


## HISTORICAL FOUNDATIONS OF INEQUALITIES, SOCIAL EXCLUSION, INCLUSION, BELONGING AND THE TRANSFORMATION OF THE ROLE OF THE STATE IN URBAN AND HOUSING POLICIES IN BRAZIL AND ITS REFLECTION IN RECIFE

 <https://doi.org/10.56238/arev7n3-101>

Submitted on: 02/12/2025

Publication date: 03/12/2025

**Magna Lícia Barros Milfont<sup>1</sup>, Arnaldo de Souza<sup>2</sup>, Ana Claudia Rocha Cavalcanti<sup>3</sup> and Flávio Antonio Miranda de Souza<sup>4</sup>**

### ABSTRACT

This study addresses the relevance of historical foundations in interpreting inequalities and social exclusion in Brazil, as well as conceptual discussions on inclusion and belonging. The objective is to analyze the historical aspects and the construction of these concepts in the context of social inequalities, considering an overview of urban and housing public policies in Recife in the post-democratization period. To this end, a methodological approach is adopted that combines different fields of historical analysis, such as urban history and immediate history, through bibliographic and documentary research, characterizing a long-term change process. The results indicate that the inclusion and belonging of marginalized groups ambiguously manifest themselves, revealing social advances, but also dependence on the power dynamics between the State and society.

**Keywords:** Inequalities. Exclusion. Inclusion. Belonging.

---

<sup>1</sup> Doctor in Urban Development. Postdoctoral fellow in the Graduate Program in Human Rights at the Federal University of Pernambuco (PPGDH/UFPE).

E-mail: [magnalbmilfont@gmail.com](mailto:magnalbmilfont@gmail.com)

ORCID: <https://orcid.org/0000-0001-9005-8924>

LATTES: <http://lattes.cnpq.br/1978564981832078>

<sup>2</sup> Doctor in Urban Development. Postdoctoral fellow in the Graduate Program in Human Rights at the Federal University of Pernambuco (PPGDH/UFPE).

E-mail: [arnaldo.souza@ufpe.br](mailto:arnaldo.souza@ufpe.br)

ORCID: <https://orcid.org/0000-0003-2372-2690>

LATTES: <http://lattes.cnpq.br/0458136043651534>

<sup>3</sup> Doctor in Urban Development. Professor of the Graduate Program in Human Rights at the Federal University of Pernambuco (PPGDH/UFPE).

E-mail: [ana.rcavalcanti@ufpe.br](mailto:ana.rcavalcanti@ufpe.br)

ORCID: <https://orcid.org/0000-0001-7203-0397>

LATTES: <https://lattes.cnpq.br/8890696734399346>

<sup>4</sup> Doctor in Urban Planning. Professor of the Graduate Program in Urban Development at the Federal University of Pernambuco (PPGDU/UFPE).

E-mail: [flavio.desouza@ufpe.br](mailto:flavio.desouza@ufpe.br)

ORCID: <https://orcid.org/0000-0001-6119-7423>

LATTES: <https://lattes.cnpq.br/2108828988688738>

## INTRODUCTION

Inequalities, social exclusion, and urban and housing policies in Recife in the post-democratization period have deep roots in the historical process of formation of Brazilian society. This process finds its genesis in the slave system and extends to contemporaneity, implying the conformation of a historical framework of social cleavage crossed by "modernizing" waves, characterized by the influence of global thoughts and regional conservatisms that, in general terms, enclose the actions of the State as co-authors of this process.

In Brazil, this trajectory marked the emergence of great asymmetries in the social fabric, strongly affecting the occupation of urban spaces and the formation of socially unequal neighborhoods, with differentiated access to public services and infrastructures, to the detriment especially of the most excluded classes. In this context, the post-democratization period emerges as an important milestone, seeking to change the relationship between the State and society, in general, signaled by the influence of human rights on public policies and by the leading actions of multilateral agencies. In this new period, the State, still fundamental in the formulation and implementation of public policies, is increasingly supporting certain stages of the process in the face of the dissemination of governance ideas based on international agendas, which are often impossible to be fulfilled by local governments alone.

At the same time, debates on human rights and citizenship gained strength at the heart of re-democratization, influenced, on the one hand, by the international agendas promoted since the second quarter of the twentieth century, especially with the Universal Declaration of Human Rights (1948), and, on the other hand, by the promulgation of the 1988 Constitution, which established the basis for progressive policies, oriented, among other aspects, by popular participation as a central element in decision-making processes. The connection between the debates on rights and citizenship and the post-democratization context pointed to the possibility – although far from practical reality – of guaranteeing equal access for all citizens to the benefits of State actions, overcoming social and economic boundaries.

The notion of governance, consistent with the definition of mechanisms of articulation between the State and different actors (economic and social), then comes to have great prominence in the field of public policies, presenting itself as a new response to local problems through the mobilization of the public, private and society sectors, changing

the private character of the State in the provision of public goods and services, including those of a social and socializing nature, such as urban and housing policies. This change imposes some reflections on the debate, especially about the aspects that materialize, in the social and urban context, in the concepts of inequality and social exclusion on which the policies implemented from this new paradigm are based.

That is why, given this preamble, the present work aims to analyze the historical foundations and the composition of concepts related to inclusion and belonging, in the context of Brazilian inequalities and social exclusion, considering a brief report on urban and housing public policies in Recife in the post-democratization period. To achieve this purpose, a methodology is adopted that combines different fields of historical analysis, such as urban history and immediate history. These methodological approaches enable the study to carry out a dynamic movement of investigation, alternating between critical detachment and detailed approximation of the object of study, allowing a more comprehensive and contextualized understanding of the transformations that occurred in the analyzed time frame.

## **HISTORICAL FOUNDATIONS AND THE COMPOSITION OF CONCEPTS ABOUT INEQUALITIES AND SOCIAL EXCLUSION**

In a macro-social and diachronic view, economic, political, and social inequalities are reinforced and reproduced over time and their consequences are historical and impose themselves in the segregation of the space of insertion and movement of individuals in the city (Scalon, 2011). For this reason, the importance of an urban historical perspective is necessary for understanding and confronting the inequalities that exist in any human society and global territory. However, structural inequalities, such as those in the Global South and especially in Brazil and Latin America, reach levels that reach aspects related to the poverty line, such as social exclusion. This aspect of social exclusion – as crucial in the concept of poverty as deprivation of basic capacities (Crespo; Gurovitz, 2002; Scalon, 2011) – directly affects the most marginalized social segments and compromises the effective participation of this part of the population in the management of public life.

The instrumentalization of political participation is one of the objects of Brazilian constitutional law, which establishes, with fundamental rights and guarantees, the link with human rights. Without participation in public life, the population impoverished of rights does not exercise its citizenship, both – participation and citizenship – synonymous words in

Brazil, as Celi Scalon (2011) reminds us. Citizenship seems to be a well-worn concept not only in Brazil but also in Latin America, which always threatens the consolidation of these democracies. In this unequal and excluding relationship between the State and society, especially in the Brazilian reality, the excluded end up not appropriating the benefits of participatory democracy more effectively. This reality of inequalities and social exclusion affects the practice of public policies, generating discrepancies in the distribution of political, economic, social, intellectual, or symbolic power. In this sense, it is relevant to point to the relations that are fought between inequalities, social exclusion and public and housing policies in the city of Recife, also pointing out the deep layers of inequalities that structured the Brazilian social formation uniquely.

Since the formation of the slave system, Brazilian society has produced inequalities within inequalities, so that the captive individual subjected to slave labor or even the freed or freed, especially in the cities, developed different earning activities. The work of gain was closely linked to religions and the ethnic and cultural relations present in the formation of the "nations" and their festive manifestations in the city. Since the eighteenth century, when Brazilian towns and cities were de facto consolidated (Goulart Filho, 1968), urban festivals played a fundamental role in the propagation of the Christian faith and also in the affirmation of the King's power over the peoples of the Portuguese Empire through the Royal Patronage (Milfont, 2010).

The festivities cultivated – more than the colonial project of inequalities and oppression – a Catholic urbanity, aggregating blacks and browns as knights of the "Order of Christ" in the main religious street festivals (Milfont; Cavalcanti; Monteiro, 2024; Milfont, 2010). The Catholic project of domination of peoples, by giving them (black, brown, and Indigenous) a place in the processions of prominence in paths of faith that involved the whole of society, also revealed its multiple social stratifications that coexisted in a social whole. The local institutions, of the Portuguese Kingdom and the Church, respectively recognized and blessed the African coronation festivities of the kings of the Congo, in a feeling of tolerance to maintain the slave order. They also stimulated and authorized the expansion of Catholic conversion among captives and other black populations through the religious confraternities and brotherhoods of black men and their churches, demarcating the powers of the religious order and the Portuguese kingdom over the slave labor system.

