



The politics of criminal violence in Brazil: State violence, gang and the plebs

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Abstract

The argument of this article is that state violence and the criminalization of human rights in post-authoritarian Brazil (1985–) have stifled traditional political activism in poor urban communities and, in turn, have opened up a new space for political expression by the poor through the “politicization of crime.” As a “pacted transition” between elites, the transfer from an authoritarian to a democratic regime in the 1980s ensured the impunity of illegal state violence and the subversion of democratic principles, including the defense of human rights. The transition, taking place in the context of a war on drugs and on the poor, established a well-documented “securitized democracy.” In this article, I show how the securitization discourse came to frame human rights defenders as the “allies of criminals” and made them targets of illegal police violence. This reign of terror laid the ground for a violent militarized political space that came to be occupied by one of Brazil’s major criminal gangs, the Primeiro Comando da Capital (PCC). In this article, I examine these new territorializations of power and violence and the consequences for democratic politics. I draw on political philosophy to introduce the concept of the “plebs” in this politicization of crime as a form of expression by the poor. I argue that the PCC, in addition to its criminal activities, is sustained by the appropriation of a plebeian imaginary of equality, freedom and quest for the “right to have rights.”

Introduction

In Brazil, the increased presence of gangs in the poor urban peripheries and in prisons over the past 30 years is tied to a long history of state violence against the poor. In the 1990s, the emergence of gangs as a national threat to public security was part of a counterintuitive process of democratization: the democratic transition of the 1980s, after more than 21 years of military dictatorship (1964–85), resulted in a general increase in crime and violence. The murder rate per 100,000

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inhabitants rose from 11.7 in 1980 to 25.40 in 1997 to 30.8 in 2016 [18]. A commonly held view is that this increase in violence is the result of poverty [34, 45] and of a failed state that is threatened by gang violence [8] and by its ability to exercise its own monopoly on violence. However, the literature shows that there is a deeper logic to the general increase in violence in Brazil: that it is not the result of a failed state but stems from a perverse new form of the state that coproduces and legitimizes new forms of violence against the poor [33, 50]. Following the institution of a “securitized democracy” invested in a “war on drugs” [33, 50], the increased fear and insecurity of the population led the state to base its authority “not on the protection of citizens’ rights, but on its armed encounters and insidious collusions with violent actors in the name of ‘security provision’” [50, 286]. Under these conditions, Brazil’s democratic transition has produced a militarized, hybrid space for citizenship and social change in which the legal and illegal, legitimate and criminal, just and unjust are deeply entangled in new forms of political expression.

In this article, I analyze one of the most perplexing examples of this entanglement by looking at gangs as a new form of political expression by the poor. Using the case of Brazil’s major criminal gang, the *Primeiro Comando da Capital* (PCC), I present a theoretical account of these new forms of political expression by drawing on political philosophy to introduce the concept of the “plebs” [13, 23], Rancière, Panagia and Bowlby [52]). While other prison gangs exist in Brazil, and were also formed in reaction to precarious living conditions, police violence and human rights violations in prisons—such as Rio de Janeiro’s *Comano Vermelho* -, the PCC remains Brazil’s most emblematic criminal gang. Its organization has expanded its influence nationally, beyond its traditional stronghold of São Paulo, and became known as the major player in regional organized crime. I argue that the PCC’s discourse represents a shift in disruptive politics from liberalism (social movements, political parties, labor unions) to more expressive and “intractable” variants of politics. These intractable variants of politics, understood as an experience of radical dissent by those who have “no right to have rights,” cannot – like traditional social movements – be traced to the establishment of clear sets of demands addressed to the state. Rather, their political nature is to be found in their ability to destabilize the dominant regime of citizenship and unveil its violence against the poor.

This article is divided in two parts. The first treats the democratic transition of the 1980s as a “pacted transition” [48] between elites that consecrated the impunity of state violence against human rights. In the process, I show that the establishment of a new “securitization discourse” was able to reframe human rights defenders as the “allies of criminals” and as a threat to public security, subject to illegal police violence. The second part reviews two theoretical perspectives used to analyze the PCC in Brazil: a mainstream perspective centered on the notion of organized crime and public security, the other focused on discursive and cultural aspects of the PCC. Drawing upon the later perspective, I will describe the concept of plebeian imaginaries as inspired by the work of Jacques Rancière and of Martin Breugh in order to analyze the public pronouncements and narratives of the PCC that typically combine the rationalities of crime with those of democracy, human rights and emancipation.

