

# Mundane Disappearance: The Politics of Letting Disappear in Brazil

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Every year between 20 and 25,000 people ‘go missing’ in São Paulo state in Brazil. But in Brazilian law disappearance is just a *fato atípico*; an ‘atypical occurrence’. There is no causal relationship between act and violence to be legally found. Nor, it seems, is there a pursuit to know. In a region well recognised for political disappearance, I ask for a deeper and historicised consideration of how disappearance has worked politically, and why it might be acutely important at the current juncture where mass graves have a kind of axiomatic enigma. Doing so allows for a thorough disaggregation of how conditions of passive government and a lack of pursuit – letting disappear – shape the terrain of both extreme suffering and contemporary political ordering.

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Neide fixes her brown eyes to mine; linear, direct. “You’re here now, but if you were to disappear here, now, *ah meu filho...*” She laughs, ill at ease. Her gaze shifts, the focus dissipates. One day, in 2008, Neide’s son Felipe walked out the door. He said he was going to return a motorcycle with a friend of his. He was never heard from again. Into thin air. I sit with Neide in the living room of the house she built from scratch with her husband on the south side of São Paulo. It is around the corner from one of the urban capillaries that connects the informally urbanised periphery with the downtown of this “global city”. In the other direction the capillary runs down to the Billings Reservoir, a dammed body of heavily contaminated urban water that feeds into the Pinheiros River, a thick thread that moves back through the city, meandering alongside the crystalline towers on United Nations Avenue.

In São Paulo, between 20 and 25,000 people ‘go missing’, year after year. Or so say newspaper reports, and a small group of activist state workers trying to count those who are reported as disappeared. A 2017 newspaper headline shouts, “8 people are registered as disappeared per hour in Brazil in the last ten years” (Ayacaba 2017).

For Neide, everything changed as night fell and Felipe never returned. Trauma fell on top of trauma. Depression, darkness, and dejection. There was searching, everywhere. The emptiness was not just because of Felipe’s presence in absence, of his smile and laughter, gregariousness, but, now, of any of her own emotion that made getting up worth it. Neide lost her job. Eventually, her husband did as well. Felipe’s disappearance was material emptiness, emotional emptiness, and now, emptiness in their stomachs. As she put it, “There was nowhere to run.”

But, as it turned out, even more emptiness was possible. Political emptiness. Felipe had been a high school student. And, as with every student in the municipal public school system, when he was absent, parents would hear about it. The *assistente social* – school extension worker – would call to ask where he was, why he wasn't in the classroom. "They would harass us," Neide said. These municipal employees would call, demanding to know why he wasn't in school. She paraphrases: 'Is there a problem at home?'

And then, five or six months after Felipe disappeared, the principal called, impugning 'Why isn't Felipe at school?' The extension workers had escalated the issue to him. The principal was shocked when Neide told him. The conversation ended as though with a single syllable: 'Oh'. "After he hung up, I never heard from him again," says Neide. The principal, too, disappeared, along with all of those who wanted to know where Felipe was before he had gone missing. "But where is the extension worker now to help me? Where is that group of people, from the *Conselho Tutelar*, that is supposed to be so concerned about child welfare? They do nothing but say that they do. But if I was ever to spank my child, the police would be there the next day..."

Neide has been to every state institution that could possibly help her. An NGO for parents of missing children gives out a prepared and photo-copied list of places to look. She's been to each what feels like hundreds of times in these last ten years. To places like her neighbourhood police station, where they file it but dismiss the problem as 'not a crime'. To the missing person unit, which secretes multifarious bureaucratic violence. To the morgue, which smells of a heaviness of decomposition that sticks to your clothes. To cemeteries, with their routine processes of interment, space-saving disinterment after 36 months, and disposal.

And to *abrigos* of social abandonment like that described by João Biehl (2013); semi-public places for people who can't, or aren't allowed, to find their way home.

Figure 1. Neide, with Felipe's last Mother's Day gift



Neide pauses, pensive, mulling over how to make sense of the way power has been reformatted in her life. “I’ve come to see,” she says, “that politics is everywhere.” She points to something by the doorframe. “It’s in the light switch,” for example. She seems to be suggesting that it is like a concealed circuitry, a force that courses, that you think you can turn off or on; as though you have power *over* it. And, of course, she and her husband built it into their own house, fixing the bracket into place, securing the wires and the switch with mortar. They tried to make it stable, to harness a reliable connection to it. But instead, as she frames it, *you just get a bill in the mail*.

Politics is everywhere and it is nowhere. It is egregiously present just as it is critically absent, cradled in a generalised condition of indifference. In 2018, police killed 779 people in São Paulo state.<sup>1</sup> The same year a prosecutorial unit tallied 24,368 missing people reports for the same area. Disappearance – of bodies and politics itself – is mundane.

In what follows, I argue for a critical consideration of how the mundane disappearance of people like Felipe works politically, and especially through the politics of abrogation, where the political conditions of disappearance are themselves made to disappear. If Foucauldian scholarship has called for an appreciation of the population and sovereignty as the power to make live and let die, and if others, like Achille Mbembe (2003), have asked for an analytical return to the politics of death to make sense of the failures and foils of liberalism, then here I want to ask, both conceptually and materially, *what is missing?* I intend ‘what is missing’ as a two-fold proposition, both about what is disappearing in axiomatic ways – people, states – and about what is conceptually not present – mundane disappearance, it seems to me – in the

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<sup>1</sup> Data from the Secretary of Public Security of São Paulo compiled by the Fórum Brasileiro de Segurança Pública.

critical scholarship on states, sovereignty, politics, ‘the disappeared’, and contemporary mass graves. In Brazil and elsewhere, the ‘disappeared’ that animate everyday political life are banal. They are yesterday, today and tomorrow. Unlike the ‘disappeared’ that populate much scholarly debate, whose context is shrouded in atrocity, political crisis or hindsight<sup>2</sup>, the mundane disappeared are not part of any ethical rupture – Cold War to Democracy, counterinsurgency to peace agreement, torture regime to Truth Commission – that mobilises a manhunt or pursuit. Alongside these other disappeared populations, the disappeared of my focus, here, seem barely worth speaking of.

