

ISSN 2236-0859

# DIREITO & DESENVOLVIMENTO

REVISTA DO PROGRAMA DE PÓS-GRADUAÇÃO EM DIREITO  
MESTRADO EM DIREITO E DESENVOLVIMENTO SUSTENTÁVEL

THE IMMIGRANT'S CONDITION IN THE CINEMA  
PERSPECTIVE: ANALYSIS OF THE WORK "IT'S A  
FREE WORLD"

DANIELA WERNECKE PADOVANI  
JORGE LUÍS MIALHE

VOLUME 9 | NÚMERO 1 | JAN/JUL 2018

# THE IMMIGRANT'S CONDITION IN THE CINEMA PERSPECTIVE: ANALYSIS OF THE WORK "IT'S A FREE WORLD"

## A CONDIÇÃO DOS TRABALHADORES MIGRANTES NA PERSPECTIVA DO CINEMA: ANÁLISE DA OBRA "MUNDO LIVRE"

Received on February 01, 2018  
Approved on April 20, 2018

Daniela Wernecke Padovani\*  
Jorge Luís Mialhe\*\*

**ABSTRACT:** This article deals with the issue of migrant workers who leave their countries of origin in search of better living and working conditions, but find in other localities situations of labor exploitation and marginalization of rights. The discussion of the theme has as reference the analysis of the cinematographic work *It's a Free World*, of the British director Ken Loach, as well as the examine of international legal instruments of protection of the human rights of the migrants, in order, from a dialogue of the elements presented in the film with legal science, seek to understand the migratory issue and its intersection with the reach of social justice.

**Keywords:** Immigrants. Exploitation of labor. Labor rights.

**RESUMO:** O presente artigo trata da questão de trabalhadores migrantes que deixam seus países de origem em busca de melhores condições de vida e de trabalho, mas acabam por encontrar em outras localidades situações de exploração laboral e de marginalização de direitos. A discussão do tema tem como ponto referencial a análise da obra cinematográfica "Mundo Livre", do diretor britânico Ken Loach, bem como o exame de instrumentos jurídicos internacionais de proteção dos direitos humanos dos migrantes, a fim de, a partir de um diálogo dos elementos apresentados no filme com a ciência jurídica, buscar a compreensão da questão migratória e sua intersecção com o alcance da justiça social.

**Palavras-chave:** Imigrantes. Exploração laboral. Direitos trabalhistas.

---

\* PhD student at the Faculty of Law of the University of São Paulo - FDUSP. Master in Law from the Methodist University of Piracicaba - UNIMEP. Bachelor of Laws from FDUSP. Researcher of the Study Group on Refugees and Migration - GERM / UNIMEP. Lawyer. E-mail: daniela@werneckepadovani.com.br

\*\* Professor at the São Paulo State University - UNESP and at the Master Course in Law at Methodist University of Piracicaba - UNIMEP. Ph.D., master and bachelor by University of São Paulo - USP. Post-doctorate by the Universities of Paris and Limoges (France). Leader of GERM / UNIMEP. E-mail: profmialhe@hotmail.com

## 1 INTRODUCTION

In the present time, the intense movement of people who cross the frontiers of their country to enter others whose cultures' are entirely foreign to them is remarkable. However, such differences have not represented insurmountable obstacles for that movement to be discontinued. Among the many possible reasons for this to happen, that is, for people to persist in this migratory flow, we highlight in this article the one by which a migrant leaves his country of origin in the desire to seek improvement in life and even survival for himself and for his family: work and dignity in his existence<sup>2</sup>.

The core of the discussion that follows is specifically about the living and working conditions of many immigrants who are in an irregular situation abroad, a situation that, due to an inevitable vulnerability, contribute for a scenario of labor exploitation, social marginalization and disrespect of human rights.

As a starting point, we use the analysis of the cinematographic work "Free World", which, based on a plot interwoven with juridical, sociological, political and sociocultural issues, provides important insights for the comprehension and critique of the proposed theme.

According to Olivier Corten and François Dubisson (2015), the Center for International Law and Sociology applied to International Law at the Free University of Brussels has been producing, since 2013, studies on International Law and cinema, confronting footage with the existing positive law, encouraging the study of representations in the light of legal critique. According to Fabíola Cristina Ribeiro de Oliveira (2017), in the great area of Human and Social Sciences,

It has been increasingly common the analysis of a thematic through cinematographic resources. In Social Sciences, for example, Ribeiro (2013), [...] uses a methodology, from the theoretical-analytical point of view, that treats the artistic object as something that is capable of provoking reflection, not mere entertainment. The idea is to discuss society from the film, beyond the canvas, to obtain a critical self-reflection of the modernity of capital, in the sense of surpassing the past and forming subjects who can deny the impositions of capital to personal individualities. (OLIVEIRA, 2017, p. 3)

In this sense, the methodology used will be the exploratory research that is based on the analysis of the film, of the international legal instruments and of the bibliographical revision, in order to establish a dialogue of the elements presented in the film with the legal science. The theoretical-methodological approach adopted will be legal-sociological, facing the legal phenomenon from the interaction with social environment and allows to analyze the Law, especially with respect to the effectiveness of the norms, while a variable of the relations between Law and society and its contradictions and intersections with diverse fields, such as socio-cultural, political, economic and anthropological.

## 2 THE MIGRATORY ISSUE

International migration is not a recent phenomenon. World history has always revealed the presence of intense international migratory flows and for various reasons depending on the socio-political, economic and cultural context of each moment.

<sup>1</sup> According to Giddens and Sutton (2015: 213), culture is the "way of life, including knowledge, habits, rules, laws and beliefs, that characterizes a particular society or particular social group".

<sup>2</sup> Laís Modelli (2016) reported Federal Police data that the number of immigrants registered in Brazil increased by 160% since 2006. In the year 2015 alone, 117,745 foreigners entered the country. In the year 2014, there was the largest entry of 119,431 immigrants. According to CONARE, since the beginning of the conflict in Syria, 3,772 nationals of that country have applied for refuge in Brazil. In the period of 2010-2016, 9,552 refugee requests were registered. In 2016 alone, 3,375 requests for refugees from Venezuelans were made (about 33% of the total requests registered in the country that year), followed by 1,370 requests from Cubans; 1,353 requirements from Angolans; 646 requests from Haitians; 391 solicitations from Syrians; 382 Congolese requirements; 326 solicitations from Nigerians; 322 requests from Chinese, among other nationalities. Data available at: <<https://www.slideshare.net/justicagovbr/sistema-de-refugio-brasileiro-balano-at-abril-de-2016>>. Accessed on: Mar 30, 2018.