In this context, work and religiosity complemented each other and as activities developed in the cities throughout the nineteenth century, new work arrangements

emerged "at the intersection between slavery and freedom in the urban environment: contracts for the leasing of services" or "a kind of debt bondage"; the regime of "semi-slavery" and informality in earned work, as portrayed by historian João José Reis (2019, p. 44 - 107).

It should be noted that debt bondage characterized a kind of urban work in which the freedman who borrowed money to buy manumission offered his work or time of service in a contract to pay the debt to his creditors. Debt bondage was a form of urban labor in which the freedman paid for his manumission with labor, while semi-slavery exploited loopholes in the prohibition of the slave trade, placing free Africans in public and private institutions for low wages. Informality in earned work, encouraged by slave masters to avoid paying taxes, involved both blacks and poor whites (Reis, 2019, p. 24). Although the slave system faced crises, driven by abolitionist movements and the resistance of Africans, indigenous people, and their descendants, it lasted until the end. The inequalities of the period were reflected in the craft guilds, which discriminated against newly arrived Africans, Creoles, captives, and free, in addition to paying lower wages to women. However, these inequalities also fostered bonds of solidarity between different cultures, which united in resistance to the slave system.

African communities formed what Reis (2019, p. 81) calls a "community of meanings", expressed through cultural manifestations such as music and syncretic religious festivals. Although slave labor was a form of exploitation, it also played an important role in building a collective identity among Africans. Through their cultural practices and constant resistance, these communities have been able to redefine the concept of belonging and affirm their identity in the face of oppression. This "cultural substance" was essential to strengthen the bonds of solidarity and to preserve traditions that resisted violence and time, challenging the structures of the slave system.

This sense of belonging and identity influenced the organization of work on the streets, such as in the "corners" of Salvador and the ports of Recife, places of sociability for blacks, governed by black captains and supervised by the municipal councils (Milfont, 2003). These spaces were fundamental for cooperation and cultural exchange, where different groups gathered. In this way, Brazil became a "new Africa" for Africans, creating bonds of friendship and protection, even in the face of the social hostility they faced (Reis, 2019, p. 82).

## THE PROCESS OF FORMING INEQUALITIES WITHIN INEQUALITIES AND THE RELATIONSHIPS OF INCLUSION AND BELONGING

The relations of social exclusion that are marked in the structure of Brazilian society were historically formed through slavery and ambiguously generated relations of belonging between groups placed aside or removed from certain instances of social life. In this sense, "belonging" has a particular meaning and the ambivalence between social exclusion and belonging depends on the power relations held in the historical context. Belonging as an abstract mathematical or purely philosophical category (Bodiu, 2005; Rancière, 2007, 2004, 1999) does not fit into the nature of historical knowledge. Belonging is a complex concept and in the historical context of slavery, it comprised places of experience and cultural expressions that constituted diverse social groups and also those with low degrees of insertion in the instances of social life or even the excluded.

Brazilian inequalities - which, by carrying traces of this slave formation where social levels of urban manual labor coexisted with captivity, free labor, and ethnic-cultural and gender inequalities - seemed to establish, throughout the history of slavery, a pendulum and gradual movement between captivity - high-level social exclusion - and low-level social inclusion in the lives of these black workers, who, although not frequent, could also become masters of slaves for gain and profit from the system. The black individual included in the slavery system belonged to it both as a basic instrument of the structure of support for traditional exploitation and of new forms of work incorporated into the newly included freedman as a "second-class citizen, come on, but citizen" (Reis, 2019, p.26).

The project of legitimizing the "second-class citizen" in a certain way contrasted with the "larger political project" called "de-Africanization". This last project was legitimized by several laws and municipal attitudes in Brazil in the eighteenth century to control Africans in public spaces (both at work and at leisure). This project established the difference between blacks born in Africa and blacks born in Brazil, which caused a deepening of inequalities within the Brazilian slave system. It is here that the belonging of being "creole", that is, a black Brazilian slave or freedman, a second-class citizen, is opposed to not belonging, to the foreign and undesirable African. To be a foreigner, black or not, was not to belong and this also extended to the Portuguese who were equated with the hateful Africans and, at times, were "as or more unpopular" than the Africans (Reis, 2019, p. 89).

Perhaps, the abstract and philosophical category of the "not belonging" fits into the analogy of the foreigner, but not into the analysis of the strata of Brazilian society. Between



the "Creole" belonging and the foreign "African" who did not belong, other layers of inequalities coexisted in the slave system that laid the foundations of the Brazilian social structure, establishing the boundaries between the excluded groups. Groups excluded and at the same time included with a certain degree of social recognition and belonging in some way through: the conquest of a higher hierarchy in urban work; the purchase of freedom in the profit of earning activities; the informality of earning work; debt bondage or leasing of services; semi-slavery and even active participation in Catholic religious festivals and brotherhoods.

The long-lasting and structural coexistence with inequality within inequality and the fact of its normalization and legitimization by different segments of society, as Scalón (2011) points out, may have contributed to the fragmentation of struggles and difficulties in broader collective engagement throughout the national territory. However, it does not mean that there were no major clashes against the slave system, which as a consequence already expressed constant crisis throughout the nineteenth century. The slave system sometimes allowed possibilities of insertion in certain social instances for the second-class citizen, closing itself to any permeability. Perhaps, this explains, in part, the fragility of political activism in Brazil and the difficulty and apathy in actively participating in the decisions of public life at almost all levels of the segments of society, because the project of maintaining inequalities and social exclusion was successful from the beginning.

After the abolition of slavery, inequality, and social exclusion continued to be present in Brazilian society, being reinforced by the concept of "race", which linked racism to liberalism and capitalism in the nineteenth century, maintaining oppression. In the late nineteenth and early twentieth centuries, racist theories based on social lamarism advocated the improvement of "race" through morality and civilizational progress, with a Eurocentric vision (Aguilar Filho, 2021, p. 24). These ideas generated tensions between 1920 and 1940, with the strengthening of authoritarian and conservative thought, especially in the 1930s and 1940s. The theories of "progress" and "evolution" justified the superiority of the European elite over workers, peasants, and minorities, promoting segregation and racial exclusion (Aguilar Filho, 2021). Racism and racial exclusion began to structure socioeconomic relations in Brazil, reflected in public education and health policies, with eugenicist racial segregation in the 1930s and 1940s, inspired by European models.

These eugenicist and racist practices manifested themselves in authoritarian policies of social control, such as the incarceration of Northeasterners in "concentration

camps" and the forced transfer of black children to work on farms in São Paulo, inspired by Nazism and Brazilian integralism (Aguilar Filho, 2021). The discourse of the time mixed colonial concepts, such as the "body of the nation", with a state hierarchy, promoting eugenic segregation to "evolve" the nation-races, delegating this mission to the political and intellectual elites (Aguilar Filho, 2021, p. 28). These ideas influenced the 1934 Constitution, which established the role of the State in stimulating eugenic education. The practices of eugenics and racism continued throughout the twentieth century, adapting to Medicine, Law, Education, and Urbanism, with policies of exclusion and urban "cleansing" in tenements, mambos and favelas.

In Recife, especially during the government of the interventor Agamenon Magalhães (1937 – 1945), there was persecution of religions of African origins, with the closure and destruction of Candomblé and Umbanda terreiros, at the same time as the campaign against the mocambos – "Social League against the Mocambo" (1939) – a hygienist, racist and segregating discourse and practice. The Mocambo historically represents an urban context of social struggles of the quilombola population and is characterized by a precarious type of combined construction of housing to define a "hiding city" (Reis, 2019, p. 73), with a strong symbolic value. The mambos, the tenements, and the favelas – without any romanticism – also represented and persisted as modes of resistance, resilience, and knowledge of the subset of the excluded population.

## THE POST-WORLD WAR II PERIOD: PUBLIC POLICIES, THE COLLAPSE OF THE BRAZILIAN DICTATORIAL REGIME TOWARDS THE PROCESS OF RE-DEMOCRATIZATION AND THE RELATIONS BETWEEN INEQUALITIES, SOCIAL EXCLUSION, INCLUSION AND BELONGING

In the international context, the post-World War II period, the Jewish Holocaust, and, above all, the creation of the UN (1945) represented issues that would later have repercussions on the national scene, as a relevant milestone in the inflection of hegemonic thinking. It is important to highlight the impact of the Declaration of Human Rights on the scientific thinking of the time, especially in the new currents of discussion of public policies guided by values – the democratic ethos and human dignity became the guiding centers of scientific analysis and formulation of the field still in formation (Araújo; Rodrigues, 2017). Thus, the terms "race" and "eugenics" were falling into disuse, in the world, in general.



In Brazil, the concept of racism/eugenics and its practices were camouflaged by the idea of "racial democracy", initiating the policy of oblivion (Aguillar, 2021, p. 29). This policy was consolidated mainly at the time of the military dictatorship (1964 - 1985), inaugurating urban and housing policies – with the creation of the BNH – in an expansionist phase of investments in the civil construction of large urban works and popular housing, but without effective reach for the excluded, black and more impoverished population.

