HUMAN RIGHTS CRITIQUE AND POLITICAL AGENCY IN THE GLOBAL SOUTH THROUGH THE PERSPECTIVES OF ALAIN BADIOU

Crítica dos direitos humanos e ação política no Sul Global a partir das perspectivas de Alain Badiou

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Abstract: This article critically engages with the philosophical perspectives of Alain Badiou and Jacques Rancière, contrasting their affirmative approaches to political agency with the criticisms of human rights offered by Hannah Arendt and Giorgio Agamben. The analysis highlights the limitations of traditional human rights frameworks, especially in addressing complex issues such as migration and displacement. Badiou's ontology, centered on the concept of Event and the 'nomadic proletariat,' provides a compelling framework for understanding migrant struggles, particularly in Brazil, where historical patterns of migration and labor exploitation have shaped the sociopolitical landscape. Similarly, Rancière's theory of *dissensus* emphasizes the need for political subjectivation to break with the status quo and include marginalized populations. In contrast, Arendt and Agamben critique the intrinsic flaws in human rights discourse, arguing that it reinforces the domination of the nation-state and contributes to the exclusion and exploitation of those considered outsiders. The article concludes that neither existing human rights frameworks nor the critiques offered by Arendt, Agamben, or Derrida's concept of hospitality are sufficient to address the needs of displaced populations. Instead, it advocates for Badiou's and Rancière's disruptive, event-oriented approaches, calling for a radical rethinking of political agency and human rights to meet the global challenges of the 21st century.

Keywords: Human rights critique; Migrants; Nomadic proletariat; Global South; Global capitalism.

Resumo: Este artigo engaja-se criticamente com as perspectivas filosóficas de Alain Badiou e Jacques Rancière, contrapondo suas abordagens afirmativas de agência política às críticas aos direitos humanos oferecidas por Hannah Arendt e

Giorgio Agamben. A análise destaca as limitações dos quadros tradicionais de direitos humanos, especialmente na abordagem de questões complexas como migração e deslocamento. A ontologia de Badiou, centrada no conceito de Evento e no "proletariado nômade", oferece uma estrutura convincente para entender as lutas dos migrantes, particularmente no Brasil, onde padrões históricos de migração e exploração do trabalho moldaram o cenário sociopolítico. De maneira semelhante, a teoria do dissenso de Rancière enfatiza a necessidade de subjetivação política para romper com o status quo e incluir as populações marginalizadas. Em contraste, Arendt e Agamben criticam as falhas intrínsecas no discurso dos direitos humanos, argumentando que ele reforça a dominação do Estado-nação e contribui para a exclusão e exploração daqueles considerados outsiders. O artigo conclui que nem os quadros existentes de direitos humanos, nem as críticas oferecidas por Arendt, Agamben, ou o conceito de hospitalidade de Derrida são suficientes para atender às necessidades das populações deslocadas. Em vez disso, defende as abordagens disruptivas e orientadas por eventos de Badiou e Rancière, clamando por um repensar radical da agência política e dos direitos humanos para enfrentar os desafios globais do século XXI.

Palavras-chave: Crítica aos direitos humanos; Migrantes; Proletariado nômade; Sul Global; Capitalismo global.

INTRODUCTION

The emergent global refugee crisis represents one of the most pressing human rights issues of our time. With millions of people[i] displaced due to conflict, persecution, war and environmental disasters, the world faces an unprecedented challenge in addressing the needs and rights of refugees. Traditional human rights frameworks often prove to be inadequate in providing protection and justice to these vulnerable populations.

This article aims to contribute to the ongoing debate by examining the work of two French contemporary philosophers, Alain Badiou and Jacques Rancière. Rancière and Badiou's political writings offer a distinctive approach to political agency, emphasizing affirmation over postmodern critique. This affirmative stance has led to a renewed interpretation of human rights. By examining Badiou's and Rancière's perspectives on human rights, this analysis not only underscores fundamental aspects of their philosophical contributions to the human rights discourse but also sheds light on their wider impact on contemporary political philosophy.

Moreover, a comparative analysis of Badiou's and Warcière's writings on human rights highlights the influence of their affirmative political theories while elucidating the

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crucial distinctions in their approaches. To contextualize the debate, this article offers a critical examination of Jacques Derrida's theory of hospitality, while also considering the critiques of Hannah Arendt and Giorgio Agamben, who argue that human rights represent an intrusion of political life into the private sphere. Both Rancière and Badiou contest these perspectives in their work. In contrast to these theories, the two philosophers advocate for a form of political agency that endorses affirmative and militant political action. However, despite their shared emphasis on activism, Badiou and Rancière diverge in their conceptualization of the nature of this affirmative action. Besides, the article explores how these theoretical perspectives can shed light on the inadequacies of current approaches to migration and the ways in which these approaches perpetuate inequality and exploitation, particularly in the Global South.

Furthermore, the article extends Badiou's critique to the Brazilian context, where historical patterns of migration and labor exploitation have shaped the nation's socio-political landscape. By analyzing the parallels between Brazil and France, the article highlights the universal relevance of Badiou's concept of the nomadic proletariat. It posits that understanding and addressing the plight of migrants requires a radical rethinking of political agency and human rights – one that embraces the transformative potential of political events.

This article argues for a reconceptualization of human rights that is informed by Badiou's philosophy, emphasizing the need for a global, event-driven approach to justice and equality. Such an approach is essential for addressing the complex and evolving challenges of migration in the 21st century.

1.0. Human rights through Badiou's ontology

The global refugee crisis starkly reveals the limitations of human rights as they are understood and applied within capitalist liberal democracies. These frameworks, while purporting to protect universal rights, often fail to address the needs of those most vulnerable – those who exist outside or on the margins of the state. Alain Badiou offers a radical rethinking of such crises through his concept of the event, which provides a new framework for understanding how the arrival of refugees can disrupt established social and political orders, creating the potential for new truths and political configurations.

Badiou's ontology challenges traditional notions by asserting that the multiple, rather than the one, constitutes the ontological foundation of reality. In this view, the one

emerges as a result of the operation of counting and presenting multiples within a given situation (Badiou, 2001, p. 24). This operation of unity is not inherent but is contingent upon the multiplicity that underlies being itself. According to Badiou, attempts to impose a fixed, totalizing structure – such as the nation-state's legal framework for human rights – are inherently flawed because they ignore the multiplicity that underlies being itself. The state's efforts to impose a totality inevitably result in a division between those who are counted (included) and those who are uncounted (excluded). This division exposes the state's failure to achieve true universality, highlighting the inadequacies of the existing human rights frameworks.

Central to Badiou's ontology is the concept of the void – a fundamental element that resists inclusion within any totalizing schema. This void is not simply an absence but a crucial element that disrupts the coherence of any system seeking to count or include all possible elements. To confront the challenge presented by the void, Badiou introduces the concept of a double count through the state of the situation—a meta-structure that regulates the enumeration of subsets formed from the elements within the situation. This meta-structure... aims to encompass and control what remains uncounted or disruptive within the situation, seeking to maintain a semblance of totality by over-counting and over-organizing:

> The state of a situation is the riposte to the void obtained by the count-as-one of its parts. This riposte is apparently complete, since it both numbers what the first structure allows to in-exist (supernumerary parts, the excess of inclusion over belonging) and, finally, it generates the OneOne by numbering structural completeness itself. Thus, for both poles of the danger of the void, the in-existent or inconsistent multiple and the transparent operationality of the one, the state of the situation proposes a clause of closure and security, through which the situation consists according to the one. This is certain: the resource of the state alone permits the outright affirmation that, in situations, the one is (Badiou, 2005a, p. 98).

However, this meta-structural approach does not eliminate the void; it merely reflects an attempt to manage the inherent excess that the void represents. The state's mechanisms of over-counting and exerting control cannot entirely overcome the core challenge posed by the void, as they still depend on a relationship to the underlying nothingness of the multiple of multiples. Badiou contends that this "anxiety of the void" haunts the process of presentation (Badiou, 2005a, p. 94), revealing a persistent limitation in the ability of the state to achieve genuine totality. To effect a meaningful transformation in the count and address the void, Badiou posits that fidelity to the event is required. As

Badiou defines politics and the thought that accompanies it, "finally to count as one that which is not even counted is what is at stake in every genuinely political thought, every prescription that summons the collective as such" (Badiou, 2005b, p. 150). According to the philosopher:

> Politics exists (in the sense of an occurrence of equality) because the whole of the community does not count a given collective as one of its parts. The whole counts this collective as nothing. No sooner does this nothing express itself, which it can do only by declaring itself to be whole, than politics exists. In this sense the 'we are nothing, let us be everything' of *The Internationale* sums up every politics (of emancipation, or equality) (Badiou, 2005b, p. 115).

