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IN THE BOOK *“CENA DE RUA”, KIDNAPPED CHILDREN’S LIVES: IS IT POSSIBLE TO RESIST?*

Roselene de Fatima Coito

PhD Teacher in “Literary Studies” at “Universidade Estadual de São Paulo” “Júlio de Mesquita Filho” (UNESP-CAR). Professor at “Universidade Estadual de Maringá” (UEM) in undergraduate and graduate courses in Literature. She coordinates the Research Group on Reading, Discourse Analysis and Images (GPLEIADI – CNPq – UEM).

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Abstract: In the picture-book “Cena de rua” (1994), by Ângela Lago, we have a narrative in which a child lives selling in the streets and goes through several situations of abandonment and neglect of society in front of his life. Starting from some scenes in this book and a photograph from the newspaper “Tribuna do Norte” (2013) in which people act as if they were a power of judicial practice that tells the truth about this (these) subject(s), we will analyze how the images operate on a saying/show that triggers the kidnapping of the lives of children who find themselves in social vulnerability.

Keywords: biopolitics; images; panoptism; popular justice.

INTRODUCTION

At the time of re-democratization in Brazil, the Statute of Children and Adolescents (ECA) was formulated, which was decorated by the United Nations and continues to be the main reference for the rights of minors under 18 years of age. The ECA contains 267 articles, having as its starting point the “doctrine of integral protection”, that is, the principle that children and adolescents must be protected and assisted by the State, by the family and by society, with priority and guarantees of rights guaranteed by the Constitution to all Brazilians, such as the right to life, health, leisure, dignity, culture and freedom. The ECA is the legal basis in Brazil for any measure, intervention or discussion on the rights of minors under 18 years of age, including the prohibition of work for minors under 14 years of age. However, this is not the reality in which around one million Brazilian children and young people live, who have their lives hijacked by the misery that forces them into child labor, often even slave labor.

Starting, then, with images of this reality, we will bring, as a corpus of reflection and analysis, two scenes from the book-image “Cena de

rua” (1994), produced by the writer and designer Ângela Lago, aimed at children and youth, and a photograph from the newspaper “Tribuna do Norte”, from 2013, in which a young woman appears selling products on the streets. We clarify that we will not consider the differences between the supports in which these materialities are established, nor the differences between the discursive genres in which these materialities occur, since our focus is to deal with the image as operations that unsettle the eye(air) and which constitutes the “between” that maintains the here and there as a methodological procedure that will support the proposal of this reflection, because, according to Rancière (2012), reaching the sensitive universe through the image requires that we seek the way in which we can relate them, distinguishing, in them and through them, the reality from which they depart.

The objective of this reflection and analysis is to understand the functioning of society in the face of this picture of child labor through these images, taking into consideration, that thinking about the productive force is to question how the subjects’ time is kidnapped, since Foucault proposes: “How to make time, from men’s bodies, from men’s lives something that is productive force. It is this set of mechanisms that is ensured by the institution of kidnapping” (2002, p. 122). Although the French philosopher takes the kidnapping of time by institutions, such as school, prison, among others, here we take the productive force more than the kidnapping of time. In other words, we understand it as a kidnapping of lives, in view of the social situation in which these children and adolescents find themselves.

To know that there is a legal basis that provides for the full protection of these children and adolescents, the ECA, the uneasiness in the face of this situation in which Brazilian society is inserted in relation

to these subjects, leads us to ask: is it possible to resist?

To try to suggest a possible answer to this question, we will start with Michel Foucault, when the philosopher deals with the book “Verdade e formas jurídicas” (2002), more specifically with the V Conference, on the ‘Birth of Biopolitics’, class on 08/08 02/1978, which is in the book “Segurança, Território, População” (2008), when the scholar points out the ways of governing, and of “Popular Justice”, one of the discussions he proposes in “Microphysics of Power” (1979).