In the international view, the military dictatorship is aligned with a bilateral relationship with the US and also with US government agencies – USAID and Eximbank – committed to supporting the regime, which increased investments. Some reforms were also promoted, such as the tax and administrative reforms (1967), which introduced traces of the managerial theory of contemporary administration. It is also possible to mention the creation of the Central Bank, state-owned companies, and public entities in actions of "authoritarian modernization" based on a "liberal arrangement" (Motta, 2021, p. 109 - 233). The military dictatorship did not isolate Brazil from certain advances in the liberal playbook of the time, but, above all, it hindered and ignored Brazilian history pointed out by inequalities. The Dictatorship legitimized itself, equipping itself with an authoritarian technocracy and jurists aligned with the regime, as well as part of the intellectuals, maintaining some democratic institutions, as long as they paradoxically adhered to the military power, without questioning.

The military dictatorship in Brazil was marked by "waste of resources and megalomaniac projects" and promoted the "concentration of income and wage flattening", intensifying inequalities and an "unpayable foreign debt and uncontrolled hyperinflation" (Motta, 2021, p. 234). The international oil crisis (1973), along with other factors, resulted in a global economic crisis that led to the thinking that would soon become hegemonic in the post-redemocratization period and redefinition of the role of the State – economic neoliberalism that defends the minimal State, reduction of expenses and privatizations. The dictatorship also left as a legacy the policy of genocide of the population of the hills and favelas through the formation of militias composed of death squads (former active and inactive agents of different categories of the public security forces) that persecuted people opposed to the regime.

With the crisis of the dictatorial regime, the militias were allied with illicit businesses, such as jogo do bicho, trafficking and organized crime, acquiring capillarity within the instances of the Brazilian power system. The process of social exclusion of the black and

poor population continued its course in the second half of the twentieth century, even with the process of redemocratization and the elaboration of the so-called "Citizen Constitution" in 1988, which had a historical basis in the global perspective of the Constitutional Rule of Law.

The global historical milestone of the formation of the Constitutional State of Law, whose consolidation took place throughout the end of the twentieth century, allowed Brazil to assimilate the guidelines of human rights and the country's commitment as a signatory state of the new resolutions. The philosophical demarcation of constitutionalism at the time also pointed to post-positivist discussions of constitutional law, signaling the centrality of fundamental rights and the rapprochement between law and ethics. Another decisive fact was the theoretical delimitation of constitutional law, which enabled a set of changes that included the normative force of the constitution, the expansion of constitutional jurisdiction and the development of a new dogmatic of constitutional interpretation. In this international context, the Brazilian Constitution was formed, but also suffering consequences of the particular historical moment of overcoming the dictatorial regime, where human rights became the object of focus of the constituent assembly.

All of this resulted in an extensive and profound process of "constitutionalization of law" (Bernardes; Ferreira, 2016, p. 59). Despite becoming a major legal framework for human rights and one of the most advanced constitutions in the world in this matter, the Brazilian constitution is recognized by the ontological criterion of analysis of the doctrine as "nominal", that is, it is not applied effectively and the power does not properly bend to the norms. In general, historically in Brazil, there has never been a correspondence between reality (State policy) and the constitutional text and this fact is expressed in the social relations of inequalities and exclusion present in the instances of public and social life.

The concept of exclusion is understood in the sense of setting aside, separated from certain instances of public and social life, but paradoxically belonging to the degrees of inequalities of a social group. That is, asymmetries of different natures, including political participation at various levels. In this sense, favelas continued to be an expression of culture within such an unequal and cruel reality, but which, in the post-World War II period, affirmed and expressed their belonging as a place of resistance and resilience, as in the more distant past were the "corners" of Salvador or the ports and river passages of Recife.

If it is possible to force some meaning into the abstract mathematical analogy of belonging to the Brazilian reality, it would not be what Badiou (2005) refers to, but that

inequality within inequality "opened the sphere of inclusion" of communities into subsets. In those subsets where there are boundaries of social exclusion that it is possible to equate them with the different combinations of the elements that separate the subsets of the superset in mathematics, the relationship of inclusion remains between them through the elements that coexist. The relation of pertinence happens not between sets, but between the element and the set and, for this reason, the mathematical relation itself ends up redimensioning a more specific relation, when compared to the relation between sets. For this reason, the category of social exclusion in the sense of "setting aside", "separating" subsets of differentiated combinations of social groups, even those deprived of basic rights, within the larger set that is the society in which they are also included, remains a closer concept for analysis in the social sciences and history, but still insufficient.

It is more difficult for arithmetic logic to understand that inclusion and exclusion are dualities that do not oppose or cancel each other out, but complement each other in Latin American and Brazilian realities. In a sociological sense, real social relations are predominantly ambivalent, of one kind or another and never comprising pure types of relations, as highlighted by sociologist Robert Merton in his work *"Sociological Ambivalence and other essays"* (1976). And it is still possible to add to this interpretation, the pendulum movement between ambivalences, in which the degrees of greater or lesser exclusion are marked by the historical context of the disposition of those who hold power. Thus, it does not seem possible for a pure category to translate the conditions of inequalities and social exclusion of the individual in the political decision-making process in Brazilian society, such as that of the "included, but not belonging" (Hemel, 2008).

Approaching Merton's (1976) allegations, the possibility of risking an ambivalent category for the individual less endowed with political decision or some other process, in Brazil, would be that of the included, belonging, but nevertheless excluded. The contradictions of the slave system showed that social spaces were rigid, but at the same time porous, depending on the context, sometimes with "loosening or closing" (Reis, 2019, p. 133) of oppressions, provoking spaces of resilience and resistance of excluded groups. It is in the ambivalence of social relations that the elementary relation of belonging of set theory in Bodiou's mathematical perspective or in Rancière's philosophical category, despite the effort to validate its approximation to the Brazilian reality here, slips into the social complexity of inequalities.

The question is not whether or not to belong to the political decision-making system, because the relations of belonging are subjective and are also present in other dimensions of understanding in Brazil that do not exclusively encompass the political sphere, because we do not have a culture of social activism or collectivity. Inequalities have clear boundaries in the Brazilian reality that do not even need to be said or made visible, they are felt, experienced by the population in their daily lives and, above all, wide open. It is not the "invisibility" of groups excluded from basic rights that hinders political action in Brazilian society, because they have always been in sight, but the indifference that demarcates physical and emotional borders, moving between dissimulation and violence, all this is the great ghastly legacy of slavery.

The relations between inequalities, social exclusion and public policies, more than privileging purely economic or political issues, also need to consider the historical particularities of Latin American and Brazilian formation to understand the scope and limits of urban and housing policies. The economist Amartya Sen (2000) showed in his classic works the limits of income-focused analysis and the need to seek the relationship between income and values, such as freedom and the subjective capacities of individuals. It is in the search for the relationship between human problems that affect society and the individual that knowledge intersects, seeking solutions to increasingly complex problems (Had, 2008). The analyses of the most recent public policies and their models already bring the perspective of the problem of a political nature through several combined or complementary traditional analyses: public policies centered on a broader process that involves stages and political system and/or analyses focused on the decision-making process in a single stage. However, more than approaches that meet or intersect, they are guided by basic values of human rights.

## **THE TRANSFORMATIONS IN THE ROLE OF THE STATE AND THE-POST-REDEMOCRAT PERIODTIZATION IN BRAZIL**

The Declaration of Human Rights, in 1948, profoundly marked the change in global thinking, influencing one of the most important constitutionalist movements – the "constitutionalization of law", in Germany, in 1949. This movement gave impetus to new similar movements in the world and broadened discussions of European political reforms: questions about the role of the State and also the guiding values – democracy and human dignity – that have guided contemporary public policies (Araújo; Rodrigues, 2017).

The movement has as its center the affirmation of the Constitutional Rule of Law and leaves in the background the concern with limiting state power. The intention of this movement, which has become global, is to legally enshrine the human ideals: a) the "strengthening of the international legal-political system" in the horizontal relations between national states and in the relations between the state and the people; b) the "primacy of international law based on universal values and norms over the national law" of the States and c) the "elevation of the dignity of the human person", a presupposition that cannot be limited by any constitutional movement (Bernardes; Ferreira, 2016, p. 58).

Although the criticism of human rights has been fierce since its creation (Hemel, 2008), the questions have focused on the philosophical principles of law and the relationship with the Nation-State, in addition to more recent criticisms, such as the political proposals of generalist social action and engagement of philosophers Jacques Rancière and Alain Badiou that border on utopia, all without considering particular aspects of the historical formation of societies. The first two criticisms arose shortly after the creation of the UN and the Declaration of Human Rights – philosophical clashes between two currents – the fundamentalists (Nouveaux Philosophes) and the current headed by philosophers Hannah Arendt and Giorgio Agamben. While the former centered their criticism on the lack of alignment of the practices of the United Nations with the ideal of human rights based on critical readaptations of Enlightenment ideas, the latter philosophers focused their criticism on the surrender of human rights to the power of the Nation-State.