The concept of the event, central to Badiou's philosophy, represents a radical occurrence that disrupts established social and political orders, thereby introducing new possibilities for thought and action. An event is not merely an incident within the existing framework but a transformative rupture that reconfigures the foundational structure of a situation. This rupture enables the emergence of new truths that were previously unrecognized. Those who recognize and remain faithful to this new truth become subjects of the event, committing themselves to the transformation it inaugurates. This process of becoming a subject through fidelity to the event is key to understanding how individuals and groups can effect change in the world and create new political realities.

The refugee crisis, when viewed through Badiou's lens, can expose the failure of the Western political order and force a reconsideration of our political configuration. This conjuncture challenges the established norms and practices of the host countries, forcing them to confront the inadequacies of their current systems in addressing the rights and needs of refugees based on this totalizing attempt. The refugees crisis can disrupt the *status quo* and introduce the possibility of new political configurations. This transformative potential lies in the way refugees, through their very existence and movement, challenge the boundaries of the nation-state and the traditional frameworks of human rights that are tied to it.

Thus, the refugee issue has the potential to create new forms of solidarity and political organization, as host communities, activists, and refugees themselves engage in the fight concerning the inadequacies of the existing human rights frameworks, linked to bourgeois parliamentary democracy and the interests of neoliberal global capital and the need for new approaches that are not confined by the limitations of the nation-state

system, recognizing, above all, the origin of this crisis, based on the profound inequalities perpetrated by the capitalist system.

The traditional discourse on human rights is often rooted in the liberal democratic framework, which ties rights to citizenship and the nation-state. This framework, while providing a basis for the protection of individuals within a given state, often fails to address the needs of those who exist outside or on the margins of the state, such as refugees.

Badiou's ontology prioritizes the multiple, meaning that all elements or sets within a given situation are considered to belong to it, regardless of their qualitative differences. This perspective opposes any reductionist approach that seeks to exclude individuals or groups based on specific characteristics. In *The Communist Hypothesis* (Badiou, 2010), an essay written in response to Nicolas Sarkozy's post-election call to "do away with May '68 once and for all," Badiou argues for a performative unity of the world. This unity, he asserts, is neither ontological nor static but must be continuously affirmed through performance.

Badiou expands on this idea in his extended essay *The Meaning of Sarkozy* (2008), where he explores the axiom "there is only one world". He challenges the artificial division of the world into two and promotes a political vision asserting that all individuals belong to the same world. This world is marked by an "unlimited set of differences", yet these differences enhance its unity by affirming the equal and diverse nature of all its inhabitants (Badiou, 2008, p. 63).

According to Badiou, the notion of "one world" reflects the idea that all elements within a situation are part of the same ontological framework. This universality, however, is often contradicted by the logic of the state, which strives to impose a totalizing structure that inevitably results in a division between counted and uncounted entities. Such a division underscores the state's failure to achieve true universality and highlights the limitations of its totalizing ambitions.

In light of this, Badiou critiques the concept of universal human rights, arguing that it is often co-opted by existing power structures to maintain the *status quo* and it can only amount to a repetition of what is already counted. In the context of the refugee crisis, the limitations of the traditional human rights framework become evident, as refugees are often denied rights simply because they do not fit neatly into the nation-state system. A Badiouian rethinking of human rights would involve a shift from a state-centered approach to one that emerges from the event itself. Human rights, in this sense, would not

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be predetermined by existing legal frameworks but would arise from the fidelity to the event, creating new forms of political organization and solidarity that transcend national borders. This initiates the process of subjectivization, where one navigates the consequences of an evental disruption and reshapes oneself in response. It is the process of transforming "consuming individuals" into "subjects of a real process," thereby engaging in a deeper, active role within the unfolding situation (Badiou, 2008, p. 39).

Badiou's philosophy challenges us to see the refugee crisis not just as a problem to be managed but as an opportunity to create new political and ethical configurations. By being faithful to the event, we can work toward a world where human rights are not confined by borders but are realized through acts of solidarity and radical political transformation.

2.0. Global capitalism and the proletarian nomad: Badiou's critique of Derrida's Law of hospitality

In the book *Migrants and Militants* (2020) Badiou analyzes the specific context of France concerning the issue of refugees, identifying a reactionary environment regarding foreigners due to the perceived threat to the notion of an old thriving France. From the perspective of global neoliberal capital, there is the proletarianization of the French lower and middle classes. In this scenario, according to Badiou, the far-right seems to take up the protest discourse of the working classes, without ever addressing the root of the problem – the private ownership of the means of production and international competition:

> We thus have a confrontation between global modernity in the form of an arrogant and ultimately criminal oligarchy on the one side and, on the other, the archaism of an understandable nationwide reaction, driven by that part of society whose little privileges, long in place, are being threatened by the deployment of contemporary capitalism (Litvak, Badiou, 2020, p. 10).

In the face of this political landscape, where the state is aligned with the interests of financial capital and the far-right, Badiou asserts, "we must insist on the inherent internationalism of any new and affirmative political vision" (Litvak, Badiou, 2020, p. 10).

In this book, Badiou also points to the existence of two thought procedures regarding the issue: poetry and political analysis. The first orientation he calls "ethical",

founded on the concept of the human other. The essential norm of this orientation is hospitality. The second orientation he calls "communist", based on the fundamental concept of the proletariat, with transnational organization as its essential norm.

For the ethical orientation, "welcoming the foreigner is a duty that transcends all laws" (Litvak, Badiou, 2020, p. 16). One speaks here at the level of personal relationship between the one who arrives and the one who already lives in the host country. In this sense, Badiou presents the thought of Jacques Derrida, who advocates an ethical orientation with the maxim of saying "yes" to whoever arrives, no matter who that person is:

> Let us say yes to who or what turns up, before any determination, before any anticipation, before any identification, whether or not it has to do with a foreigner, an immigrant, an invited guest, or an unexpected visitor, whether or not the new arrival is the citizen of another country, a human, an animal, or divine creature, a living or dead thing, male or female (Derrida, as cited in Litvak, Badiou, 2020, p. 17).

According to Badiou, this stance would generate an antinomy between the Law of hospitality and the conditional and pragmatic laws that govern hospitality in everyday society. The two elements are both contradictory and inseparable: the Law of unconditional hospitality requires the existence of conditional laws to be put into practice, but these conditional laws, in turn, compromise the absolute nature of the Law.

Badiou also notes that there is a hierarchy between the Law and the laws. The Law of unconditional hospitality is above conditional laws but cannot exist without them. The Law is often "illegal" or "outside the law" in the sense that it transcends common legal frameworks but depends on these frameworks to be implemented in the world. This creates a contradictory relationship, in which the Law and the laws both imply and mutually exclude each other. In this scenario, the Law of hospitality would be an ideal that inspires and guides the conditional laws, while the conditional laws give concrete form to the abstract ideal of the Law.

Badiou criticizes Jacques Derrida's theory of hospitality, pointing out several limitations and dangers inherent in his approach. First, Badiou notes that Derrida limits the conception of the "other" to the one who arrives, that is, to the newcomer, the foreigner in transit. For Badiou, this view is inadequate, as it ignores the fact that hostility, racism, and xenophobia do not manifest only at the moment of the other's arrival but also,

and often more intensely, during the prolonged stay of this other in society, their integration into the community, and their coexistence with the locals.

Furthermore, Badiou criticizes Derrida's view of unconditional hospitality, which demands welcoming the other without any restriction or condition. He considers this stance extremely dangerous, as it disregards the identity and intentions of the other. Badiou questions how this ethic could be applied in situations where the other is, for example, a conqueror, an armed colonizer, or someone with intentions to exploit or enslave, warning against the danger of romanticizing or sanctifying the other without a critical analysis of their intentions.

Badiou also highlights that Derrida's logic, by not questioning the dialectical relationships between welcoming the other and the laws that govern this reception, ends up reducing the other to the condition of a migrant or nomad, without challenging the system of laws that, in practice, impose submission and invisibility on the newcomers. He observes that immigration laws in wealthy countries often aim to accept only those who are already willing to obey the norms of the dominant country, requiring them to become invisible except in the work they are forced to perform. Thus, Badiou argues that the absolute Law of hospitality, defended by Derrida, is, in fact, counterbalanced by relative laws that reinforce the submission and invisibility of migrants.

Therefore, for Badiou, Derrida's ethics of hospitality is insufficient and potentially dangerous, as it can perpetuate inequalities and exploitation under the guise of ethical hospitality. For the philosopher, instead of simply welcoming the other unconditionally, it is necessary to critically understand the conditions that motivate migration and the laws that determine the acceptance or rejection of migrants, without this, at the same time, representing an arbitrary exclusion.