FROM (BIO)POLITICS TO POPULAR JUSTICE: GOVERNMENTALITY MANEUVERS

When Michel Foucault proposes the study of governmentality, his objective is to approach the problem of the State and the population. From the global point of view, he starts from the outside to understand how the technologies of power occur, which establish a field of truth with objects of knowledge, such as, for example, the psychiatric hospital that establishes what madness and prison that is inscribed in strategies and tactics that are supported even in the functional deficits themselves, institutions in which, when naming/categorizing subjects in the domains of knowledge, subjectify them as subjects that must be separated from social life.

Thinking, then, in these fields of knowledge, the meanings of words, the philosopher argues that it is not the State that is governed, it is not a territory or a political structure, but people, men, individuals or collectivities. According to Foucault (2008), the idea of a government by men must be sought in the pre-Christian and Christian East as a power of the pastoral type and, later, in the form of the direction of conscience and souls, in the conduction of leading his sheep, a pastoral power that is individualizing that deals with everyone and

at the same time with each one, different from the Greek and Roman power that is over the territory. However, it was only in the 16th and 17th centuries that governing began to take on a more rigorous political and state meaning. However, at the end of the 17th and beginning of the 18th centuries, there is a crisis of the pastorate through specific struggles such as resistance to conduct, which are intertwined with other conflicts and other problems, such as political revolts against the Sovereign power and the economic revolts against exploitation. It was, then, in the eighteenth century that there was a change in the art of governing, according to Foucault.

Also according to the philosopher (2008), in the 18th century, a principle of limitation of the art of governing was established, which consisted of an internal regulation of the rationality of governing, a regulation that established certain rules in the conduct of governmentality, such as: not doing what appropriate, for the government to impose itself, focus on objectives and the means to achieve them, define and position itself as governed and governing and in relation to other governments. Therefore, what governmental reason will self-regulate is political economy, which proposes the enrichment of the State and the growth and adjustment of the population.

In this governmental rationality that occurs through the bias of political economy, a certain regime of truth is introduced, marked by the articulation, through practices, of a certain type of intelligible discourse articulated by the one who can legislate on these practices in terms of true or false, not questioning whether these practices in terms of law are legitimate or not, since it is not legitimacy that must prevail, but success. So, according to Foucault (2008), in this modern governmental reason, politics and the economy are demarcated by the true and the false that makes the

government say “I accept, I want, I project, I calculate”, thus establishing what is meant, the from the second half of the nineteenth century, as liberalism. Foucault “suggests” that it was only from liberalism that one could apprehend biopolitics, which traces the model of homo economicus, which according to Locke, apud Foucault, is a subject that appears as a subject of individual options, at the same time, irreducible and non-transferable. They, the options, as proposed by English empirical philosophy, are what is called interest, which appears as an unprecedented and subjective form of will, which is given as an empirical principle of the contract. This is structured legally, because at the same time that it has an interest for there to be a contract, it makes the subject, a subject of law, which accepts the negativity, in renunciation of itself, while the subject of interest, permanently extrapolates the contract, making the logic between these two subjects not the same.

Therefore, in market analysis, which is contrary to the contract and which never asks the individual to renounce his interest, the collective good must not be sought, because it cannot be calculated within an economic strategy, considering that the political economy is a type of knowledge that as a science cannot be the science of government. However, according to Foucault (2008), the physiocrats see changing the nature of government activity as a solution, as long as it is not a market-related activity. In view of this, the new field of governmentality becomes the exercise on civil society, “whose rational measure must be legally indexed to an economy understood as a process of production and exchange” (2008, s/p), which thus like *homo economicus*, it is part of the technology of liberal governmentality.

Still, according to Foucault (2008), throughout the second half of the eighteenth century, the notion of civil society will be

presented from different angles and variants, but what will torment political thought from the eighteenth century to our days are the relations between society civil society and the State, which will appear as one of the dimensions of civil society - family, servants, property and as a redistribution of governmental reason, which in the modern world takes place through “a whole series of rationalities that overlap, support, contest each other, fight each other” (2008, s/p), that is, a series of rationales that trigger what can be understood as politics.

