

EXCLUSION IN THE CAPITALIST SYSTEM



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ABSTRACT: Capital is a social relationship the expansion of which generates several forms of exclusion: exclusion from the production process, which generates a surplus unemployed or underemployed population; from consumption, since this fosters a production capacity that exceeds the consumption capacities of an exploited workforce; from the political community, since the notion of citizenship is depoliticized and participation in public decisions is limited. Said exclusion is the result of a type of inclusion in capitalist dynamics, with the contemporary laborer as a modern *homo sacer*, a subject excluded through inclusion. Exclusion therefore does not lie outside capitalist dynamics but comprises their internal center, even though this is often expelled or presented as external.

KEYWORDS: Exclusion, capitalist dynamics, *homo sacer*, community.

RESUMEN: El capital es una relación social que en su despliegue tiende a generar diversas formas de exclusión. Del proceso de producción, generando una población excedente desempleada o subempleada. Del consumo, creando una capacidad de producción que excede las capacidades de consumo debido a la explotación. De la comunidad política, al despolitizar la noción de ciudadanía y limitar las decisiones sobre los asuntos públicos. La exclusión en el capitalismo no es sino el resultado de una forma de inclusión en la lógica del capital, siendo el trabajador moderno la expresión fundamental del moderno *homo sacer*, aquel sujeto excluido por inclusión. No es por tanto un asunto ajeno a la dinámica del capital el proceso de exclusión, sino su núcleo interno que tiende a expulsar o a mantener en un exterior.

PALABRAS CLAVES: Exclusión, lógica del capital, *homo sacer*, comunidad.

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Modern thought is incapable of acknowledging the tensions and negativity inherent to the social world and its processes. This is why it sets limits, an inside and an outside, and plays with dichotomies: rational/irrational, human/inhuman, normal/pathological, included/excluded. This process is a result of presupposing things rather than relationships and categorizing that which is derived from the existing social order as «alien.» That which capital refers to as the excluded, the marginalized, the outside are all names for the excess it has itself created and then rendered alien to its mechanisms. This process is at the base of the social sciences. There is always a residual population capitalist modernity is incapable of acknowledging because it evidences the rupture across the social order it seeks to construct. This is also the approach that predominates in the already vast body of research regarding exclusion and the excluded.

Exclusion in capitalism is just one side of the coin, a facet of inclusion played out within the valorization and domination of capital; it is expressed as a universal excess that is integrated through expulsion. This exclusion by inclusion is backed by the exercise of a sovereign power that controls the lives of workers. This is the primary base of all types of exclusion, some of which will be analyzed in this paper. I will first lay out the epistemological guidelines of my argument in order to provide a proper context and establish differences between this and other approaches.

TOTALITY: A FUNDAMENTAL DEPARTURE POINT

Human interaction is characterized by organizational nuclei that articulate, stratify and give sense to forms of organization. These the social sciences are meant to study, and they approach the process as a whole –which does not imply knowing everything about it. The former involves the dynamics of social processes, while the latter references notion of completeness (Morin, Edgar, 1998).¹

Capital is currently at the center of our social life: an insatiable goal that determines and defines social interaction. Marx refers to this when he says that «Capital is the all-dominating economic power of bourgeois society» (Marx, 1971: 28). The capital-labor relationship is therefore not an ordinary or peripheral interaction, as post-structuralism and postmodernism would have it. We do not live in an undifferentiated whole composed of variegated relationships. Relationships, in fact, have considerable hierarchical weight: «In all forms of society there is one specific kind of production which predominates over the rest, whose relations thus assign rank and influence to the others.» What is more, these rela-

¹ The confusion between totality and completeness underlies the work of Karl Popper and Max Weber, two authors central to prevalent current trends in the social sciences. See Popper's *The Poverty of Historicism* and Weber's *Essays in Sociology*.



tionships constitute «a general illumination which bathes all the other colors and modifies their particularity. It is a particular ether which determines the specific gravity of every being which has materialized within it» (Marx, 1971: 27-28).² This relationship, then, is a fundamental matrix in capitalist social life.³

The problem with this approach is that it assumes that totality is *not* a sum of its parts, a simple articulation or a contingent whole. For post-structuralists, «all elements which enter into hegemonic struggle are in principle equal.» On the contrary, «there is always *one* which, while it is part of the chain, secretly over-determines its very horizon» (Butler, Laclau and Žižek, 2003: 320).⁴ Capitalism stratifies social relations, establishes an order, defines categories and, in doing so, valorizes capital.