Like all disappearances, the empirical problem and theory isn’t, strictly, a question of bodies, or of death to be retrieved and verified. There are no bodies by definition. But for mundane disappearances especially, which can’t be affixed easily or in linear ways to the state, and for which there is an omission of a hunt for knowledge on the part of the state, enumeration is a difficult project that, itself, doesn’t imply political responsibility. Nor is there death or violence – at least according to the mores of positivist legal reason. Moreover, mundane disappearance doesn’t segue well into the ‘politics of dead bodies’, of the political uses of dead bodies, especially from one historical moment to the regime of the next, as Verdery (1999) and others have conceived. Indeed, some disappeared people have never bureaucratically existed at all; since they have no birth certificate, no identity documents, they can’t even be registered as missing.

A recognition of mundane disappearance means questioning the murk and mutual dependence between not existing politically and not existing materially. It has become

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<sup>2</sup> For outstanding recent considerations see: Edkins (2011); Karl (2014); Godoy (2015); Ferrandiz and Robben (2015); Wagner (2015).

reasonable to not want these bodies and to not want to count or pursue them. Moreover, it has become reasonable to allow for ‘third things’ like landscapes, organized crime, water or the absence of it in deserts and oceans to do away with them, as though these things had agency or legal personhood. This all underpins an axiom: not accounting for the disappeared is the art of government.

In arguing for a critical consideration of mundane disappearance I hope to show how the problem of disappearance, of ‘allowing people to go missing’, and of deciding not to pursue those that do, fits in an historic political arc. In what follows, I describe a condition that is foregrounded by a larger research inquiry, and a material paradox: In São Paulo, there is a Cold War mass grave in one of the city cemeteries, a place called *Dom Bosco* or *Cemitério dos Perus*. This mass grave contains no less than 1100 bodies or parts thereof. And yet, the ongoing and contested search that centres on this space hinges on 4 or 5 known political dissidents believed to be there. The rest of the bodies are shrouded in namelessness (See Hattori et al 2015). Who are those others? What does an inquiry that assumes their unknowability reveal about disappearance and politics, then as now?

My claim here builds from a larger concern with violence and politics that works through an engagement with the spaces, bureaucracy and situated realities of ongoing and historic disappearance in the city (See G. Denyer Willis 2018). Building on ethnographic research begun in 2006, I carried out fieldwork over a series of research trips between 2015 to 2019, spending time with mothers and fathers of the disappeared, with gravediggers, prosecutors and others. The evidence I draw upon is the result of repeated interviews, observations and ongoing engagements with people on the edge of disappearance and their interactions with spaces and bureaucracies of disappearance and its aftermath; cemeteries, homes, city plazas,

peripheral and central urban spaces, and the institutional confines of places like the criminal coroner (*Instituto Médico Legal*), where families and those concerned encounter the selective knowledge of bodies and politics. In this inquiry my effort has been to make some sense of the dissonance between having tens of thousands of people going missing and the generalised absence of a ‘manhunt’ for them, what I consider to be *a political effort to pursue or know why*. All of this follows the assumption that if governing the dead is the logic of sovereignty that works through the uses of dead bodies (Stepputat 2016), then governing the disappeared is a similarly political project with its own defining characteristics rooted in maintaining order even with (or through) the absence of bodies.

I present a narrative in four parts. The first is a consideration of conceptual understandings of how bodies are contained both actively and passively. The second discusses how Brazil and its distinctive history reveals an arc of disappearance as politics. I follow with three kinds of ethnographic evidence in three stories: a) following Débora, a mother, in an effort to locate the affective and spatial condition of searching, and accompanying those who have gone missing, especially for mothers; b) following Otávio, a grave digger, in consideration of the urban cemetery as one of the ‘pinch points’ for searching and finding, where Otávio’s interest in life and dignity reveals the political abrogation of cemetery conditions; and c) following Mariana, a mother, in order to reflect on the emergent politics of pursuit amidst, that carries its own means of making people disappear, and mitigating the same.

### *The Pursuit of Bodies, and Knowledge*

Many have written of how “domination presupposes a kind of manhunt”, as Grégoire Chamayou (2012:4) puts it. Efforts to flee, to escape political, spatial and ethical enclosure, are regularly met with determination to pursue, maintain and reiterate order. To not do so

implies a weakness of political authority, an absence of power. The conventional 'monopoly on violence' frame, which associates political order with the power to use violence and death to make or preserve a status quo, implies that politics needs to work through death and its spectre, and that it does so mundanely. In keeping, there can be no flight from a particular logic of violence and death. A manhunt, a pursuit, is required to fulfil what Mbembe (2003) describes as 'necropolitics', the power of de jure states to decide who may live and who must die. Or, as he questions, "Imagining politics as a form of war, we must ask: What place is given to life, death, and the human body (in particular the wounded or slain body)? How are they inscribed in the order of power?" Here, power is drawn and reasserted through the violent act of capturing and containing subjects on an everyday basis, whether they attempt to flee or not.

And yet others are concerned with the ways that contemporary politics seeks to omit the need for a manhunt. Here, political power seeks to both absolve itself from responsibility to chase down and to disavow ethical implication. Under this logic, sovereign power means establishing the mundane terms of violence and death, including, and especially through, the evocation, omission and ambiguity of law. Drawing on Marx through Derrida's (1994: 31) evocation of "phantom states", Goldstein (2016) writes of "absent-presence", a mode of rule that "imposes certain kinds of legal and social regulation but neglects others, making the state into a phantom, at once there and not there, a ghostly presence". All of this happens under a global cloak of deregulation, where political paring back works upon particular populations and spaces, depressing labour conditions and value through non-provision.

Such logics of pursuit and disavowal must necessarily work together; an analysis of one absent the other provides an opaque view of political and economic order. Crucially, though,

a consideration of both, together, can be conceptually abstracted: what does their collision look like in everyday life and contextual terms? The ways, means and actors of everyday pursuit are myriad, situated. Recent scholarship attends in great detail to the shifting political economy of what can be called the nexus of ‘capture-entrapment-production’ (James 2005; O’Neill and Dua 2017; Dougherty 2019). Ethnographic and critical humanistic work in this vein reveals in lucid detail the political logics and actors that animate contemporary pursuit: deportation and deportation centres (Bales and Mayblin 2018), the prison industrial complex (Davis and Shaylor 2001; Gilmore 2007), the codification of categories – Hall’s ‘mugging’ (1978) – that demand new lines of centralised political pursuit, or a reformatting of the old.