Actuality unfolds a complete immersion of the world population in a scenario of globalization, in which the means of communication and transportation are rapidly perfected and the diffusion of information begins to influence ways of life. In this context, the logic of social mobility and the flow of people equally changes. The new migratory flows follow the new logic of capital movement, and circulation of goods and ideas. (FARET, 2010)

It is noteworthy that contemporary population movements have been occurring in the sense of meeting a demand for abundant and low-cost workforce in the midst of widespread economic stagnation, as a strategy of overcoming the crisis by using informality in labor relations. "The various circumstances of the economic crisis and the various efforts to address it have created an abundant reservoir of workforce that consequently encourages and facilitates informalization." (PORTES & SASSEN-KOOB, 1987, pp. 30-61)

Globalization has therefore been one of the main causes of the new movements of international immigration. According to Patrícia Tavares de Freitas (2012), immigrants would be the main victims of the effects of globalization, which, if on the one hand, aggravates regional inequalities at global level, impelling mass migratory movements in countries that have lost the game of development, on the other hand, imposes on some economic sectors standards of competitiveness that becomes supported by processes of super-exploitation of the workforce in extensive circuits of subcontracting (FREITAS, 2012, 157). This dynamic is well evidenced in the film "It's a Free World".

### 3 ABOUT THE WORK "IT'S A FREE WORLD"

The film "It's a Free World" (in Portuguese, translated as "*Mundo Livre*"), produced in 2007 by Sixteen Films and ECM Produktion. The film was directed by the British filmmaker Ken Loach, recognized for exploring the political and social issues of societies immersed in the inequalities resulted from capitalist dynamics, largely depicting the situation and struggle of the working class within neoliberalism, whose agenda, in the words of Habermas (2012),

gives to the interests of investors an unscrupulous dominance, which passively accepts increasing social inequality, the emergence of a "precarious", the child poverty, the degrading wages and so on, which, through its madness of privatization, overlaps with the main functions of the State, which shreds the remains of deliberation from the political public sphere to facilitate the increase of the income of financial investors, transforming culture and education dependent on the interests and moods of sponsors who are fastidious by the conjuncture. (HABERMAS, 2012, p.111)

Ken Loach reveals the working class as a historical subject of his own time and seeks through his films to politicize art by proposing a debate for engagement in the struggle of the oppressed. As emphasizes Cristina Toledo Maria (2010),

Ken Loach portrays the concrete reality of the working class situation, from which draws the strategy of struggle to deal with the political and economic situation in which the proletariat finds itself involved in the neoliberal context. (MARIA, 2010, pp. 135-136).

In Ken Loach's films, according to the reading presented by Ana Camila Esteves (2010), it can be observed a tendency to cope with themes inserted in historical and socially relevant situations, in which the director problematizes and offers alternatives of reflection on these contexts. For the author, from the fiction, the director remits the viewer to real events and conflicts, demanding from him an inevitable political position.

With script by Paul Laverty, photograph by Nigel Willoughby and music by George Fenton, the film "It's a Free World" presents a plot with a strong critique of capitalist society embedded in a globalized world, in a neoliberal context in which social relations, especially labor relations, are marked by neglect,

individualism and lack of value. The film was exhibited at the Exhibit World Cinema Panorama, during the 2007 Rio Festival, as well as at the Venice International Film Festival, where won the *Osella d'Oro* award for best screenplay.

The drama features actress Kierston Wareing in the lead role of Angie, a British young woman who works for a recruitment company for immigrant workers to perform various services outside London in an outsourcing regime. The jobs offered to workers do not demand a high qualification of labor, although many of the candidates own it, and are, for the most part, destined to the sectors of the civil construction and the industry. Angie, who experiences in her working environment precarious conditions with low salary, excessive hours and situations of sexual harassment by her co-workers, is soon dismissed and, unemployed, is driven to endeavor her own business as an autonomous worker, in the activity, since she has the necessary experience and knowledge.

Angie begins her new work in partnership with her friend Rose, played by actress Juliet Ellis, who is also dissatisfied with her current job - below her qualification, once even with a degree works in a call center company, decides to invest in the new venture. The friends then create their own employment agency. Angie and Rose's performances are permeated throughout the plot by an important moral conflict that represents the duality between ethical and honest behavior and its antonyms, in a clear relation of ambivalence. Both are embedded in a perverse social logic, in which the exploitation of labor, the precariousness of working conditions and the marginalization of basic rights prevail in the informal labor market, blatantly obvious an exacerbated individualism fueled by the neglect of society itself and the State.

It is initially about the recruitment of Polish workers, who enter English territory with due documentation, since they have a regular European Union passport. They are, therefore, legal immigrants attracted by the promise of better living and working conditions in large and prosperous economic centers, such as London. The fact that these immigrants are legally entitled to stay and work in the United Kingdom, as members of the European Union<sup>3</sup>, does not guarantee though that they will have a good and egalitarian living and working conditions in relation to nationals.

This situation, well portrayed in the film, denounces the precariousness of housing (since immigrants live in trailers or in collective rooms), and labor relations, once these foreigners, although legalized, are contracted in floating schemes, with wages below legal minimum, with excessive work hours, in environments unsuitable for labor, without any guarantees of labor rights, whose ties are formed under a system of outsourcing with the service taker. It is important to emphasize that these immigrants do not live in clandestinity and the respective work relations that are established are socially accepted, once they are inserted in a legal context of flexibilization of labor relations, a policy that is encouraged and esteemed in a scenario of global and neoliberal economy.

It is not surprising that this situation of inequality in the treatment of European workers (not just in the United Kingdom) was one of the concerns of the European Convention on the Legal Status of Migrant Workers, adopted by the Council of Europe (CoE) in Strasbourg on November 24, 1977, whose preamble advise that is must needed to regulate the legal situation of migrant workers, subjects of the Member States of the Council of Europe, "in order to ensure a treatment not less favourable than

<sup>3</sup> It is necessary to remember that the film was produced before the Brexit plebiscite (June 23, 2016) and the beginning of the negotiation process of denunciation of the Treaty on European Union (Maastricht, 1992) by the United Kingdom, as foreseen in art. 50 of the consolidated version of the Treaty (Lisbon, 2007): "1. Any Member State may decide to withdraw from the Union in accordance with its own constitutional requirements. 2. A Member State which decides to withdraw shall notify the European Council of its intention. In the light of the guidelines provided by the European Council, the Union shall negotiate and conclude an agreement with that State, setting out the arrangements for its withdrawal, taking account of the framework for its future relationship with the Union. That agreement shall be negotiated in accordance with Article 218(3) of the Treaty on the Functioning of the European Union. It shall be concluded on behalf of the Union by the Council, acting by a qualified majority, after obtaining the consent of the European Parliament. 3. The Treaties shall cease to apply to the State in question from the date of entry into force of the withdrawal agreement or, failing that, two years after the notification referred to in paragraph 2, unless the European Council, in agreement with the Member State concerned, unanimously decides to extend this period. 4. For the purposes of paragraphs 2 and 3, the member of the European Council or of the Council representing the withdrawing Member State shall not participate in the discussions of the European Council or Council or in decisions concerning it. A qualified majority shall be defined in accordance with Article 238(3)(b) of the Treaty on the Functioning of the European Union. 5. If a State which has withdrawn from the Union asks to rejoin, its request shall be subject to the procedure referred to in Article 49".

that which applies to nationals of the State of employment, in everything that refers to life and work conditions". (CoE, 1977)

However, unfortunately, the mentioned Convention was endorsed by only 11 of the 47 Member States<sup>4</sup>, six of which were labor exporters (Albania, Spain, Moldova, Portugal, Turkey and Ukraine) and five potential importers (France, Italy, Netherlands, Norway and Sweden).<sup>5</sup>

To corroborate such statement, it is enough to observe the zero-hour contract, recognized and disseminated in the United Kingdom to give flexibility to the hiring of workforce. It is a system of hiring temporary work, whereby workers wait for the call by employers, according to the needs of the latter. This intermittency, opposing to permanent employment, means for workers less guarantees of rights and less quality of life, since there is no obligation to pay the period that the worker is available, receiving only the salary corresponding to the hours worked<sup>6</sup>.

