Peripheral Epistemology and Access to Justice

Critical theory conceptualized from the territory and its corporeal, subjective and physical dimensions

Jailson de Souza e Silva, Fernando Lannes Fernandes and Heloisa Melino

| Brazil |

Peripheral epistemology (PE) is a reference in the field of knowledge production which directs all areas of UNIperiferias' activities, for research, training, and dissemination. In research conducted by the Centro Migração para o Desenvolvimento e Igualdade (Migration Centre for Development and Equality - MIDEQ) on Haitian migration in Brazil; *ethnic-racial and gender relations in secondary education* — research conducted in partnership with Instituto Unibanco at eight educational units in the states of Goiás and Piauí —; Escuta —focused on training a grassroots curatorship, in partnership with the Instituto Moreira Salles (IMS) —; Seja Democracia — area of political education directed towards people from periphery areas, at 131 centres and seven hubs, present in eight states and 65 municipalities. In effect, *peripheral epistemology* is the editorial axis of *Periferias* — the publishing house which has produced 25 publications in a catalogue in four years, in addition to nine editions of *Periferias* — a digital and printed journal which was first published in 2017 — the year in which UNIperiferias started its activities in Maré, Rio de Janeiro. In 2018, IMJA held the Mestre das Periferias (Master of the Peripheries) ceremony, an award which paid tribute to Ailton Krenak, Conceição Evaristo, Nêgo Bispo, and Marielle Franco (in memorium). These people are masters from other premises, paradigms, and territories — favelas, indigenous villages and quilombos. Acknowledging them and constructing joint efforts with various civil society organisations was materialisation of the essence which PE proposes. In 2023, five years after the first edition, once again Mestre das

Periferias will celebrate the institution's main proposition: disseminating the paradigm of the *potency of periphery areas*. The ceremony will be held in Rio de Janeiro in November.

The adjective *peripheral* forms the concept for no trivial reason: the starting point of epistemology is these territories, and their corporeal, subjective, and physical dimensions. A project under construction, PE is an initiative of people with different life stories, career, interests, and bodies, related by the same belief that the revolutions possible in the contemporary world have subjects and spaces constituted outside of the central dynamic favoured by the dominant powers at its centre. Within this framework, PE is a toolbox, so that we may discover and learn and, at the same time, propose and (re)construct new ways of life, both within the singular/subjective and social domain in general.

Social inequalities are historic, undergoing transformations in relation to the subjects and nations in hegemonic positions of power. However, since creation of the historic bases of the development cycle of capitalism as a world system, the same groups of people are exploited, expropriated, less secure, and viewed as disposable. Very little has changed in the last five centuries, and part of the problem resides in the way it is conceived, and the premises which support the search for solutions.

With the objective of dealing with this reality, PE has authors, and distinct ontological and epistemological references, whether in corporeal, geographic, and/or social terms. They are in different parts of the planet, and we, in Brazil, feel part of this immense network, marked by a high level of spontaneity and fundamental assumption: the belief in the full dignity of humanity, and daily systematic work, to make visible and strengthen this potency.

PE is a way of thinking, organising, and acting. We are not the only ones on this path, nor do we profess an absolute truth – which is far from being in place. Often, we walk without knowing our destination, but towards a world in which a full, loving life with solidarity is an achievable reality for the group of populations, particularly those who have become disposable in the capitalist system. We recognise the need to be flexible, and open to changes on the routes on these selected paths, as part of the instability of

dreaming/planning worlds which only exist in the domains of desire, thinking, and the symbolic, or the materiality of small groups dispersed around the planet.

PE is inserted in a framework of critical and decolonial world theories which intend to be a destabilising source of hegemonic readings. Like all thinking which is assumed to be critical, they are traversed and conducted by ethical, political, and theoretical concerns, which aim to contribute towards emancipatory social transformation. It assumes that, more than ever, outlining dialogues from a Eurocentric perspective in Brazil, does not call the status quo into question in any field, particularly racial. In addition to political prejudice, there is damage to an adequate understanding of Brazilian social reality processes. We recognise, and engage with, the knowledge established by European authors, particularly criticism of the hegemonic order, but they are insufficient for us to understand our country, and those of our neighbours. Therefore, where applicable, a reappropriation process of European conceptual and critical categories is required, from the territorialities of Brazil and Latin America.

Thus, at UNIperiferias we have held discussions with authors involved in social emancipation processes, which also expose the effects of colonialism, imperialism, and the coloniality of power and knowledge, although they may not use these terms. The dialogues are possible from the perspectives of margins and blurring borders, calling upon appropriate subjectivities, willing to be supported on the limit of language structure, and the concern prompted by being in this place, withstanding destabilising tension, in the active search for worlds that could mean new languages and new meanings. We seek to challenge the traditional assumptions of “knowledge”, “expertise” and “reason”, also of “unlearning” and “dis-educating” the traditional, to propose new ways of thinking and understanding.