The waves of migration are closely related to the functioning of global capital. Although globalization is often seen as a contemporary theme, Badiou points out that "Marx, almost two centuries ago, immediately grasped the need for the wandering of whole masses of people" in the context of capitalism (Litvak, Badiou, 2020, p. 25). In the *Communist Manifesto* of 1848, Marx already described how the bourgeoisie, driven by the need to constantly expand markets, spread across the globe, establishing connections everywhere, creating a cosmopolitan system of production and consumption. Marx pointed out that this global capitalist expansion destroyed national and local industries, replacing them with industries that rely on raw materials from remote regions and whose products are consumed globally.

In this context, Badiou highlights the condition of the "proletariat", which Marx defines as the class of workers who live only as long as they can find work and who are forced to sell their labor power under the conditions imposed by the market. However, Badiou makes an important distinction between "worker" and "proletarian", while the worker is someone who is employed in a factory or in a production context organized by capital, the proletarian represents a broader condition: one who, in order to survive, needs to try to become a worker or already is one, but lives under the constant pressure of market fluctuations and competition.

Thus, we are presented with the concept of "'nomadic proletarians", those who, due to the lack of job opportunities in their regions of origin, are forced to migrate in search of employment. Badiou criticizes the term "migrant", which suggests that the essence of this person is to leave their country and travel under terrible conditions. For him, the true historical essence of these individuals, shaped by capitalism at its peak of oppressive inequality, is being forced to become "nomadic proletarians".

Badiou concludes that the obligation is not simply to welcome these individuals in the name of an ethics of hospitality, but rather to organize with them on an international level to prepare for the end of the oligarchic world order responsible for their condition as nomadic proletarians. For him, it is necessary to think and prepare, along with these individuals, a new communist politics that confronts the injustices of globalized capitalism.

3.0. Hannah Arendt and Giorgio Agamben: the nation-state and the critique of human rights

In 1951, Hannah Arendt critically examined human rights as an inherently paradoxical concept, particularly in her chapter "Perplexities of the Rights of Man" in *The Origins of Totalitarianism*. Arendt argues that the very emergence of human rights in 1948 was a direct response to the mass displacement and statelessness caused by World War II. Human rights, intended to protect those who had been stripped of their nationality and left with only their humanity, paradoxically became linked to the authority of nation-states. According to Arendt, the ideal of universal human rights was immediately compromised by the fact that it was the nation-state that determined who was entitled to these rights. This paradox, she warns, presents a significant danger: a democratically

organized humanity could decide, by majority rule, to eliminate certain groups for the perceived benefit of the whole:

> It is quite conceivable, and even within the realm of practical political possibilities, that one fine day a highly organized and mechanized human-ity will conclude quite democratically – namely by majority decision – that for humanity as a whole it would be better to liquidate certain parts thereof (Arendt, 1973, p. 299).

Arendt highlights the inherent contradiction in the assumption that the loss of political status would lead to greater protection through human rights. Contrary to this belief, she argues that those who became stateless were rendered vulnerable to the very state powers meant to safeguard their rights. The philosopher interprets this as indicative of the modern condition, where the calamity stems not from a deficiency of civilization, but from an over-organization of humanity:

> The trouble is that this calamity arose not from any lack of civilization, backwardness, or mere tyranny, but, on the contrary, that it could not be repaired, because there was no longer any "uncivilized" spot on earth, because whether we like it or not we have really started to live in One World. Only with a completely organized humanity could the loss of home and political status become identical with expulsion from humanity altogether (Arendt, 1973, p. 297).

In light of this, Arendt advocates for a critical reassessment of the concept of human rights, asserting that they retain value only if we reject the notion that rights are inherently tied to human birth. The profound lesson of World War II, as Arendt suggests, is that the determination of who belongs to humanity – and, by extension, who is entitled to rights – is subject to the arbitrary authority of the nation-state.

In the chapter "The Decline of the Nation-State", Arendt critically examines the relationship between human rights and citizenship. She argues that human rights, as abstract and universal as they are claimed to be, become practically meaningless without the backing of a nation-state. According to the author: "The Rights of Man, supposedly inalienable, proved to be unenforceable – even in countries whose constitutions were based upon them – whenever people appeared who were no longer citizens of any sovereign state (1973, p. 293).

Arendt highlights the paradox faced by stateless persons and refugees: they are stripped of their rights precisely because they are no longer recognized as citizens of any state. For Arendt, the very idea of human rights is deeply flawed because it presupposes

that there is an inherent dignity and set of rights attached to being human, independent of political status. However, in reality, the rights of individuals are protected and recognized only when they are members of a political community – citizens of a state.

Arendt's critique has been influential, particularly in the work of contemporary philosopher Giorgio Agamben, who expands upon her ideas in his book *Homo Sacer*: *Sovereign Power and Bare Life* (1998). Agamben diagnoses our era as one in which political power's control over "bare life" – the most basic, biological aspect of human existence – has become the dominant paradigm. He argues that human rights are a manifestation of the state's intrusion into this "bare life", drawing from Arendt, Michel Foucault's notion of "biopower" and Carl Schmitt's concept of the "state of exception".

Agamben opposes the idea of human rights, considering the fact that instead of limiting the power of the State, they justify it. Moreover, the philosopher suggests that in modern times, the figure of the refugee, who is both excluded from humanity and entirely subjected to state power, is no longer an exception but rather a symbol of the condition of all citizens. Whereas Arendt sees potential in rethinking human rights, Agamben is more pessimistic, viewing human rights as inextricably linked to a totalizing political power that ultimately strips individuals of their rights:

> Arendt does no more than offer a few, essential hints concerning the link between the rights of man and the nation-state, and her suggestion has therefore not been followed up. In the period after the Second World War, both the instrumental emphasis on the rights of man and the rapid growth of declarations and agreements on the part of international organizations have ultimately made any authentic understanding of the historical significance of the phenomenon almost impossible. Yet it is time to stop regarding declarations of rights as proclamations of eternal, meta-juridical values binding the legislator (in fact, without much success) to respect eternal ethical principles, and to begin to consider them according to their real historical function in the modern nation-state. Declarations of rights represent the originary figure of the inscription of natural life in the juridico-political order of the nation-state (Agamben, 1998, p. 127).

Agamben's critique extends beyond Arendt's by arguing that the very concept of human rights is embedded within a biopolitical regime that reflects the dehumanizing practices found in concentration camps. In his work "*Homo Sacer: Sovereign Power and Bare Life"* (1998), particularly in the chapter 'The Camp as the 'Nomos' of the Modern,' Agamben explores the connection between concentration camps and the rule of the state of exception. He contends that the figure of the refugee exposes the inherent violence within our political system, demonstrating that all political programs, including those

founded on human rights, are complicit in sustaining this power structure. Agamben suggests that the formation of a political body inherently segregates bare life from political existence, a process of exclusion enforced by the nation-state through constructs such as birth, language, and land. According to Agamben:

> If the essence of the camp consists in the materialization of the state of exception and in the subsequent creation of a space in which bare life and the juridical rule enter into a threshold of indistinction, then we must admit that we find ourselves virtually in the presence of a camp every time such a structure is created, independent of the kinds of crime that are committed there and whatever its denomination and specific topography (Agamben, 1998, p. 174).

Both Arendt and Agamben challenge the belief that codifying equality and freedom is sufficient to prevent evil, emphasizing the oppressive power of the nation-state embedded within the very concept of human rights. While Agamben takes the critique further than Arendt, both thinkers fundamentally question the ability of human rights, as expressed in the 1948 Declaration, to truly protect the rightless.

4.0. Affirmative Politics in Jacques Rancière and Alain Badiou

Against the nihilistic perspectives of Hannah Arendt and Giorgio Agamben, Badiou and Rancière advocate for the development of affirmative political agency. Rancière identifies in Hannah Arendt's work the origins of a bleak dualism that shapes many contemporary understandings of human rights. He contends that Arendt ultimately abandons the human rights project, arguing that its intrinsic link to the power of the nation-state renders it ineffective for those excluded or persecuted by these states:

> Either the rights of the citizen are the rights of man – but the rights of man are the rights of the unpoliticized person; they are the rights of those who have no rights, which amounts to nothing – or the rights of man are the rights of the citizen, the rights attached to the fact of being a citizen […] This means that they are the rights of those who have rights, which amounts to a tautology (Rancière, 2004, p. 302).

Jacques Rancière critiques Giorgio Agamben's theory by equating it with a surrender to the potential for emancipatory political action. He argues that Agamben's framework confines claims to human rights within a restrictive dichotomy between bare life and the state of exception, which Rancière perceives as an ontological dead end. This dichotomy, according to Rancière, blurs the distinctions between democracy and

totalitarianism, ultimately trapping all forms of political practice within the confines of biopolitics, thus foreclosing the possibility of genuine political transformation:

> Any kind of claim to rights or any struggle enacting rights is thus trapped from the very outset in the mere polarity of bare life and state of exception. That polarity appears as a sort of ontological destiny: each of us would be in the situation of the refugee in a camp. Any difference grows faint between democracy and totalitarianism and any political practice proves to be already ensnared in the biopolitical trap (Rancière, 2004, p. 301).

