a community that has lived for a long time in isolation in this territory, but mainly because they are directly descended from an island community, that is, consanguinity is a cultural heritage.

The community lived completely isolated until the end of 1980, when the Urbanova bridge was built, giving access from the city center to the neighborhood, within the planning of construction and development of subdivisions to receive condominiums of upscale houses. Until then, the residents' transportation was made exclusively by boat or a makeshift ferry, since access from the land to the city was nonexistent.

The development process and the approach of real estate developments in the west of the city meant that in 1988 the community was perceived by Mr. Álvaro Vantini, a local dentist and member of the Santa Rita Country Club, located and built on the right bank of the city. "neighbor" of Beira Rio community. Mr. Vantini began to make contact with the residents who crossed the river and "made a short cut" through Santa Rita to go to the city, and sensitized by the situation of the residents, began to deliver barrels of drinking water to consume, since the Paraíba River waters were already quite polluted. As coordinator of a group from the Sagrada Família Church in Vila Ema, Vantini started together with church volunteers a series of social works in the community and, sometime later, influenced his friend Batista Gargione, then Rector of Univap, to create the social project "It is Worth Living".

Inaugurated in 2002, "Vale a Pena Viver" aimed to promote improvements in the community, such as the creation of a community garden, a tent for community and religious activities, a kindergarten for children from 02 to 06 years old and basic health care.

The project ended in 2006 and the community did not continue the implemented projects. In 2007, the community of the Santo Agostinho Parish of Urbanova began to develop social and religious activities with the residents, which still happen today.

Beira Rio community is in its fifth generation since Mr. Alziro brought his family to the place. With the death of Mr. Alziro in 2001, Ms. Antônia became the community councilor. Currently, approximately 150 residents live in the 35 houses built on the Paraíba do Sul River bank.

As seen above, school-age children cannot stay in school or pursue studies, and working conditions are precarious because of the informality and transience of occupations.

## **CROSSROADS II - TRADITIONAL COMMUNITY: LIVE, CREATE, RESIST**

Beira Rio riverside community is classified as a traditional community, constituted by a culturally and historically differentiated social group, due to its origin and symbolic relations with nature (ROCHA, 2010). Decree 6040/07, which establishes the National Policy for the Sustainable Development of Peoples and Communities, classifies traditional groups as:

those culturally differentiated, who recognize themselves as such, who have their own forms of social organization, who occupy and use territories and natural



resources as a condition for their cultural, social, religious, ancestral and economic reproduction, using knowledge, innovations and practices generated and transmitted. by tradition.

However, as in the Brazilian territory such definitions encompass a large group, such as riverine, artisanal fishermen, quilombolas, indigenous, rubber tappers, gypsies, among others (COSTA FILHO, 2014), it is necessary to deepen the search to understand the scope of concepts and meanings that there is behind the word "traditional". According to Diegues and Arruda the traditional communities are characterized by:

- relying on the symbiosis relationship between nature, cycles and renewable natural resources with which a way of living is built;
  - in-depth knowledge of nature and its cycles, which is reflected in the development of strategies for the use and management of natural resources. This knowledge is transferred word by mouth from generation to generation;
  - the notion of territory or space where the social group reproduces economically and socially;
  - dwelling and occupation of the territory for several generations, although some individual members may have moved to urban centers and returned to the land of their ancestors;
  - the importance of subsistence activities, even though commodity production may be more or less developed, which would imply a
  - the reduced accumulation of capital;
  - the importance given to family, domestic or communal unity and to relations of kinship or cronyism for the exercise of economic, social and cultural activities;
  - the importance of the symbols, myths and rituals associated with hunting, fishing and extractive activities;
  - the technology used, which is relatively simple, with limited impact on the environment. There is a reduced technical and social division of labor, especially the artisan, whose producer and his family dominate the entire process until the final product;
  - the weak political power, which usually resides in the power groups of urban centers;
  - self-identification or identification by others of belonging to a distinct culture.
- (DIEGUES; ARRUDA, 2001, p. 26).

