

Exception and resistance in the favelas of Rio de Janeiro

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Abstract

L'articolazione tra restrizioni materiali fondamentali, l'attuazione di politiche pubbliche speciali, la criminalizzazione dei territori, la demonizzazione della povertà e la violenza esercitata dalle forze armate contribuiscono all'"apartheidizzazione" delle favelas e alla loro definizione come "territori di eccezione". Lo stato di eccezione media la relazione tra la favela e "l'asfalto", l'interno e l'esterno, il centro e i margini, tra senso di appartenenza ed estraneità. È sostenuto da un peculiare iconismo che attribuisce alle favelas l'epicentralità delle forme di criminalità e devianza sociale che si cerca di contenere e amministrare. Operando attraverso politiche di "esclusione inclusiva" (Agamben, 1995: 26), lo stato di eccezione forma culturalmente le favelas sulla base di espressioni apologetiche che sono funzionali all'esercizio del potere: cede al controllo centralizzato dello stato la gestione di contraddizioni, riproducendo i dispositivi del razzismo discussi da Michel Foucault (Foucault, 1976).

The articulation between basic material restrictions, the implementation of special public policies, the criminalization of territories, the demonization of poverty, and violence exerted by armed forces contribute to the 'apartheidisation' of favelas and to their definition as "territories of exception". The state of exception mediates the relationship between the favela and the "asphalt", the inside and the outside, the center and the margins, between a sense of belonging and extraneousness. It is sustained by a peculiar iconism that ascribes the favelas the epicentrality of forms of criminality and social deviance that are sought to be contained and administered. By operating through policies of "inclusive exclusion" (Agamben, 1995: 26), the state of exception culturally shapes the favelas on the base of apologetic expressions that are functional to the exercise of power: it yields to the centralized control of the state the management of contradictions, thus reproducing the racist devices discussed by Michel Foucault (Foucault, 1976).

Parole chiave: eccezione; favelas; resistenza.

Keywords: exception; favelas; resistance.

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outside world), the inside and the outside, the center and the margins, between a sense of belonging and extraneousness. It is sustained by a peculiar iconism that ascribes the *favelas* the epicentrality of forms of criminality and social deviance that are sought to be contained and administered. By operating through policies of inclusive exclusion (Agamben 1995: 26), the state of exception culturally shapes the *favelas* on the base of apologetic expressions that are functional to the exercise of governance: it yields to the centralized control of the state the management of contradictions, thus reproducing the racism-oriented devices discussed by Michel Foucault (Foucault 1976).

The marginalization of the *favelas* legitimizes the violation of law principles by public powers, and funds the jurisdiction of narcotraffic. By calling on a state of exception and on emergency, it authorizes the suspension of the validity of the law, thus determining a form of arbitrary sovereignty, with no mediation. Furthermore, it establishes a totalitarian rule that subverts the relation between the rule and the emergency: the latter becomes continuous and ubiquitous, a perverse effect that is congruent with the powers that make profit from the universalization of such state (Schmitt, 1921; Benjamin, 1955; Agamben 1995, 2003).

Similarly to the notion of *camp* proposed by Hannah Arendt and by Giorgio Agamben (Agamben, 1995: 190), the *favela* represents a structure where the state of exception is realized *normally*. Within this type of space, delimited by territorial and symbolic enclosures, the legal order includes and controls what it excludes, through its own exceptional suspension. It determines the dehistoricization and the depoliticization of the dramatic reality of the people of Rio de Janeiro and establishes an effective order, one that restrains any eventual reaction to the conditions of poverty and privation.

The idea of state of exception acquires here an immediate biopolitical meaning: a structure by means of which the law includes in itself the living through its own interruption (Agamben, 2003: 12). While the law functions in terms of individuals and society, citizens and state, the device of exception posits biological life at the center of the political arena (Arendt, 1958; Agamben, 1995) and operates in terms of generic and abstract entities that ought to be identified, registered, labeled, cured, reproduced, protected and suppressed. It establishes the

legal and political conditions that regulate the relation between the State and the individuals: in the name of emergency, citizens are transformed into mere bodies, “abstract nudity of human – and nothing but human – being” (Arendt, 1951: 415), or *bare life* (Agamben, 1995).