We can say that, in the dimensions of civil society and in the rationalities of the governmentality of/in the modern world, the exercise of power is established with greater emphasis as a panoptic exercise and that the effect of what this same civil society understands as popular justice occurs as a form of court.

In the book “Verdade e formas jurídicas” (2002), more specifically in the V Conference, the French philosopher approaches panopticism as one of the characteristic traits of our society, because, according to him, panopticism.

it is a form of power that is exercised over individuals, it is a form of individual and continuous surveillance, in the form of control, punishment and reward and in the form of correction, that is, of formation and transformation of individuals according to certain standards. This triple aspect of panopticism, surveillance, control and correction seems to be a fundamental dimension of the power relationship that exists in our society. (2002, p. 103).

Still according to Foucault (2002), this exercise of vigilance, control and correction that is exercised over individuals, if it is done in what one is, in what one can do, disregarding the nature and penal qualification of the act itself, does not only as a power that is exercised abroad – through institutions that

he takes as kidnapping – hospital, prison, school, factories – but that this panoptic exercise of power “passes through gestures, passes through feelings, passes through the individual’s body (the eye of power). (FOUCAULT, 2002, p. 107). By passing through the individual’s gestures, feelings and body, the panoptic exercise of power hijacks men’s time by the production apparatus, which hijacks their time of life and existence and makes the judicial instrument utopian for never come true and makes capital, the utopia that comes true.

According to Michel Foucault (2002), this panoptic power is refined over the course of the 19th century, as the measures taken by governmentality will be to supply the parties and reduce rest time, as a way to increase production and, consequently, capital. In this sense, according to the philosopher, the body acquires another meaning. The body must acquire aptitudes, qualities and show itself capable of working, finally becoming a healthy work force. This body, as a productive force, is appropriated by institutions that see their model in legal forms, duplicating itself in arbitrary forms, bearing in mind that there is a paradox in these forms if one thinks of the theory of criminal law, which apparently has a rigorous rationality, but which in the prison system functions more as an exemplary symbolic system than an economic and/or corrective one.

In this line of thought, Michel Foucault, in a debate with Maoist militants, questions popular justice and the court, since in June 1971 there was a project for a popular court to judge the police (1979, p.39).¹ In this debate, Foucault points out his concern about taking popular justice as a form of court as the Maoists understand it, in the case of Victor, his interlocutor, starting from the situation in China, where first there was a proletarian revolution of the peasants and, later, the

1. footnote information.

formation of the Red Army, which Victor takes as an instrument of unification of the masses and where acts of popular justice are grounded and disciplined and that different possible acts of revenge are in accordance with the law.

Foucault, who starts from the Popular Court that functioned during the French Revolution, understands that the popular court of that historical moment in France tended to be a third instance, that is, this court was formed by the bourgeoisie in power and the petty bourgeoisie (small landowners, craftsmen), which made a dominant class ideology work, bourgeoisies that killed people condemned by the Old Regime, killed prostitutes among others, acting just like the judicial body of the Old Regime. That is why, for the philosopher, one must not start from the form of a court to think about popular justice, since for him the court “is not the natural expression of popular justice but, on the contrary, has the historical function of reducing it, dominate it, suffocate it, reinscribing it within institutions characteristic of the state apparatus” (1979, p.39).

Michel Foucault, by proposing that the court can be the deformation of popular justice, rescues a little of the history of the judiciary State apparatus in the Middle Ages, a period in which doing justice was profitable and where justice was aligned with the armed forces, mechanisms in that the legislation of the time criminalized beggars, idle vagabonds, thus producing the embryo of the judiciary State apparatus. So, for the philosopher, in Western Europe it is understood that the act of popular justice is anti-judicial and opposed to the very way of governing (1979, p. 43).