It is noted that in 2007, the year the film was produced, Poland was going through, as many other countries in Eastern Europe had been through or were still going through, a relevant political and economic reorganization, in a period of transition from socialist governments to democratic regimes of capitalist economies as a result of the end of the Cold War, in a context in which the dissolution of the former Soviet Union after 1991 led to the fragmentation of several countries. In addition, in 2007 the subprime mortgage crisis, resulted from mortgages to high-risk borrowers triggered the second greatest crisis of capitalism since 1929, substantially worsened the unemployment situation in most countries and intensified international migration flows. In a different context, but with the same feeling of submission of the State to financial parasitism, Nietzsche (2009), already criticized "the real herdsmen, hermits of finance, the really stateless and cosmopolitan who, for lack of State instinct, learned to make politics an instrument of the stock exchange and abuse the state apparatus and society as a means of enriching." (NIETZSCHE, 2009, p.64).

Poland, a country aligned with the Soviet Union by the Warsaw Pact<sup>7</sup> and COMECON<sup>8</sup>, adopted in 1989 a new Constitution under a democratic regime and in 2004 it was accepted as a member State of the European Union<sup>9</sup>. Similar fate happened to Romania, which after the revolution and the fall of the dictator Nicolae Ceaușescu in December 1989, began the transition to democracy and the capitalist economy, being admitted to the European Union in 2007<sup>10</sup>. In this sense, according to Sayad (1998), the labor rights recognized to foreign workers in equality with national workers, can mean an important influx of capital in the countries of emigration; they are rights

4 The list of ratifications can be found on the Council of Europe website - CoE, available at: <[https://www.coe.int/en/web/conventions/full-list/conventions/treaty/093/signatures?p\\_auth=](https://www.coe.int/en/web/conventions/full-list/conventions/treaty/093/signatures?p_auth=) . Accessed on Jan 06, 2018.

5 Source: <[http://pt.knoema.com/atlas/topics/Demografia/Popula%C3%A3o/Taxa-L%C3%A9m%C3%A3%A3%A3%A3%A3%A3%baseRegion=TR](http://pt.knoema.com/atlas/topics/Demografia/Popula%C3%A3o/Taxa-L%C3%A9m%C3%A3%A3%A3%A3%A3%A3%A3%baseRegion=TR)>. As of 2016, there has been a slight reversal of the flow of Spanish emigrants in relation to the years 2010 to 2015, according to data available at: <<https://www.statista.com/statistics/445930/migration-flow-in-spain/>>. Accessed on Jan 06, 2018.

6 The British experience of using the zero-hour contract was embraced by Brazil in the recent labor reform, whose Law 13.467/2017, already approved, has been in force since November 2017. According to the Inter-Union Department of Statistics and Socio-economic Studies - DIEESE, in the Intermittent Work Contract, from August 06, 2017, the intermittent work contract favors the employer, insofar as it transfers control of the work force to the employer, reducing labor costs and charges. Available at: <<https://www.dieese.org.br/outraspublicacoes/2017/contratoltermite.pdf>>. Accessed on July 05, 2017.

7 Military alliance formed by the Treaty of Amity, Cooperation and Mutual Assistance, signed in Warsaw on May 14, 1955 by Albania, Bulgaria, Hungary, GDR, Poland, Romania, Czechoslovakia and USSR. The Warsaw Pact was established as a balance of power and a response to the accession of the FRG to NATO. It complemented COMECON militarily (see note 10 below), aligning these socialist countries, establishing a commitment of mutual assistance in case of military aggressions and legalizing the presence of millions of USSR military personnel in Eastern European countries since 1945. The Treaty, with texts officers in Russian, Polish, Czech and German, was extinguished on February 25, 1991, and is available at: <<https://treaties.un.org/doc/Publication/UNTS/Volume%20219/volume-219-1-2962-Other.pdf>>. Accessed on January 08, 2017.

8 Council for Mutual Economic Assistance was constituted in 1949 and extinguished in 1991 with the dissolution of the USSR. According to Bideleux and Jeffries (1998, p.534), COMECON was the Soviet response to the Marshall Plan, which aimed to support the economic reconstruction of Western Europe. It had as objectives the economic, scientific and technical cooperation aimed at the economic integration of Eastern European countries under the control of the Union of Soviet Socialist Republics. Member States: USSR, GDR (1950-1990), Czechoslovakia, Poland, Bulgaria, Hungary and Romania. Subsequently, other socialist countries joined COMECON: Mongolia (1962), Cuba (1972) and Vietnam (1978).

9 Available at: <<http://www.brasilia.ms.gov.pl/resource/d4ac1889-c3ec-4e5d-9d60-ddd93280dcbajCR>>. Accessed on July 05, 2017.

10 Available at: <<http://brasilia.mae.ro/en>>. Accessed on July 05, 2017.

which seem to return to the countries of origin of emigrants, who seem to be directly concerned with their economies or, more precisely, become direct interests for the economies of these countries, as the case, for example, of social insurance conventions and also of family wage, pensions and retirements, that is, everything that can promote social transfers. (SAYAD, 1998, p. 236)

Many of these countries are mentioned in the film, which shows the strong presence of immigrants in the United Kingdom from various Eastern European countries such as Kosovo, Romania, Ukraine and Poland. However, not all of these immigrants come from EU member States, such as the Poles or the Romanians, condition in which provides them passport and adequate documentation and thus a regular status to stay and work in the UK, until the recent unilateral Act of Brexit<sup>11</sup>.

Eric Hobsbawm, in discussing the globalization of mass international migrations, emphasizing the flow of the poor to the rich economies, reminds us that the scale is large, being this movement accelerated at the beginning of the 21st century, when about 4.5 million people was registered entering the countries of the European Union, reason why concludes that “the fantastic cosmopolitanization of the big cities of wealthy countries is a visible consequence”. (HOBSBAWM, 2007, p. 89-90).

As a consequence, immigration, according to Sayad (1998, p. 106), was led to constituting itself as a system endowed with “a logic of its own, because it has its own effects and causes, as well as its quasi-autonomous conditions of functioning and perpetuation”, in which immigrant labor “has long since ceased to be a complementary labor force to become a structural labor force, a replacement labor force”. It then verifies that the Keynesian assumptions, egalitarian, aimed at “the construction of a more just society began to collapse at the end of the century” (SASSEN, 2016, p.252).

The film, therefore, develops the theme of labor exploitation of immigrants in a globalized world under two biases, namely: that of the legal immigrant and that of the immigrant in an irregular situation, being the latter, by not having adequate documentation to authorize him to remain and to work in foreign territory, ends up living in clandestinity, in conditions even more precarious than those experienced by legal immigrants, once the possibility of imminent deportation and the fear of consequences resulting from illegality, makes him more vulnerable to exploitative situations and on the fringe of basic fundamental rights. It is also noted, as presented in the film, that in the group of illegal immigrants are also those from other parts of the world, such as Brazil, Afghanistan, Iran and Iraq.