In the case of the Beira Rio community, created many years before the development of the Urbanova neighborhood and other surrounding neighborhoods, it is considered the pertinent definition of Brandão (2010), which reinforces its traditional characteristic: "traditional communities are those which" were there "when other human groups, popular or not," arrived "and settled there."

The author advances in this line of thought and exposes that the one who came from afar to conquer, occupy or dominate a space that for him is just "immensely empty" - here we feel free to make an analogy with the agents of capital - , in the name of progress or development, does not respect the living space that "lives there" and "was there" (BRANDÃO, 2010). As the author states:

Prior to, contemporary to or after the "arrival of the stranger," the community is how one can stand up to capital, outside power, the market, mass society, and the

media. Not because it is a heritage guardian of the past, or because it is expressively "folk", "typical" or a "genuine example of our most precious traditions," a popular (but not all) community is also traditional. It is so because it represents an active and present form of resistance to the breaking of an interhuman stronghold of relationships still centered more on people and reciprocal networks of / between subject-actors through the product of work, than on things and exchanges. goods through people, themselves, object beings. (BRANDÃO, 2010, p. 353)

Beira Rio community is not characterized as a traditional community only by its way of living, but because suffering and resistance to threats of expropriation or other external conflicts are at the heart of memory (BRANDÃO, 2010).

Traditional communities have a different relationship with the land, regarding nature and its social organization itself. These spaces go far beyond geographical issues because they are also cultural. It is no use taking these people to another reality. Moreover, these compensatory policies that end up spending a lot more resources do not solve problems because they are, in fact, palliative measures. After all, they only generate dependency on these self-sustaining communities, rather than giving people a better quality of life (VICHINIESKI, 2013).

### **CROSSROADS III - FROM THE ABUNDANCE OF FISH TO THE DEATH OF THE RIVER**

For decades, fishing was the main activity of these riverine residents, not only as subsistence, but as a source of income, since much of the production was sold in the municipal market of São José dos Campos, located downtown. In addition, they produced and sold handicraft nets, oil soaps, knitted necklaces and community-grown organic produce in the municipal market.

Figure 5 - Knitted necklaces produced in the community



Source: Beira Rio Art, 2011.

However, with the consolidation of the industrial park and the urban network of São José dos Campos, added to other socioenvironmental factors, the degradation of the Paraíba do Sul River increased. It is important to note, however, that long before the industrialization and urbanization of the city advanced in the mid-1930s, sewage was discharged into the Paraíba do Sul River.

Fish declined drastically and it was no longer possible to live only on fishing and piraquaras activities. Most residents, especially men, were forced to engage in other activities to survive, especially in construction and housework in condominiums close to the community and at Santa Rita Country Club.

In addition, navigation through the river's own waters is compromised, since several sections of the riverbed are taken by the aquatic plantation, covering the river in some places. The natural phenomenon hinders fishing and the fluidity of the fishermen's movements through the waters, as many of them often go to Santana and Caçapava to fish. Plant accumulation also causes fish death, as it reduces the oxygen content in water (CETESB).

**CROSSROADS IV - BEIRA RIO COMMUNITY AND THE CONTRASTS WITH THE SURROUNDINGS: SO CLOSE, SO FAR**

The area occupied by Beira Rio riverside residents, although of greater environmental fragility, attracts the interest of large real estate agents, not only because it is embedded in a prime neighborhood of the city, dominated by upscale condominiums, but also because Urbanova is one of the fewest neighborhoods in the city that still have a chance of expansion. In addition, real estate marketing appropriates nature as a strategy for valuing projects for the upper income classes, as highlighted by Silveira and Linhares (2011): "The area of environmental interest serves as a selling point, adding value to the development in prejudice to the interests of the community".

To illustrate, a case that highlights the interests of real estate speculators overlapping the Laws of Zoning and Environmental Protection: the case of the Residential "Esplanada do Sol", also located in the western region of São José dos Campos. Inaugurated in 1988, with a total of 505 residential lots for the upper class of the city, the subdivision was built by Martins Agro-Imobiliária S / A in a floodplain area suitable for crops.