Others describe the forms, acts and materialisations of pursuit that increasingly occur alongside, enabled by political disavowal. Pursuit amidst disinterest for certain bodies takes everyday form in peculiar kinds of ‘hunting’ (O’Neill 2017). *La renta* extortion collectors predate the Central American city by phone (Fontes 2016). Drug debt bookkeepers of ‘criminal governance’ keep tabs and send emissaries to collect from the delinquent in Brazil (Lessing and G. Denyer Willis 2019). Evangelical drug treatment centres carry out mock abductions to fill their spaces, and continue their subsistence in Mexico (Garcia 2015). *Coyotes* and migrant kidnappers in borderlands set to work on those who flee violence and its political conditions (Slack and Campbell 2016; González 2018). A pattern can be disentangled: flight and pursuit happens in the interstices, too.

Other scholars attend to the populations and conditions of non-pursuit with greater emphasis. Here, work traces existence, struggle and suffering amidst what has been called a regime of ‘selective blindness’ (Arias and Marston 2017) or racialised absent presence (Wade 2010). Endurance, resilience, amidst abandonment and racial capitalism, means that ongoing

violence is uneventful, bureaucratically subsumed and banal (Medeiros 2016); its temporality and pace defy bookends, moments or encapsulation in acute ‘shocks’ (Amman 2018; L. Denyer Willis 2020). Here, indigenous populations in Canada, Australia, and elsewhere are left to disease, suicide, the absent provision of basic infrastructures and, indeed, murder or disappearance after engaging in ‘dangerous professions’ like urban sex work on the streets of idyllic cities like Vancouver. These slow violences of settler colonialism, what Povinelli (2008) calls the forms of dying that are cruddy, chronic, and cumulative, can’t be so easily politically accounted for. As Stevenson (2012) evokes, such a condition then speaks to the ongoing colonial project’s preference for a ‘disturbed Inuit population over a dead one’.

Better still for that project now, it seems, is the analogous category of fading away: the Inuit, the migrant, the urban poor who disappear. Disappearance offers the political order the ability to step back from, on the one hand, having to account for direct lethal violence on these bodies, and, on the other, from the minimalist but costly techniques of maintaining the condition of ‘being disturbed’. Power doesn’t have to kill, nor bear the price tag of cumulative hospital stays or an ‘Indian Residential School’ if people cease to be known. Mundane disappearance is convenient.

We can know that disappearance is an incipient problem because it leaves material and spatial traces. Mass graves are a distinctive kind of evidence. Disappearance is a precondition for their existence. Escalations in mundane disappearance create new cemetery conditions, de facto ones, on the fringes and in the interstices. This is true whether in the ways that ‘non-human’ or ‘environmental deterrence’ turns the desert of the US/Mexico borderlands into an open grave (De Leon 2015), the Southern shores of the Mediterranean into mass graves (Zagaria 2019) or allows armed groups to govern space and produce and re-

use their own burial plots (Denyer Willis in process). What these spaces have in common is a ubiquitous rationality of missing people as politics, where the missing aren't known, don't need to be known, and, yet, such a condition is known by all, in what Melissa Wright (2017: 254) calls "epistemological ignorance". Even so, these spaces eschew rationality: they don't easily reveal why or how. They find their power in axiomatic enigma.

### *Containment Anew in the Land of Containment*

When it comes to mundane disappearance, Brazil seems an archetype. Brazil helps to reveal how disappeared people have long existed in lived politics, both in crisis and banality. Its history could be written through the 'manhunt' and the pursuit for bodies and their capture. In keeping, century after century, region across region, people have fled such domination, disappeared and been disappeared (see Miki 2012; Gomes 2002; Seigel 2020). "By far," writes Stuart Schwartz (2018: 1294), "the most common form of slave resistance was flight." Flight – an effort to disappear – required pursuit for both lost labour and political order, tracing a dialectical seam through Brazilian and Latin American social and political history both before and after the end of chattel slavery. 'Manhunts' were carried out by enslavers, their patrols, one slave owner upon another, and others like *capitães do mato*, quasi-free former slave and indigenous militias put to work – per head captured – in the scrubland and forests for those who sought to disappear (Freitas 1994; Schwartz 1996; Dantas 2004). But this relationship was complex. "Owners usually treated the first flight less severely than subsequent attempts," Karash (1987: 303) describes, "because they regarded it as part of the seasoning in process, and the new slave earned a valuable lesson: running away was grounds for punishment." Attempts to disappear were both a threat, and useful.

In this landscape of containment and flight, Indigenous enslavement was met with rebellion, chattel slavery was punctuated by maroonage and *quilombismo*, with ‘backland’ fugitive religious communes like *Canudos* laid waste in a process of supposed ‘state formation’ and an ideal, centralised domination and rationalization (Levine and Dantas 1995). Such a process was always a dialogue between different iterations and logics of disappearance and capture. And it happened at such a systemic scale that in nineteenth century Rio de Janeiro, “the city and nearby hills were overrun with runaway slaves. (Karash 1987:304)” This shaped the very temporality of society, where nightly curfews kept runaways and the enslaved from using the disorder of the night to overrun the light – enforced in the twilight by both police and bush-hunting capitães do mato (Chazkel 2020).

Flight from capitalist capture doesn’t exist in the same dominantly paradigm today. Flight into hills, forests and slave communities, also known also as *mocambos*, meant subsisting from the margins of the plantation and other settlement. Similar logics of disappearance and flight continue but with at least two key distinctions. First, they have been subsumed into a logic of passive ordering, *letting disappear*, where a manhunt isn’t necessary for labour nor for creating a spectacle that Black lives are worth it. Racialized populations are made absent from provision, infrastructure and an attention to well-being, guided by a politics of disinterest. Here, disappearance is the basic assumption, unless one builds their own house, works in the informal economy, subsists against the odds in urban areas absent of basic living conditions. Second, these logics have urbanized, reformatting what flight means in spatial terms. Today flight and disappearance exist in dense conditions, where spaces of disappearance and flight, and of populations who can disappear or who must flee, are contiguous with the city. Such spaces are alternately unattended to, left to disappear, and policed with exceptional violence.