During the film, the protagonist Angie and her friend Rose begin activities promoting the recruitment of only candidates who have the legalized documentation, even though they themselves are not in relation to their venture itself, as they do not collect the legal fees required for the exercise of the activity. Gradually, the pair surrenders to the facilities of exploring the activity on the margins of the law, corrupting themselves in immoral situations until reaching legal transgression, by recruiting illegal immigrants and commercializing passports and false documents for the greater profitability. That is to say, Angie and Rose go from the administrative irregularity by the absence of payment of taxes and tributes related to the exercise of their activity, to the international traffic of people, in that they end up promoting the recruitment of immigrant workers, facilitating the arrival in foreign territory through false documents and promises of employment at the destination.

The moral dilemma in this trajectory is clearly shown in the film by the conflicting actions of the friends in various decision-making. While Rose ponders the decisions and fears retaliation for dishonest behavior, Angie, impetuously and impulsively, accredits personal success of her transgressing actions. The moral conflict seems to be resolved at the end of the film when they separate. Rose gives up, Angie succumbs. In the lesson of Hannah Arendt (2004):

<sup>11</sup> Statistics data of the European Union (EUROSTAT) from 2015, on migration and the migrant population revealed that “Germany reported the highest total number of immigrants (1,543,800) in 2015, followed by the United Kingdom (631,500), France (363,900), Spain (342,100), and Italy (280,100). In 2015, Germany reported the highest number of emigrants (347,200), followed by Spain (343,900), the United Kingdom (299,200), France (298,000) and Poland (258,800). In 2015, a total of 17 EU Member States reported higher immigration than emigration, but in Bulgaria, Ireland, Greece, Spain, Croatia, Cyprus, Poland, Portugal, Romania, Latvia and Lithuania, the number of emigrants of immigrants”.

Morality refers to the individual in his or her uniqueness. The criterion of right and wrong, the answer to the question, "shall I do", does not ultimately depend on the habits and customs I share with those around me, nor on an order of divine or human origin, but of what I decide with respect to myself. In other words, I cannot do certain things because, after doing them, I will not be able to live with myself. (ARENDR, 2004, p. 163)

Two other important figures that appear in the film are Jamie, the eleven year old son of Angie, role played by Joe Siffleet, and Angie's father. These characters signal the view of a society that pictures itself as a victim of this massive migratory movement, as well as believes to be unrelated to the process of exploitation and social alienation of immigrants.

The suffering of the child, Jamie, for being stigmatized in the school environment, because his mother is called the miscreant of society for developing undignified work with immigrant workers, is the reading of intolerance for the different and helpless, which corroborates the scene of the two Iranian girls living with their clandestine parents in suburban London who do not attend school - a privileged locus for the success of an inclusive education - for fear of prejudiced actions and ethnic, cultural and religious retaliation. They become invisible to be tolerated. Migrants occupy a marginalized position, both in terms of cultural and social identity, and in the sense of not belonging to their new community, where xenophobia and intolerance often emerge.

In this sense, Kant (2008, p. 37) teaches that the refugee's "right to hospitality" should be guaranteed; the right of the foreigner not to be treated hostilely as an enemy (hostile) but, according to Bauman (2017, p. 74), it is imperative "the substitution of hostility for hospitality". For that, it is essential the local integration of migrants, being a complex process that will cover multiple factors, including socioeconomic, cultural and political factors. (MIALHE, 2017, p.54)

In addition, there is another footage from the film that shows an emblematic dialogue between Angie and her father, in which the protagonist seeks to justify her work, claiming that she is devoted to her activity and does something in the world for these immigrant workers who are hungry, to which her father responds that he worries about Jamie, his grandson, because he is about to reach adulthood and soon will have to face competition in the labor market for a salary of hunger with those who came from Kosovo or Romania, threatening to take jobs from nationals, and accuses his daughter Angie of not paying her recruited workers a minimum wage. At this moment, Angie, outraged, unburdens "sooner global warming will be my fault" and concludes "the world is big and no one cares".

In this dialogue, the reaction of the protagonist and the concern expressed by her father are symptomatic of a selfish and individualistic society that reacts to the visibility of immigrants only because the consequences of these presences happen to reach their own lives. There is a clear demonstration of xenophobic behaviors being fed among nationals.

Zygmunt Bauman, referring to the presence of immigrants arriving in foreign territory to further increase competition in the labor market with locals, mentions that in this process "the result is the rivalry, the individualization, the progressive erosion of bonding, leading to vulnerability and the dismantling of integrated collectivities". In this dynamic, according to Bauman, the obedience to moral principles is suspended, and concludes that "we are nowadays residing much of the time in a resurrected Hobbesian world of *bellum omnium contra omnes*" (BAUMAN, 2017, 109).

The dialectics of the relations between globalization, national identity and xenophobia is analyzed by Hobsbawm by pointing out that "the new globalization of movements has reinforced the long popular tradition of economic hostility to mass immigration and resistance to what are seen as threats to the collective cultural identity" and that xenophobia is present to the extent that

the ideology of globalized capitalism in free markets has failed to establish the free international movement of the labor force, [...] reflecting the social cataclysms and moral disintegration of the late twentieth century and the present time. (HOBBSAWM, 2007, p. 92).



Hobsbawm's (2007) inquiry is appropriate by questioning the meaning of citizenship rights and obligations in States where a substantial proportion of permanent residents have fewer rights than nationals. At this point, Bauman's (2017) pertinent observation on stating that "the general effect of these and other accusations, deprecations and calumnies", in relation to economic migrants is, primarily, their dehumanization. "Dehumanization opens the path to the exclusion of the legitimate human beings category, who have rights" (BAUMAN, 2017, p. 84).

This same author, quoting Kant again, inquires about how to live in a congested planet, which is reaching the limit of its capacity for occupation, if not for universal hospitality, as a cosmopolitan right? And transcribes the thought of the philosopher:

it is not a matter of philanthropy, but of right. Hospitality means the right of a foreigner not to be treated in a hostile manner by being in alien territory. [...] having to tolerate one another together, and no one originally having more right than the other to be in a certain place on earth. (BAUMAN, 2017, p. 73).

It remains clear the criticism that director Ken Loach makes to the capitalist way of life and exacerbated individualism in a society free of moral precepts and parameters of solidarity and cooperative coexistence standards. The irony of the title of the film, "It's a Free World", is on the freedom that can be translated by the complete absence of social rules for a just and peaceful coexistence. The freedom of the world, in terms brought by the director, emphasizes the insignificance of each person in a global capitalist society and the frantic and individualistic pursuit of a "better life," as well represented in the role of Angie, who is victim and at the same time is a tormentor in the perverse logic of this society.