Conversations on the periphery

We begin the discussion from a reinterpretation and reconception of the periphery, such as how the favela has been reinterpreted and reconceptualized through recognition of solidarity, sociability, common use of public space, construction of a set of activities, mainly cultural, but also architectural and social, from the construction of parties, experimentation, the value of abundance, and common place. Here, foremost, the favela is recognised and affirmed, for its place of potency, and innovative way of living.

The hegemonic representation of the favela is associated to the periphery with the same connotation: the idea of absence, precariousness, a lack, mainly of access to equipment, services, and income. Traditionally, the idea of periphery is directly related to that of a centre. Thus, by definition, it is a subaltern, provisional place, whose meaning should be to seek the centre as the model, inspiration, and port of entry, almost like an evolutionary process.

In this context, we seek a perspective supported by the efforts to give new meaning to the concept, maintaining the term “peripheries”. Since the people of Brazil, from the peripheries, particularly those who are more aware of their origins and place in the city, value the term “periphery”. They understand that they *are* from the periphery, and use the term in a process of constructing a political identity. Thus, we understand that we cannot simply say that we are “just humanity”, or “just a city”. This abstraction ignores the existence of a socio-territorial process of inequality and differences, whose material base is unequal access to urban equipment, services and income, and produces new materialities and references in the field of the symbolic.

Our concept of periphery, as in the favelas, assumes that there are other possibilities of life in the city which stem from alternative ways of co-existence in relation to neighbourhoods with greater access to urban assets. This is the fundamental idea. We want, effectively, to appropriate ourselves with the idea of periphery from a revolutionary perspective, and break with the idea that the “centre” is the ideal of construction and co-existence with the city. In fact, we affirm that the peripheries are increasingly “central”, blurring dichotomous barriers between the periphery and the centre, recognising that the peripheries are, par excellence, spaces with a great potency to (re)construct life in the city, or more plural and

egalitarian ways of life.

Conversations about epistemologies

Within the scope of PE, we will now address our concept/term of “epistemology”. Traditional epistemology is based on concepts – basically, ordered systematic ideas on the level of thinking, focused on specific aspects of reality. This is, in itself, a chaotic group, with immense, plural possibilities to be appropriated, in a wide variety of forms. The concepts order this process of “proximity” of the real, enabling impressions and perceptions to be ordered in specific ways, in accordance with established theory systems.

The first challenge of epistemology is to discuss which elements are the basis for constructing knowledge of reality. Historically, epistemology appeared to be established, which could not be any different from the model created by thinkers who systematised it in the hegemonic context of European society. This model was supported by the strong valorisation of classical rationality, which divides the body, mind and spirit, instead of recognising the completeness of the human experience; belief in the neutrality of concepts and theories; definition of airtight objects of study; language mathematised as a primordial form of expression; camouflage of ethical and political aspects called “universal,” and devaluation of ancestral practises, or those derived from experience.

Therefore, we have a fundamental challenge when we think of a new epistemology, which is to denaturalize and historicise the usual forms of constructing knowledge, and criticising the way institutions behave in relation to them. For this, we should work on preparing an episteme, based on other references, although creating dialogues with classical rationality.

What constitutes peripheral epistemology?

Firstly, PE has the task of helping us in the process of denaturalising the forms instituted by colonial thinking and material structures. We should historicise and territorialise them, thereby unveiling the real state of social, human construction.

Then we should recognise that reality is unlimited. Since when we are interpreting it, our own interpretation interferes in the construction of this the “real” and, thus, the impossibility of completely achieving reality. What we can do is a permanent process of approaching this “reality”, knowing that this process is permanent; there is no point of arrival. PE understands its contingency and lives with the certainty that “not fully knowing” is part of the search for a reality that only has its impermanence as permanent.

Another point is recognition that the symbolic establishes the real, and vice-versa. The forms of representing the real, and how we relate to it, interfere in the construction of the reality we experience. Therefore, we must bring together a wide range of subjects, representations, and practices, in the construction of a research process. This means recognising and valuing other expertise and practices, mainly of subjects who have not been recognised historically for the ways they live and (re)create their lives.

When talking about migration research, for example, we recognise that migrants participate in the production of knowledge, and are also subjects who produce their own knowledge. Thus, in our MIDEQ team in Brazil, our first action was to hire Haitian researchers, since we recognised the epistemic, ethical, and political inadequacy of producing effective knowledge of Haitian migration, without considering the objective and subjective knowledge that actual subjects of the country contribute when they settle in the Brazilian reality.