According to a study published in 2003 by Oliveira and Costa (2003, p. 52) "it was found that there were changes in the laws of land use and occupation a year prior to the approval of the Esplanada do Sol allotment, by PMSJC".

The Zoning of 1980 classifies the area as ZEU / ZR 1 and 2 (Urban Expansion Zone / Residential Zone), allowing predominantly low-medium density residential use. It was modified by Decree N. 3814/81 to ZEU / ZR 2 and 3, allowing predominantly residential use of medium density (OLIVEIRA, 2003).

According to the researcher, the Decree justified the changes due to an alleged trend of urban growth for that region, but, soon after the allotment was approved, the decree returned to its original format. If, on the one hand, the public authorities focus on the discourse that they cannot help the riverside population of Beira Rio community, as they are in an area of environmental preservation, they do not maintain impartiality in controlling land use and occupation when there are interests of real estate agents.

In the mid-2000, according to reports from the residents of the community, Beira Rio had a clash with a group of residents of Urbanova neighborhood, who demanded their removal. Besides, some people introduced themselves as the new landowners and closed the only bridge that allowed the crossing on foot (until 1980 the river was crossed by boat), leaving them completely isolated again as a "punishment" for refusing to leave. That is, with the advancement of urbanization of

Urbanova neighborhood, the mobility, privacy and security of the riverside people were compromised.

At the time, the riverine people were supported by some community-assisting institutions and the case gained visibility in the local media, which helped the favorable opinion of the court, which gave them the right to remain on site and forced the owners to reopen the bridge access. Even today, however, they are constantly threatened with removal to peripheral areas because of the high market value of their land.

In addition, community access itself is controlled and segregated. To reach Beira Rio by land, there is a gatehouse installed by the owner of the farm and you must identify yourself. As the Montserrat condominium borders the farm and "shares" the same access road, half of the road is paved (giving access to the condominium) and half is still unpaved (giving access to the community), as shown Figure 6 below.

Figure 6 – Unpaved access to Beira Rio community, and paved access to the condominium



Source: Flavia Cardoso file, 2016.

In this sense, it can be stated that social exclusion is related to the control of the space produced, "including it as a strategy of social domination and capital accumulation" (RESCHILIAN; SANTOS, 2014). According to Milton Santos, this reproduces cities with several spaces that do not communicate:

The free game of speculation is responsible for the displacement of the popular habitat, making the accessibility to different services within the city (...) vary depending on the income of each social group, generating juxtaposed, poorly linked cities within the city itself. (SANTOS, 1981, p. 122)

It is clear, therefore, that even occupying the same urban space, residents of Beira Rio community and residents of condominiums in the Urbanova neighborhood have different weights in relation to urbanistic interventions promoted by public management. Aware that they are in an area of environmental protection, subject to the "law of profit" "(SANTOS, 1987), tensioned by the fear of

being removed and the lack of guidance from agents of the public power, the riparian do not claim their rights and, consequently, fail to ensure the maintenance and quality of life of the community and preserve its history and identity.

#### **CROSSROADS V: SOCIAL AND ENVIRONMENTAL VULNERABILITY**

The specific issue that guides the development of the present work refers to the evident conflict between two constitutional rights: the fundamental right to adequate housing, provided by the City Statute (Law No. 10.257 / 2001) and the constitutional rights of an ecologically friendly environment. guaranteed by the Forest Code (Law No. 12,651 / 12). It is necessary to contextualize the reality faced by residents because of this conflict, exposed in the following subtopics.

#### **CHARACTERIZATION OF THE AREA AND ENVIRONMENTAL ISSUES**

Being located on the banks of Paraíba do Sul River, Beira Rio is in Permanent Preservation Area (APP) and, therefore, its specific territory belongs to the Union, even if the farm where it is inserted has a private owner. According to topic II of article 3 of Law No. 12,651 / 12:

Permanent Preservation Area - APP: protected area, covered or not by native vegetation, with the environmental function of preserving water resources, the landscape, geological stability and biodiversity, facilitating the gene flow of fauna and flora, protecting the soil and ensure the well-being of human populations.