On the other hand, the film "It's a Free World" suggests, on contrary sense, the growing loss of freedom of each individual inserted in a global society, once the control on the course of the own lives goes away, giving space to the subjections each time to more exploratory and precarious situations. Said in another way, there is no freedom of choice, but there is rather subjection to what is presented. As Christo (2002, p. 14) well reminded us, "neoliberalism, from the moment it produced the commodification of the planet, closed doors for utopia". Today, more urgently than in the past, says Wojtyla (1999, p. 08), there is a need to cultivate awareness for universal moral values in order to face the problems of the present, whose common characteristic is the global dimension that assume, as the tutelage of ethnic minorities and migrants. One must find the path of debate, in an understandable and common language, the problems imposed by the future of man. The foundation of this dialogue is the universal moral law, according to the Kantian categorical imperative: "So act that your will can regard itself at the same time as making universal law through its maxims" (KANT, 1980, p. 129)

In the words of Campilongo (1999),

if the legal system were due to globalization, confusing itself with the imposition of the law of the strongest, with financial procedures or with international commercial practices, that is, with the economic system, there would be no reason for it to continue being called law or to distinguish itself from the economy (...) to reduce the right to the economy or to politics is to succumb to diffuse forms of authoritarianism. (CAMPILONGO, 1999, p. 92)

According to Mialhe (2008, p. 234), the international society needs ethical guidance that subordinates economy to politics, through, inter alia, an effective and unequivocal international legal framework, restrictive of *laissez-faire sans frontières* in the globalized world. Their problems require solutions that can only emanate from the public authorities whose powers, constitution and means of action reach global dimensions, especially within the framework of International Organizations and, in the case, the International Labor Organization - ILO.

#### 4 DIALOGUE WITH THE LAW FROM INTERNATIONAL REGULATORY SOURCES

The migratory issue is currently a topic on the agendas of many countries and, as a global phenomenon, must be tackled from the perspective of equally global solutions. This means that it is not a specific problem of a given country, but rather a generalized challenge that demands the search for harmonically integrated solutions in the international juridical agenda. Based on this premise, it is appropriate to highlight the set of international regulations, related to migration issues, which dictate the guidelines and signalize convergent paths in the search for solutions to achieve global justice.

In 1944, aware of the perverse reality of labor relations in the capitalist system and the distortions produced in it, ILO delegates adopted the Declaration of Philadelphia, which is the letter of principles and objectives of the ILO. It reaffirmed the principle that human labor is not a commodity.

Thus, according to the first paragraph of the Declaration, the premises on which social justice is sought are, among others, the ideas that human labor cannot be considered or treated as a commodity, that misery constitutes a danger to general prosperity, and that the fight against poverty must be a continuous international effort and combined for the common good. From these premises, the Declaration of Philadelphia reaffirms that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity"<sup>12</sup>. It also reaffirms that any national or international policy should have as its main objective to enable the exercise of this right, and that any plans and measures adopted must be made and accepted in order to achieve this main objective.

In the face of such premises, it is clear that the ILO condemns the objectification of man, in a sense that repudiates labor relations based on exploitative conditions, below the minimum level required for the dignity of any worker. In this respect, the understanding of Fábio Konder Comparato (2001) is opportune considering that

the transformation of people into things [...] took place with the development of the capitalist system of production. [...] while capital is personified and elevated to the dignity of subject of right, the worker is debased to the condition of merchandise, of mere input in the production process. (COMPARATO, 2001, p. 23).

Alongside the Declaration of Philadelphia, the ILO adopted in 1998 the Declaration on Fundamental Principles and Rights at Work<sup>13</sup>, in the continuing conviction that social justice is the foundation for universal peace and that the ILO has the primary role of promoting social policies through its normative production, of technical cooperation and research in all areas of its competence. For that, the 1998 Declaration is guided by four strategic objectives, which are: respect for labor rights, the promotion of employment, the extension of social protection, and the strengthening of social dialogue. It also means a fundamental condition for overcoming poverty, reducing social inequalities, guaranteeing democratic governance and a sustainable development<sup>14</sup>.

Based on eight conventions that were considered fundamental to the International Labor Organization<sup>15</sup>, a set of fundamental rights and principles of the ILO was established, the so-called "core obligations", that is, fundamental guidelines that guide all the work of the ILO itself and of all the Member States that are part of it. Core obligations represent the aforementioned strategic objectives and truly

<sup>12</sup> Available at: <[http://www.ilo.org/public/portugue/region/ampro/brasil/brasil/brasil/info/download/constituicao\\_oit.pdf](http://www.ilo.org/public/portugue/region/ampro/brasil/brasil/brasil/info/download/constituicao_oit.pdf)> Accessed on October 23, 2017.

<sup>13</sup> Available at: <[http://www.ilo.org/public/portugue/region/ampro/brasil/brasil/info/download/texto\\_da\\_declaracao\\_em\\_portugues.pdf](http://www.ilo.org/public/portugue/region/ampro/brasil/brasil/info/download/texto_da_declaracao_em_portugues.pdf)> Accessed on October 23, 2017.

<sup>14</sup> ILO. Profile of decent labor in Brazil: a look at the units of the Federation, 2012. ILO report available at <http://www.oit.org.br/node/876>> Accessed on December 15, 2016.

<sup>15</sup> The eight International Labor Organization Conventions, which compounds the core obligations, are: Conventions 87 and 98 regarding the freedom of association; Conventions 29 and 105 concerning the prohibition of forced labor; Conventions 138 and 182 regarding the eradication of child labor and Conventions 100 and 111 relating to the fight against discrimination. Available at: [http://www.ilo.org/public/english/standards/declaration/declaration\\_english.pdf](http://www.ilo.org/public/english/standards/declaration/declaration_english.pdf)

mean new frontiers for labor law associated to the dignity of the human person.

The 1998 Declaration therefore emphasizes the commitment of each ILO Member State to observe and implement the fundamental principles and rights in labor relations, in that it declares that all Members, even though they have not ratified the eight conventions of core obligations, nevertheless have an obligation to respect, promote and realize the fundamental principles and rights mentioned above, including the elimination of discrimination in respect of employment and occupation, in such a way that each State, regardless of sanctioning or not a particular ILO Convention, is linked to the fulfillment of its objectives, as part of the Organization.

Among the conventions listed under the core obligations, special mention is made on Convention 111 of 1958, regarding the discrimination in employment and occupation, which considers discrimination “any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation”<sup>16</sup>.

It should be noted that any Member State which is a signatory to Convention 111 must lead its national policy in order to promote equality of opportunity and treatment in respect of employment and occupation, searching for eliminating all discrimination in this area. In order to do so, and in accordance with national circumstances and practices, the Member State’s legislative activity must be directed towards the attainment of this objective, either by enacting laws or by repealing or modifying legal provisions that violate this policy. ILO Member States should strive to reconcile the international regulations with which they have agreed, with their national regulations in order to recognize and progressively improve the fundamental social rights of workers in their territories.

Regardless of the International Labor Organization’s efforts at the international legal level, it is certain that degrading forms of treatment of workers still exist today, reducing it to a mere quantifiable condition in the employment relationship, since from a situation of vulnerability, the labor force is exploited without adequate compensation, that is, with no deference to the fundamental social rights granted to any worker, thus leaving it below the minimum level of a decent existence. In this sense, there is a clear correspondence between what was advocated by Convention 111 and the work of immigrants taken in different countries, as shown in the film “It’s a Free World” a part of immigrants arriving in English territory, attracted by promises of work and there remain compounded by the need and the search for a more dignified survival, subjecting themselves, based on their vulnerability, to labor relations centered on discrimination and exploitation, with disregard for basic social rights.