And yet, then, as now, rural and chattel versus urban and incarcerated, disappearance derives from an ethical condition and patterns of economic subsistence that is required to be “often parasitic, based on highway theft, cattle rustling, raiding, and extortion,” as Schwartz (2018: 301) writes of mocambos. Today, those who disappear become guilty by association with criminalised spaces and survival in-spite-of non-provision. This notion of guilt defines the authority to not to pursue knowledge about a person who has vanished, further invalidating them by virtue of their own disappearance. The non-pursuit of individuals who disappear mundanely, like Felipe, is derived from and reproduces a systemic logic of disappearance as everyday political assumption, all the while happening in the spatial and legal twilight.

Lest there be too much normative focus on particular moments, tactics or incidents of disappearance, and its victims. Brazil’s recent history of acutely political disappearance in the US-supported Cold War dictatorship from 1964 to 1985 crowds out other ways of recognizing disappearance. Here, disappearance was political in its act and its desired effect by the state. “One of the greatest lessons I learned,” said Coronel Paulo Malhães, who ran a secret police torture house, in his deposition to the Rio de Janeiro State Truth Commission in 2014,<sup>3</sup> “is that killing someone doesn’t cause the most dread. Making someone disappear does... When you disappear, you cause an impact much more violent in the group. Where is he? I don’t know, no one saw, no one knows. How? How did he disappear?”

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<sup>3</sup> Within one month of giving his deposition, Coronel Malhães was dead. Newspapers reported that he had been killed during a home invasion, though his wife was unharmed. The Chair of the Rio de Janeiro Commission spoke openly of his death as a *queima de arquivo* – ‘wiping the slate clean’, or, literally – ‘torching of the archives’.

Hundreds of people across Brazil were disappeared by counter-insurgent military policing, through the hands of men like Coronel Malhães, and especially in the first half of Brazil's Cold War regime. How many exactly? They've been counted, tabulated, commemorated in a process of national reconciliation involving at least six commissions over the last twenty years. The 2014 National Truth Commission initiated by former President Dilma, herself once a political prisoner, counted 243 people as disappeared. But the Truth Commission's own report speaks of disqualifying at least 118 other cases brought by families that were "deferred because of legal parameters, whether because of the impossibility to characterise the [person's] participation or accusation of participation in political activities, or whether for formal questions of timeframe and legitimacy" (Brazil 2014: 27).

In its focus on this particular historical moment, Brazil's disappeared only exist because they were political by explicit denomination. They were card-carrying members of political parties or affiliates of deliberate political or revolutionary organizations. These other disappeared – 118, plus all of those others commingled in the mass grave at Dom Bosco, plus the unknown unknowns – that the Commission chose not to pursue, are mundane, historically patterned and politically entangled at scale. Their disappearance isn't denied; it is assumed.

Such are the starting conditions for those searching for their disappeared loved ones amidst banality.

### *Medical-Legal Knowing*

In Brazilian law disappearance is just a *fato atípico*; an 'atypical occurrence'. The 'atypical' sits alongside the 'typical' in Brazilian jurisprudence, where the latter works through four enmeshed normative premises: *conduct*, *result*, *relationship of causality*, and *legal typology*.

These four principles, forged in a global legal condition premised on bodies as the pith of knowing, require a linearity between intent, outcome, effect of action, and the ability to categorise according to codified doctrine. The ‘atypical’, by contrast, is the absence of these complementary and necessary conditions.

Another way of locating the absence of legal reason amidst everyday rationality is through a foundational writ: *habeus corpus*? Bring the body. Western legal theory holds that if a body has been deprived of liberty, and such a condition is contested as unjust, the body must be brought to court for *it* to attest to its own condition of deprivation. Such a logic of deprivation of liberty vests its premises in the materiality, voice or representation of the body and with the state. The absence of a body untethers the ability, and any substantive demand, to claim ‘deprivation of liberty’. Without a body there can be no deprivation of liberty. Where the absence of bodies is the pith of everyday life, the result is conditionality and arbitrariness, discretionary and selective intervention. Such a premise allows for a political shrug at something that shouldn’t have happened, might not have anyway, and which can’t really tell us anything if it did in any case. For Neide, and others like Débora (Figure 2) and Mariana,<sup>4</sup> who search incessantly, death is possible but not certain. Their sons and daughters are gone, but not dead, and not detained. The absence of a body does not fit a knowable legal category with a related category of responsibility beyond the individual.

Life, though, is always circumstantial but known in many ways. Perhaps we are already caught thinking that Felipe was a ‘drug dealer’. He was driving a motorcycle underage after all, and ‘delinquent’ from school. Or maybe that he was a member of the *Primeiro Comando da Capital*, the organized crime group so prominent in particular spaces in São Paulo and

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<sup>4</sup> A pseudonym

beyond. Or that it was police that took him – after all, Neide speaks of being followed and watched by “normally dressed men” for months after. Surmising any of those possibilities reproduces the logic, moving Felipe’s disappearance away from a political condition and towards his ‘individual choices’, minimizing a need to pursue him. Missing bodies, while themselves countable, are surrounded, politically cast and deliberately shrouded, by what we might call ‘axiomatic enigma’.

The embodied experience of mundane disappearance works to a different sphere of knowing. The disappearance of a loved one works like ticker tape in demarcating the everyday politics of ‘shrugging off’ disappearance as knowable and political. These adverse non-events trace histories through the most political of spaces and logics, through patterned pathways to clandestine cemeteries, the ‘Potter’s Field’, the medical examiner’s room (*Instituto Medico Legal – IML*), through the bodies of loved ones left behind, in the ‘alternative tribunals’ of an organized crime group, and in and out of para-police death squads and murderous police. In the void of legal knowledge, everyone knows that there are bodies, there is death, and there is guilt.

In Brazil, as in Mexico and elsewhere in the region, this new condition is very well known and materialized in something that Foucault and others never conceptualized in the reorganisation of space and burial: mass graves, used routinely, that mundanely dot cities and their peri-urban areas. Mundane mass graves resurgent amidst post-Cold War democracy exist in a linear relationship with disappearance and a prevailing condition of disavowed knowledge. These spaces of burial are enlaced in the intensification of spheres of twilight rule by groups alternately understood as ‘*milícias*’, ‘organised crime’, ‘traffickers’, amongst other thin but seductive terms. These groups take care of their own, burying those that they

wish to remember (Lomnitz 2019). They similarly deny care and proper burial to those who should be denied remembrance and memory (Ernst 2019).