Another fundamental aspect of peripheral epistemology is surpassing the centrality of cognitive elements in the production of doing/knowing. Cognitive skills help us to construct the entire process of a rational grasp, so that the skills of identifying, relating, comparing, classifying, analysing, summarising, and many others, should be developed, but they do not complete the knowing/doing process.

Therefore, we dare to say that our PE has a minimum of seven dimensions which should be considered in its constitution process, in distinct forms and degrees, in accordance with the process of constructing the proposed investigation: cognitive-rational aspects; political commitment; ethical rigour; aesthetic-corporeal visibility; value of the experience of affection and loving; openness to intuition, for knowledge that is not restricted to a rational vision, which requires recognition of ancestry, of a land-based experience, the connection

which dominates subjective, interpersonal relations and of human beings with nature; and exemption in the search for possibly truths arising from study, and approximation to the object.

We have been discussing the first, rational dimension, until now. We need reason to construct our process of discovery and knowledge. Although it is not the only one, cognitive rationality is important. The second involves political commitment. We are situated, territorialised, peripheral subjects. We produce knowledge, in order to strengthen the rights agenda of the peripheral population, to revolutionise the capitalist reality, our time, and to contribute, so that humanity is emancipated from forms of violence which limit their existential possibilities. Next, we have the ethical dimension. The separation between subject and object, flaunted by Eurocentric rationality, does not exist. We need, particularly in human and social sciences, to always place what is called the “research object” in the position of knowledge producers, without hierarchies. Thus, from the perspective of peripheral epistemology, knowledge is always constructed with subjects; there are no objects of study, simply subjects who take part alongside a process of constructing implied knowledge.

.The fourth fundamental dimension of our PE is the aesthetic dimension. Effectively, they are physical bodies which are discovering, they are not just brains; they are black bodies, peripheral bodies, white bodies, bodies of men, women, non-binary people, cis-heterosexual and LGBTQIA+ people. We know and produce knowledge with our bodies. Furthermore: the people who we engage with in research recognise and categorise us from our individual, actual bodies. Recognising this is vital, in order to democratise knowledge, and enable bodies which are traditionally outside the traditional field of knowledge to have the appropriate conditions to produce social, scientifically recognised knowledge. For example, when we define that we want Haitian bodies in research on the Haiti-Brazil migratory corridor, to produce the knowledge that we sought, we know that these people will interact with other Haitian bodies, and provide their information in another way than that of a Brazilian body. The *bodies talk* in peripheral epistemology. The corporeal dimension materializes life, in its permanent being/doing.

The fifth dimension is affection, which is more than the capacity of being affected. We are

speaking about the dimension of lovingness, empathy, and identification in the construction of knowledge, which wants to improve life, and the world. A generous and loving dimension is required for this, in its more human sense, of communion, which effectively seeks to help to transform reality for the better. This is not just an ethical dimension, since it takes on a radical commitment to transform reality from a loving perspective.

The sixth fundamental element is the dimension of intuition**,** which transcends the insight, or type of intuition recognised by traditional science. It means feeling connected to other beings, feeling a connection with our ancestors and the land-based force. We also produce knowledge from recognition of other forces, other energies, and other wisdom that we are not able to access rationally. There is substantial knowledge laden with ancestry; the energy which dominates human relations and humans' relations with nature as a whole, which the ruling classes have historically persecuted. We seek the opposite of world disenchantment, opening the way towards the intelligibility of many possibilities, to learn and connect to the world.

The seventh dimension of our epistemological perspective involves truth and exemption in scientific investigation. In the classical sense, truth is the degree of possible compliance between the subject who seeks to know the object, and the object itself. However, we recognise that truth is always linked to power. It is power which defines who it is that can, in fact, affirm what is true. The greater the power the subject has of affirming their narrative, the higher degree of knowledge of the truth that they put forward. Therefore, a discussion on the truth is fundamental. Science only has a meaning by seeking the truth impartially, recognising its conditioning plurals.

Peripheral epistemology is put forward as realistic, since it is supported on the relation with reality, on actual experiences. It is objective, since its contours and contents are explicitly defined. While classical epistemologies masked their political contours and purpose with universality, peripheral epistemology works with actual experiences, as they were, and are experienced by humans and all their differences. Concurrently, PE is thinking-doing, since it blurs the borders of what classical epistemology separates as dichotomies – o theorising and acting.