In opposition, both Rancière and Badiou propose that political action does not stem from an acknowledgment of power's omnipotence but rather from a disruption or interruption of that power. This disruption is fundamental to their conception of affirmative political agency, that can change the conjuncture in order to accommodate the rupture. Moreover, the process of accommodation can transform all aspects of society. Thus, for Rancière, politics is a kind of performance, utterance, or even gesture that destabilizes a certain regime of distribution of social roles, this is the process of political subjectivation.

For Badiou and Rancière, the Declaration of the Rights of Man represents a consensual and non-political effort to address the totality of a situation. In Rancière's political theory, the force that maintains the integrity of the power structure by assigning each individual a title and a role within the social order is referred to as *"la police"*:

> As the general law that determines the distribution of parts and roles in a community as well as its forms of exclusion, the police is first and foremost an organization of 'bodies' based on a communal distribution of the sensible, i.e. a system of coordinates defining modes of being, doing, making, and communicating that establishes the borders between the visible and the invisible, the audible and the inaudible, the sayable and the unsayable. This term should not be confused with *la basse police* or the low-level police force that the word commonly refers to in both French and English. *La basse police* is only one particular instantiation of an overall distribution of the sensible that purports to provide a totalizing account of the population by assigning everyone a title and a role within the social edifice. The essence of the police, therefore, is not repression but Rather a certain distribution of the sensible that precludes the emergence of politics. This being the case, there are nonetheless better and worse forms of police, depending on the extent to which the established order remains open to breaches in its 'natural' logic (Rancière, 2013, p. 93).

This is what structures the *"partage du sensible"*, the "implicit law governing the sensible order that parcels out places and forms of participation in a common world (...)" (Rancière, 2013, p. 89). This is what defines the community 'as the sum of its parts – of

its groups and of the qualifications that each of them bears' (Rancière 2004, p. 305). Rancière critiques this functioning, because by offering a totalizing account of the situation, *"la police"* prevents the emergence of politics. According to Rancière, politics is characterized by its capacity to disrupt the established order of the sensible and *"la police"*, it arises only when *"la police"* is disrupted by *dissensus,* which refers to "a political process that resists juridical litigation and creates a fissure in the sensible order by confronting the established framework of perception, thought, and action with the 'inadmissible'" (Rancière, 2013, p. 88-89). The *dissensus* reveals the limitations of *"la police's"* totalizing claims and exposes its opposition to *consensus*:

> Prior to being a platform for rational debate, *consensus* is a specific regime of the sensible, a particular way of positing rights as a community's arche. More specifically, *consensus* is the presupposition according to which every part of a population, along with all of its specific problems, can be incorporated into a political order and taken into account. By abolishing *dissensus* and placing a ban on political subjectivization, consensus reduces politics to the police" (Rancière, 2013, p. 87).

Thus, the political moment represents a radical egalitarian instance, showcasing the inherent possibility for transformation, since regardless of your stance, the situation itself cannot provide totality. Moreover, Rancière's theory, in opposition to the critiques by Hannah Ardent and Giorgio Agamben, reclaims human rights, since he believes that through *dissensus*, the subject of the rights of man can challenge the given order that excludes a parcel of society, demanding inclusion.

Equally, according to Badiou, human rights are part of a false totality and thus cannot introduce anything radically innovative; instead, they merely sustain the prevailing ideology:

> The refrain of "human rights" is nothing other than the ideology of modern liberal capitalism: We won't massacre you, we won't torture you in caves, so keep quiet and worship the golden calf. As for those who don't want to worship it, or who don't believe in our superiority, there's always the American army and its European minions to make them be quiet.' (Badiou, 2001/2002).

Badiou advocates shifting from the rights of finitude to the rights of infinitude, emphasizing a commitment to the supernumerary event as the foundation of political change. Badiou's conception of infinitude is fundamentally tied to his mathematical ontology, wherein being is conceived as pure multiplicity rather than a finite totality. Through his engagement with set theory, particularly Georg Cantor's work on actual

infinities, Badiou articulates infinity not as an external or transcendent category but as an immanent structure of being itself. In *Being and Event*, he asserts that ontology reveals that there is no ultimate One that organizes being; instead, there is an infinite multiplicity of infinite sets. The foundational principle of his ontology is that "the One is not," meaning that unity is always a secondary operation imposed upon the fundamentally infinite nature of being (Badiou 2005a).

Within this framework, truth is an infinite procedure that unfolds in fidelity to an event. An event ruptures the consistency of a situation by revealing an indiscernible element—what the state's structuring mechanisms could not previously account for. The subject, then, is not a pre-existing entity but emerges as a finite fragment within this infinite process of truth verification. The subject engages in this verification process by linking previously uncounted elements to the name of the event, progressively redefining the situation's ontological landscape (Badiou, 2005).

The rights of infinitude do not refer merely to an abstract or metaphysical notion of boundlessness but to the political and ethical imperative of recognizing every individual as a potential subject of truth. This potentiality, however, is not an inherent attribute but is contingent upon an individual's willingness to engage in the infinite procedural unfolding of the eventual process. As Badiou states, the rights of the infinite entail the right of every individual to be considered as a subject—one capable of participating in a truth procedure that exceeds the finitude of state-imposed categories (Blechman, Chari, and Hasan 2012, p. 178–179). Subjectivation, in this framework, occurs through a filial intervention by the Subject Body, whose commitment to the truth-process alters the state of the situation. This conceptualization stands in direct opposition to the conventional human rights discourse, which remains constrained by the finitude of juridical recognition. Rather than prescribing static identities or fixed entitlements, the rights of infinitude demand an open-ended commitment to the ongoing articulation of universality, grounded in the affirmative force of political, artistic, scientific, or amorous events.

By shifting the focus from the rights of finitude to the rights of infinitude, Badiou offers a radical rethinking of political subjectivity, one that does not seek inclusion within pre-existing structures but rather insists on the possibility of producing a new configuration of being. The political subject, then, is not a mere rights-holder but an agent of an infinite process, committed to the consequences of a singular event that redefines

the coordinates of what can be enacted in a given situation. This reconfiguration of subjectivity stands in stark contrast to the dominant discourse of human rights.

The construction of the human rights discourse is linked to the emergence of significant changes in political and intellectual paradigms, particularly in the post-May '68 context, where utopian aspirations of Marxism and revolutionary socialism had begun to falter, influenced by the disillusionment with existing communist regimes and the repression of reform movements. This period saw the rise of human rights as a dominant framework for addressing issues of justice and political struggle. This has been made possible, he claims, by "the restoration of reactionary ideas" – human rights being foremost amongst them – "that followed the 'red years' (1960-80), just as the 1850s were made possible by the counterrevolutionary Restoration of 1815-40 after the Great Revolution of 1792-94" (Badiou 2012, p. 14).

Human rights emerged as a more pragmatic and accessible alternative to the grand narratives of revolution, offering a minimalist utopianism that sought to alleviate suffering rather than fundamentally transform society. The retreat from revolutionary politics coincided with the rise of ethical and anti-totalitarian discourses, which increasingly centered on the defense of individual rights against the backdrop of political disillusionment. This shift was marked by the recognition that traditional Marxist critiques of bourgeois rights had to be re-evaluated in light of the changing political landscape. As Badiou sumarises, "because it has ended in failure all over the world, the communist hypothesis is a criminal utopia that must give way to a culture of human rights" (Badiou, 2010, p. 2).

However, drawing from the mathematical foundation of his theory, Badiou contends that genuine universality lies in what escapes structured frameworks, manifesting itself through the occurrence of an event. Truth defies categorization; it is what "makes a hole in knowledge" (Badiou, 1999, p. 37). For Badiou, the only universal his theory allows is the emergence of an event, forcing us to recognize that every situation is not finite but infinite. Human rights, by imposing fixed notions of universality—such as freedom or equality—conflate universality with a finite, Western ideology. As a result, this so-called universal merely reinforces existing power dynamics. The only universal human right Badiou acknowledges is the right to embrace the infinite:

> The latent violence, the presumptuous arrogance inherent in the currently prevalent conception of human rights derives from the fact that these are actually the rights of finitude […]. By way of contrast, the eventual conception

of universal singularities requires that human rights be thought of as the rights of the infinite (Badiou, 2004, p. 4).