Not that these groups are absent of state intent, or of everyday interventions and terror. They are a product of the collision of manhunts and disavowal. The growth of prison systems – São Paulo's has expanded by more than 550% since the 1990s – has been a boon in many ways, but especially for municipalities, construction firms, service providers, and the political capital of elected leaders (Silvestre 2016). Prisons themselves have become spaces of disappearance and unknowing, such that incarceration asks prisoners to disappear, producing myriad other problems in the process. São Paulo's prison system, as many others in the Americas and far beyond (Skarbek 2016), has been a boon for those who would, quite necessarily, organise in and from a politics of indifference (Biondi 2016; Feltran 2018; Alves 2016).

### *Mothers, Again*

In Latin America, there is no discussion of disappearance, then or now, without mothers. It is a weekday afternoon when I meet a group of mothers and a couple of fathers outside a courthouse in the city. They are gathering with white t-shirts this time, to protest a new initiative from the mayor's office – an effort to privatise the city cemeteries. To do so, the municipality had sought permission to clean up the city's cemeteries, bringing them into 'respectable' order before publishing a formal solicitation of interest in purchasing the city's 22 public cemeteries. As part of this process, the municipality sought permission to clean out a number of *ossuários* – bone houses – containing the unidentified remains of 1,600 people. The mayor had realised, it seemed, that even death is big business, and especially the ability

to be buried in one of the city's ornate central cemeteries adorned with statue-like mausoleums and remembrance tombs.

It is not typical for this group of mothers and fathers to protest here, so directly in front of a courthouse, or to push back against public policy with a collective voice. More often than not, they are elsewhere, searching. Sometimes they spend their Sundays at the central church square. It is because of this gathering in the plaza that they have become known, echoing the Argentine Madres, as the *Mães da Praça da Sé*. Like the Argentine Madres, they too found a shared experience while searching in the spaces of disappearance (Radcliffe 1993).

Unlike the Argentine and other mothers who have drawn scholarly attention for their struggle against disappearance, these mothers struggle against an ongoing and decentered condition for the disappeared. The reason that they've come to the courthouse, with austere pictures of their sons and daughters on their shirts, is because just one of those 1,600 bodies could be their missing son or daughter – to be tossed, nameless, into the city's single public crematorium and incinerated. They protest the speculative possibility of this injustice.

Neide is there, as is Débora, and others like Mariana, and a father named Sandro. Débora is a tall Black woman whose dark curly hair drapes over her shoulders, with a glowing smile. She wears a white t-shirt over a sweater, with a full chest-sized picture of her son, Kaio. On this day she had taken some time to prepare herself, before taking a bus, a train, and a subway ride into the centre of the city. People seem to congregate around her. She's there to convey his image; one that might inspire empathy, help. She hopes that she might be on television or in a newspaper photo. Someone seeing that might see and recognise Kaio.

Figure 2. Débora



Kaio has been missing for years. Later I visit her at her house in a municipality on the outskirts of the city proper. Somewhere past the Dr Oetker factory and the outer highway rings. Having moved away from the community where Kaio disappeared, Débora now lives

in a public housing block, at the end of a street. In front of her house the road continues onto a dirt path, with houses made of scraps of wood on the other side. Her housing block is old, but it follows the conventional style. There are two blocks adjacent to each other connected by a walk-up stairway. A gate and wall surround its perimeter. Its materiality echoes in built patterns of containment.

Kaio is gone. He wasn't murdered; or, maybe he was. He wasn't taken by police; though it's possible that he could have been. He went out with a friend that Débora didn't know, a guy nicknamed *magro* – 'skinny'. He never came back. The last time she heard from him was the next morning when she called him. "I'm in the middle of something," he said. "I can't talk now."

Débora has so many questions. What was he in the middle of? Who is Skinny, and what did he do? Or, what does he know? Where is he now? What did they do to Kaio? Or, is he out there, walking somewhere, in search of something?

When I see Débora at her house, she's shrunken back a little. Her hair is pulled back and up, she wears a well-worn sweater. She seems exhausted. Her smile is ephemeral. Débora's suffering is individual but systemic. She is alone, but that condition of being alone is produced. It fits within a long, aching, and deeply political history of violence. Some mothers in these conditions become radical, conjuring the force, against the odds, to contest the conditions of violence that seeks, incessantly, to bury them.

This could have been Débora, or Neide, but it isn't. At least not in such direct political claims. Instead, they are of a different category. The ills are bigger, displaced. This is similar

to how Davis (2016) describes mothers of young men killed by police in Brazil. These mothers “[find] breath between tears and work; awaiting relief from the flooding memories of their children and how a child's cheek felt against their lips. These women settle uncomfortably into boxes of suspended reality—needing reminders that they are still alive. Being the mother of a slain child animates nothing but unbearable weight” (p. 10).

Débora is also different because her son is gone, not dead. She doesn't know if it was the state, if it was, as she puts it, “that silver car that was driving around slowly”, or if it was the criminal organization that controls the region surrounding her former home. What she carries is a particular kind of sequela: ‘subsequent infection’. Christen Smith (2016) has written about the *sequelae* – multiple continuous violences that follow from the first – for Black women like Débora; the reverberating, gendered and affective infections that follow on.

Smith's interlocutors (see also Smith, 2015) are, like those of Araújo (2012) and Alves (2014), mothers of sons murdered by the state. These sons have been found, giving only the most mitigated amount of finality. For Débora, and the thousands of mothers like her, the *sequelae* accompany her on her search for body and justice. This is a process of slow violence that continues to push Débora, and others like her, to the end of their rope.

Some commit suicide. Others ‘can't talk now’ because it is a bad day, week, or month. Many are slowly consumed by ache, by those conniving illnesses that prey on faltering and depressed bodies. They don't show in public. It takes far too much energy – which is misdirected anyway. Their energy, when they have it, is better directed in their search. They look through hundreds of images of the most mutilated bodies, to inspect the disfigurements carefully, in case they might actually be hiding their child beneath. They rush to the morgue

when rumour spreads, on Facebook, WhatsApp, or elsewhere, that a body has been found. They both want and don't want to know. Weeks ago, and in moments since, Sandro and his family were in suspended animation after police found bones at a place near his house. But it culminates, and he sends me a WhatsApp message: "The guy from the coroner just called, the sample that I left at the Central coroner was negative. With this, and thank God for us (but sadly not for someone else) the bones aren't Paulo's and the search continues!!!"