According to Ernesto Laclau, in a socially indeterminate world formed by contingent interactions between multiple identities, it is not possible to think of notions such as totality (which he associates to totalitarianism), determination, necessity, «classes, class struggle,⁵ capitalism», the latter three of which would constitute «fetishes dispossessed of any precise meaning» (Butler, Laclau and Žižek, 2003: 201). Amidst a logical confusion between determination and determinism, Laclau cannot escape the «necessity/contingency» dichotomy, nor the «determination/indetermination» one. This way, «there is either determination, which is determinist, or there is simply no determination at all.» The idea of «social indeterminacy» is introduced in order to «retrieve the subject» and give way to a new dichotomy: «either acknowledge that the subject operates in an essentially contingent way, or there is simply no such thing as the subject» (Pérez Soto, 2008: 119). This problem can be solved if we consider that, unlike what Laclau's contingency and indetermination approach posits, «there is a real possibility when, given a certain state of the world, many things, *but not just anything*, can happen.» In this case, «the law does not dictate necessity but limits. The law as limit marks the difference between the possible and impossible.» Freedom can be apprehended this way inasmuch as it is *determined* but not subsumed by determinism, and the subject becomes «a real possibility» (Pérez Soto, 2008: 126). To speak of determination and necessity does not then imply determinism (Pérez Soto, 2008: 113-130).⁶

² «Determination» is not synonymous with «determinism», a confusion that leads to multiple misunderstandings.

³ For Žižek, «the structure of the universe of commodities and capital... is *not* just that of a limited empirical sphere, but a kind of socio-transcendental *a priori*, a matrix which generated the totality of social and political relations» (2006: 224).

⁴ Here Žižek debates some post-structuralist stances, Laclau's in particular.

⁵ For Laclau, this «is just one species of identity politics, and one which is becoming less and less important in the world in which we live» (Butler, Laclau and Žižek: 203). But according to Žižek, «The very proliferation of new political subjectivities ... which seems to relegate 'class struggle' to a secondary role is the *result* of the class struggle in the context of today's global capitalism»(320).

⁶ See sections V and VI, Determination and Necessity.



Inasmuch as capital constitutes an economic and political unit, its valorization constitutively presupposes exploitation and domination. It is this understanding of valorization and inclusion in this type of economic and political logistics that allows us to understand exclusion: said valorization «expels», creating exclusion by inclusion, being outside because one is inside. Exterior is concomitantly interior.⁷ This is why, when today's social sciences and humanities think of exclusion as an outside, alien element, they ponder how to include that which is already included.

MAIN FORMS OF EXCLUSION BY INCLUSION

a) Surplus labor

A mass of workers condemned to chronic or eventual unemployment, lacking salaried work and, therefore, enough money to engage in basic consumption, is one of the paradigmatic images in exclusion studies. But what are the reasons behind this exclusionary inclusion in the valorization of capital?

An increasingly large proportion of capital is reinvested in machinery and new technologies (i.e., constant capital) at the expense of variable capital (i.e., that destined to hire workers), even though it is live labor that generates value. This is a necessary step in the boosting of productivity and seeks to increase the amount of goods produced during a given time span, resulting in a unitary decrease in value thanks to the decrease in socially necessary labor. This way, a given capital can amass extraordinary profits for a lesser value than competitors or avoid being displaced by competitors by maintaining a medium range of productivity. This is why increased productivity is so important in capitalism⁸ and constant capital is usually more valuable than variable capital.