Additionally, Badiou questions the capacity of the juridical sphere to fully grasp truth and justice. In his philosophy, these predicates can only be achieved by militantly committing to an event which is inherently unpredictable. Thus, any attempt to establish definitive parameters for justice proves futile. Within this framework, Badiou conceives justice as something that inherently defies codification:

> 'Justice' cannot be (...) a State programme. 'Justice' is the qualification of an egalitarian moment of politics *in actu*. The trouble with most doctrines of justice is their will to define what it is, followed by attempts to realise it. But justice, which is the philosophical name for the egalitarian political maxim, cannot be defined. For equality is not an objective of action, it is its axiom. There is no politics bound to truth without the affirmation – an affirmation which can neither be proved nor guaranteed – of a universal capacity for political truth. Where truth is concerned, thought cannot adhere to the scholastic path of definitions.' (Badiou, 2005b, p. 99).

In light of Badiou's critique, human rights, as traditionally conceived, are inadequate for addressing the refugee issue and achieving justice and equality through legal frameworks. Juridical efforts to enforce justice and equality through predefined categories fail to grasp the unpredictable and transformative nature of true political events, which Badiou argues are necessary to disrupt the *status quo* and create genuine change. Thus, the project of the Universal Declaration of Human Rights is fundamentally problematic, since the Declaration's broad universality conflicts with the notion that true universality appears as an Event. Furthermore, its focus on rights fails to critically address the 'policing' institutions tasked with enforcing these rights and their exclusionary practices.

For Rancière and Badiou, politics entails a radical rupture within the situation, serving as the foundation for affirmative change that responds to this disruption. Such disruption can alter all aspects of society, with law, government, and democracy becoming relevant only as they relate to the unfolding truth within a situation.

While the similarities between Badiou and Rancière are evident, their terminologies reveal subtle differences. Rancière focuses on questions such as "who is a political agent?" Thus, a significant difference lies in their conception of the subject: for Rancière, subjects assert themselves on the stage of history and demand their rightful place. For Badiou, however, the subject is summoned into existence by the event itself, and this subject has an ethical duty to remain faithful to the event. Rather than simply

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claiming rights, Badiou's subject engages in the radical pursuit of the event's logical implications, potentially leading to profound and far-reaching restructuring.

Badiou's use of mathematics further highlights the contrast between his outright rejection of human rights and Rancière's reinterpretation. For Badiou, truth, as elucidated through mathematics, is first identified and then actualized within the situation via a truth-procedure that rewrites the situation. This is why Badiou characterizes Rancière's theoretical approach (which he refrains from labeling as philosophy) as a mere "flash of lightning":

> What (Rancière) discovers is a discourse plotted and held in the aftermath of an event, a sort of social flash of lightning, a brief and local invention, both prior to and coextensive with domination and its burdens. This invention circulates horizontally rather than vertically, for it constitutes the surfacing of the latent force of the dominated, and amounts to a demonstration that this force, which in most cases is diverted from its true course, is what drives the machinations of the dominators (Badiou, 2005b, p. 108-109).

Badiou appears to advocate for a more organized and emancipatory form of political action than Rancière. In Badiou's philosophy, fidelity to an event can be built upon and extended beyond the immediate context of the event, while Rancière's moments of *dissensus* are unique, revelatory occurrences, characterized by anarchic and disruptive power. For Badiou, events are rare and exceptional but serve as the organizational foundation for militants working towards constituting truth within the situation. In contrast, Rancière sees *dissensus* as a means of exposing the flaws in political representational systems, presenting practical challenges that the situation must address.

The divergence between the two thinkers is clearly illustrated in their respective treatments of human rights. Rancière reinterprets the subject of human rights, viewing it not as a pre-defined rights holder but as one formed through scenes of dissensus. This subject, he argues, should be the genuine bearer of human rights. For Rancière, the significance of human rights, even in their codified form, stems precisely from their inherent contradictions and failures. The failure of human rights to clearly define the subject opens the door to redefining it, revealing the true universal human right—a radical egalitarian moment where equality is asserted through struggle rather than simply outlined in rights. The figure of human rights emerges as a subject who, while existing within the situation, remains only partially included. By stepping forward and demanding equality, this subject transforms into a political actor. By emphasizing moments of *dissensus* over sweeping, radical transformations, Rancière interacts more directly with

established structures and contexts. His theory, therefore, shifts between *dissensus* and *consensus*, framing democracy as a continuous practice of negotiation.

Conversely, Badiou demonstrates minimal interest in redefining concepts like human rights and democracy, advocating instead for a wholesale rejection of parliamentary democracy:

> In order to think the contemporary world in any fundamental way, it's necessary to take as your point of departure not the critique of capitalism but the critique of democracy […] no one is ready to criticize democracy. This is a real taboo, a genuine consensual fetish. Everywhere in the world, democracy is the true subjective principle – the rallying point of liberal capitalism (Badiou, 2011, p. 339)

According to Badiou, democracy in its conventional form constitutes a totalizing structure that must be rejected. Likewise, the concept of universal human rights is dismissed as a mere reiteration of state ideology—where "State" signifies both the structuring of a given situation and the authority of the nation-state. Political action must actively resist anything that obstructs the naming of the event, which ultimately means revolution.

At the core of Badiou's radical rejection of these terms lies his mathematical distinction between belonging and inclusion. Grounded in set theory, this distinction suggests that the emergence of an event necessitates the complete reconfiguration of an ostensibly total situation. The militant, responding to the event's appearance, undertakes a process of profound revision, requiring the abandonment of the principles that previously defined the existing order.

It is no surprise, then, that Badiou regards the only true universal human right as the right to infinity—a radical commitment to the pursuit of truth rather than the maintenance of finite structures. This right to infinity carries an unpredictable potential to disrupt political life at any level, bringing consequences that defy prior anticipation.

In contrast, Rancière's theory, centered on moments of dissensus, prioritizes less drastic forms of political intervention, focusing on the inclusion of marginalized groups and the temporary disruption of established hierarchies. While Badiou's framework seeks to elucidate the mathematical basis of radical *dissensus* and provide strategies for sustaining it beyond its fleeting manifestations, Rancière's approach is more concerned with immediate, localized disturbances. For Badiou, however, genuine moments of

dissensus must be tied to a deeper truth, capable of producing changes that extend far beyond the specific issues at hand.

Ultimately, while Rancière's conception of human rights emphasizes the right to change and to generate *dissensus* in a pragmatic manner, Badiou's notion of a universal right to infinity represents a more extreme break from existing structures. Rancière's model offers a practical framework for addressing conflicts within a given political situation, whereas Badiou's theory aims to extend *dissensus* to the entire situation, challenging the very foundations of its previous structure.

For Badiou, the Universal Declaration of Human Rights must be set aside in favor of something greater—something yet to emerge, leaving us in anticipation of a transformative event. One theory envisions the potential for radical upheaval, while the other provides a model for intermittent disruptions that leave much of the existing order intact.

However, neither Badiou nor Rancière subscribes to the idea that human rights inherently ensure equality. The only universal human right they recognize is the right to intervene in pursuit of infinite universality, a position that intentionally distances itself from any institutionalized framework of rights. Their theories, instead, function as a critique of the fundamental assumptions underlying politics and the distribution of rights. This critique, in turn, serves as a precursor to what they regard as "truthful" politics—a politics that, for both thinkers, demands a radical rupture not only with traditional political concepts such as citizenship but also with the global capitalist system and its socio-economic structures. This does not imply that their notions of politics are merely abstract or unattainable; rather, both Badiou and Rancière view politics as an ever-present possibility, urging us to reconsider the foundations of dominant yet ineffective political structures, with the Universal Declaration of Human Rights serving as a key example.

5.0. Nomadic Proletariat in a Global Perspective: Badiou's Theory in the Brazilian Context

In *From False Globalisation to the One Communist World* (2017), Badiou states that human beings do not exist freely in this world, as they do not have the elementary right to move and live wherever they wish. This statement resonates with the notion of walls, especially the walls separating Palestinians from Israelis, the border wall between Mexico and the U.S., and the electric fence between Africa and Spain. The wall is the

material object that symbolizes exclusion; however, other types of walls, such as the impossibility for children and adolescents to attend the same schools, individuals who cannot move by their own means, or those prevented from living in the same areas of cities, also represent a form of exclusion independent of "walls" (2017, p. 1-2).