### *Terrains of Letting Disappear*

One of the bodies that Débora once saw pictures of still speaks to her. It could have been Kaio. The police found a man in the forest, covered in dirt, surrounded by weeds. There are a handful of photos – only three or four. Débora mulls about one photo in particular. She keeps it on her phone, and she shows me. The body is completely swollen, its features unrecognisable. "They found this body," she says, "and all they do is take pictures. They don't even clean it up. It is all covered in dirt." But there were ears. Ears like Kaio's. This was years ago now. "If I could have paid for a DNA test, I would have," she says. But it never came to that. This body has since been buried, and probably exhumed. There is almost no way to know where it is now, given the state of Brazil's cemeteries and ossuaries for the urban poor.

I meet Otávio there, in a cemetery for the urban poor, where he digs all day. On one of the days that I see him, he is disinterring in the cemetery's section for children, *anjos* – 'angels'. Pinched between his thumb and index finger is a tiny rib bone. He turns it over and back again to see both sides. "She was a little Bolivian," he says. To our side, on the edge of the earth he has just removed, are a number of thin straight sticks, turned black after three years beneath. He has pulled these out first. It looks like they were used to wrap the small body for

burial. There is no casket to be seen otherwise. Otávio is a slender Black man. Behind him is a row of six or seven open graves carved out of São Paulo, Brazil's ochre earth. He's disinterred these so far this morning. This is routine, cyclical work.

We chat as he pulls out other tiny bones – parts of the cranium, leg and arm – putting them in a grey plastic bag. He finds little woven yellow and white mitts or booties. Too small to tell which. They must be made of polyester. They didn't degrade. Otávio says he makes sure to put things like this in the bag too. "It helps the family to know that these are the right bones," he says – if they come to collect them.

I notice a stark white bone emerging from the loose dirt on one of the berms. It is an adult bone, clearly. I point it out to Otávio. "A back bone?" I ask. It is kind of spiny. He thinks it isn't. "Maybe part of the knee. Like this," he picks it up and mimics where it might fit on his own body. After a moment or two of conjecture, he takes it, picks up a shovel and walks to an adjacent row of graves. He chooses one that is partly open, wedges the shovel in, and places it back underground.

The cemetery that Otávio works in once followed a grand plan. This is recognizable in vestiges. At the original entrance there is a boulevard, with two lanes, trees in the island and on either side. They reach high, significant on the landscape. The road was once paved with tarmac up this boulevard which leads to a tower. One could imagine the original material rendering of this place as a centrally planned space. Modernist planning, where the creation of space intends to reformat social practice.

Much has changed since. High modernism, and the state project that embodied it, is in shambles. The cemetery grew as the city urbanised, expanding into two parts, each with a separate administration and spatial domain. The original gate, which had a planned car park and a gently sloping road through the walls, has been locked shut. Outside this gate, a man lives under a piece of plastic wrapping, fastened to a wall opposite. The flow of people, and the lack of political investment has taken its toll on the original vision. That grand plan remains in appropriated fragments. Today, on official city maps, the cemetery is represented by blank space and a series ‘+’ signs. There are no internal details represented, as though it is empty, or its contents unidentifiable.

But Otávio hints to me that this isn’t just an abandoned space. There is important order in the cemetery that comes from these vestiges of state planning, which remain useful for making work a little easier, manageable. Along the edges of each *quadra* lines of trees remain, some flourishing and others fading. The trees are important. They serve as orientation markers for how to locate rows and burial locations. When the burial spaces of soil become grassy mounds, and the granite plaques become jumbled, the trees remain: Two trees up, six graves in, one row above. Dig there.

Political assemblages, made indispensable in the absence of investments and central political will, are everywhere. The road, once smooth tarmac, is now broken up along most of the boulevard, and in most other thoroughfares. This is especially true of the intersections that lead down the hill, serving to channel torrential rains and making cars skid up the pasty ochre mud. One afternoon I walk with Otávio towards the administration building for a lunch break. The road at the crest of the hill here is still mostly intact. But as we turn to walk down, it’s broken apart. Where little rivulets once formed in the rain, they’ve grown to gullies. They

eventually funnelled water beneath the tarmac, washing out the aggregate beneath. Where there was asphalt with a proper foundation there are now a series of gulches running down and across the road. These require the cars to swerve around them, or to find strategic traction on their edge, leading them nearly onto the trees and burial plots. “Erudina paved this,” Otávio says, as though he knew I’d noticed the near absence of the road.

Erundina was São Paulo’s first female mayor, elected in 1988, just as Brazil created a visionary and people-oriented new constitution. Now a national senator five mandates in with the most prominent socialist party (PSOL), she presided over congress recently, and fleetingly, after corruption charges ousted the sitting member in 2016.<sup>5</sup> As a socialist mayor and since, Erundina had an incisive political vision for the urban poor. Cemeteries like this were part of that focus. Herself a migrant from the arid hinterland of a poor north-eastern state, a region dominated historically by the slave economy and sugar monoculture, she recognized the life of the poor, earnestly and politically. This translated to the value given to infrastructure projects that targeted the political conditions of death for the urban poor. So acute and visible in space, Otávio’s cemetery became a reflection of her political urgency. Roads were paved, infrastructure renewed, and burial conditions improved. Where once a fetid urban river flowed, new culverts were put in place. She had the same attention and concern for other cemetery spaces too.

In 1990 Erundina led a political effort to disinter disappeared dissidents from a mass grave found at one of the city’s other cemeteries for the poor, opened at the height of violent

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<sup>5</sup> Eduardo Cunha, a representative from Rio de Janeiro State, was charged with diverting money to, among other places, an HSBC bank account in Switzerland.

repression during the dictatorship. There, they unearthed 1,049 bags of human bones. And while most of these remains were of nameless ‘indigents’, Erundina commemorated the space publicly, raising an unforeseen public discussion about the existence of the mass grave, *and* of the injustice of the mass grave conditions of the indigent cemetery itself.