As a result, we get a relative rather than absolute surplus in labor that is defined in relation to capital's demand for workforce (Marx, 1973).⁹ This surplus plays a significant role in valorization, becoming a lever of capital accumulation and a condition for life in a capitalist production regime (Marx, 1973: 535). It increases workforce supply during times of accumulation expansion, which provides capital with the necessary labor. Additionally, the presence of this surplus population exercises pressure on active laborers and exacerbates general condi-

⁷ This entails understanding «the being as totality»; that is, «as a pure interior in regards to which there is no abstract, separate exterior. An interior upon which all exteriors are referred. Not only is every exterior external to something, every exterior is also the same thing exteriorized» (Pérez Soto, 2008: 163).

⁸ «Once given the general basis of the capitalistic system, then, in the course of accumulation, a point is reached at which the development of the productivity of social labor becomes the most powerful lever of accumulation.» Marx, *El Capital*, 1973: 525.

⁹ This issue is developed by Marx in chapter 23 of the first volume.



tions of exploitation. Through «greater exploitation (extensive or intensive)», capital attains increased labor without actually having to spend more on variable capital. This way, «Increase of variable capital, in this case, becomes an index of more labor» (Marx, 1973: 538). The pressure exercised on salaries will not be any less, leading to an increase in surplus labor and its products, surplus value. Marx describes the link between active and inactive workforce as follows:

The over-work of the employed part of the working-class swells the ranks of the reserve, whilst, conversely, the greater pressure that the latter by its competition exerts on the former, forces these to submit to overwork and to subjugation under the dictates of capital. The condemnation of one part of the working-class to enforced idleness by the overwork of the other part, and the converse, becomes a means of enriching the individual capitalists and accelerates, at the same time, the production of the industrial reserve army on a scale corresponding with the advance of social accumulation. (Marx, 1973: 538-539).

Here there are two things to keep in mind: 1) the relationship, in terms of valorization needs, established by capital between the active and inactive workforces, regardless of what shape this relationship takes, and 2) the fact that, as far as valorization is concerned, the size of the surplus workforce aids valorization by reinforcing exploitation and the redoubled exploitation of the active laboring population. This is a key element in the case of dependent economies, firstly because reigning forms of exploitation prematurely exhaust the active population (Marini, 1973) and an increased amount of laborers is needed as replacement and, secondly, because these are all needed to sustain this dynamic (Marx, 1973: 208). The factors at work are not natural but social and operate within the vast dimensions materialized in the surplus population of dependent economies. But this peripheral human surplus is also needed for the operation of central economies: central capital is established in these dependent outposts to take advantage of exploitative conditions and surplus workforce. Given that the capitalist economy is increasingly interlinked, wage decreases in the periphery will also lower wages in the center (reasons include the threat of outsourcing, a common strategy during the past thirty years of increased globalization and segmentation of productive chains, and massive labor migration from the periphery to the center).

Surplus workforce exists in a diversity of forms that are more or less incorporated to production. The main categories are floating, latent, and intermittent population. To these we must add the pauperized social elements, a workforce that no longer has a place in production and includes victims of labor accidents or labor-related illnesses, those who have exceeded their class' life-expectancy, orphans, and the children of the poor. If the corporeality of the active or semi-active laborer is eventually possessed by capital inasmuch as the latter takes over the material workforce there contained, pauperization entails a violent and des-



potic double exclusion: neither the living body nor the vital workforce appear to exist anymore in the kingdom of capital and its tyrannical power. At a certain point, pauperization becomes a burden; in spite of its inseparable bonds and inclusion within the system, this increases its alien quality in regards to valorization. The contradiction between value and use value materializes in the working class as a whole: the valorization of capital is only possible through the negation of the use value of the workforce contained in one of its segments.

Marx speaks of a general and absolute law of capitalist accumulation that «establishes an accumulation of misery, corresponding with accumulation of capital» (Marx, 1973: 547), because «The greater the social wealth, the functioning capital, the extent and energy of its growth, and, therefore, also the absolute mass of the proletariat and the productiveness of its labor, the greater the industrial reserve army.» And, the greater this reserve army in proportion to the active labor-army, the greater is the mass of a consolidated surplus-population, whose misery is in inverse ratio to its torment of labor. The more extensive, finally, the lazarus-layers of the working-class, and the industrial reserve army, the greater is official pauperism (Marx, 1973: 546).