The relevance of studies focusing on the existence and construction of walls is undeniable. However, perhaps it is necessary to shift the focus to a prior question: who are those affected by such walls, and who are those who build these walls, whether material or symbolic? This redirection aims to provide a perspective for social organization and an analysis focused on the perspectives related to the migrating subject, highlighting how the perceptions of nationals receiving the migrant contingent contribute to the creation of such "walls." In this sense, Badiou questions, "Why has what we call immigration become, across the globe, a fundamental political question?" and answers this question by stating, "all of the human living beings who arrive in different countries and try to live and work there, are the proof that the thesis of the democratic unity of the world is entirely false". According to the author, the "thesis of the democratic unity of the world" would only be true if "we would have to welcome these foreigners [*étrangers*] as people of the same world as our own". Thus, "we would have to love them as one loves a traveler who makes a stop close to your house". Badiou uses the term "*étrangers*" in the same paragraph where he states, "Among us there are women and men who are considered as having come from another world. Money is the same everywhere", to demonstrate that there is no concern about the origin of the dollars and euros brought by individuals from this other world, which is not the case with "living bodies," who necessarily undergo scrutiny regarding their provenance, their mode of existence, and subsequently a control over whether they stay or not (2017, p. 2). To better illustrate his assertions, Badiou provides the following example:

> It is here that the objection arises of the difference between cultures. What? They are of the same world as I am? The partisan of identity politics will say: no, no! Our world is not just any old thing! Our world is the set of all those for whom our values really matter. For example, those who are democrats, those who respect women, those who uphold human rights, those who speak French, those who do this or that, those who eat the same meat, those who drink wine and eat sausages…these people inhabit the same world. But those who have a different culture, say these little Le Pens, are not truly of our world. They are not democrats, they oppress women, they have barbarous customs…how can someone who doesn't drink wine and eat pork be in the same world as me?… No, if they want to come into our world, they have to learn our values; they have to share our values. We'll make them take an examination in our values, with wine and ham as the test (2017, p. 3).

The relationship between nationals and migrants is sometimes marked by forgetfulness or mere ignorance of the historical narratives of migration flows. A comparative study focusing on the roots of migration flows and their reverberations can highlight some points of convergence between Brazil and France. In Brazil, there was an intense migration flow at the end of the 19th century and the beginning of the 20th century, driven by the coffee industry's need for labor. This was one of the factors that contributed to the ethnic composition of Brazil, resulting from the convergence of individuals from various ethnic backgrounds, including indigenous peoples, various African groups, Portuguese colonizers, European immigrants, Arabs, Japanese, and other Asian and South American peoples. In France, a similar movement occurred between the 1950s and 1970s when the French industry needed to import labor in quantities greater than those available due to rural exodus. Consequently, French companies sought migrants from the Maghreb, various regions of Sub-Saharan Africa, and also from the European continent (Badiou, 2020, p. 15).

Thus, we can identify similar structural mechanisms in different social formulations, meaning that the migration issue in Brazil and France reveals historical points of convergence but also profound differences in their trajectories. Both nations experienced significant migration flows during important periods of their social and economic formation. On the one hand, late 19th-century Brazil was marked by the massive arrival of immigrants due to the coffee industry's demand for labor; however, this process was characterized by abusive practices and precarious social integration. The French conjuncture, on the other hand, although initially similar in terms of economic dependence on immigration, developed differently (2020, p. 15-16). To better address the topic, we will first focus on the French context from Badiou's perspective.

As mentioned, between the 1950s and 1970s, France, in the process of post-war reconstruction and accelerated growth, was forced to import labor on a large scale, which was technically superior to that of the already available contingent due to rural exodus. As Badiou (2020, p. 15) describes, during this period, imigrants were not seen as a problem, but as workers and, consequently, a necessary solution. Workers were accommodated in "worker hostels" and integrated into a strongly state-controlled economic system, where key sectors such as transport, energy, and communications were

nationalized. This was maintained by the fact that French capitalism was configured as state capitalism.

However, by the end of the 1970s and the beginning of the 1980s, France began to undergo a massive process of deindustrialization and privatization, dismantling state-monopolist capitalism. This movement radically altered social dynamics, especially in urban and suburban areas. The dominant discourse changed: foreign workers began to be labeled as "immigrants", with negative connotations associated. Badiou (2020, p. 15) observes that, in this context, the immigrant ceased to be seen as an essential worker and began to be framed as a social and political problem. Regarding this period, the author notes that "the dominant and official idea about so-called immigrants is that they are not, indeed cannot be, inhabitants of this country like everyone else, with the same rights" (2020, p. 13).

This transformation culminated, since the 1990s until the present day, in an ideological counter-revolution that fueled prejudice and xenophobia, establishing the immigrant as a threat to French national identity, which "has made immigrants and immigration a supposedly major political 'problem'" (Badiou, 2020, p. 14). The debates surrounding immigration began to include nationalist and fascist narratives, which, exacerbated by economic and cultural crises, became increasingly centered on the figure of the "migrant" and their supposed threats to civilization:

> From the 1990s until today, a veritable ideological counter-revolution has made immigrants and immigration a supposedly major political 'problem'. It is here that the word 'migrant' appears, after 'worker' and 'immigrant'. The nationalistic and fascistic theme of the Foreigner as a quasi-racial threat becomes almost as active as it was in the 1930s. The supporters of this counter-revolution do not hesitate to portray the situation as that of an invasion of our civilized countries by hordes (the example being the 'Roma') – hordes of 'migrants', that is. The Muslim religion is considered to be a barbaric peril. Workers' hostels are closed; young people in working-class suburbs are placed under police surveillance; deportation becomes the norm; obtaining a residence permit becomes a nightmare; thousands of so-called migrants are left to drown in the Mediterranean; hateful new laws are passed that end up targeting the people concerned even at the level of the clothes they wear and the food they eat (Badiou, 2020, p. 15).

The current situation in France reveals the depth of the ideological divisions that have emerged around people of foreign origin. These individuals, often rendered invisible, are present in essential sectors of daily life. As Badiou (2020, p. 16) notes, they are the people we see in shipyards, collecting garbage, working in restaurants, providing

cleaning services, working in public transportation, plumbing, annual wine and fruit harvests, elderly care, child care, etc. The author asserts that "everything we think, say, and do about them has gradually marked out an ideological boundary", becoming a crucial point of conflict and division within a decaying society, "which does not want to know how decadent it is or to draw firm and carefully thought-through political conclusions from that knowledge" (2020, p. 16).

In this context, the term "migrant" becomes a symbol loaded with ambivalence. According to Badiou, we are constantly confronted with the need to choose between "inertia and action" and between maintaining a stable identity or accepting the "provocation that the arrival of the other represents for it", challenging us to reconsider our own notions of fraternity and inclusion. These choices are crucial for understanding the social and political tensions that shape public perception of migrants in contemporary France (2020, p. 14-15).

To establish a parallel between the narrative constructions of each nation, it is necessary to revisit the events of the late 19th and early 20th centuries. When discussing migrations to Brazil during this period, the term "mass migration" becomes particularly relevant, given that approximately 3.8 million migrants entered the country between 1887 and 1930. During this period, the years of highest migration intensity were from 1887 to 1914, when about 2.74 million migrants arrived in Brazil. This concentration of migration flows was driven, among other factors, by the enormous demand for labor in coffee plantations. In this context, it is crucial to highlight the existence of various possible criticisms regarding how this labor force was employed, as will be discussed in due course (Fausto, 2012, p. 236).

The Central-South, South, and East regions of Brazil were the primary destinations for migrants, so that by 1920, about 93% of the migrant population in the country was concentrated in these areas, with the state of São Paulo alone housing 52.4% of the foreign residents in the country (Fausto, 2012, p. 236). Between 1884 and 1920, around 3,042,344 international migrants arrived in Brazil, of whom 1,801,288 headed to the state of São Paulo (Schwarcz, 2012, p. 42). This concentration was not random, as São Paulo – similarly to what Badiou described in the French context – offered a range of facilities to migrants, such as passage and accommodation, as well as job opportunities in an expanding economy.

Between 1887 and 1900, 73% of the migrants who entered São Paulo were Italians. By 1920, 71.4% of Italians residing in Brazil were concentrated in the state of

São Paulo, representing 9% of the state's total population at the time. Fausto (2012, p. 239) also highlights the "poor reception conditions for newcomers" and how this situation led the Italian government to adopt measures against the recruitment of immigrants:

> The poor reception conditions for newcomers led the Italian government to take measures against the recruitment of immigrants. This occurred temporarily between March 1889 and July 1891. In March 1902, a decision by the Italian authorities known as the Prinetti Decree—named after the Italian Minister of Foreign Affairs—prohibited subsidized immigration to Brazil. From then on, those who wished to emigrate to Brazil could continue to do so freely but without receiving passage and other small conveniences. This measure resulted from increasing complaints from Italians residing in Brazil to their consuls about the precariousness of their living conditions, exacerbated by periodic coffee crises. It is also possible that the improvement of the socioeconomic situation in Italy contributed to this decision (Fausto, 2012, p. 239 – translated by the authors).