In this context, mention should also be made of the important Convention 143, of the International Labor Organization, from 1975, on the unlawful immigration and the promotion of equal opportunities and the treatment of migrant workers. This Convention establishes the need for each Member State of the ILO, which has ratified it, to systematically investigate the presence of migrants illegally employed in their national territory and who are being subjected to conditions contrary to those provided for in applicable international instruments and in national legislation, whether in the migratory movement, or in the arrival or stay in the destination, or during the relation of employment. There is a considerable concern to curb abusive practices related to the migratory movement, consisting of labor trafficking and exploitation of illegal employment.

The Convention 143 is an important instrument for combating illicit practices related to the migration issue. It is true that the strong presence of immigrants who are subjected to regular labor exploitation and have suppressed their fundamental social rights and their human dignity justifies the obligation of each Member State of the ILO Convention to enforce its principles and objectives in accordance with the provisions of the Declaration of Philadelphia, as well as the Declaration of 1998, referred to above, although eventually some of the Member States may not have ratified such Convention.

There is no doubt that Convention 143 enunciates the tendency of the International Labor Organization to promote the protection of immigrants by recognizing them the basic labor rights,  
<sup>16</sup> Available at: <[http://www.ilo.org/brasilia/convencoes/WCMS\\_235325/lang--en/index.htm](http://www.ilo.org/brasilia/convencoes/WCMS_235325/lang--en/index.htm)> Accessed on October 23, 2017.

independently of the immigration situation in which they are present, whether regular or irregular. Thus, Article 9 of the Convention provides that "nothing in this Convention shall prevent Members from giving persons who are illegally residing or working within the country the right to stay and to take up legal employment".<sup>17</sup>

The concern of the ILO to search for solutions to the issue of the migration situation of so many workers is outsourced in the Additional Protocol and the Additional Recommendation of 2014 to ILO Convention 29, which is part of the core obligations. Both the Protocol and the Recommendation signify the reaffirmation of the international legal framework to combat labor exploitation of which so many immigrants are victims.

It is about the search for a decent work that the ILO intends to achieve through its strategic objectives and that, according to Brito Filho (2004), can be defined as the one in which "a minimum set of workers' rights that corresponds to the existence of work, to the freedom of work, to equality at work, to work with fair conditions that can preserve their health and safety, including remuneration, the prohibition of child labor, the freedom of association and the protection against social risks" (BRITO FILHO, 2004, p 61).

On decent work, the ILO formalized its concept in 1999 as a synthesis of its historic mission of promoting opportunities for men and women to achieve productive and quality work in conditions of freedom, equity, security and human dignity. According to the ILO, decent work means the point of convergence of the four strategic objectives outlined, synthesized in the ILO's integrated action with the Member States.

Aiming to emphasizing the principles and strategic objectives of the ILO, in 2008 the ILO Declaration on Social Justice for a Fair Globalization was adopted. In that Declaration, the ILO, taking into account a rapidly changing world context, reinforces the need for each Member to direct their commitments and efforts to implement the Organization's constitutional mandate, in pursuit of decent work as a central element of their economic and social policies. For that, the ILO's strategic objectives must be constantly pursuit, on the basis of which the decent work is articulated.<sup>18</sup>

Under the terms of paragraph 1, item B, of the 2008 Declaration, the ILO's strategic objectives are inseparable, interdependent and mutually reinforcing, with a comprehensive and integrated ILO strategy for decent work, and non-discrimination being an issue which permeates all its strategic objectives. In this context of seeking equitable globalization, the ILO reiterates that the Member States must assume the fundamental responsibility of contributing, through their economic and social policies, to the achievement of social justice in a global and integrated manner, putting into practice the objectives of the Organization, what necessarily includes the decent work agenda. The notes and considerations made in relation to the ILO clearly demonstrate the important contribution of this Organization in the international scenario to face and seek effective solutions to the problem presented here.

Alongside the normative set produced within the framework of the ILO, there are other international instruments fundamental to the recognition and protection of the rights of immigrants within the global human rights protection system of the United Nations, including those in an irregular situation. Among these instruments, the American Declaration of the Rights and Duties of Man and the Universal Declaration of Human Rights, both from 1948, the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, both from 1966, and the Vienna Declaration and Programme of Action, of 1993, should be initially highlighted. These are instruments from which general norms are extracted for the attainment of a dignified existence, which clearly demands from each particular State and concomitantly the union of efforts to implement policies and to produce regulations that meet the guidelines presented by this global system for the protection of human rights.

Thus, the Ninth International Conference of American States and the General Assembly of the United Nations proclaimed in 1948 that the dignity of the human person should be the foundation

---

<sup>17</sup> Available at: [http://www.ilo.org/brasilia/convencoes/WCMS\\_242707/lang--en/index.htm](http://www.ilo.org/brasilia/convencoes/WCMS_242707/lang--en/index.htm). Accessed on October 23, 2017.

<sup>18</sup> Available at: [http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---ilo-brasilia/documents/genericdocument/wcms\\_336918.pdf](http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---ilo-brasilia/documents/genericdocument/wcms_336918.pdf). Accessed on October 23, 2017.

for achieving world justice. They launched the recognition of basic human rights as criterion to be progressively pursued at the national level of each State, as well as at the international level. In their first and second articles, they thus set out the principles of equality and freedom for all people, who are born free and equal in dignity and respect and emphasize that all persons should have equal protection of the law without discrimination.

Work is a right and a duty provided in Articles XIV and XXXVII of the American Declaration of the Rights and Duties of Man; in Article 23 of the Universal Declaration of Human Rights and in Articles 6 and 7 of the International Covenant on Economic, Social and Cultural Rights.

The other important point to emphasize regarding the global system for the protection of human rights is the Vienna Declaration and Programme of Action of 1993, adopted consensually in plenary by the World Conference on Human Rights.

The contribution of this Declaration refers to the emphasis in Article 5 that national and regional specificities, as well as the various historical, cultural and religious backgrounds, should not represent impediments to the promotion and protection of all human rights and fundamental freedoms, independently of any political and economic systems in force in each State. Regarding the migratory issue presented, the Declaration of 1993 emphasizes as groups of people who have become vulnerable, expressly including migrant workers, as recipients of human rights protection. They should ensure the elimination of all forms of discrimination by strengthening the effective implementation of existing human rights instruments<sup>19</sup>.

In the same sense, the United Nations, considering the serious human problems arising from irregular migration and the need to take appropriate measures to ensure the protection of the fundamental rights of migrant workers, and considering that among them, the undocumented migrants are frequently employed in unfavorable conditions, it has adopted by Resolution 45/158 of the General Assembly in 1990 the International Convention on the Protection of All Migrant Workers and Members of Their Families, which provides for the guarantee of the rights therein set out<sup>20</sup> for all migrant workers with no distinction of any nature.