Otávio must be right, I thought. The gulch ridden road hasn’t seen political attention since. It certainly appears that way. Even Brazil’s recent flirtation with counter-hegemonic politics, evoked in the rise of former president Luis ‘Lula’ da Silva, a man who evolved from a machine worker and labour organiser to be head of state, didn’t reach the streets of this cemetery. Though many say that Lula started ‘red’, his political movement shifted decisively to the centre, becoming a darling of what became commonly called Latin America’s ‘pink tide’ (See Hunt (2016); Blofield, Ewing and Piscopo 2017). Lula’s trademark poverty reduction policies hinged on ‘conditional cash transfers’ and a greater flow of money to the households of the – quite literally – starving. Many have since declared those policies successful, at least in filling bellies, getting many more kids to school, and growing the economy. Lula’s larger political agenda strode away from any systemic questions of politics and death, investing instead in prisons, policing, and securitisation – preserving striated class relations (Loureiro 2019).

For nearly 30 years now, the streets of this cemetery, its political infrastructure, have been left to shambles. The roads are now almost useless, especially in the rain. People still die and must be buried when it rains. Though cars can usually pass, anyone who must walk this road when it is muddy ends up with red muck caked on their shoes, fancy dress, or trousers. And, of course, many people who come here don’t drive. Not by a long shot. It is another order of

humiliation to arrive at the graveside, caked in the same terracotta earth used to bury a loved one, with your very best dress totally ruined.

Otávio and the other gravediggers are conscientious. These amorphous injustices settle heavily on the shoulders of those who work here. They recognize the humility and humble backgrounds of those that come to their cemetery. Broken infrastructure doesn't go unaddressed. But who else will mend it?

Much is produced in excess in this disassembly line space; there is an abundance of waste as a result. New dumpsters are filled and taken away every day with the remnants of routine disinterment – things like bits of clothing, old shoes, faded flower arrangements, huge chunks of wood, plastic spinney wheels, and laminated medium density fibreboard coffins.

Not everything is waste. Much becomes useful. Granite grave plaques are both heavy and hard to dispose of. The same is true of concrete candle shelters. If not broken, they can be reused. These most durable of materials, and other formidable pieces – old coffin handles, solid chunks of coffin, and sometimes even bones – are excellent pothole filler. Cemetery workers have taken to gathering up these fragments, which tend to lie around anyway, to patch up the gaping washouts in the road. They do it every so often.

### *Making and Mitigating the Missing*

Kaio's "is a difficult case," Viviane tells me. She is speaking of Débora's son, Kaio. This is one of those cases, she says, where the body is likely to be in a clandestine grave somewhere. Clandestine cemeteries, a kind of mundane mass grave, have proliferated in Brazilian cities, and indeed across Latin America more generally. In Mexico, mothers organise bake sales and

raffles to fund their search for mass burials in the landscape, and on the outskirts of cities like Vera Cruz. In São Paulo, these mundane mass graves dot the city, created and used routinely, but containing smaller numbers of people – perhaps only 5 or so. Many are the product of an organised crime group known as the Primeiro Comando da Capital, or PCC, a group emergent from the prison system but now widely associated with a major decline in violence. But not all are – I once accompanied homicide detectives who had recently unearthed a mundane mass grave in a recently decertified university in São Paulo. Another recent case, where five young black men were killed by an off duty municipal guard, ended when he buried them and covered them with lime.

Viviane has been working with Débora since Kaio disappeared, helping connect dots within the bureaucracy, providing information when it becomes available, and keeping herself available on WhatsApp. Viviane, who is very much an institutional anomaly for her attention to this issue, is regularly in the most difficult corners of the bureaucracy.

Viviane knows, though, there is plenty of reason to believe that Kaio, who had recently been released from drug rehabilitation, had fallen afoul of people close to the PCC. She knows, too, that this kind of supposition is a problem. It feeds the cycle and power of assumption. There is no denying the PCC and its work, which operates around what it calls a *paz entre ladrões* – a peace among thieves – of ‘good criminals’ working through a particular ‘ethic of crime’. This work is two handed, care and punishment, as though a state. Karina Biondi (2016), following Deleuze and Guattari, likens it to a rhizome, evoking the way the organisation eschews hierarchy and has a multiplicity of connections in its enforcement of prison and urban periphery order. Gabriel Feltran (2018), by contrast, sees the PCC as a kind of brotherhood, stretching from control of the prison system to the urban peripheries of many

Brazilian cities. With its own politics of participation in ‘prison democracy’ (see Berk, 2018), the PCC governs through a series of mutually understood checks and balances, punishing those who break its rules, while at the same time ‘taking care’ of those killed by police or while doing its ‘business’. To do so, it keeps highly organised internal records, some of which I’ve examined in depth (Lessing and G. Denyer Willis 2019), of who it punishes and why, and tracks its membership with ‘criminal criminal records’, in which each individual has twelve identifying fields used in order to keep track of who is associated, who is not, and whether someone is a trustworthy fee paying member, a kicked out and delinquent former member, or someone that did something so severe as to constitute murder. Its power exists in its attention to trustworthiness of order and punishment, in prison and beyond. And for that, some credit it with helping to decrease the homicide rate by upwards of 85%, or around 6,000 fewer people per year (Dias, 2010; Biderman et al 2012; King and Valensia 2014).

Viviane fears that when Kaio told Débora he ‘was busy’ when on the phone, he was with Skinny at a PCC tribunal, where members and a ‘judge’, senior PCC members on the phone in prison, and ‘jury’, made up of those involved in one way or another in a particular case, discuss whether someone has broken rules – and, if so, how they should be punished. But this process is absolute. Once a resolution is found, there is no turning back – for anyone involved. If Kaio had been on the wrong side of that judgement, he could very well be in a mass grave somewhere.

These intertwinements of police, para-state groups, and the PCC are common and often assumed in disappearance. Days earlier, Mariana tells me about her daughter, Madalena, who went missing after leaving church one evening. Madalena had a son and a husband, whom she was in the process of leaving. Her husband was violent and Madalena had decided that he

should not be involved in raising her son. According to Mariana, she had plans in place. The next day she would move to a different region, taking her son with her. Madalena was never heard from again after being seen ambling away on the curb outside of her Pentecostal church. Mariana has been searching everywhere, but with heavy suspicions about the involvement of Madalena's husband. He has been silent on the matter – suspiciously so, she feels, and not expressing any recognisable concern for what is otherwise substantively missing from his life. He hasn't helped to find Madalena, and to the contrary, he seems much prouder without her.