Regarding the conditions faced by Italians in the state of São Paulo, especially those living in rural areas, Fausto highlights that "in the early years of mass immigration, immigrants were subjected to harsh living conditions, resulting from the general treatment of workers in the country" (Fausto, 2012, p. 242). He adds that these general working conditions "almost equaled those of slaves" (Fausto, 2012, p. 242). During this period, coffee production faced two major challenges: (i) the flow of labor and (ii) the structuring of labor relations. The first challenge was addressed through migration, while the second was tackled through the system of *colonato* (Fausto, 2012, p. 243).

Carvalho (1975, p. 58) presents significant conclusions about the "three major periods" of immigration in Brazil, as extracted from the work *História da Imigração no Brasil* by José Fernando Carneiro. In the first period, from 1808 to 1886, there was the "coexistence of slave labor, which constituted the greatest obstacle to the arrival of immigrants," and the "gradual abolition of slavery, which admitted immigrants as a supplementary element to slave labor" (Carvalho, 1975, p. 58 – translated by the authors). The second period, from 1887 to 1930, is characterized by the high demand for a replacement for the abolished slavery and the "growing need for coffee cultivation, which led to considerable annual entries of immigrants, mainly Italians, in São Paulo" (Carvalho, 1975, p. 58). The third and final period, from 1931 onward, is marked by a decline in spontaneous and directed immigration, with the coffee crisis leading the state to adopt a more restrictive policy regarding migration, including almost a blockade on the entry of foreigners, restrictions on immigrants' rights, and difficulties with naturalization (Carvalho, 1975, p. 58).

Regarding the relationship between these points, Álvaro de Vita (1994) dedicates part of his research, presented in *Sociologia da Sociedade Brasileira*, to explore the topic. According to Vita (1994, p. 30-31), the "crisis" of slave labor was the determining cause of the collapse of the "coffee civilization." The structure of the slave labor system depended on a continuous supply of new slaves, thereby sustaining a self-perpetuating system. The renewal of the labor force occurred because the birth rate of the slave population was lower than the death rate, a reality resulting from the poor living conditions imposed on slaves. British pressure on Brazil led to the prohibition of the slave trade with the Eusébio de Queirós Law in 1850 – at least formally. After 1850, São Paulo landowners sought alternatives to replace slave labor with free labor, and European immigration to Brazil emerged as a solution to meet the demand for labor in coffee plantations (Vita, 1994, p. 31).

However, the landowners' strategy faced a major problem, as pointed out by Vita (1994, p. 32): "how to ensure that free workers would offer their labor to landowners in a country with a large amount of unoccupied land?" In response, the large coffee growers sought to impose obstacles for migrant settlers to occupy the land through Law No 601 of September 18, 1850, also known as the Land Law (Vita, 1994, p. 32). According to Article 1 of the law, the acquisition of unoccupied land could only be done through purchase. Thus, the free migrant worker would first have to work on coffee farms to save enough to buy their own land. In general terms, this was the promise made to the migrants. The trajectory of this process can be summarized as follows:

> It is important to understand that landowners, including those in São Paulo, were accustomed to slave labor, a form of compulsory work. The problem for them, once labor became free, was how to compel workers to work on their farms. This would only be possible if the colonists, the immigrants, found no other way to survive than working on the coffee plantations (Vita, 1994, p. 32 – translated by the authors).

Thus, the first experience of free labor on São Paulo's coffee plantations gave rise to a system of debt bondage. However, from 1870 onwards, European immigration was resumed, and, as previously mentioned, hundreds of thousands of immigrants entered Brazil between 1880 and 1930. This resurgence of immigration can be explained from two perspectives: the first is related to state intervention, which was a consequence of the political influence of coffee planters; the second refers to the replacement of the partnership system with another form of free labor, known as *colonato*. The *colonato*

system was based on the idea that workers and their families could produce their own means of livelihood, combining wage labor with family farming. This model attracted thousands of Italians to Brazil between 1880 and 1930. Vita (1994, p. 34-39) summarizes this period as a "form of free labor that replaced slave labor, declining only around the 1950s".

The utilization and objectification of the early migrants, who marked the significant migration flow of the late 19th and early 20th centuries and played a crucial role in the replacement and transition from black slave labor, profoundly influenced the constitution of the people from São Paulo (Gonçalves, 2017). During this period, the worker was viewed as just another "resource" to be exploited. Consequently, there was the appropriation of low-cost labor, in a process of reification, that is, the transformation of the individual into an object to be used, similar to the appropriation of any other physical resource necessary to achieve certain goals (Gonçalves, 2017, p. 352-353).

Although it is a country predominantly composed of non-native people, those considered nationals have always maintained a relationship of convenience with international migrants, as these migrants were often seen with a provisional status, as evidenced by Sayad (1998, p. 54-55).

> (...) an immigrant worker (where worker and immigrant are, in this case, almost synonymous), even if born into life (and into immigration) within immigration, even if called to work (as an immigrant) throughout their entire life in the country, even if destined to die (in immigration), as an immigrant, remains a worker defined and treated as provisional, that is, revocable at any moment. The immigrant's authorized stay is entirely dependent on work, the only reason for which they are recognized (1998, p. 54-55 – translated by the authors).

The formation trajectory of Brazil was profoundly marked by episodes of segregation and discrimination against migrants. Historically, the Brazilian state implemented legal norms that reflected such attitudes. For example, Decree No 4.247/1921 authorized the Executive Branch to block the entry of "any foreigner over 60 years old." Similarly, Decree No 19.482/1930 attributed the "disorderly entry of foreigners" as one of the causes of unemployment, arguing that migrants frequently "do not bring useful skills and often exacerbate economic disorder and social insecurity." Furthermore, the Adolfo Gordo Law (Decree No 1.641/1907) allowed the expulsion of migrants who "compromised national security or public tranquility".

In contemporary times, there has been an intensification of migratory flows, particularly between countries of the Global South. This intensification is, in part, a reaction to the restrictions imposed by Northern countries on the entry and stay of international migrants, resulting in increased migration from Haitians, Venezuelans,

Syrians, Africans, Iraqis, Koreans, and other groups towards Latin America (Baeninger, 2018, p. 13). These migratory dynamics have had visible impacts on current social behavior. Research conducted by Dantas (2017) in *Imigrantes, retornados, refugiados: contatos e dinâmicas no sudeste brasileiro* revealed various obstacles faced by migrants, including difficulties in accessing housing due to prejudice, the lack of societal knowledge about the condition of refugees, inadequacy of public services to deal with migratory issues, underutilization of migrants' qualifications, scarcity of financial assistance, and difficulties in obtaining documents.

Over the past decade, South-South migrations, especially to Latin American countries, have become increasingly complex and heterogeneous. This scenario reveals an intricate network of migrations, involving movements from countries such as Haiti, Venezuela, Syria, and South Sudan, as well as various migratory modalities, including skilled migrations, refugees, environmental refugees, forcibly displaced individuals, and other migratory forms (Baeninger, 2018, p. 13). Contrary to common belief, South-South migration is almost as prevalent as South-North migration. Data from the United Nations (2012) indicate that, in 2010, approximately 73 million international migrants born in the Global South resided in the South, compared to 74 million living in the North. The complexity increases with the finding that 53 million migrants born in the North live in the North, while the smaller number refers to migrants from the North living in the South (13 million). These data help us understand the dynamics of human displacement around the globe, highlighting how the peculiarities of the Global South – including environmental, political, economic, religious, and other social conflicts – drive significant migratory flows.

Although the roots of migration in Brazil and France may have stemmed from similar economic needs, the social and political responses to these movements have been markedly different. In Brazil, abuses and negligent treatment of migrants prevailed, whereas in France there was a transition from state reception to social exclusion, resulting, in both cases, in the stigmatization and segregation of migrant populations.

In light of this, it is relevant to revisit the concept of "nomadic proletarians", as presented by Badiou. By analyzing migratory trajectories in Brazil and France, it is observed that the turning point lies in the difference of motivations driving these flows. However, as a factor of similarity, both structures resulted in possible processes of objectification of foreigners in the context of labor relations. Thus, Badiou's contributions reveal a global scope, applicable to multiple contexts. From similar historical

perspectives, the aim is to achieve useful results, making the adoption of the concept of "nomadic proletarians" relevant for addressing similar scenarios, especially for reflecting on migrations and the Global South.

Badiou asserts that our duty is not to offer hospitality in the name of an ethics of hospitality, as advocated by Derrida. "Our duty is to organize ourselves with him or her, with everyone like him or her, if possible at an international level, to prepare the end of the oligarchic world order whose result is his or her being as nomadic proletarian" (2020, p. 27).