The international normative set presented by the ILO, the UN and the OAS, related to the issue of workers and migrants, raises important contributions to understanding the global reality, as shown in the film "It's a Free World". The achievement of world peace and social justice necessarily involves the reconciliation of the international guideline for the protection of the rights of migrants with the internal legislation of each State, which should establish a harmonious and effective dialogue with international sources, for not remaining in an innocuous speech of protection of human rights.

## 5 FINAL CONSIDERATIONS

The human movement of thousands of workers who leave their countries of origin in search of better living conditions in places where there are more prosperous economic centers is an irreversible reality in the context of a globalized world. Expressive part of these economic immigrants, in the perspective of finding decent jobs, face situations of absolute exploitation and hostility, whose marginalization and submission to precarity are almost inevitable.

<sup>19</sup> Available at: <http://www.pge.sp.gov.br/centrodeestudos/bibliotecavirtual/instrumentos/viena.htm>. Accessed on October 23, 2017.

<sup>20</sup> The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, in accordance with article 7 "States Parties undertake, in accordance with the international instruments concerning human rights, to respect and to ensure to all migrant workers and members of their families within their territory or subject to their jurisdiction the rights provided for in the present Convention without distinction of any kind such as to sex, race, colour, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status" and Article 11 "1. No migrant worker or member of his or her family shall be held in slavery or servitude; 2. No migrant worker or member of his or her family shall be required to perform forced or compulsory labour". Available at <www2.camara.leg.br/documentos-e-esquisa/publicacoes/... da ... / 2014\_11685 .pdf> Accessed on April 23, 2017.

In portraying this reality, the film "It's a Free World" emphatically denounces the individualism led to extreme consequences and the lack of ethical and solidary values that permeate social and labor relations established between the various immigrant and the nationals workers of a given location, situations that are easily perceived in globalized capitalist societies, whose liberal values preponderate on a strategic silence of the State in social questions.

There is, however, a clear concern in the international legal area to build and ensure a protective environment of respect and development of human rights, especially social rights for underprivileged migrant workers. This concern, expressed in the various legal instruments within the framework of the ILO and the UN, demands not only the recognition and incorporation of international regulation by the States, but mainly and fundamentally their harmonious and convergent application with their respective national laws, under penalty of these instruments constitute only material for the exercise of a cynical and sterile rhetoric. Without such effort, what remains, as is currently, is the existence of a set of potentially transformative regulations of the degrading condition in which many immigrant workers find themselves, but that do not advance in the practical life of this population, leading to situations of ineffectiveness of rights<sup>21</sup>.

There is therefore no alternative but to confront the migratory issue along the path of solidarity and cooperation, recognizing individuals as essentially interdependent people, especially in a globalized world in which we live. Only the peaceful coexistence of each other, in the face of the endless differences, can bring the perspective of the real extent of social justice and the well-being of society, without which there is no possible means to reconcile divergent interests such as those that naturally exist and are at the core of any pluralistic and democratic society.

## REFERENCES

ARENDR, Hannah. Algumas Questões de Filosofia Moral. In: ARENDR, Hannah. **Responsabilidade e julgamento**. São Paulo: Companhia das Letras, p.112-212, 2004.

BAUMAN, Zygmunt. **Estranhos à Nossa Porta**. Rio de Janeiro: Zahar, 2017.

BIDELEUX, Robert; JEFFRIES, Ian. **A History of Eastern Europe: crisis and change**. 2. ed. Londres: Routledge, 2007.

BOBBIO, Norberto; MATTEUCCI, Nicola; PASQUINO, Gianfranco. **Dicionário de política**, 4. ed. Brasília, UnB, 1992.

BRASIL. MJ. CONARE. **Sistema de Refúgio Brasileiro: desafios e perspectivas**. Disponível em: <<https://www.slideshare.net/justicagovbr/sistema-de-refugio-brasileiro-balano-at-abril-de-2016>>. Acesso em: 30 mar. 2018.

BRITO FILHO, José Claudio Monteiro de. **Trabalho decente**. São Paulo: LTr, 2004.

CAMPILONGO, Celso Fernandes. Teoria do direito e globalização econômica. In: Carlos Ari Sundfeld; Oscar Vilhena Vieira (coords.). **Direito global**. São Paulo: Max Limonad, 1999.

CHRISTO, Carlos Alberto Libânio. (Frei Betto). **Veja**, ed. 1.782, ano. 35, n. 50, p. 14, dez. 2002.

---

<sup>21</sup> The question of the effectiveness of social rights of immigrants demands another in-depth discussion that does not fit in this article, as it would extrapolate the scope and object of analysis of the present study.

COE. Conselho da Europa. **Convention Européenne Relative au Statut Juridique du Travailleur Migrant**, nov. /1977. Disponível em: <<https://www.coe.int/en/web/conventions/full-list/?conventions/rms/090000168007732b>>. Acesso em: 06 jan. 2018.

COMPARATO, Fabio Konder. **A afirmação histórica dos direitos humanos**. 2. ed. São Paulo: Saraiva, 2001.

CORTEN, Olivier; DUBISSON, François. (dir.) **Du Droit International au Cinema**. Paris: Pédone, 2015.

ESTEVES, Ana Camila. Espectatoriedade cinematográfica e a experiência ficcional nos filmes baseados em fatos reais. **Razón y Palabra**, 2010, 15. Disponível em: <<http://www.redalyc.org/articulo.oa?id=19951611059> ISSN 1605-4806>. Acesso em: 23 out. 2017.

FABRE, Luiz Carlos Michele (org). **Vade Mecum**. Direito Internacional do Trabalho. São Paulo: Orgânica, 2013.

FARET, Laurent. Movilidades migratórias contemporâneas y recomposiciones territoriales: perspectivas multi-escala a partir del caso México-Estados Unidos. In Flores, Sara (coord). **Migraciones de trabajo y movilidad territorial**. Cidade do Mexico: CONACYT e Miguel Angel Porrúa, p. 81-98, 2010.

FREITAS, Patrícia Tavares de. Imigração boliviana para São Paulo e setor de confecção em busca de um paradigma analítico alternativo. In: Baeninger, Rosana. (org). **Imigração boliviana no Brasil**. Campinas: Núcleo de Estudos de População – NEPO/UNICAMP; Fapesp; CNPq; Unfpa, p. 155-174, 2012.

GIDDENS, Anthony; SUTTON, Philip W. **Conceitos essenciais da sociologia**. 2. ed. São Paulo: Ed. UNESP, 2015.

HABERMAS, Jürgen. **Sobre a constituição da Europa**. São Paulo: Ed. UNESP, 2012.

HERRERA, Carlos Miguel. Estado, constituição e direitos sociais. **Revista do Tribunal Regional do Trabalho da 15ª Região**. Campinas, SP, n. 28, p. 127-144, jan./jun. 2006.

HOBBSAWM, Eric. **Globalização, democracia e terrorismo**. São Paulo: Companhia das Letras, 2007.

\_\_\_\_\_. **Mundos do trabalho: novos estudos sobre a história operária**, 6. ed., São Paulo: Paz e Terra, 2015.

KANT, Immanuel. **Fundamentação da metafísica dos costumes**. Tradução de Tania Maria Bernkopf. Coleção “Os pensadores”, São Paulo: Abril Cultural, 1980.