The fundamentalists have engaged in a debate that is already well known from the point of view of philosophical knowledge, noting that there is a deep gap between the ideal and reality. A difficult hiatus to be overcome and it will not be the observance of human rights in the light of the Enlightenment ideology that would overcome this distance, but as the philosopher Cornelius Castoriadis would say "a just society is not a society that has adopted just laws forever" (Castoriadis, 1983, p. 33). The question of Justice must always remain open, the philosopher argues, because history does not know the absolute or the ideal or it "is a discontinuous happening, produced by the conflicting plurality of human beings who act" (Safranski, 2000, p. 446).

Arendt's (2011) current and especially her followers' current found that the power of the nation-state determines who is part of humanity, oppressing and invading political life through human rights in private life. However, Arendt and her followers ignored in their time the influence that human rights exerted both in constitutionalist movements and in the

discussions that were beginning to emerge about public policies and the role of the State. Philosophical criticism ended up covering up this important part of history, especially the birth of the "constitutionalization of law" in Germany, a country that was undergoing a policy of "denazification" (Safranski, 2000).

It is also important to remember that Hannah Arendt's criticisms of the nation-state that seizes human rights were at a delicate moment in the history of humanity: humanism was questioned mainly in France and Germany, especially by the so-called "existentialist" philosophical current; intellectuals who aligned themselves to a lesser or greater degree with Nazism were judged by society; occupying Allied forces and the installation of the Nuremberg Tribunal (1947) with provision to punish Nazi war crimes. It was a troubled period that obscured the first positive consequences that the declaration of human rights promoted in the discussion of doctrine and in the constitutionalist movements in several countries.

The structure of the formation of contemporary post-World War II States, according to the doctrine of law, does not seem to refer to the "Nation-State" of yesteryear criticized by Arendt, which ends up mirroring and orienting, in a certain way, despite critical differences, the generalist interpretations of Rancière and Badiou. The "Nation-State" of these philosophers is that "villain" that seizes human rights to assert its oppressive legitimization in the private lives of mainly refugees from wars or migrants from climate change, choosing who "is part of humanity (and, subsequently, who has the right to have rights) is determined by the whims of the power of the Nation-State" (Hemel, 2008).

It is necessary to reassess the global constitutionalist movement and its influence on the new arrangements of contemporary post-World War II States and the scope of human rights relations in international discussions and in the national constitutions of signatory or non-signatory countries. For this reason, it seems appropriate to seek another conceptual composition - moving away from the definition of "Nation-State" - that in a general way it is possible to understand a new arrangement that emerged with the constitutionalization of law and other movements. This new arrangement is the Constitutional State of Law, or we can also define it as the Democratic Constitutional State of Law, corresponding to the Neo-Constitutionalist current, more accepted by Brazilian jurists (Barroso, 2005).

Despite the weight in the reality of recent global capitalism, the State has been transformed since the declaration of human rights, including developments in other movements that go beyond "provincial or parochial constitutionalism" (Bernardes; Ferreira,



2016, p. 61 – 62): a) Transconstitutionalism, which is linked to the common legal-constitutional problems between multiple States, where different legal systems are interconnected, adding joint efforts to solve complex problems; b) Constitutional Patriotism which, although in the realm of ideas - used by the German historian Dolf Sternberger and disseminated by the philosopher Habermas - abandons the construction of a nationalism, therefore, rejects the assumptions of the "Nation-State" and defends the inclusion of ethnically and culturally different citizens, respecting the plural values of the "Democratic State of Law" in defense of a universalist perspective and a collective political identity.

All these movements of the constitutionalism of law, aligned with historical events, do not represent only abstract ideals, but also potential references that support concrete actions. In order for human rights to manifest themselves in the real actions of the Nation-State and not only in its ideal, as Hemel (2008) points out based on Arendt's (1973) interpretations, it is essential to promote continuous discussions and in-depth debates. Both the ideal and the concrete actions are fundamental and one does not exist without the other, as they complement each other.

Agamben (2000, 1998) expands on Arendt's (1973) critique, radicalizing it through Foucault's notions of "Biopower" and Carl Schmitt's concept of "State of Exception" (Hemel, 2008). He concludes that, at present, we are "refugees without rights in the Concentration Camps". This perspective can weaken the human capacity for resistance, resilience and struggle. To further weaken the power of the individual in the face of the Nation-State, Agamben (2000, 1998) proposes the idea of "ontological destiny" for all citizens – the man-as-citizen absorbed by a state structure becomes the man-as-refugee. The refugee becomes the paradigm of the contemporary human being, dominated since his most fundamental existence, in a domain of life politicized by an omnipresent State that takes away from the excluded their human rights. However, it is important to emphasize that, although Arendt's ideas are more moderate than Agamben's, Arendt's critical potential, when addressing the figure of the refugee, lies not only on human rights, but also on the programs and public policies that are part of the power structure.

In the second half of the twentieth century, especially from the 1960s onwards, public policies inspired by human rights improved their models of analysis: a) Theoretical models resulting from a combination of sequential and systemic approaches and b) Theoretical models resulting from the combination of sequential approach, rational choice approach and incrementalist approach (Araújo; Rodrigues, 2017). In this context, the

discussion about the role of the State was also reevaluated by the existence of other active actors, such as multilateral agencies, in the process of formulating and elaborating actions. But in the authoritarian regimes of Latin America and Brazil, these agencies still did not have so much breath. However, the economic principle of efficiency, which became the basis for administrative reforms around the world, echoed in the administrative reform of 1967 (Decree 200/67) at the height of the military regime.

From the 1970s onwards, the crisis of the world capitalist system, which was based on Keynesian ideas, collapsed. The Keynesian strategies of economic growth and development models based on large investments by the State in social spending were questioned, in addition to the rupture of the exchange rate equilibrium system established by the Bretton-Woods agreement. At the turn of the 1970s and 1980s, the ideas of a "minimal state" were defended by the neoliberal economic current that gained decisive momentum in England and the USA. Neoliberal ideas reached their peak at the turn of the nineties, when the collapse of socialism was marked by the fall of the Berlin Wall (1989). At that time, the resumption of the discussion between ethics and law was already part of human rights, as well as the centrality of fundamental rights and the recognition of the normative force and the expansion of the jurisprudence of the Constitution grew all over the world, including in Brazil.

In Brazil, the influence of these ideas only reached the post-redemocratization process, after the 1988 constitution. The influence of the "crisis of the notion of public service" also arises as a result of the pressure to reduce these services, especially those of an economic nature – this movement is influenced by "European Community law" (Baltar Neto; Torres, p. 48). This current argues that the existence of public services, even if exclusive to the State, are contrary to free enterprise and non-exclusive services provided by governments and public institutions harms free competition, defending the privatization of public services. Although the Brazilian Constitution of 1988 indicates a series of activities, including economic ones, that are exclusively the responsibility of the Public Power, these ideas guided the Brazilian economic policy of spending cuts and also the administrative reform between the years 1995 and 1998.

The opening of the constitutional text referring to administrative reform, however, returns, through the administrative autonomy of State entities and bodies, the power to delegate the provision of services to third parties. This shows a certain tendency towards privatization of the provision of public services and alignment with neoliberal assumptions,

although not so reliable. This second and most important administrative reform of the nineties became a constitutional amendment and was marked, above all, by the attempt to implement a more effective managerial administration when compared to that of 1967. The principle of efficiency was inserted into the constitutional text through Constitutional Amendment EC No. 19/98, starting to guide the public administration.

The administrative reform imposed the need to rediscuss the role of the State in Brazil and in the world. The historical context strongly affected by the phenomenon of globalization, the expansion of information and digital technologies, and, above all, the consecration of human rights, was consolidated in a new paradigm at the end of the second half of the twentieth century – the Democratic State of Law. This new State constituted "a new concept that unites precepts of formal bourgeois law and the law materialized in the Social State" (Baltar Neto; Torres, 2016, p. 27). Some theories that guided liberal thought were reinvigorated, such as the primacy of private initiative and the need for state retraction in its intervening action. The State is now pointed out as the great problem of the economic crisis faced by countries that have adopted the postulate of the "welfare state" or the welfare state based on the Keynesian doctrine. It is necessary, therefore, to pay attention to the phases of formation of the new paradigms of the State.

#### THE STATUS AND RELATIONSHIP OF "INCLUDED AND NON-BELONGING"

The philosophers Rancière (2007, 2004, 1999) and Badiou (2005) propose a rereading of human rights and politics that ignores the different phases and actions of the State, which can weaken the historical interpretation. Rancière – who when addressing the idea of power as a "sensible system" (an implicit law that governs the sensible order) – highlights the notion of being included in a situation, but not belonging to it. This concept, the "included but not belonging", applies to human rights in Rancière's critique, which states that, although everyone is included in the Universal Declaration, in practice, they do not belong to it. The basis of this unjust system is the police, a repressive force that maintains order and prevents the possibility of doing politics. For Rancière, politics is the action that breaks this order, and arises from dissent, an opposition to the consensus structured by power. Dissent, in this context, is true democracy, not as an institutionalized practice, but as a disruptive action of the police order and totalizing power.