The logic of valorization forms the basis of the surplus labor force, which, in turn, serves as a basis for valorization. Marx accounts for this when he references the last remnants of this surplus population: pauperism is «the hospital of the active labor-army and the dead weight of the industrial reserve army.» He adds that its production «is included in that of the relative surplus-population, its necessity in theirs; along with the surplus-population, pauperism forms a condition of capitalist production, and of the capitalist development of wealth» (Marx, 1973: 545-546).¹⁰

Marginal masses and functionality

The marginality theories developed in Latin America during the 1960s and 70s represented a highly functional approach to these problems, and many of its core concepts are still present in current analyzes on social exclusion. As José Nun, whose theories are some of the most complex in this field, points out,

Marx used the concept of the industrial reserve army to designate the functional effects of the relative surplus population in the phase of [competitive] capitalism... I proposed the term *marginal mass* for the relative surplus population that, in other situations [such as monopoly capitalism] did not produce these functional effects, (Nun, 2001: 24-25).¹¹

¹⁰ Speaking of paupers, Marx states that «capital knows how to throw these, for the most part, from its own shoulders on to those of the working-class and the lower middle class.»

¹¹ This volume includes Nun's initial article on the subject («Superpoblación relativa, ejército industrial de reserva y masa marginal»), a critique by Fernando Henrique Cardoso («Comentario sobre



Said effects include intensified competition among workers, a decrease in salaries, and ensuring an available workforce for times of industrial expansion. Nun then lays out the central argument:

As Wilbert Moore once pointed out, North American functionalists themselves [...] had never gone that far: they stated that many things were functional to the reproduction of capitalism, not that everything was. And this is what the critics of the concept of marginal mass did: they decided to prove that even the last landless peasant or urban street vendor was not only functional but fundamental to capitalist accumulation (Nun, 2001: 24-25).

It must be pointed out that it has been acknowledged that Nun's marginal mass is generated by «the (capitalist?) system», even if the latter has no need for it to keep functioning (Nun, 2001: 87), an issue that has often been ignored in current analyses on the subject of the exclusion of unemployed population. When Marx analyzes this issue his main concern is to highlight capital's capacity to generate a surplus population beyond the birth rate of the working class itself. This way, capital reaches a new stage, moving from the formal subjection of labor to real subjection. Marx is not trying to establish what amount of population is required for accumulation; he is merely seeking to evidence the contradictory ways in which capital accumulation works, generating wealth on the one hand and leading to social misery on the other.¹² It is clear that this dynamic will result in the growth of the surplus population to the point where it exceeds immediate needs and can therefore not be assimilated by extant demand.

However, the role played by the surplus population in valorization does not respond exclusively, as Nun states, to its possibilities of eventually becoming integrated to production or maintaining the necessary volume with which to exercise pressure on active laborers. Its growth is the fundamental way in which the exploitation of the active workforce is amplified. A portion of the surplus population constitutes a dead weight as far as capital is concerned; it thinks it could «live without them and would like to» (Nun, 2001: 31).¹³ But if this is the result of the way in which paupers taint or scandalize the horizon of urban streets and corners (e.g. street vendors, beggars, urban slums), it takes another shape when, thanks to the large numbers of unemployed, the salaries of the employed workforce can be decreased and their hours increased. As we have seen above, this is one of life's conditions in a system of capitalist production.

los conceptos de sobrepoblación relativa y marginalidad»), which appears simply as «La crítica de F.H. Cardoso» (pp. 141-183), Nun's response, and a third essay under the title «Nueva visita a la teoría de la masa marginal.»

¹² This issue has already been pointed out by Fernando Henrique Cardoso in his critique to Nun, «Comentario sobre los conceptos de sobrepoblación relativa y marginalidad.»

¹³ Here Nun quotes Ralf Dahrendorf, who pioneered the notion of *underclass*.