In this debate between Foucault, Victor and Deleuze, Foucault highlights the difference between the Revolution in Western Europe, more specifically in France, and the Revolution in China and claims that the penal system

had the function of opposing proletariat plebeians to non-proletariat plebeians, taking into account given that “Criminal justice was produced neither by the plebs, nor by the peasantry, nor by the proletariat, but purely and simply by the bourgeoisie, as an important tactical instrument in the game of divisions that it wanted to introduce” (FOUCAULT, 1979, p. 56). With this argument, the French philosopher builds the defense of his “thesis” that popular justice cannot reach its fullness through the establishment of a kind of court, a symbolic form that the bourgeois State apparatus of justice established, but of a procedure which is controlled by the masses themselves. That is why, according to Foucault, “the reuse of a form like that of a court, with all that it implies – position of the judge as a third term, reference to a right or equity, decisive sentence – must also pass through the sifted by a very severe criticism;...” (1979, p.68).

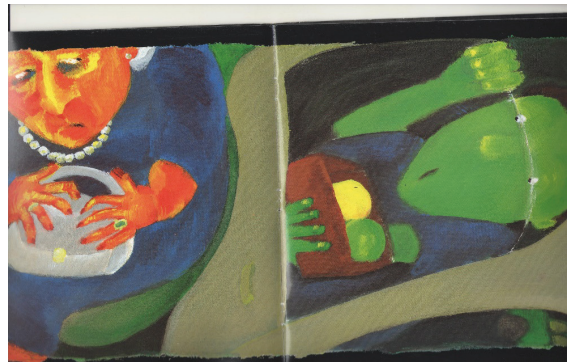
Faced with this post, we can say that throughout the historical process of Western society, the arts of governing have always been closely linked to the exercise of power, which, in the approaches outlined by Michel Foucault and listed here, show how the mechanism of governmentality works. and its maneuvers, which become subtler and structure Western societies as places that, from the 18th century onwards, generate lives that are kidnapped in the name of capital.

**THE SAYABILITY OF IMAGES:
ARTICULATIONS OF THE (IN)
VISIBILITY OF SOCIALLY
VULNERABLE CHILDREN.**

As we saw in the introduction, we will bring images from the picture book produced by the Minas Gerais writer Ângela Lago, in 1994, aimed at children and youth, and an image (photograph) from “Tribuna do Norte” newspaper, published in 2013. these images are about the reality from which they

depart, we question whether from what they say it is possible to resist, considering that they say about children who sell products on the streets.

The first image selected is from Ângela Lago’s picture book entitled “Cena de rua”. The narrative produced through images traces the daily life of a boy who sells fruit on the streets and how society sees him in his invisibility. For this purpose, we selected two images that seem quite significant for the purpose raised here. The same goes for the image (photograph) from the newspaper “tribuna do Norte”, published in 2013. Let us start, then, with the image from the book “Cena de rua”, where the child selling fruit on the street is faced with a lady inside of the automobile.



Book “Cena de rua” (1994, s/p)

As we can see in the image, the lady appears to be from a more affluent social class, through her clothes and accessories, and by the position she is in the car, it is assumed that she has a driver. While her look is one of distrust and her gestures are one of fear, the child’s is one of astonishment. Both look at each other and in that look of estrangement, a saying about this child subject is established that unsettles the reader’s gaze. It unsettles the reader’s gaze, because the gaze of the lady who appears wealthy in the image is given as the eye of power, that is, as the panoptic gaze that watches over, controls from what one does in what one is. In other words, due to

the fact that the minor in social vulnerability occupies a space – the street – that the ECA must not be occupying, automatically, he is subjectivated by the look and gestures of the lady, as a marginal, a bum, putting into operation, in the words of the image, the look and gestures like a judge who gives the verdict on this child, even if the image shows that this boy approaches the car to sell his product. In this sense, we see that civil society plays the role of the State that gives meaning to this body, which in the governmental rationality is productive, but which is, at the same time, a hindrance. We have, then, a paradox: The Statute of Childhood and Adolescence (ECA) appearing as a utopia and the liberalism that takes place in capital, hijacking the existence of this child subject. The same happens in the following image, which is a photograph from the newspaper ``Tribuna do Norte`` (2013).