However, Rancière creates a timeless State where power is totalizing, unitary and oppressive, and there is a contradiction in his thinking when he uses the concept of "self-

determination of the people", something that refers to the principle of subsidiarity present in Catholic religious thought, especially in the Encyclical Quadragesimo Anno (1931). This principle argues that the State should not realize the interests of the community when they can meet their own needs, recognizing human dignity as superior to the State. Despite criticizing human rights, Rancière therefore reaffirms ethical values and self-determination, aligning his thinking with political activism.

Badiou, in turn, proposes a conception of the State centered on the notion of "political event", which he associates with mathematics, treating the event as something included in the whole, but not belonging to it. This idea of "included but not belonging" is an abstraction that ignores the historical implications of the event and of human existence itself. According to Badiou, the event reveals the incompleteness of worldviews, challenging the totalizing structure by exposing its limitations. However, by reducing the state to a set of elements and treating truth as a mathematical event, Badiou simplifies the complexity of human situations. The event, as he defines it, is an element that does not belong to the dominant ideological set, which in his theory proposes a political activism that resists the ideological totality, but which, in its abstraction, ignores the historical context and the uncertainties that define reality.

Both Rancière and Badiou, by defining the State and human rights in an ahistorical way, end up reproducing, in a simplified way, an oppressive and ideological structure similar to those described by Arendt and Agamben. They ignore the historical process of transformation that involved the emergence of different forms of State, such as the absolutist, the bourgeois liberal, the Social Welfare State and the Democratic State of Law. The modern State has undergone significant changes that cannot be disregarded. In the case of Brazil, the post-redemocratization period is marked by the model of the Democratic Rule of Law, which has rethought its role in relation to human rights, especially when it is observed that the State is no longer the only actor in the formulation and implementation of public policies. Therefore, the Democratic State of Law cannot be seen as belonging to a totalizing structure as in Rancière and Badiou, nor as a "Nation-State" as conceived by Arendt and Agamben.

Human rights, in their fundamental principles, should not be considered part of a dominant and oppressive structure. They guided both state and societal action and influenced global constitutionalist movements after World War II. Neoconstitutionalism in Brazil was consolidated in the final decades of the twentieth century as a movement

inspired by human rights and continues to be an important theoretical current in Brazilian jurisprudence, with a focus on strengthening democracy. While the decentralization of power and public policies present criticisms and challenges, especially in the Latin American context, they also provide important parameters for combating inequalities and social exclusion, reflecting the historical and social complexities of these societies.

## CAUTIOUS ADHERENCE TO THE INTERPRETATION OF "INCLUDED, BUT NOT BELONGING" FROM THE PERSPECTIVE OF PARTICIPATION IN THE PROCESS OF URBAN AND HOUSING PUBLIC POLICIES IN POST-REDEMOCRATIZATION BRAZIL AND THE RELATIONS WITH INEQUALITIES AND SOCIAL EXCLUSION

The beginning of this new panorama in Brazil's recent history dates back to urban and housing public policies during the country's redemocratization process, which precipitated the end of the National Housing Bank (BNH). During this period, urban and housing policies seemed to absorb an "incrementalist" character (Souza, 2006), reproducing urban housing standards established by the extinct agency in several cities in the country, under the tutelage of Caixa Econômica Federal, such as the housing complexes of the Housing Companies (COHABs) and the Housing Cooperative Orientation Institutes (INOCOOPs). However, the inequalities and social exclusion that remain rooted in our historical formation, added to the modernizing waves and the context of low wages and high inflation rates, made the public housing policies of that time ineffective. This scenario apparently reflects Rancière's criticism of exclusion disguised as inclusion, since, although many were formally included in the programs, the real conditions of belonging in the stages of participation in public policies and access to basic needs remained restricted, maintaining the status quo of inequality.

With the process of political and economic decentralization, which had already taken its first steps during the military regime, but which was consolidated with the redemocratization and the Federal Constitution of 1988, urban and housing policy in Brazil began to be managed by various instances of public administration. The decentralization of power, based on the Magna Carta, made it possible for government programs and projects to operate in partnership with multilateral agencies, inserting the city and its metropolitan regions as protagonists in public policies. The housing issue became central, and large-scale urban projects with a "megalomaniac" character were progressively abandoned. This movement, at first glance, is in line with the notion of "politics of equality" proposed by

Rancière, which opposes a hierarchical vision of power, in which the participation of the population is only symbolic, without actually guaranteeing the redistribution of resources and power. The emergence of new forms of public management and the growing presence of international financial capital through a new regulatory framework for real estate credit made it difficult to solve the housing problem, which evidenced the "intractability" of urban problems in the light of Head's (2008) interpretations. The diffuse and complex character of these problems reflects the resistance of systems that remain structured to perpetuate exclusions, a phenomenon that Badiou would call "irreducible truth," in which the process of social transformation is slowed down by the persistence of power structures that do not wish to fully include the marginalized. However, it is necessary to be cautious in relation to this interpretation, because social transformations occur at levels, even if restricted, of porosity or loosening of the system.

With the administrative reform of 1995, managerial thinking began to be incorporated into public management, directly influencing urban and housing policies. The Residential Lease Program (PAR), launched in 1999, was a reflection of this logic, prioritizing the efficiency and functionality of administrative processes, which also led to the proliferation of private contracts in the public administration and the intensification of public-private partnerships (PPP). The implementation of PPPs and public consortia has generated new innovations in the field of public policies, but it has also deepened the dynamics of exclusion, as evidenced by the increase in the privatization of essential urban services. The fact that the State has lost, as a central actor, its protagonism in favor of the private market, is a clear example of how power structures operate in a way that prevents the most marginalized populations from acquiring a full sense of belonging, according to Badiou's critique of exclusion in the context of hegemonic projects of power. However, there is no plenitude or absolute in any human relationship, where permeabilities and openings of popular participation can happen even in apparently unlikely historical contexts, such as the reduction of the role of the State in favor of private capital and the protagonism of multilateral agencies.

Multilateral development agencies, by becoming protagonists of urban and social public policies, have played an important role in the formulation of sectoral and "deterritorialized" projects (Cavalcanti, 2008). In Recife, the materialization of this influence occurred in 2007, when the government of Pernambuco instituted a state law that established the State Program for Public-Private Partnerships (CGPE), expanding the



presence of private capital in the management of essential public services, such as transportation, urban mobility, and basic sanitation (Souza, 2024). This initially reflects the neoliberal logic that Badiou would criticize, since, although public policies present themselves as inclusive, they end up reinforcing social divisions by not challenging the mechanisms of exclusion that continue to operate, even within the new institutional arrangements. But the reinforcement of structures does not guarantee that there will not be a contrary movement, because if there is reinforcement it is because there was openness and porosity for popular inclusion in the relations between other actors and public policies.

In 2009, the Minha Casa, Minha Vida Program, launched with the objective of serving families with an income of up to 10 minimum wages, failed to reverse the peripheral pattern of socio-spatial segregation of housing, reflecting the permanence of structural inequalities (Gonçalves, 2017). The segregation of housing in peripheral areas, without an effective guarantee of the integration of the population into the urban fabric and the labor market, exemplifies the difficulties of overcoming social exclusion and inequality. At this point, Rancière would help us understand that by turning issues such as housing into a technical problem to be solved by agencies and governments, one loses sight of the need for a real redistribution of power and resources, preventing marginalized populations from feeling truly part of the process.

In this way, the process of decentralization of public policies and the attempt to adapt to neoliberal guidelines show the old historical policy of promoting a certain "loosening" or tolerance of popular participation when convenient to the spheres of power is also present in Brazilian urban policies: although they have a certain restricted level of inclusion, they continue to reproduce the dynamics of exclusion and inequality that persist throughout history, but, at the same time, they also generate daily struggles of the marginalized population to achieve a greater degree of inclusion. The "included, but not belonging", according to Rancière, although it may seem to be a condition of the majority of affected populations, who remain on the margins of power, without effective access to basic rights and social justice, cannot reflect the daily struggle and certain achievements of these communities, despite the restricted access to political participation. Recent transformations in the urban and housing fields, far from guaranteeing isonomy, end up reaffirming the existing social divisions, but also evidencing the social tensions and struggles as the State positions itself as a mediator between the demands of the population

and the demands of the market, without breaking with the power structures that perpetuate exclusion.