We hope that the preliminary considerations on peripheral epistemology introduced in this article, allow an understanding of the political, pedagogical, methodological, ethical and aesthetic project with which we have sought to construct our activities, as MIDEQ partners in Brazil. We highlight that PE, as decolonial epistemology, is always open to challenges, developments, and elaborations. Considering that we live in a world that seeks to silence and erase diversities and stories, openness to dialogue is more than fundamental in the search for other worlds.

Access to justice beyond formal institutional mechanisms

Access to justice in the context of migrations is addressed by UNIperiferias not only from formal, judicial and legislative mechanisms, but recognising the potency of the peripheries, and the pedagogy of co-existence, for us to build alternative worlds in which the diversity of forms of life are validated as a positive attribute of human plurality.

Within the scope of Global South migrations, the need to build bridges to combat the stigmas and discriminations of Brazilian society is a prerogative. These bridges are the potency to construct alliances/coalitions, or confluences, so that we may obtain a fairer and more egalitarian society for everyone.

The Brazilian legal system, c*ivil law*, means that, primarily, it is the rules, standards, decrees, regulations, administrative practices, and other regulatory instruments, which mean “the law.” However, the customs, traditions, social habits, and historical exploitation systems, mould these regulatory structures, and application of the law; the rules influence, or have the potential to alter social relations. It is a complicated system, since it transforms “the Law” into an outdated system, when, in fact, it needs to be dynamic, and aware of the social fabric, so it can be used to combat systemic injustices.

In contemporary society, every person who is born with life and, at birth, is human, and it is stated that we have an endless number of rights and duties, as supported by the Universal

Declaration of Human Rights (UDHR) and Constitution of the Federative Republic of Brazil (CFRB or FC). However, these rules, like so many others which exist in Brazil, and around the world, do not guarantee the equality that they stipulate, nor access to the rights which they should guarantee, but their existence is important, since they are instruments for effective access to rights.

We highlight that none of the existing rules, in other words, none of the rights recognised by the State and international mechanisms, are “granted”. There are no concessions by the State; there are social conquests, which are the products of historic struggles by various populations and peoples, organised, or otherwise. From the point of view of a critical theory, rights are the provisional result of these struggles, which are put into practice, in order to access the goods required for life. Before thinking of transforming rights into laws, we must consider access to the goods required for a dignified life. We emphasise that the rights written in the law have arrived following struggles for access to goods. And we need to have a critical and transparent viewpoint of who the people who have access to these struggles are, or what we may call the arena of public debates. Not only from the perspective of deliberative democracy, which “creates” representatives of the people for government bodies, but from the perspective of real listening, understanding, and a grasp of what is demanded by people who, generally speaking, are not in the hegemony of social power.

Basic perceptions — elementary for a Dignified Life — such as the power to express oneself politically; having access to education through the public education system — at basic, secondary, and higher levels —; having mechanisms to overcome linguistic barriers and access to work; and having the right to express an opinion were widely identified by the research conducted with the Haitian Community in Brazil. They appear intersected with racial prejudice, xenophobia, and poverty, and social inequalities between men and women, indicating clear proximities between black populations and impoverished Haitians and Brazilians.

Migration between different Brazilian states and inter- or transnational migration, is not homogeneous, and there should be various strategies to establish effective networks — although informal — to access rights and tackle racism, xenophobia, and class prejudice,

which creates difficulties with access, and even services which are public, and should be widely accessible in Brazil. These are just a few examples, from various research participants' accounts, within the scope of the MIDEQ project, which demonstrate that, even with this discrimination being prohibited by the Brazilian Federal Constitution, are present in their daily lives, both in contact with institutions, and in the social context. For this reason, peripheral epistemology is focused on the need to discard a Eurocentric rationality, seeking other rationalities, which acknowledge plural wisdom, the value and need for each of us to exist, and the potency of human diversity.

Access to justice goes beyond established formal mechanisms, and the importance of social struggles to expand rights and the effective extension of access to justice. Considering this, the urgent construction of bridges, which enable the formation of coalitions/alliances between specific populations disadvantaged by the current state of affairs in Brazil is demonstrated. We must recognise the inventive power of a pluriverse of ideas and subjects, as a way of constructing alternative forms of life and interaction, both interpersonal and between human beings, nature, and the world in which we live. Therefore, we need to blur borders and overcome dichotomies, both national and other normativities, in the defence of public policies and expanding access to what is required for a dignified life.

The book *Acesso à justiça: reafirmando direitos para as populações haitianas no Brasil*, organised by Heloisa Melino and Ismane Desrosiers, published by the Periferias publishing house, available in Portuguese in printed and digital formats, furthers the discussions and proposals on the challenges of access to justice and rights for migrant populations, particularly Haitians.