In addition, the Resolution of the National Council of Environment (CONAMA), highlighting Article 2 of federal law no. 4,771, Sep. 15. from 1965 says:

Article 2 - For permanent preservation, for the sole effect of this Law, are considered forests and other forms of natural vegetation situated:

(a) along rivers or any watercourse from its highest level in a marginal range the minimum width of which is:

1 - 30m (thirty meters) for watercourses less than 10 (ten) meters wide;

2 - 50m (fifty meters) for watercourses that are 10 (ten) to 50m (fifty meters) wide;

3 - 100m (one hundred meters) for watercourses that have 50 (fifty) to two hundred meters (200m) wide;

4 - 200m (two hundred meters) for watercourses that are 200 (two hundred) to 600m (six hundred meters) wide;

5 - 500m (five hundred meters) for watercourses that are greater than 600m (six hundred meters) wide;

(b) around natural or artificial lakes, lakes or reservoirs; (See: CONAMA Resolution No. 302, of March 20, 2002, referring to artificial reservoirs)

c) in the springs, even if intermittent and in the so-called "water bodies", whatever their topographic situation, within a minimum radius of 50m (fifty meters) wide;

d) on top of hills and mountains;

e) on the slopes or parts thereof, with a slope greater than 45 °, equivalent to 100% on the highest slope line;

f) in restingas, as dune fixers or mangrove stabilizers;

g) at the edges of the trays or plates, from the relief line, in a range of not less than 100m (one hundred meters) in horizontal projections;  
h) at an altitude above 1,800 (one thousand eight hundred) whatever the vegetation is

Sole Paragraph - In the case of urban areas, as understood in the urban perimeters defined by municipal law, and in the metropolitan regions and urban agglomerations, in the entire territory covered, the provisions of the respective master plans and laws of use shall be observed, respecting the principles and limits referred to in this article. (With wording given by Law No. 7,803 of July 18, 1989).

Therefore, due to the width of the Paraíba do Sul river in the São José dos Campos region, all constructions must respect 50 meters in their course along the riverbank. This is not the case with Beira Rio community homes, as illustrated in Figure 7 below.

Figure 7 - Beira Rio Community Residences and their proximity to the river bank.



Source: Google Earth, 2019

### ***BARRIERS TO THE RIGHT TO ADEQUATE HOUSING AND HUMAN DIGNITY***

Due to this environmental problem, Beira Rio community has been a frozen core since 2014, meaning residents are prohibited from building or remodeling without permission from the city hall, resulting in residential clusters, popularly known as "shacks".

In addition, as it is an irregular occupation in a hazardous<sup>6</sup> area, the São José dos Campos City Hall cannot make any type of investment in basic urban infrastructure, such as street lighting, sanitation, drinking water supply, under penalty of fines imposed by the Public ministry.

However, some interventions have already been carried out at the insistence of the residents themselves and the help of some city politicians, such as Sabesp's distribution of water to most homes, ditches (though insufficient to serve the entire local population), garbage collection and

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<sup>6</sup> According to residents' reports, since the community emerged, there have never been any floods.



electricity (some households still await call). Therefore, most residents of Beira Rio pay monthly taxes to Sabesp and EDP Bandeirante.

### THE CROSSROADS MATRIX: FROM INVISIBILITY TO RESISTANCE

The socio-geographical-political-environmental crossroads drawn thus summarize: (1) Although the community lives in one of the noblest neighborhoods of the city of São José dos Campos, the community lives in precarious conditions; (2) its area was defined as a Permanent Preservation Area (APP), which belongs to the Union, which legally prevents the city from making any type of investment in basic infrastructure, social equipment and services, such as sanitation, asphalt, street lighting, day care, among others; under penalty of prosecution fine; (3) the environmental problems of the area, together with strong real estate speculation in the region, make residents live in constant fear of removal; (4) the death of the river caused residents to look for new livelihoods and increased their dependence on the city, but not in a positive way.