Like Neide and Débora, Mariana has exhausted almost all possibilities. But there is one that hangs open. “We are like any family,” she says, “na nossa família tem gente de todo tipo.” *Our family has people of all stripes.* There was one way, a nearly sure way, to find a resolution to her nagging doubt about whether Madalena was taken by her husband, the man she intended to leave. She recounts it in a kind of meta-narrative. “They came to me, and they asked, ‘If you agree’,” she said, paraphrasing, ““within 24 hours we’ll know if he was involved. I guarantee you, Mariana, that if it was him, he’ll say so. And if it wasn’t, we’ll leave him alone.””

They had offered to tidy things up, and to give Mariana some of the certainty about Madalena that she longs for. Her former husband would be questioned and made to be clear about his involvement in her disappearance. Mariana was interested, and she knew she could perhaps arrive at the truth this way. But she was worried about the violence that could come, and about her grandchildren. She was worried, too, about whether the certainty of this “truth” could also be a damaging and violent fabrication of sorts; one that she did not want to be

associated with. “What if the next day, or the day after, we discover that it wasn’t him?” she asked me rhetorically.

“And if was him,” she said, now returning to her meta-narrative with the men, “will you bring him to me so I can take him to the police?” They wouldn’t. That was not an option. And Mariana knew, too, that neither were the police. The men would do away with the problem themselves, following the kinds of patterns that undergird the missing. For all the allure of being able to know “the truth”, Mariana decided that she would keep searching on her own, holding out hope in spite of it all. And in a way, in doing so, Mariana chose not to make someone else disappear, but in a way that might never have been reported to the state anyway – much less counted into a formal tabulation.

*Knowing and Unknowing: Mundane Disappearance and Contemporary Containment*

Gary Becker is a Nobel prize-winning economist famous for developing the rational choice approach to criminal justice policy. One of Becker’s big ideas was that criminal justice policy would be most efficient and most cost-effective if it focused on deterrence and not the act of punishment. A policy that finds the strongest deterrent effects will be the cheapest and require, necessarily, fewer resources. Becker’s intervention was important, in part, because it recognized that the act of punishment itself is not what matters; the point is how the act is read and internalized socially, by the public -or a specific audience.

When Michel Foucault (2004) worked through Gary Becker’s idea of deterrence in his lectures at the College de France, he did so to illustrate the actual reason at play in human containment under neoliberalism. For Foucault, Becker’s logic of deterrence typified how the

world worked, through a disaggregation of law and lived experience, and by centring policy efficiency on criminal justice, but and not on questions of universal human welfare.

Understanding how disappearance matters in contemporary times means revisiting this discussion. It is necessary, because it sheds crucial light on the ‘reason’ behind not pursuing the disappeared. Any rationality of deterrence disaggregates lived knowledge from legal knowledge. The Foucault-Becker exchange raises two points of importance about disappearance, knowledge and power: First, deterrence can be effective even when carried out and observed beyond the state. It need not be confined to ‘those who direct law enforcement policy’, as Foucault more narrowly framed it. It can serve a higher order than that prescribed, constrained or enabled by law. In a moment where political effects, ‘nudges’, are more important than policy itself, an effect created by the will of politics, through indifference and absent intervention, can be just as powerful an enabler as an act. If indifference creates or enables other acts and related effects that come to deter – like the PCC, a desert terrain, the Mediterranean sea – the supposed deterrent outcome is what matters, not the act, or who (or what) carried it out. The thought that one could disappear seems to matter more than why people disappear.

Second, an act of punishment need not happen at all to make or sustain a deterrent effect. Punishment needs only to be supposed, understood to have happened, for it to hold power. Disappearance is a social phenomenon par excellence, carrying within it an assumption of consequentiality. And yet there is no way to know if punishment or violence actually happened or was observed – believed – to have happened. Here, Coronel Malhães, of Rio de Janeiro torture-house fame, is a touchstone. It does not matter if there is a body if the political and social effect of deterring or causing emotional harm is the same. Nor does it matter,

necessarily, whether there is agreement about who did the punishing, what the violence or punishment may actually have been, or how it occurred -if in fact it did at all.

The concept of mundane disappearance captures the dissonance between knowledge, lived experience and absent pursuit at the current juncture. But in doing so, it asks for a reflection on how disappearance has been political over time. How disappearance matters shifts and is transformed by the ethical condition. In contemporary times, power works in the fissures between legal knowing and everyday rationality. Empirically, political order is fortified by deploying thin foils of reason and logics that go dominantly unquestioned: Why give precedence to investigating an ‘atypical occurrence’ where nothing has necessarily happened, when there is much else, and many others, that are *evidently* important for investigation? In dollars and sense, why should a state dedicate resources to a missing person’s unit, for example, when they can be investigating homicides, sexual violence, corruption, or other obvious *crimes*?

Such logics rely on a notion of political capacity, and resources. But disappearance has always been about which bodies must be pursued when they disappear, which need not be, and why. When it comes to the urban poor, where there is no body to inspect, no death to verify, and no life to maintain, no body that needs to be forced back to slavery, the omission of response is logical – even where a city’s worth of people has ceased to exist, maybe.

The implication is that disappearance works as a structure of political containment, even – and perhaps especially – in the passive forms it assumes. Power is enacted through an incredibly precarious supposition: the disappeared must have done something wrong to deserve it. In this way, the practice of making people vanish, and the omission of response, is

pedagogical for all those left behind. It deters. The absence of pursuit is evidence in itself that the disappearance makes sense.

Acute absence, like death and violence, is about what is left behind. These effects are pervasive, if heavily situated. While disappearance is very much about Neide's son Felipe, Débora's son Kaio and Mariana's daughter Madalena, it is also very prominently about how those who remain are left to read and work through guesswork these disappearances -and how not to disappear. The mothers hear this in the rumours that circulate all around them. Don't cross the PCC, like Kaio did, they murmur. Neide son's must have been in trouble with the police, gossips whisper. Madalena shouldn't have threatened to leave her husband. Don't disappear or you'll end up in a PCC cemetery. *That* is why they went missing. Don't be like that. None of it needs to be true. What is left is the need to get back to work, without complaint.

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