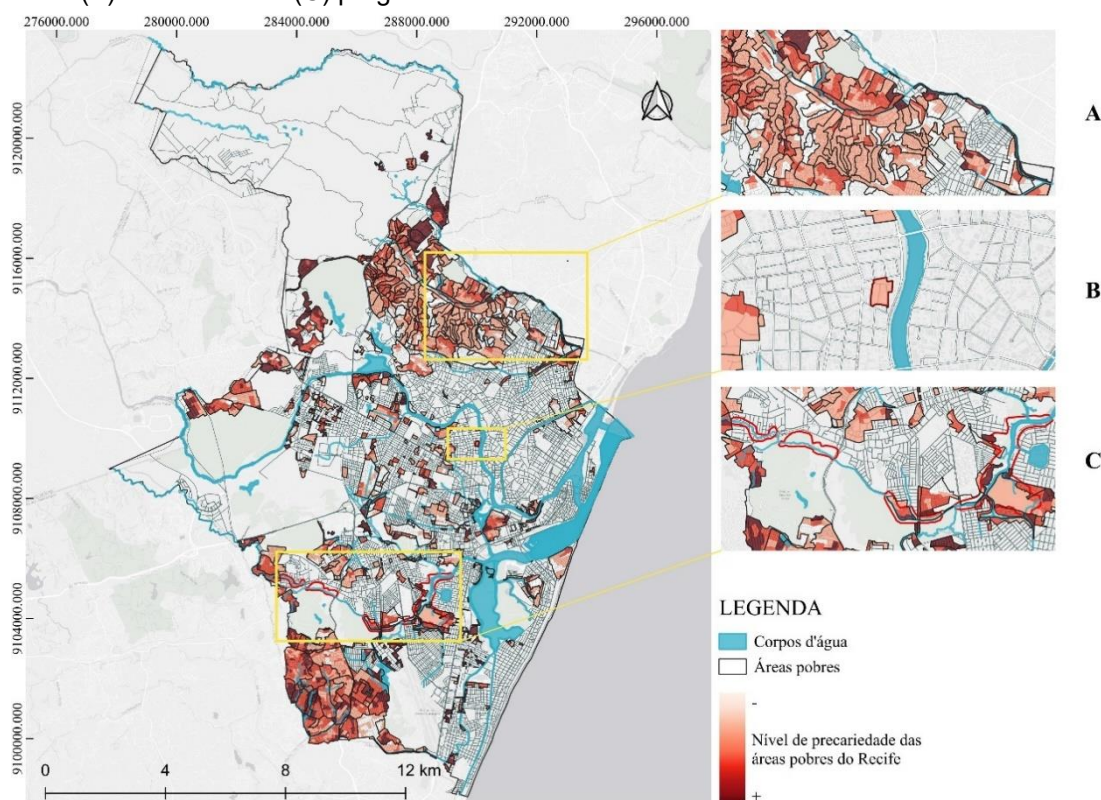
In this scenario of exclusion and fragmentation of urban and housing policy actions in various collaborative instances, the city has become the most sensitive environment from the point of view of the actors involved, such as the contemporary programs implemented in the city of Recife in risk areas and Social Interest Zones (ZEIS), as can be seen in figure 1. Infrastructure improvement program in low-income areas of the RMR – Prometrópole, as seen in figure 1(A). The program was negotiated with the World Bank, in the early 1990s, for the environmental treatment of the Beberibe Basin, basic sanitation and urbanization of low-income areas existing on its banks. Public partnerships were carried out with political entities - Federal, State and the municipalities of Recife and Olinda. Between 1995 and 1996, the program prioritized the sanitation sector, with the Water Quality Program (PQA), covering an estimated population of "200,000 people" at the time (Pordeus, 2006, p. 64) and generating local urban infrastructures for the communities. However, it should be noted that the program was designed with neoliberal orientations and guidelines, with support for the privatization of the sanitation sector, although it included the strengthening of the community and the defense of human rights.

On a small scale of specific areas of communities, the program for institutional development and urbanization of subnormal settlements - Habitar Brasil IDB Beira Rio was instituted, as shown in figure 1(B). It began in the late 1990s, approved in 2000, was "one of the first programs of the Inter-American Development Bank (IDB) and the Federal Government. It happened in a period of public policies that intensified the institutional strengthening of the municipalities. The program focused on housing supply actions; infrastructure implementation; land regularization and community development and provided for the environmental improvement of the area that involved "320 families from the riverside communities" – "José de Holanda and Arlindo Gouveia who occupied illegal areas, according to Law n.9.917/68" (Pordeus, 2006, p. 82-83). The guidelines of the Program were established by the Inter-American Development Bank, based on Human Rights, although without taking into account the effective participation of the population in the stages of public policies, accentuating the structural problems of inequalities and social exclusion.

In 2010, the Development Agency of the State of Pernambuco – AGEFEPE was established to sign agreements, terms of cooperation between entities of the direct and

indirect administration of the union, states and municipalities, as well as partnerships with international organizations and private companies. In the recent historical period, the Program for Urban Requalification and Resilience in Areas of Socio-Environmental Vulnerability – ProMorar – emerged, as described in figure 1(C). The recent program integrates the municipal management of Recife and resources from the IDB – Inter-American Development Bank and was inspired by the concept of "sponge city", experiences of mitigation of environmental risks in the Netherlands and South Korea, intending to reduce the risks of floods and landslides. Actions are aimed at the construction of 4 "floodable parks" capable of draining excess water and should be developed over 6 years, affecting 40 communities. The Tejiptó River is the main focus, with interventions on the Jiquiá and Moxotó rivers.

**Figure 1** - Spaces of poverty in Recife *versus* intervention areas of the PROMETRÓPOLE (A), Habitar Brasil BID Beira Rio (B) and ProMorar (C) programs



**Source:** The authors, based on the Geographic Information System of Poor Areas of the RMR, 2025.

The first floodable park in the city was the work of the Municipal Authority (URB), in the Ipsep neighborhood, Vila Maria Lúcia, with "95 houses demolished", according to the report on the [apublica.org](http://apublica.org) website, on September 26, 2024, in the "Elections Climate Special" session. The "Campo do Sena" Park is still under construction on the banks of the

Tejipió River, in the Barro neighborhood, in the West Zone of Recife and the Jardim Uchôa, in the Areias neighborhood where another park is planned. Although interventions are ongoing, the participation of the population in the implementation process remains restricted and without much openness for dialogue. According to the same reference in the report on the [apublica.org](http://apublica.org) website, a letter from the residents – signed by the Transform Institute and the Center for Studies and Social Action (Cendhec) – sent to the City Hall demanding transparency in relation to the actions planned in the project, did not receive responses. When the population sent an e-mail directly to the IDB, the Bank's response was a link to a page in English presenting documents in a technical language also in English, a clear action to exclude the affected population from participating in the public policy process.

The recent action of the Municipality of Recife, which through a public auction signed a Private Consortium Contract for the management of four public parks in the city – the parks of Jaqueira, Apipucos and Santana, in the North Zone, and the Dona Lindu Park, in Boa Viagem, in the South Zone – shows the decrease in the role of the State, especially with regard to the management of public spaces. This contract, with a duration of 30 years, symbolizes a growing trend of delegation of state responsibilities to the private sector. From this change, it becomes difficult to make a more in-depth analysis of Recife's urban and housing programs, especially the most recent ones, from a historical perspective, and it is necessary to resort to the tools of immediate history (Marcilio, 2013), such as media news, to understand the ongoing transformations.

In this context, a complex reality emerges, in which the role of the State is reconfigured and power is pulverized in various spheres, whether public, private or even at the level of popular participation (conquered with struggles) in public management. Thus, the notion of "inclusion, but not belonging", proposed by Rancière, only acquires significant relevance when reflecting on the situation in which individuals or groups do not fight daily for their demands and are formally included in power structures, but continue to be excluded from the full benefits of rights and effective participation in society. This is particularly evident when the inclusion of the citizen occurs in a superficial way and without conflict, while he is still aligned, to varying degrees, with exclusion. It is not only about the modernizing action of the instituted power, but also about the historical legitimization of the inequalities and social exclusion that persist on the borders of social indifference. This process reveals, even within seemingly impervious structures, often with a certain porosity

in relation to participation and belonging to society, although limited to a large part of the population – something that, at first glance, aligns with Badiou's critique of exclusion within dominant ideological sets – where the included element resists genuine belonging. However, nothing is genuine or complete or even "absolute", as Castoriadis (1983) points out.

By contrasting with the dynamics of exclusion and belonging, Rancière's and Badiou's theories offer a critical lens through which to examine structural racism in Brazil, which continues to marginalize large portions of the population, particularly black, brown, and indigenous people. But Rancière's abstract idea of "inclusion, but not belonging" becomes particularly a false paradox because inclusion is annulled by non-belonging, approaching the idea of "all or nothing". When this idea is applied to black and indigenous communities, historically inserted in a society that formally includes them in political and social structures, but that continuously excludes them, it is forgotten that there is a historical and complex process of action by these communities, to different degrees, of the real benefits of the development of activities that converge to the conquest and/or expansion of basic rights. Racial exclusion in Brazil is not just a matter of explicit segregation or a subtle and systemic denial of full access to civil, economic and social rights, it goes hand in hand with a history of struggle of the marginalized population. This exclusion is, therefore, a form of "non-belonging" that is not absolute or full, where, despite being physically within the public space, these populations remain on the margins, but fighting and opening areas that are not very permeable, but still spaces for political participation against the unequal conditions imposed by a set of historically constituted deleterious structures.