Chart 1 - Beira Rio Community Crossroads Matrix

Urban expansion/territorial Exchange/ river pollution/ Greater dependence of the city	One of the city's 160 irregular neighborhoods / permanent protection area / real estate speculation / no document to ensure land tenure	Scarcity and precarization of the basic structure / frozen nucleus	omission of state and municipality / social invisibility	dependence on moderating agents (Urbanova pastoral, evangelical church) and institutions. (ex: UNIVAP, UNITAU, ITA)
-sadness -New jobs - new ways of resistance and existence - Quarrels -Increased alcohol and drug use -Access and influence of technological and informational life -There is no relationship with the city itself, but with some contact / exchange zones Bond of belonging Strengthened	-constant fear of removal. -They want to be invisible. - silent and veiled resistance. prefer to continue without basic infrastructure than to be removed to the city.	-cluster of subnormal housing -slums -Educated education and health - Uncertain future with the growth of families: one hour will have to leave there, because the community will not support all subjects	- Lack of public policy instruments to ensure the visibility and permanence of these fishermen in their territory - precarious living conditions - lack of river cleaning and supervision - society is unaware of the existence of the community and its problems	-do not perform perennial activities (socio-spatial relations) - distinct temporariness and rationality. - influence socio-territorial dynamics / community resistance - disagreements -Help the riparian find their group autonomy / new



				<b>processes of sociability and leadership</b> - electric light, septic tank and running water in most homes (help from INIVAP and ITA)
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Source: The authors, 2016.

Residents of Beira-Rio community struggle "silently" to stay on their land. The resistance force is silent because they know that they are installed in an environmental protection area and that the market value of their lands is very high, which arouses the interest of real estate speculation. Municipal management supports the discourse of being an irregular area, so it is not possible to receive any investment in basic infrastructure and ensure a better quality of life for the community.

If they are removed to peripheral areas, these residents will lose their identity with their environment. This land, this territory used by the community for decades is part of their origin and the relationship with the river, even with the practically scarce fishing activity, it remains fundamental to assert themselves as individuals and collectivity, as it is part of their history. It is the land that identifies the community and defines the identity of all those riverine people. The struggle for land, therefore, is more than to guarantee a place to live: it is the struggle to preserve the culture, history and identity of this community.

## CONCLUSION

Through the immersion in the socio-spatial condition of Beira Rio community, São José dos Campos-SP, this article sought to link relevant aspects of an emblematic situation of the current processes of urbanization and expansion of cities. From the perspective of analyzing its crossroads, the community, its history and its current living conditions end up representing several contradictions of the hegemonic production logic of urban space.

Contrary to the rural x urban duality, the Beira Rio community dwellers inhabit the conflicting frontier between the rural and the urban worlds, and the latter is precariously inserted. Embarrassed by the urban sprawl of São José dos Campos, environmental and social problems were generated to them, which, however, build new symbols of urbanity for daily activities. To some extent, its piraquaras identity is decharacterized. New survival strategies had to be invented. A new force of community resistance had to be found with the permanent fear of the real estate interests that

plague them and the laws that jeopardize them. It is not known whether the permanence of the riparian can be advocated for their riparian culture and / or other defensible reason, but the irregular condition of the land does not soften their situation. The result of a process of control of the land use and occupation, which develops on the basis of mechanisms of socio-spatial segregation, the invisibility of the isolation that they lived, surprises them the risky condition of having gained visibility through the conflict with interests beyond their fragility.

What right to the city would they have if there is no right for them to use the territory that has ensured their survival and sustenance for over half a century? What is their right to complain if they have neither right to their surroundings (SANTOS, 1987), nor right to the place (OLIVEIRA, 2019) of social and identity cohesion that they built as a result of the cultural and historical relations established with the river and the Woods?

Thus, it is considered that the unique value of the present study on the current situation of the Beira Rio community, represented by the crossroads analyzed, lies, in addition to its local characteristics, in the symbology of a microcosm representative of the universe of so many other specific crossroads. So many other residents of precarious and irregular settlements are found, deprived of their dignity and citizenship status, in the name of a rationality of social order and public management that perpetuate unreasonable logics (SANTOS, 1996) of urban expansion and space production. of the city.

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