The biopower of exception decides on the value and disvalue of life as such (Schmitt 1921). In the favelas, biopower includes both what Foucault defines as the classic power of the territorial state to *make* live and *let* die and the modern statalization of biological life, the power to *make* live and *reject* into death (Foucault 1976: 122), as well as the forms of contemporary biopolitics, “to *make survive*”, in the words of Giorgio Agamben (Agamben, 1998: 144-146).

Extreme and spectacular violence, exercised by the combined provisions of State and criminal associations, is employed to induce what Gourevitch – with reference to the Rwanda genocide – described as the “effort to create community” (Gourevitch, 1998), or what Appadurai has defined “total adherence” (Appadurai, 1998), and Anderson named the technique to “imagined communities” (Anderson 1983). Its generative power, plural in its manifestations (Kleinman, 2000), becomes rooted into social life and into institutions at a microphysical level. Violence contains and encompasses social relations, economies, policies, *habitus*; it organizes the life of the community, and becomes *nomos* of the political field (Héritier, 2005; Mbembe, 2003; Bourgois, 2008). It combines itself with stereotypes that work towards a progressive marginalization of the lives of *favelados* and with imposed identities (criminality, deviance, corruption), thus creating a form of eugenic sovereignty, against any exogenous and endogenous contradiction (Daniel, 1996; Tambiah, 1996). Violence sustains a subset of strategies that take the form of a lockup or a threat and that imply several different cathartic ways of purification from internal dirt and external contamination, thus making any change impossible (Appadurai, 2005; Remotti, 2010). The construction of the *other* as a threat leads to suspect of whatever and whomever spirals out of control: the *favelados* and the police, the State and the members of various *comandos*, collaborationists, spies and traitors, foreigners and deviants are all regarded as subversive and become the primary target of repressive actions. Violence allows to identify in concrete terms the abstract identitary categories that are at once attributed to a

generic *idem* to govern and to an *other* to mutilate and reduce to a pseudo-species: a mutilation of humanity, rights, citizenship, life and even body parts, with the latter exhibited as a tangible mark of the negation of deviance (Feldman, 1991; Malkki, 1995; Hayden, 1996; Herzfeld, 1997; Mbembe 2003).

The State employs a form of exceptional violence as a technology of power to demarcate a space where interventions depend on arbitrary and corrupted police sovereignty rather than law; it also promotes emergency and welfare initiatives, thus turning social problems into technical issues and justifying the totalizing imposition of law and regulations, to the detriment of alternative modes of intervention. On one hand, public powers voice the concerns of a small part of the Brazilian population and assert the use of force to establish control over the most populous section of society, the residents of the *favelas*. In a society marked by great economic and social divide, where 10% of the richest part of the population accounts for 50% of the national income and 20% of the poorest accounts for a mere 2.5%, the latter are regarded as potential criminals that ought to be contained and repressed. By inverting the relation of victimization, the dominant classes ask authorities to preserve the order through violence. On the other hand, public powers favor fragmented and special actions that are implemented with the support of non-governmental organizations and several other institutions over more universalistic and pragmatically-oriented initiative¹. Overall, interventions foster those mechanisms more apt at guaranteeing a social order, stability and security, therefore expanding what Giorgio Agamben has defined as the gray zone of military operations with reference to interventions that are presented as humanitarian acts but ultimately deprive civil

1 The presence of public powers at the state, federal and municipal level and their role in carrying out educative, sanitary and urbanistic plans did not translate into greater access to constitutional rights for the population. For instance, the Favela-Bairro program, one of the largest involved in the urbanization of the *favelas*, funded by the Inter-American Development Bank, the contribution of the Caixa Economica Nacional and the local government did not have a significant impact on the marginal status of the *favelas*. The intervention plan, selective and excluding (having reached about 150 of the over 700 *favelas* in Rio), sustained by opaque mechanisms of beneficiary choice, produced competitiveness and the technical and hyperlocalist pulverization of interests that resulted in the depoliticization of demands and in the obstruction of solidarity initiatives and collective mobilizations.

actors of their autonomy and freedom (Agamben, 2003).