Capital undergoes a similar conflict when its political representatives have to launch proselytizing campaigns in pauperized areas, bringing themselves into repulsively close contact with the marginalized. But this is unavoidable if they seek to gain enough votes with which to win or legitimize their domination. This population is not only fundamental to valorization: it also plays a key political role, even if, in these cases and many others, it remains unacknowledged by capitalism and retains its alien, excluded character.¹⁴

b) Under-consumption of active and inactive workforce

The weak incorporation of vast social fringes to consumption is another subject privileged by studies on so-called social inclusion. The majority of approaches center on alienation from capital's dynamics. But these processes are just another form of exclusion by inclusion. Capital, in fact, poses serious difficulties in regards to the incorporation of the labor force to consumption. This is due to the gap between the production and realization phases. In the first one, capital faces the laborer as producer, leading to the surplus and exploitation of live labor that starts with the pressure exercised on salaries by the buying and selling of the workforce. But, during the realization phase, buyers and laborers are now needed as consumers; it is expected they will have enough money to buy the merchandise.¹⁵ The problem is that every capital desires to privilege its laborers' condition as producers and have all other capitals strengthen their condition as consumers.

Capital puts the worker in a contradictory position and, in the midst of this contradiction, looks for ways in which surplus work can grow along with the producers' consumption capacities. This conflict is less marked in dependent economies since, there, capital emerges and reproduces while privileging external markets¹⁶ and only reorients production to local markets during moments of crisis and/or war in the central economies, when external demand for the products has drastically fallen. Perhaps the most important solution to this problem is the production of relative surplus value –that is, an increase in productivity that is linked to labor intensification. When the increase in productivity reaches

¹⁴ Within the logic of functionality and disfunctionality proposed by Nun, we could also point out that the proletariat is functional inasmuch as capital can buy its workforce and exploit it. But the proletariat is also capital's gravedigger, to reference Marx. It simultaneously embodies the functional and dysfunctional, as functional analysts would have it. At what point do we draw the line between one thing and another proposed by Nun?

¹⁵ «The laborers as buyers of commodities are important for the market. But as sellers of their own commodity –labor-power– capitalist society tends to depress them to the lowest price» (Marx, 1973, vol. II: 283).

¹⁶ Marini proposes that accumulation in the dependent world is based on overexploitation (*op. cit.*). This does not deny the existence of a dynamic market resulting from the demand of those who enjoy surplus value and high income and salaries.



the productive branches of wage goods, capital can reduce required labor time (that during which the producer reproduces the value equivalent to that of his or her work) and extend surplus labor without modifying working time duration. This allows for growth in the workforce's consumption due to a real decrease in the price of wage goods while surplus value production increases.

With the intensification of labor, an accelerated production rhythm and a reduction in down-times (for the production of surplus value), capital manages to reduce the amount of time needed in relation to the increase in surplus value production time. However, it differs from productivity in that this stage is reached on the basis of an increased use of the producer, which ultimately means capital is appropriating years of future labor in the form of surplus work, shortening the producer's labor life, or devaluing the workforce by exhausting it prematurely.

The problem with the solution targeting productivity is that, in order to elevate the latter, one must increase, in absolute and relative terms, the spending on constant capital at the expense of variable capital, which can grow in absolute terms but diminish in relative ones, which leads to the production of a relative surplus population that, being negligibly integrated into production, tends to end up excluded from the market or just negligibly integrated. The market's expansive tendencies meet an opposing compressing force.

Throughout the history of the capitalist system, capital has managed to temper this conflict by transferring value from dependent economies to central ones, offering central workers consumption possibilities that go beyond a mere increase in productivity.¹⁷ This only tempers the conflict but does not solve it; it has also led to modes of capitalist reproduction in the dependent world that structurally reduce the working population's consumption given that said reproduction is based on the workforce's overexploitation. Again, if we look at the global capitalist system as a unit, we will see that what capital stretches on one side it reduces on the other. The expansion of surplus labor given the rise in productivity, which enables the appropriation of extraordinary surplus value in the midst of competition, places capital at the very limit of its reproduction since it propitiates a tendential fall in the profit rate. It also leads to the creation of a crisis when it propitiates a relative decrease in the surplus value generated in relation to the total amount of capital mobilized for its production.