Participation as a graduation of advances - without the romanticism of plenitude - does not obscure the daily social struggles of resilience and political resistance in the urban scenario and the achievements of this marginalized portion of the population. An example of this is the incorporation of the ZEIS into the Land Use and Occupation Law of Recife, with Law No. 14,511/1983, the ZEIS Regularization Plan (PREZEIS), with Law No. 14,947/1987 (Pordeus, 2006) and the dissemination of this normative instrument throughout Brazil (Nascimento; Bautista, 2016). Social movements and solidarity networks continued to act influenced by the actions of "social struggles for housing and urban land" in the 1980s, "bringing their effects to the present day" through "other forms of housing political deliberation" (Nascimento; Bautista, 2016, p. 199), with the use of technology and



national and international collaborative articulations. These movements have not ceased to have an active voice, despite the limits that the degrees of political participation impose within the management of public life in Brazil.

Moreover, Badiou's perspective on the "event" as something that challenges and disrupts the established order resonates with the need for a radical transformation in social relations and the recognition of the rights of historically excluded groups. Structural racism in Brazil is a clear example of an "event" that still resists being fully recognized and challenged within the dominant political and economic structure, but it is necessary to remember that there is a daily struggle that does not wait for the unusual event.

The ideological system that marginalizes black, indigenous and other minorities is not only a matter of individual discrimination, but a form of totality that is perpetuated over time, being absorbed by institutions and public policies, but never absolutely. For there to be a significant change, it is not necessary to have a transformative event – a restructuring of the social set itself that challenges the norms that sustain structural racism, but a daily and constant struggle towards a greater degree of strengthening of communities in participation and decision-making in all stages of urban and housing public policies. The daily struggle, therefore, is opposed to the event argued by Badiou, because it does not mean an outburst of resistance, where minorities who are often included, but do not truly belong to society, could finally claim and conquer their space of Egyptian belonging. The struggle is constant and vigilant to break the structures of inequalities that still marginalize them, such as an insistent comparison of the popular saying "soft water on hard stone, so much beats until it pierces", that is, small gains that elevate persistence as a virtue, making it possible to face even the deepest and most historical inequalities and social exclusion.

## CONCLUSION

The particular history of the formation of a society is the fundamental starting point of the discussion for the understanding of inequalities and social exclusion, especially in Latin America and Brazil, which have roots in the slave past. As well as the appearance of events that changed the global scenario and influenced the history of the global South in modernizing waves, but maintaining the conservatism of the region. Slavery, especially Brazilian slavery, generated deep inequalities in urban labor in important slave cities during the eighteenth and nineteenth centuries, such as Recife and Salvador. It is noteworthy that



the fact that the Church legitimized inequalities and social exclusion, differentiating devotees and non-devotees, greatly contributed to this picture.

Layers of inequality were generated in all aspects of Brazilian social life and inequality within inequality set the course of the policies that the State and conservative economic and political forces would project in public actions marked by "modernizing" waves. On the other hand, inequalities and social exclusion have made it possible to create relationships of solidarity among the excluded, configuring places of belonging, but also of resistance, resilience and struggle against the system. However, the ambiguities of the relations between the modern state and the slave society created the "second-class citizen" through the "loosening or closing" of the system. The inclusion, even if precarious, but of a citizen included in the system was, above all, to be present not only in the work structure, but in urban and religious life.

The work was intimately focused on the syncretism between Catholic religions and Afro-indigenous matrices, therefore, the second-class citizen was included, belonging, but even so, excluded. These degrees of ambiguity marked the formation of society, which was modernizing itself in a conservative structure, preserving the roots of inequalities and social exclusion. In this sense, the end of slavery (1888) at the end of the nineteenth century and the proclamation of the republic (1889) did not make it possible to completely overcome the system that was crossed by several exclusionary global ideas that deepened racist issues with the legitimacy of science and the global ideas of the time – eugenics and lamarkism – social that were aligned with the idea of "progress" also stimulated by Social Darwinism.

The transformation of the Brazilian Modern State went through authoritarian moments - already present in its slave and patriarchal formation - inspired by totalitarian movements, combining Integralism and Nazism (Estado Novo). The post-World War II period and the horror of the Jewish Holocaust oriented global thinking towards the sphere of Human Rights and the "Constitutionalism of Law" was born in 1949 in Germany. In Brazil, the forgetfulness of conceptual ideas based on "race" was camouflaged by the idea of "racial democracy" of intellectuals, although the practices of social exclusion and inequalities operated in the daily life of society in segregating actions of the State's public policies.

The crises of the capitalist system in the world from the second half of the twentieth century and the consolidation of the Contemporary Constitutionalist movements drove the transformation of the State. It is necessary to deepen how these movements influenced the

interpretations of the new role of the State, which was no longer so totalizing in the main post-war democracies, abandoning the Keynesian ideas of "social welfare" and focusing on Human Rights and the pulverization of their public policy actions. Administrative reforms were important to mark this moment of transformation of the State, also influencing the neoliberal dictatorships of Latin America, especially Brazil.

The Brazilian military dictatorship (1964 – 1985) improved its modernizing discourse through urban and housing public policies and reforms, especially the administrative reform of 1967 along the lines of global managerial theory. The crisis of the Military Regime and the process of redemocratization that culminated in the 1988 constitution became a historical milestone in overcoming the dictatorial regime, but also a philosophical milestone that allowed the deepening of ideas based on the "Constitutionalization of Law" (1949) through the Neoconstitutionalist movement. The post-redemocratization period in Brazil was marked by the centrality of fundamental rights and the rapprochement between ethics and law. However, it was a period mainly of recognition of the normative force of the Constitution and the expansion of constitutional jurisprudence for the development of a new dogmatic that would broaden the debate in Brazil and in the world.

This new State that has deepened in Brazil and in the world – the Democratic State of Law – can no longer be interpreted comprehensively as the totalitarian "Nation-State" of the philosophical thought of Arendt and Agamben, or even inserted in a "totalizing sensible system" or "totalizing power structure" of Rancière and Badiou. The Democratic Rule of Law has undergone historical transformations and presented different projections in recent democracies, according to the particular history of each society. When the State in its historical process is ignored and seen in similar and similar perspectives, such as "Nation-State", "Sensible System of Totalizing Power", "Totalizing Ideological Structure", the anti-democratic and conservative waves or events in confrontation with this same State are joined to the legitimate events or questioning of a part of the excluded population.

The global crisis of democratic values that affected the Democratic Rule of Law, from the first decades of the twenty-first century, in Brazil, was an example of this issue. Dissatisfaction with the State, in general, transformed the legitimate demonstrations against the increase in public transport fares, into an incompleteness of diverse and comprehensive demands against the State that culminated in the "June Days" (2013). Not only underprivileged segments rose up against the constituted power, but also privileged groups of the population and extreme right-wing movements that distilled their hatred

against the State. In Badiou's interpretations, what is the "universal truth" that appears from this event? It is perhaps possible to list that the Democratic State of Law, by emanating its power to decentralize and delegate actions and functions, has become diffuse and difficult to identify. For this reason, comprehensive and philosophical interpretations cannot reach complex problems.

Philosophical interpretations of complex political problems end up incurring incongruities because they do not discuss the particularity and circumstances of the historical event. Happening, as Badiou induces us, is the appearance of a supposed "truth" that, despite the uncertainties of its consequences, is inherent when a totalizing idea or philosophy imposes itself, showing that this thought is not total. Happening is not a philosophical category, much less does it pretend to be a truth that points to value judgment by "revealing" that thought is not this or that. The event is historically and ontologically linked to human existence, so it must be investigated by the presentation of historical sources and constantly reinterpreted by historiography. For this reason, public policies, especially urban and housing policies, are important sources of investigation, as they show the pulverized actions of the State and the growing importance of the city's space within the scope of these actions.

The importance of new subjects that have emerged in the composition of public policies, such as multilateral agencies, Public Consortiums and Private Consortium Management Contracts and the participation of the third sector of Organized Civil Society, such as non-governmental organizations. In Brazil and Latin America, although there is no history of popular collective actions on a national scale, there are stories of many local collective struggles and the popular participation of communities in public policy actions that point to a new configuration of power. The city becomes the showcase of this pulverized and at the same time diffuse power, as in the cities of Latin America, especially Recife, which has a remarkable history in relation to inequalities and social exclusion arising from the past of urban slavery. Therefore, before pointing out the villains or dreaming of improbable utopias, it seems necessary to address this particular history and, at the same time, globalized by the winds or constant waves of "modernization" that have crossed and still insist on overcoming urban ills.

### THANKS

The present study was carried out with the support of the Graduate Strategic Actions Program (PAETE-PG) of the Federal University of Pernambuco (UFPE).