Nacrotraffickers, in turn, act specularly to the State; they engage in police rounds and arbitrary executions, and instill an atmosphere of terror based on bribery and corruption: arms trade, the buying and selling of prisoners and human bodies, the share-out of the profits generated by narcotraffic and public and private property. Along with a history of discrimination, this creates among the population a diffused sense of hatred towards law enforcement agents and a sentiment of solidarity and sympathy towards criminals, who are thought to be less arbitrary in handling the power; moreover, it pushes a growing number of young adults towards criminal organizations, widely considered as a means to fight institutional injustice.

To some degree, narcotraffickers use violence as a means to establish supremacy and control, thus securing for themselves a high margin of agency in the management of power through terror. Just as for the baroque monarch analyzed by Walter Benjamin (1974), here also the “gesture of execution” becomes constitutive: the formation of the rule and its execution, the production of law and its application, are no longer distinguishable moments (Benjamin 1974: 249-250; Agamben, 1995: 194). However, *narcos* manage not only to take away from the State the monopoly on violence and to reduce its action to the likes of a mere parallel power. In the so-called *free territories* they act in the name of emergency by promising protection, promoting a sense of communal belonging, exercising the legislative, executive and judiciary power in patronizing and partial ways, by controlling job opportunities and economic aid, and even by handling leisure. They provide young adults with rapid yet ephemeral access to material and symbolic capital (clothes, drugs, weapons, high recognition, prestige, power and popularity); however, such acquisition does not translate into immediate and radical life changes or into the accumulation of resources to be poured into legal activities. In this context, the possibility of death becomes extremely real (Dowdney, 2003; Malighetti, 2005: 28).

Deprived of their rights, ostracized and discriminated, historically the *favelados* have found viable grounds for sociability, solidarity and conviviality within the *favela*. This “precarious order” is based on forms of denial that allow the *favelados* to cope with the burden of everyday life and to resume a normal existence by

engaging in meaning-making processes; these are nevertheless fragile attempts and might collapse at any moment (Taussig, 1989: 11; Vargas, 2008: 218). The social subject, therefore, is a divided one, caught between the desire to abandon the *favela*, a desire that oftentimes remains unattained, and the will to adjust to communal life. For instance, the evaluative analysis of the urban developmental plan of the Manguinhos complex commissioned by the federal civil authorities, indicates that although local inhabitants contemplate changing residence, 70% are satisfied with living in Manguinhos and cite calmness and quietness as reasons for that (Soares, 2010: 17-36)².

Excludent inclusions

As Giorgio Agamben demonstrated (1995, 2003), the relation of exception is a paradigmatic technique of government, insofar as it is constitutive of the legal order. It is a device that excludes by maintaining a relation with the norm via its interruption. It is not the exception that is subtracted from the rule, but the rule that – by suspending itself – creates the exception and thus constitutes itself as the rule. By disapplying itself, the rule at once comprises what exceeds it, creates and defines the space where the political and legal order acquires its value. According to Agamben, in the interruption of the rule lies the “critical situation” that determines that very order and that generates the “paradoxical thresholds of indistinction” (Agamben, 1995:

2 I lived and conducted research in the Manguinhos complex between January and March 2003. At the time I was in charge of evaluating on behalf of an Italian NGO the impact of various foreign development plans carried out by the CCAP (Centro de Cooperação e Atividades Populares), a local organization of *favelados* that operates in 13 communities of the Manguinhos complex (Anonymized). According to data of the Human Development Index (HDI) for 2001, Manguinhos ranked 155 out of 161 city neighborhoods. Data elaborated by the Secreteria Municipal da Saude at the time of my research indicated that the unemployment rate was over 30% among young adults aged 18 to 24; 45% of the population was engaged in the informal economy; the per capita income averaged R\$148.00 (around 40 Euros) a month. About 30% of houses were irregular, temporary and at risk: around 20% of them did not have electricity; 20% did not have a proper drainage system and drinking water. According to data of the National School of Public Health of the Oswaldo Cruz Foundation, 80% of deaths among young adults aged 15 to 18 years old were attributable to firearms. The average school attendance amounted to around 4 years. Approximately a third of the adult population was estimated to be illiterate (Relatorio de Desenvolvimento Humano do Rio de Janeiro, Rio de Janeiro, IBGE, 2001).