<http://www.tribunadonorte.com.br/noticia/recolhimento-provisorio-de-criancas-nao-seria-solucao/205113>. Access: 07/15/2022.

In the second image, the photograph, the uneasiness of the look occurs when seeing the young woman who also sells products on the street looking into the car, which has all the windows closed, and is also subjectivated as a possible dangerous person.

Contrary to the image in the book, which shows who is inside the car, in this photo, in addition to not seeing the driver, the car is popular, showing that the bourgeoisie, when

creating criminal law, aimed to throw the masses against the mass itself. In other words, proletarianized and non-proletarianized plebeians, as Foucault asserted.

In the interweaving of these two images, both the lady in the first image and the driver of the car are inscribed as the eye of power or the former minister of police who was the eye that led to the sovereign the likely criminals and vagabonds of that place. In other words, in both images that start from the same reality, children in child labor, there is in the lady and the driver of the car, a judgment about who these children are, like a judge, who, according to Foucault, is the third person who will give the final verdict in the trial, showing that popular justice occupies the place of a court, which dominates, suffocates and deforms what the Statute of Childhood and Adolescence provides, which has as one of its principles the right to health, life, leisure and education, as the establishment of a truth about who these subjects are, as a principle of social justice that differs from that “popular justice” that has the practice of behaving like the Judiciary State that has appropriated one of the dimensions of civil society, such as family, property and servants.

If in the first image, the lady who appears to be from a more affluent class presents herself through her look and gesture as the “look of power” due to the place she occupies in society and for being legitimized by this same society as a judge, in the second image, in which the driver is not visible, but the popular car he occupies triggers the maneuver of governmentality that pits the proletarian commoner against the non-proletarian commoner. However, in both images, we have that, for civil society, these children who sell products on the streets are its enemies. In this sense, the images say that these subjects must remain invisibility, because when they become visible, they will produce uneasiness,

not because there must be social justice, but because there is, in the political instance, a criminal justice that serves as a tactical instrument in the game. of divisions of/in civil society, as we can also see in the image of the book “cena de rua”, just below.



Book “Cena de rua” (1994, s/p)

This image taken from the picture book constitutes the part where the narrative ends. However, it is necessary to point out, briefly, some previous scenes. From the first scene, the boy who sells fruit on the street receives the look of discomfort from the citizens who pass by him in cars. This nuisance appears as a look of social hindrance, as we saw in the first image selected here, as well as in images that talk about how adults act in the face of nuisance. In one of the images, a man driving past him steals his fruit box, which also served as food for the boy when he couldn't sell the fruit. Just to illustrate this description, we bring the image:



Book “Cena de rua” (1994, s/p)

After this theft committed by the citizen, without his box of fruit, in an act of desperation, the boy steals the box from a passing car and runs away, as highlighted in the previous image above. At this moment when the boy steals the box, the cars surround him and everyone points the finger at him. In addition to the fingers pointed at the boy, we see the expressions on the face and eyes, even the dog, incriminating him, placing him as a marginal and a vagabond, just like the police minister of the Middle Ages who served as the eye of power for the Sovereign.

Here we have civil society, the proletarian plebs functioning as the third role of the penal system, that is, the game of divisions established by one of the dimensions of the State that makes, in the eyes of the proletariat, the non-proletarian plebs to be seen as “marginal, immoral, threatening to society as a whole, the scum of the people, the scum, the thieves”, because, according to Foucault, the penal system “played a constitutive role in the divisions of current society” (1979, p.56). However, according to the scholar, it was not only through the mechanism of the penal system that the bourgeoisie imposed itself on the proletariat, but also through newspapers, literature, the medical field, the anthropology of the criminal, from the second half of the 19th century and the beginning of the XX, considering that these fields of knowledge played a role in certain categories of universal morality as a barrier between it and the non-proletarian plebs.