## REFERENCES

1. AGAMBEN, Giorgio. **Homo Sacer: sovereign power and bare life**. Stanford: Stanford University Press, 1998.
2. AGAMBEN, Giorgio. **Means without end**. Minneapolis: University of Minnesota Press, 2000.
3. AGUILAR FILHO, Sidney. **Between integralists and nazis: racism, education and authoritarianism in the Sertão of São Paulo**. São Paulo: Alameda, 2021.
4. ARAÚJO, Luísa; RODRIGUES, Maria de Lurdes. Models of analysis of public policies. *Sociology, Problems and Practices*, [S. l.], n. 83, p. 11-35, 6 Feb. 2017. Available at: <http://journals.openedition.org/spp/2662>. Accessed on: 21 set. 2024.
5. ARENDT, Hannah. **Between the past and the future: eight exercises on political reflection**. Translated by José Arthur Giannotti. 2nd ed. São Paulo: Perspectiva, 2011.
6. ARENDT, Hannah. **The origins of totalitarianism**. New York: Harcourt Brace Jovanovich Inc., 1973.
7. BADIOU, Alain. **Metapolitics**. London / New York: Verso, 2005.
8. BALTAR NETO, Fernando Ferreira; TORRES, Ronny Charles de. **Administrative Law**. Salvador: Editora JusPodivm, 6th ed., Vol. 09, 2016.
9. BARROSO, Luís Roberto. Neoconstitutionalism and constitutionalization of law. The late triumph of constitutional law in Brazil. *Jus Navigandi*, Teresina, year 9, n. 851, 1 nov., 2005. Available at: <http://jus2.uol.com.br/doutrina/texto.asp?id=7547>. Accessed on: 21 set. 2024.
10. BERNARDES, Juliano Taveira; FERREIRA, Olavo Augusto Vianna Alves. **Constitutional Law**. Salvador: Editora JusPodivm, 6th ed., Volume I, vol 16, 2016.
11. CASTORIADIS, Cornelius. **Socialism or barbarism: the content of socialism**. São Paulo: Brasiliense, 1983.
12. CAVALCANTI, Ana Cláudia Rocha. *The dissemination of the urban agenda of multilateral development agencies in the city of Recife*. Recife: Thesis (Graduate Program in Urban Development), Federal University of Pernambuco, Recife, 2008.
13. CORREIA, Mariana. In Recife, floodable parks for the climate crisis threaten 40 communities. Special /Election Climate. *apublica.org*, Recife, Publishes member of Ajor – Association of Digital Journalism, September 26, 2024. Available at: [https://search.app?link=https%3A%2F%2Fapublica.org%2F2024%2F09%2Fpromor-ar-da-prefeitura-de-recife-ameaca-comunidades-dedespejo%2F&utm\\_campaign=aga&utm\\_source=agsadl1%2Csh%2Fx%2Fgs%2Fm2%2F4](https://search.app?link=https%3A%2F%2Fapublica.org%2F2024%2F09%2Fpromor-ar-da-prefeitura-de-recife-ameaca-comunidades-dedespejo%2F&utm_campaign=aga&utm_source=agsadl1%2Csh%2Fx%2Fgs%2Fm2%2F4). Accessed on: Nov. 24. of 2024.

14. CRESPO, Antônio Pedro Albernaz; GUROVITZ, Elaine. Poverty as a multidimensional phenomenon. *RAE eletrônica*, São Paulo, vol. 1, n. 2, p. 1-12, jul. – dez. 2002. Available at <https://www.scielo.br/j/raeel/a/LVPkw9yHZfJ9kvjC8VSgTsh/?format=pdf&lang=pt>. Accessed on: Dec. 20. of 2024.
15. De SOUZA, Flávio Antonio Miranda. **Pride and Shame: The History of the Slums in Recife, Brazil**. In Alan Mayne (ed.), *The Oxford Handbook of the Modern Slum*, London, online edn, Oxford Academic, p. 126-145, 16 aug. 2023. Available at: <https://doi.org/10.1093/oxfordhb/9780190879457.013.7>. Accessed on: Dec. 20. 2024.
16. GONÇALVES, Ana Caroline. *The financialization of real estate capital and large urban projects: implications in the production of contemporary urban space in Goiana and São Lourenço da Mata in the Metropolitan Region of Recife*. Recife: Thesis (Graduate Program in Urban Development), Federal University of Pernambuco, 2017.
17. HEAD, Brian. Wicked problems in public policy. *Public Policy*, Perth, Australia, v. 3, n.2, p. 110-118, jan. 2008. Available at: <https://espace.library.uq.edu.au/view/uq:167582>. Accessed on: Oct. 24. 2024.
18. HEMEL, Ernst Van Den. Included but not belonging. Badiou and Rancière on human rights. *Journal for Contemporary Philosophy*, Krisis, Issue 3, p. 16-30, Dec. 19. 2008. Available at: <[www.krisis.eu](http://www.krisis.eu)>. Accessed on: 30 nov. 2024.
19. MARCÍLIO, Daniel. The historian and the journalist: the immediate history between the historiographical craft and the journalistic activity. *Revista Aedos*, UFRGS, Rio Grande do Sul, [S. l.], v. 5, n. 12, 1 de set. 2013. Available at: <https://seer.ufrgs.br/index.php/aedos/article/view/>. Accessed on: 23 out. 2024.
20. MERTON, Robert. **Sociological Ambivalence and Other Essays**. New York: Free Press, 1976.
21. MILFONT, Magna; CAVALCANTI, Rafaella; MONTEIRO, Circe. Historical routes of religious festivals in Recife: discovering relationships between lines, movements and urbanities. *Journal of Urban Morphology*, v. 12, n. 1, p. 1-23, 25 Mar. 2024. Available at: <https://doi.org/10.47235/rmu.v12i1.359>. Accessed on: Dec. 30. 2024.
22. MILFONT, Magna Lícia Barros. *Urbanity in the eighteenth century: Vila do Recife and Arraial do Tijuco*. 2010. Recife: Thesis (Graduate Program in Urban Development), Federal University of Pernambuco, 2010.
23. MILFONT, Magna Lícia Barros. *Caminhos das águas: o transporte fluvial no Recife, 1835-1860*. Recife: Master's Degree (Graduate Program in Urban Development), Federal University of Pernambuco, 2003.
24. MOTTA, Rodrigo Patto Sá. **Present pasts: the 1964 coup and the military dictatorship**. Rio de Janeiro: Zahar, 2021.
25. NASCIMENTO, Manuela Maria Pereira do; BAUTISTA, Diana Carolina Gómez. Popular housing and "social interest" in Recife: from the social league against the



- mocambo to the persistence in the passage to the large housing complexes. *Revista Movimentos Sociais e Dinâmicas Espaciais*, Recife, v. 05, n. 02, 185-210p, 15 de dez. 2016. Available at: <https://dialnet.unirioja.es/descarga/articulo/5842650.pdf>. Accessed on: Jan. 18, 2025.
26. PORDEUS, Marta Santa Cruz. *Urban Requalification, Development and Freedom: the housing complex of Torre*. Recife: Master's Degree (Graduate Program in Urban Development), Federal University of Pernambuco, 2006.
  27. RANCIÈRE, Jacques. **Disagreement: Politics and Philosophy**. Minneapolis: University of Minnesota Press, 1999.
  28. RANCIÈRE, Jacques. **The Politics of Aesthetics**. New York: Continuum, 2004.
  29. RANCIÈRE, Jacques. **On the Shores of Politics**. London / New York: Verso, 2007.
  30. REIS FILHO, Nestor Goulart. **Contributions to the study of urban evolution in Brazil (1500-1720)**. São Paulo: University of São Paulo, 1968.
  31. REIS, João José. **Winners: the black strike of 1957 in Bahia**. São Paulo: Companhia das Letras, 2019.
  32. SCALON, Celi. Inequality, poverty and public policies: notes for a debate. *Contemporânea – Revista de Sociologia da UFSCar*, São Carlos, n. 1, p. 49-68, jan. – Jun. 2011. Available at: <https://www.contemporanea.ufscar.br/index.php/contemporanea/article/view/20>. Accessed on: Nov. 20, 2024.
  33. SAFRANSKI, Rüdiger. **Heidegger, a master of Germany between good and evil**. São Paulo: Geração Editorial, 2000.
  34. SEN, Amartya Kumar. **Development as freedom**. São Paulo: Companhia das Letras, 2000.
  35. SOUZA, Arnaldo. *The Brazilian countercurrent in the global reconfiguration of the management of essential services: the context of the formulation of the Sanitized City Program in the metropolis of Recife as evidence*. Recife: Thesis (Graduate Program in Urban Development), Federal University of Pernambuco, 2024.
  36. SOUZA, Celina. Public policies: a literature review. *Sociologias*, Porto Alegre, v. 8, n. 16, p. 20-45, jul./dez. 2006. Available at: <https://www.scielo.br/j/soc/a/6YsWyBWZSdFgfSqDVQhc4jm/?format=pdf&lang=pt>. Accessed on: 20 Oct. 2024.