23) between inside and outside, thus introducing a form of total and absolute sovereignty that at once resides inside and outside the legal order (Schmidt, 1921).

The topological structure of the state of exception, “being outside and yet belonging” (Agamben, 2003: 48), refers to the relational inclusion through exclusion. It is the structure of the camp and that of the favelas, and it establishes not only extraneousness to a normal legal order but also exception, etymologically the act of “taking outside”, an inclusion through exclusion (Agamben, 1995: 190).

The apparatus of exception exemplary shapes the ideologies and practices of a partial and asymmetrical social integration and designs the contours of limited forms of citizenship, such as: “geometria variável” (Lautier, 1997), “regulada” (Santos, 1979), “concedida” (Sales, 1994), “passiva” (Werneck Vianna, 1997), “negativa” (Carvalho, 1991), “relacional” (DaMatta, 1991), or “partida” (Ventura, 1994). The apparatus of exception shows how exceptional integration encompasses the simple dualism of inside-outside, centre-periphery, global-local, asphalt-*favela*, norm-deviance, and characterizes Brazilian democracy as a combination of “disjunctive policies” (Holston, Caldeira, 1998) and the exercise of a “controle negociado”, based on subalternity and dependence (Machado da Silva, 2002).

The *favelas* are fabricated and crossed by global and transnational forces that stem both from preexisting conditions and legal/illegal trade. In the *favelas*, the extreme violence of the *tiroteios* (gunfights between the police and the narcotraffickers and among narcotraffickers for the control of the markets) and the existing forms of criminality, the product of ancient forms of exclusion from civil rights and services perpetrated by the State to the detriment of the majority of the population, meet with the “structural violence” (Farmer, 2003) inherent to global political and economical institutions and structures.

Based on slave trade, Brazil’s capitalistic development was built on the border between inclusion and exclusion, by granting rights and prosperity to a minority of individuals and groups that accumulated wealth and privileges by exploiting the majority of the population. Contingents of former slaves and immigrants who arrived in Rio de Janeiro between the Nineteenth and Twentieth Century, as well as post war immigrants who came from the Northern and Northeastern regions, a consequence

to developmental policies that favored the South (Martins, 2002), were all denied citizenship. This “industrial reserve army of labor” (Marx, 1867), at first confined in the higher parts of the *morros* or in the peripheries, represented the majority of cheap unskilled labor and was therefore crucial to the work system. In this sense, the *favelas* have historically worked as ghettos, spacial agglomeration of people that were considered essential to ensure the functioning of the city but remained under an economic yoke, banned from exercising citizenship. The exclusion from civil rights, in itself the consequence of an inclusion that is limited to labor and its biological reproduction, later fed on the absence of a welfare state and on the triumph of neoliberalism, as Wacquant and Bourgois have argued with reference to the Chicago and San Francisco ghettos (Wacquant, 2008).

In the *favelas*, violence does not give rise to political and economical initiatives against the *status quo*. Indeed, both politicians and criminal groups show no interest in changing the current situation or in transforming the nature of social relations in a significant way. The former control state interventions; the latter dominate over spaces and co-opt communal leaders. Their liberalistic control over privatistic and mercantile forms of economy works against the enactment of alternative projects and even strides with participative approaches. On one hand, the political economy of drug and arms trafficking, its profits and its relations with outside wealthy investors create a form of brutal capitalism based on the savage exploitation of labor (Souza, 1995). Its trajectories are dominated by international mafia cartels (Torres Ribeiro, 2000; Bueno Brasil, 2010; Zaluar, 1995) and follow mercantile patterns that encompass the *favela* and the communal level and establish connections with national and international trafficking. On the other hand, the strategies of terror prevent any potential structural political and economical contradiction from surfacing and establish a specific order, one that contains the possibility of counter reactions to poverty and privations. The strategies of terror legitimize the control over the territory; they handle disputes and maintain exclusion. From this point of view, the analytical focus should be on the modalities to contain violence, rather than on the amount of violence itself. Furthermore, from a purely spacial point of view the *favelas* of Rio de Janeiro show their inherent centrality, their proximity to the