We see in this scene, in which everyone points the finger at the child as a criminal, the operation of the panoptic gaze of the proletarian plebs on the non-proletarian, as panopticism is a form of power that is exercised over individuals in the form of individual surveillance and continuous, in the form of control, punishment and reward and in the form of correction, which is a relationship

that exists in our society, and this surveillance tends to increasingly individualize the author of the act, not only externally but individually, through gestures, feelings and the individual's body. By the gestures when pointing fingers; by feelings by facial expressions; and for the body of those who incriminate and of the accused.

This “look of power” of civil society that thinks it is doing popular justice, in fact tells us that the proletarian plebs entered the tactical instrument of the bourgeoisie, in the game of division intended by it, establishing itself as a court, in which all they are judges, but they do not realize that they have their time hijacked by capital, which hijacks both their leisure time and, more profoundly, the existence of these lives in vulnerability.

Both in this image and in the previous ones, the restlessness occurs in the relationship between the here – the one who places a voice of authority over the other – and the over there – the one who deserves vigilance, control and punishment, seeing, therefore, in these images and through them, the reality from which they depart, that is, how power is exercised in our society.

FINAL CONSIDERATIONS

In this text, we try to reflect, from Foucault's thought, how since the 18th century the arts of government are given, considering that it was in the middle of this century that movements of governmentality in western society began to be structured. To do so, we bring notes from the French philosopher to understand how lives are managed within a liberal system that solidifies in the second half of the nineteenth century, since, in the eighteenth century, the physiocrats foresee in the governmental rationality, the market and not the government, bearing in mind that for them the collective good must not be sought, since political economy cannot be the science

of government, which will regulate itself and must exercise its power over civil society. In this rationality that extends to the present day, in an economy of production and exchange, in which the homo economicus (a technology of the liberal government) does not appear as a subject of law, but as a subject of interest, even going beyond the law itself, we see that a whole series of rationales that trigger what politics is, it shows how the relationship between civil society and the State takes place, which in one of its dimensions appropriates the family, property and servants, as we have already discussed previously.

So, in this “imaginary” that the proletarian plebs, which in our society we could understand predominantly as the middle class, has of family, property and servants, it was an “art” well-orchestrated by the appropriation of the State over civil society, since we were able to verify that the gaze that is established on these children, the gaze as the eye of power, the panoptic gaze, fulfills the function of the bourgeoisie when it created criminal law, with the aim of confusing the masses and that these – proletarianized and non-proletarianized commoners play the power game. In other words, both the proletarian and the non-proletarian have their time hijacked by work, which demands of their body a body-machine of production in exchange for a salary (the proletarian) or help (the non-proletarian), satisfying in a neoliberal “regime” what they believe to be social justice, but which serves to serve capital. Therefore, Foucault warns us that it is only possible to understand what biopolitics is, from the emergence of liberalism in the second half of the twentieth century. However, the same question posed in his texts about the Sovereign and his subjects, now understanding the sovereign as capital, we ask ourselves: who has the right to live or die in modernity? Do those who attend to the kidnapping of their time have the right to live?

It is the mass that sees its enemy in the mass, as in the last two images we saw, and that sees as social justice what will serve capital, which is a utopia that comes true, contrary to the ECA that does not come true or that does not is fully realized, and, at the same time, the mass that establishes the eye of

power as popular justice, be it a police eye or a kind of panopticon that watches over, controls and punishes.

Therefore, the unanswered question: how can vulnerable children resist the eyes of power when what is at stake is the hijacking of their own existence?

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