Crises are expressed in a variety of manners depending on the stage of the capital reproduction cycle in which we find ourselves. We can have a crisis of overproduction of capital, which is nothing more than a relative excess in capital (that is, in relation to the profit rate); a crisis of overproduction of commodities

¹⁷ This does not mean that central workers exploit those in the periphery. It is capital that appropriates labor and creates working conditions in the imperial world that transcend the exploitation of laborers.



(i.e., the production of more goods than the market can produce), or a crisis of underconsumption (this follows the restrictions imposed by capital on market expansion and, in particular, laborer consumption).¹⁸ Crises manifest the essential negativity that characterizes the essence of capital. The relative surplus of capital has the same root causes as the simultaneous unemployed or underemployed surplus population; this capital will not be invested even though there is an available surplus workforce. Additionally, we have an overproduction of commodities due to the same trends that lead to the pauperization of many.¹⁹ This is because capital will only make productive investments as long as it can reap profits, and in order to access a given commodity one requires enough money. In short, there is an overproduction of capitals in relation to the profit rate, which has declined, and overproduction of commodities in a market created by capital and not the needs of society in general.²⁰

As we have seen, capital creates a market by excluding or marginalizing a significant portion of the working class, which is in turn excluded from consumption when it finds itself unemployed or underemployed. Salary containment leads to similar effects, especially if wages are below the value of workforce in a doubly exploitative context. In spite of having employment, this population will have reduced (rather than marginal) access to the market. This tendency, which predominates in dependent economies, has grown to include the central and imperialist nations during the neoliberal years of the late 20th and early 21st century, which have attempted to recover a falling profit rate. Currently, poverty has paradoxically ceased to be synonymous with unemployment. Now a person can have a job and still be poor.

As we can see, valorization has mechanisms that expel important segments of the population from employment and consumption. In this social order, said exclusion does not respond to population dynamics alien to capital flow. On the contrary, it is this surplus population's inclusion in the networks of valorization that leads to this situation, refuting the thesis that it is absence of capitals or weak investment that produce this problem, particularly in the underdeveloped and dependent world.²¹ Even if this latter explanation might have been valid during the 19th and early 20th centuries, capital accumulation has been the real source of exclusion since approximately the 1950s.

¹⁸ For capitalist crises and their manifestations, see Osorio, 2004: 65-71.

¹⁹ Marx analyzes these problems in sections 2 and 3.

²⁰ Society's consumption capacity «is not determined either by the absolute productive power nor by the absolute consuming power, but by the consuming power based on antagonistic conditions of distribution, which reduces the consumption of the great mass of the population to a variable minimum within more or less narrow limits.» Because «to the extent that the productive power develops, it finds itself at variance with the narrow basis on which the conditions of consumption rest» (Marx, 1973, vol. III: 243).

²¹ This idea underlies the policies of Latin American governments and local and international business bodies, which seek to attract capital at no matter what cost.



c) *The illusory community or the exclusion of the community*

Just like capital and valorization propitiate exclusionary modes of inclusion in the economic field, politics also comprises «the count of those who do not count», «the part of those who play no part» (Rancière, 1996). Let us now look at some of these manifestations.

The capitalist state has the particularity of appearing as the sovereign representation of the community as a whole. Its establishment takes place on the basis of capital's political autonomy; its rupture with economics is needed to present «that which is political as not-economic so that the economic can be presented as not-political» (Ávalos, 2007: 57). Since this rupture, the myth of the contract in all its different versions has supported this form of representation: that of the pact among equals that culminates in a state for all, a supreme arbiter that looks after all members of society. This imaginary can only be sustained if the aforementioned rupture is assumed. One need only think of a politics articulated to the economy to see egalitarianism vanish to reveal inequality and power, the gaps upon which common life is constructed (Rancière, 1996: 8).²² Politics become the space of an impossible suture that nevertheless attains diverse degrees of viability, cohesion, and legitimacy. The state community is illusory and the state itself its exact, obscene reverse inasmuch as it condenses the relationships of dominance and exploitation at the base of the social order –the universal nature of the domineering social sectors that, through different degrees of coercion and consensus, impose their own interests and truths upon the dominated rest.