wealthier areas of Copacabana, Ipanema, Leblon, Barra di Tijuca, where the ruling classes own their bunker homes constantly patrolled by private surveillance forces and drive around on their armored vehicles. State based and gang-regulated violence is endemic in the inner city and results in a widespread climate of ethical and political distress (Baierl, 2004) and fear (Souza, 2008). The *Comandos* (*Comando Vermelho*, *Tercero Comando*, *Amigos dos Amigos*) are confederations and networks of alliances that strive for the military control of the market and are visible outside the *favela*, on the asphalt, in the city and in the metropolitan region. Since the Nineteen-eighties gunfights and *balas perdidas* (stray bullets) have become quite a common scenario in rich areas. Supermarkets have been cleaned out, buses have been set on fire, stores, companies and schools have been forced to suspend their regular activities, universities have been occupied, police stations have been attacked, their arsenals ransacked.

In this sense, photographer Marcelo Lopes de Souza uses the expression *fobopole*, to designate an urban space under chronic distress caused by violence, fear and insecurity (Souza, 2008: 40). The expression *fobopole* suggests that problems and issues that arise within the *favelas* cannot be marginalized and circumscribed to rigidly defined and border-delimited ghettos. On the contrary, they influence the lives of citizen in the metropolis as well. They exceed the *compulsory closeness* (Veloso, 2010) of the *favela*. Furthermore, by putting security at risk, they legitimize an abuse of the law that benefits the interests of the ruling classes.

Exceeding the exception

The inherent dynamism and the centrality of the inhabitants that populate one the around 750 *favelas* of Rio de Janeiro exceed any attempt of exceptional ordering and any rule of partial integration. As exceptions, “remains of historical material” (Benjamin, 1955), they “ceaselessly escape” (Foucault, 1976) the techniques that govern and administer life and the criminal attempts to control it, thus providing an alternative to a biopolitical management of inequalities within Brazilian society.

Several experiences “from below” find place in the city, the space of economic driving forces, contradictions (Holston,

Appadurai, 1996) and strategies, the place to experiment with alternative forms of citizenship beyond the limitations of formal politics. Life in the city can be contingent, contextual, and everyday experiences can reveal their complexity and dynamism, articulate networks and exhibit a multiplicity of points of view and positions. These are attempts to move beyond the disastrous experiments of assistential policies, emergency interventions, compassionate and contradictory humanitarian actions, by favoring integrated and multisectorial initiatives based on active personal involvement and local human resources.

Cities are laboratories for political subjectivities and promote new forms of citizenship that step beyond neoliberal authoritarianism by connecting the generic sphere of civil rights to its social- economic basis, and by rejecting the simple fruition of standard principles and political orders through an active promotion of their redefinition. They empty the idea of citizenship of its intrinsic abstractness and re-signify it as a “lived space” (Holston, Appadurai, 1996), a “dialogical process” (Grillo, Pratt, 2002), worth of analysis through a consideration of those very dynamics of inclusion and exclusion that are inscribed in the lives of subjects and places, where rights are negotiated, achieved or denied.

Several organizations have been trying to introduce the culture of rights and citizenship within the *favela* in the attempt to subtract the monopoly of exception from narcotraffickers and arbitrary police actions, and have attempted to promote responsible action and solicit the State to enforce constitutional principles. They tie the loose ends of history, interrupted by slavery, modernity, industrialization and sprawling urbanization; interact with national and international institutions and ultimately prompt endogenous initiatives. They consider citizenship in a constructive and transformative way, as “the right to have rights” (Arendt, 1951) rather than the mere acquisition of predefined formal political and legal rights. In this sense, their idea of rights lies at the intersection of the material, the economical, the cultural, the historical, the social- psychological and the political.

From a certain point of view, the *favelados* create spaces of anthropopoiesis to move beyond the idea of social inclusion: they invoke article 1 of the 1998 Constitution and demand to take part into the redefinition of the economical, political and social system, in the wake of previous successful experiences

such as the *Conselhos Gestores de Políticas Públicas* and the participative balance, when members of the civil society and the government, the city, the State and the Union thought up and developed public policies and took part in decision-making processes.