\_\_\_\_\_. **À paz perpétua**. Tradução e prefácio de Marco Zingano. Porto Alegre: L&PM, 2008.

MARIA, Cristiane Toledo. O cinema de Ken Loach e a refuncionalização de materiais estético-políticos. Dissertação (Mestrado) – Faculdade de Filosofia, Letras e Ciências Humanas, Universidade de São Paulo, São Paulo, 2010.

MISAILIDIS, Mirta Lerena; BOARETTO, Laira Beatriz. **Os direitos fundamentais dos trabalhadores imigrantes no Mercosul: os excluídos socioeconômicos do bloco regional**. In: BRAVO, Álvaro Sanchez; MISAILIDIS, Mirta Lerena (orgs.). Os direitos fundamentais dos refugiados (deslocados) ambientais e da exclusão socioeconômica. São Paulo: Verbatim, p. 179-194, 2012.

MIALHE, Jorge Luís. A naturalização dos refugiados. In: Alvaro Sanchez Bravo e Jorge Luís Mialhe (orgs.) **Refugiados e migrações no século XXI: direitos fundamentais e relações internacionais**. Belo Horizonte: Arraes, p.49-60, 2017.

\_\_\_\_\_. Relações internacionais e Direito internacional numa sociedade globalizada: breves anotações. **Verba Juris**, João Pessoa: UFPB, ano 7, n. 7, p. 205-240, jan./dez. 2008.

MISAILIDIS, Mirta Gladys Lerena Manzo de. Convergências e assimetrias nas relações coletivas de trabalho nos países do Mercosul. In: CECATO, Maria Aurea Baroni; CARDONA RUPERT, Maria Belén (orgs.). **Direito Social na União Europeia e MERCOSUL: emprego e inserção sociolaboral**. João Pessoa: UNIPÊ, 2009.

MELO, Luiz Antonio Camargo de; BRASILIANO, Cristina Aparecida Ribeiro; MORENO, Jonas Ratier; FABRE, Luiz Carlos Michele. O novo direito do trabalho: a era das cadeias produtivas: uma análise do Protocolo adicional e da Recomendação acessória à Convenção 29 da OIT sobre trabalho forçado ou obrigatório. **Revista Direitos, Trabalho e Política Social**, Cuiabá: UFMT, Ano 1, n. 1, p. 311-335, jul/dez 2015.

MODELLI, Laís. "Migração não é caso de polícia": Grupos pedem reformulação de lei brasileira sobre estrangeiros. **BBC Brasil**, 23 out. 2016. Disponível em: <<http://www.bbc.com/portuguese/brasil-37444790>>. Acesso em: 30 mar. 2018.

NIETZCHE, Friedrich. O Estado entre os gregos. In: Friedrich Nitzche. **Escritos sobre Direito**. Genealogia da Justiça e do Direito. Rio de Janeiro: Ed. PUC Rio/Loyola. p.53-164, 2009.

OEA. Organização dos Estados Americanos. **Declaração Americana de Direitos e Deveres do Homem**. Disponível em: <<http://www2.senado.leg.br/bdsf/bitstream/handle/id/508144/000992124.pdf?sequence>>. Acesso em: 09 jan. 2018.

OIT. Organização Internacional do Trabalho. **Perfil do trabalho decente no Brasil: um olhar sobre as unidades da federação**, 2012. Disponível em: <[http://www.oitbrasil.org.br/sites/default/files/topic/gender/pub/indicadorestdnovo\\_880.pdf](http://www.oitbrasil.org.br/sites/default/files/topic/gender/pub/indicadorestdnovo_880.pdf)>. Acesso em: 05 jan. 2018.

OLIVEIRA, Fabíola Cristina Ribeiro de. **Da revolução iraniana ao refúgio na França: a reconstituição de um passado recente por meio do filme "Nós ou nada em Paris"**. Piracicaba: GERM/UNIMEP, p. 24, 2017.

PADOVANI, Daniela Wernecke; MISAILIDIS, Mirta Gladys Lerena Manzo de. Imigrantes indocumentados e a inefetividade de seus direitos fundamentais trabalhistas. In: MISAILIDIS, Mirta Gladys Lerena Manzo de; PESSANHA, Vanessa Vieira. (coords.) **Direito do trabalho e meio ambiente do trabalho I**. XXV Congresso do CONPEDI - UNICURITIBA. Florianópolis: CONPEDI, p. 169-184, 2016.

PORTES, Alejandro; SASSEN-KOOB, Saskia. Making it underground: comparative material on the informal sector in Western Market economies. **American Journal of Sociology**, ano 93, p. 30-61, 1987.

RAMOS, André de Carvalho. **Processo internacional de direitos humanos**. 2. ed. São Paulo: Saraiva, 2012.

\_\_\_\_\_. **Teoria geral dos direitos humanos na ordem internacional**. Rio de Janeiro: Renovar, 2005.



RIBEIRO, B.C. **Trabalho e gestão através do cinema**. Dissertação (Mestrado em Ciências Sociais). Marília: Universidade Estadual Paulista - UNESP, Faculdade de Filosofia e Ciências, p. 132, 2013.

SARLET, Ingo Wolfgang. **A eficácia dos direitos fundamentais**: uma teoria geral dos direitos fundamentais na perspectiva constitucional. 12. ed. Porto Alegre: Livraria do Advogado, 2015.

SASSEN, Saskia. **Expulsões**: brutalidade e complexidade na economia global. Rio de Janeiro: Paz e Terra, 2016.

SAYAD, Abdelmalek. **A imigração**. São Paulo: EDUSP, 1998.

União Européia. **Tratado da União Européia** (Maastricht, 1992). Versão consolidada (Lisboa, 2007). Mensagem para a celebração do XXXIII dia Mundial da Paz de 01 de janeiro de 2000. Disponível em: <[https://w2.vatican.va/content/john-paul-ii/pt/messages/peace/documents/hf\\_jp-ii\\_mes\\_08121999\\_XXXIII-world-day-for-peace.html](https://w2.vatican.va/content/john-paul-ii/pt/messages/peace/documents/hf_jp-ii_mes_08121999_XXXIII-world-day-for-peace.html)>. Acesso em: 09 jan. 2018.

UNIÃO EUROPÉIA. EUROSTAT. **Estatísticas da migração e da população migrante**. Disponível em: <[http://ec.europa.eu/eurostat/statistics-explained/index.php/Migration\\_and\\_migrant\\_population\\_statistics/pt](http://ec.europa.eu/eurostat/statistics-explained/index.php/Migration_and_migrant_population_statistics/pt)>. Acesso em: 30 mar. 2018.

WOJTYLA, Karol Jósef. (Papa João Paulo II). Mensagem para celebração do XXXIII Dia Mundial da Paz de 01 de janeiro de 2000. Disponível em: <[https://w2.vatican.va/content/john-paul-ii/pt/messages/peace/documents/hf\\_jp-ii\\_mes\\_08121999\\_XXXIII-world-day-for-peace.html](https://w2.vatican.va/content/john-paul-ii/pt/messages/peace/documents/hf_jp-ii_mes_08121999_XXXIII-world-day-for-peace.html)>. Acesso em: 09 jan. 2018.