Responding to a question about the refugee issue in an interview with Julian Le Gros, via The Dissident in 2019, Alain Badiou argues that it is essential to consider the global dimension when addressing any relevant political issue. He contends that failing to broaden our perspective to this level risks not understanding the full scenario. Badiou continues by saying that, although it might seem that the working class has disappeared in France, on a global scale, there has never been so many workers as today; however, they are concentrated in countries such as China, Bangladesh, Cambodia, Brazil, and Romania. Viewing the political-social reality exclusively through the French lens, according to him, distorts the understanding of the situation. The contemporary proletariat is vast and nomadic, often perceived only through the lens of migration. However, what is really at stake is class relations on a planetary scale. This requires us to prioritize international relations and reflect on this nomadic proletariat that crosses our borders or seeks to establish itself in our territory. The significant question that arises is how to organize this nomadic proletariat. In this sense, the author is honest in stating that we are still far from finding a solution, but it is crucial to bring this issue to the forefront, considering that the strategic scenario of politics unfolds on a global scale, and in this aspect, capitalism is already comfortably positioned (Le Gros, 2019).

In an interview with Thomas Nail from the University of Denver, Badiou states that historically, proletarians have always been, first and foremost, "migrants". He observes that, although the slogan "we are all migrants" – used by migrant justice movement – is well-intentioned, it does not reflect reality, as not all of us are migrants. Moreover, Badiou highlights that the global middle class, which represents about 40% of the world population, does not identify as migrant. Currently, this middle class is drawn to nationalism, aversion to foreigners, racism, and xenophobia. In response to this situation, he suggests that we should adopt a more affirmative universal figure than "migrants", which he considers a provisional and circumstantial term. Badiou concludes

by stating that it is crucial to recognize the existence of a vast nomadic proletariat, generated by imperial capitalism, and that our goal should be to organize this proletariat in alliance with minority sectors of the global middle class, especially intellectuals and youth (Nail, 2018).

The mentioned interview concludes with a statement from Badiou that summarizes the main ideas discussed in this article, particularly regarding the author's theoretical contributions to the Global South, especially in countries such as Brazil. Badiou emphasizes the ongoing need for robust planetary organization centered on the nomadic proletariat, highlighting the crucial importance of "migrants". According to him:

> We still require the existence of a strong planetary organization centered on the nomadic proletariat (hence the crucial importance of "migrants") not for temporary protests but for the real purpose of confronting the state and breaking from power. The road is very long, for sure. But I want to reaffirm that, in any case, any effort to unite the masses of the nomadic proletariat is just and useful, even if it proves insufficient, and I salute the militants who carry out this kind of fight, wherever they are (Nail, 2018, p. 1211).

The analysis of nomadic proletarians transcends the French perspective and provides a significant contribution to understanding migratory dynamics in global contexts, particularly in Global South countries like Brazil. Badiou highlights the need for planetary organization centered on the nomadic proletariat, emphasizing that the mobilization of "migrants" should aim at a real confrontation with power structures. In the Brazilian context, the theme of nomadic proletarians is particularly relevant. Brazil, with its complex migration and integration dynamics, exemplifies how reception policies and working conditions can directly impact the lives of migrants. Understanding this phenomenon, as articulated by Badiou, allows for a critical analysis of class relations and the processes of objectification affecting migrants in the Global South. Thus, the concept of the nomadic proletariat not only enriches the analysis of migrations at a global level but also offers a solid theoretical basis for a path of joint organization. It is with the nomadic proletariat that a new politics will be invented; without them, we may potentially sink into nihilistic consumption and a policed order.

6.0.   Conclusion

This article has critically engaged with the philosophical perspectives of Alain Badiou and Jacques Rancière, juxtaposing their affirmative approaches to political

agency against the critiques of Hannah Arendt and Giorgio Agamben regarding human rights. The analysis highlights the limitations of traditional human rights frameworks, particularly in addressing the complex issues of migration and displacement.

Badiou's ontology, with a focus on his concept of the event and his notion of the "nomadic proletariat", provides a fruitful framework for understanding the conditions and struggles of migrants in Brazil. His theory on the subject of migrants often highlits the inadequacies of existing human state-centered human rights mechanisms, which are inherently tied to the structures of global capitalism and liberal democracy. Similarly, Rancière's theory of *dissensus* emphasizes the necessity of political subjectivation as a means of disrupting the status quo and reconfiguring the social order to better include marginalized populations.

In contrast, Hannah Arendt and Giorgio Agamben critique the inherent flaws of human rights discourse, arguing that it ultimately reinforces the dominance of the nation-state and contributes to the exclusion and marginalization of those deemed outsiders. While their analyses effectively expose the structural limitations of the modern state, they ultimately lead to a pessimistic impasse. From the perspective of Badiou and Rancière, both thinkers diagnose the failures of human rights without offering an affirmative political alternative, thereby resigning themselves to the notion that exclusion is an inescapable feature of the political order. Their argument highlight the limitations of state-centered politics but fail to articulate a vision of emancipatory subjectivation beyond juridical constraints. By contrast, Badiou's concept of the event and Rancière's notion of *dissensus* insist on the possibility of radical political transformation, asserting that new forms of subjectivity can emerge through ruptures within the existing order. Similarly, Derrida's theory of the Law of Hospitality is considered inadequate because it romanticizes the act of hospitality while overlooking the structural conditions that sustain the subjugation and invisibility of migrants. Unlike these approaches, Badiou and Rancière propose an affirmative politics that does not merely critique exclusion but actively seeks to transform the very framework that produces it.

Through this comparative analysis, the article argues that neither the existing human rights frameworks, nor the critiques offered by Arendt, Agamben, nor the ideas of hospitality that Derrida advocates are sufficient to address the needs of displaced populations. Instead, it advocates for the disruptive, event-driven approaches of Badiou and Rancière, which call for radical rethinking and reconstitution of political agency and human rights. The article addresses the Brazilian context, where historical patterns of

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migration and labor exploitation continue to shape the socio-political landscape. In this setting, Badiou's theory is particularly relevant, offering a pathway towards a more just and inclusive global order.

Badiou's emphasis on the concept of the event and his notion of the "nomadic proletariat" provide a critical lens through which the historical and ongoing struggles of marginalized populations in the Global South can be understood and addressed. These regions, characterized by histories of colonization, exploitation, and systemic inequality, often face challenges that are insufficiently addressed by traditional human rights frameworks.

Badiou's theory provides a framework for understanding how political subjects emerge through disruptive events that challenge the established order. This process unfolds through fidelity to an event, which reconfigures the political landscape by introducing new possibilities for collective action. In the Global South, where the effects of global capitalism are particularly pronounced, Badiou's emphasis on militant activism and political transformation underscores the potential for new forms of subjectivation that transcend demands for inclusion within existing structures.

Badiou's event-driven approach to justice and equality, which advocates for the creation of new truths and political configurations, is thus particularly relevant. It encourages a form of political engagement that is not bound by the limitations of existing legal and political frameworks but is instead oriented towards the creation of new possibilities for justice. By embracing the disruptive potential of the event and the political agency, Badiou's theory opens up new possibilities for achieving justice and equality on a global scale, particularly in regions that have long been excluded from the benefits of the so-called universal human rights.

Ultimately, this discussion underscores the need for a reconceptualization of human rights that transcends the limitations of global capitalism and its associated political and juridical structures. It argues that these systems are inherently flawed in addressing the complexities of human rights, migration, and inequality in the 21st century. Only through a radical reconceptualization of human rights – one that transcends the capitalist frameworks – can the global community effectively tackle these challenges. Badiou's philosophy emerges as a crucial framework for rethinking justice and political transformation on a global scale, which requires a departure from traditional state-bound and capitalist ideologies towards an event-driven approach to justice and equality. This approach highlights the need for militant activism and a reevaluation of the socio-political

structures that perpetuate inequality, thereby advocating for transformative political events that challenge the *status quo* and create new possibilities for human rights and social justice.

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[i] According to the *Global Trends: Forced Displacement in 2023* by the end of 2023, the global number of forcibly displaced people exceeded 117 million due to persecution, conflicts, violence, human rights violations, and events that severely disrupt public order. This figure represents an 8% increase compared to the previous year, corresponding to an addition of approximately 8.8 million people, continuing a trend of annual growth that has extended for 12 consecutive years. Within this total, 43.4 million are refugees and individuals in need of international protection, of whom 31.6 million are under the mandate of the United Nations High Commissioner for Refugees (UNHCR), 5.8 million are classified as others in need of international protection, and 6 million are Palestinian refugees assisted by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). Additionally, there are 68.3 million internally displaced persons, representing a 9.3% increase from the 62.5 million recorded in 2022 and a 49% growth over the last five years. There were also 6.9— million asylum seekers recorded. It is important to note that among the 117 million forcibly displaced people, about 47 million, or 40%, are children (United Nations High Commissioner for Refugees, 2024).