Preceded by the struggles against military dictatorship and by the quest for a democratic society³, these forms of participatory citizenship encompass communal movements based on ethnicity, identity and gender, as well as ecologist movements, special laws and affirmative actions that might result into the concession of selective privileges, the support of hegemonic powers and – ultimately – the weakening of alternative coalitions and contrastive actions. These experimental forms of social and political action connect the fight for specific rights with the attempt to redefine the political arena, its actors, institutions, processes and agenda (Dagnino, 2008). They link the overcoming of mechanisms that produce forms of exclusion and inequality with a new reflection on the economic, political and social system and on its expansion in paradigmatic terms.

The analysis of the *favelas* suggests that the local experiences of the “wretched of the Earth”, the situation of the colonized, slaves, migrants, refugees, clandestines and needy be considered as models to investigate the conditions of contemporary subjectivities, decentralized and delocalized in the age of globalization (Giddens, 1992). Their negative statute of owning no land, having no job, no rights, no citizenship recognition, of being *sans papier* indicates that the characteristics of the *homo sacer* of Roman law, his being “outcast... banned man, tabooed, dangerous” (Fowler, 1920: 17; Agamben, 1995: 87) and “included in the judicial order solely in the form of its exclusion” (Agamben,

3 During the dictatorship period, several organizations surfaced in the *favela*. Their aim was to obtain toilet facilities and adequate infrastructures, and their influence was mainly at the local level (*Unioes dos Trabalhadores Favelados; Associacoes de Moradores; Servico Especial de Recuperacao das Favelas e Habitacoes Anti-Higienicas (Serfha), Coordenacao de Servicos Sociais*). The process of democratization favored the proliferation of community and non-profit groups (Colidgacao dos Trabalhadores Favelados do Distrito Federal, Federacao de Favelas do Estado da Guanabara (Fafeg), Federacao de Favelas de Rio de Janeiro (Faferj), Federacao de Associacoes de Favelas do Rio de Janeiro). Later, social movements made up of *favelados* emerged (Viva Rio, Agenda Social Rio, Frente de Luta Popular, Central Unica de Favelas (Cufa), Movimento Popular de Favelas). Other organizations have invested on cultural activities (theatre, dances, videos, sports) (Teixeira, Ambuquerque, 2006).

1995: 12) are no longer limited to specific categories or confined to particular spaces, but “dwell in the biological body of every living being” (Agamben, 1995: 154).

The *favelas* reject a definition in dichotomic and essentialistic terms; they articulate complexity and dynamism, exhibit the influence of diverse and distant cultural worlds. Everyday life in the *favela* can hardly be conceived in terms of mere marginality: on the contrary, it exudes effervescence, the convergence, overlapping and contrast of different world-views. The *favelas* understand their potential and use it to foster new social practices and new economies, to manage rights and needs (Escobar, 2008). They reconsider what the very foundations of the relations between the individuals, the State, the Nation and the more or less occult forms of power are and their impact on the lives of people. On one hand, they acknowledge the imperative spread of the state of exception in State politics, its phenomenology and its threat to democracy. On the other, they configure ways to overcome state sovereignty, in itself already compromised by several factors. First off, by the inefficacy of the Keynesian consensus, the very basis of the social contract and the combination of affiliation and loyalty to the Nation State, the sole point of reference in the concession of rights, with the promise of welfare. Second, state sovereignty is compromised by the complex economic and financial impact of globalization, by processes of accumulation and transnational capital mobility, by *deregulations*, the precarious internationalization of work, migration processes, communication systems and international organizations.

The study of *favelas* sheds light on new geographies of power, on alternative to the ideas of homogeneity and universality of the nation as the prerequisite and the basis of the State (Habermas, 1996) that work at the subnational and transnational level. It presents new forms of citizenship that move beyond the national arena and establish connections with universal human rights, in a cosmopolitan fashion. Ultimately, the study of *favelas* calls for a reconsideration of the inherent contradictions of liberal democracies: the conflict between formal or substantial citizenship, and the difference between the idea of citizenship as a universal human right and the practice of citizenship.

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