The notion of citizenship is the quintessence of the rupture between politics and economics and the representation of the state as a condensed space for all.²³ Its egalitarian expression (one vote per individual) and the idea that individuals can intervene in political activities is also an expression of that which is denied: the inequality and depoliticization of those truly included but nevertheless negated sectors of society.

d) *Immigrants and their double exclusion*

Immigrant workers fully reveal the process of economic and political exclusion that constitutes capitalist order. Banished from their places of origin by lack of

²² How is it that equality comprises equality and inequality, asks Jacques Rancière in order to illustrate how this becomes a problem for politics, which then become a problem for philosophy and an object of philosophy.

²³ Like the individual in a free market (i.e., the economic sphere), citizenship veils the rupture of the social relations that constitute subjects in social life. The individual then reigns sovereign in both the market and politics with no more restrictions than his good or bad judgment. Neoclassical approaches and rational choice theory are based on this idea.



work, precarious consumption, and the absence of conditions that ensure basic survival, these people try to reach new lands. In cases like this, inclusion by exclusion attains extreme social levels and becomes a force that incites massive sacrifice since migrants will oftentimes perish during their journeys. And if they arrive at the intended place they are then subjected to appalling living conditions and exploitation, treated as persecuted animals as their lives are placed in a political space lacking representation. Universal human rights do not apply in their case and can only be regained by those who attain citizen rights. Hence, we are no longer talking of a human community with basic rights, but a community of citizens that proceeds to exclude all others.

All of the above is a manifestation of the contradictions incurred by expanding capital: it is global insofar as it has worldwide reach, but it is based on the existence of national states with a specific territory, which is intrinsically necessary for its reproduction. This contradiction, which can be found at the center of clashes caused by competition between national capitals in the global system at large, is politically expressed as a conflict between the universality of human rights and the exclusivity of citizenship, a category needed to gain access to the former.²⁴ Undocumented workers occupy a judicial limbo: they lack human rights but this does not turn them into non-humans, which would reduce them to the category of any other animal.

CONCLUSIONS: THE MODERN LABORER AS HOMO SACER²⁵

In the society built by capital, the laborer is turned into a modern *homo sacer*, an individual whose life can be taken without incurring homicide.²⁶ This is a social order built around endless greed, the appropriation of surplus labor and the very material corporeality of the labor force; in fact, it cannot be sustained without sacrificing these lives. All those mechanisms that allow capital to generate surplus labor take their toll on the lives of workers, either because their salaries are not enough to compensate for the daily effort they put forth, or because their laboring future is used ahead of time through extended and intense working days. Life in exclusion is what is veritably included in the kingdom of capital. It is also that which is at stake.

Failure to acknowledge class exploitation and domination limits Michel Foucault's and Giorgio Agamben's approaches to biopower (Foucault, 1977).²⁷ By

²⁴ These recalls Benjamin Disraeli's stated preference of «the rights of Englishmen» over «the Rights of Man.» Disraeli's premiership played a crucial role in British imperial expansion during the late 19th century.

²⁵ For more on this issue, see Osorio, 2006.

²⁶ A figure in archaic Roman law that is excluded from divine and human right. See Agamben, 2003.

²⁷ See Foucault, 1977 and 2002; Agamben, 2003.



putting aside the social relationships that give way to the social networks and power built by capital, both authors depoliticize their approach and ascribe a radical quality to certain social spaces and beings (madhouses, concentration camps, *muselmänner*,²⁸ or refugees) that is not articulated to social organization as a whole, fragmenting and muddling these issues. Exclusion in any of the forms here considered is just another other side of inclusion in capitalist dynamics.

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²⁸ The name given to those Nazi concentration camp prisoners who had been humiliated and terrified to the point where they had lost all consciousness and personality, living in an «absolutely apathetic» way (Agamben, 2003, pp. 234-235).