The “pacted transition” to a securitized democracy

The rise in crime and homicide rates in Brazil, alongside the democratic transition, led to a qualitative shift from the “old” political violence of the military dictatorship towards a “new,” predominantly criminal and social, violence (Koonings and Kruijt [37]). This concept of “newness,” however, obscures the historical embeddedness of violence in Latin America and the elements of continuity, rather than representing a rupture between authoritarian and democratic regimes. In fact, some argue that the acceleration in crime may have been the result of a specific process of democratization that increased rather than diminished state violence against the poor [50]. Described as a “pacted transition” between elites [48], the democratization of 1985 ended Brazil’s military dictatorship through a process characterized by the exclusion of civil society and the prominence of agreements between the authoritarian incumbents and the civil opposition. Such pacts allow for a subversion of democratic principles, including human rights, and leave a political legacy of transferring authoritarian vices to democratic rule. As O’Donnell [48] explains, these authoritarian vices include the marginalization of civil society and, in the worst cases, the criminalization of defenders of social movements and human rights.

Illegal police violence, torture and extrajudicial killing remain frequent in Brazil [4], Human Rights Watch [35]). From 1986 to 1990, police were responsible for 10% of all homicides in the metropolitan region of São Paulo. In 1991 this proportion increased to 15.9% and in 1992 it peaked at 27.4%. For comparison, in 1990 the proportion of homicides attributed to police in New York City was 1.2% and in Los Angeles 2.1%. In 2017 Brazilian police killed 5,144 individuals, an increase of 55% compared to 2013. While police lethal violence increased, it has been observed that police officers killed while on duty decreased by 25% during the same period [7]. According to a report by Amnesty International (4, 7), extrajudicial executions at the hands of police are frequent in Brazil’s “war on drugs,” while “the official narrative in police records consistently blames the victims, who are stigmatized by a culture of racism, discrimination and criminalization of poverty.”

The democratization process itself is the inherent source of perpetual state violence. This can be seen in the promulgation of an Amnesty Law (No. 6.683/79) granting de facto impunity for human rights violations perpetrated by agents of the military dictatorship (1964–85). As a centerpiece of the pacted transition, this law has the effect of perpetuating, in a democratic regime, the “memory of impunity” for state crimes and violence. In a decision handed down on July 4, 2018, the Inter-American Court of Human Rights found Brazil guilty of applying the Amnesty Law (Inter-American Court of Human Rights, *Caso Herzog e outros vs. Brasil*, March 15, 2018). The Court condemned Brazil for its negligence in failing to punish those guilty of the torture and murder of journalist Vladimir Herzog in 1975 during the military dictatorship. Commenting on the decision, UN experts¹ note that the lack

¹ The experts are Fabian Salvioli, Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence; Nils Melzer, Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; Agnes Callamard, Special Rapporteur on extrajudicial, summary or arbitrary executions; and David Kaye, Special Rapporteur on the promotion and protection of freedom of opinion and expression.

of accountability for human rights crimes has “enforced a collective sense that law-enforcement officials are above the law” and that “impunity for past violations also fails to deter new acts of torture or extrajudicial killings at the hands of public agents” [49].

This “memory of impunity” served as a basis for the formation of a securitized democracy [33] in which police abuse and human rights violations in poor urban areas, often seen as crime-ridden, are considered a normal and legitimate response to disorder. In fact, the rise in violent crimes and homicides during the transition to democracy led to an increased sense of insecurity, bolstered by a rhetoric of fear on the part of the media and major political parties with their focus on categories of crime typically committed by the poor (mugging, drug trafficking, gang violence) and their obscuring of state crimes (police violence, human rights violations) [15, 25]. This rhetoric resulted in endorsement of get-tough policies targeting the poor and legitimized new forms of political repression under democratic rule. The exploitation of fear by the mainstream media, along with “law and order” and “war on drugs” discourses, has, for many, rendered unacceptable the demilitarization of police and the abandonment of its authoritarian practices.

One of the main features of this securitized democracy was the militarization of public security and a police presence in poor urban areas. The democratic constitution of 1988 resulted in little or no change in the role of the armed forces and the police. Despite the elimination of articles related to the military regime’s National Security Doctrine, the 1988 constitution retained the status of the armed forces as the main actors in the defense of the state, thus keeping the main institution for ostensible policing – the Military Police – under the aegis of military rule. Instead of adopting the military notion of “national” or “internal” security, the 1988 constitution opted for the concept of “public security,” which is still contaminated with the persistence of ideological militarization. Militarization of public security by the police is defined as transposition of the conceptions, values and beliefs of military doctrine in the field of public security. This military approach to security is characterized by antisubversive tactics of war against the “internal enemy” [26] – the “political dissident” as the object of repression under the military dictatorship being replaced by the “criminal” or “narco” from the *favelas*. The criminalization of poverty – the ideology behind the militarization of public security – is not exclusive to police organizations but is echoed in society as a whole, and leads to the crystallization of the idea of war, territorial conquest and dehumanized enemies [4–6], Human Rights Watch [36, 24]. *Favelas* and poor urban communities came to be portrayed as crime mills and as enemy territories to be progressively conquered. Disorder and crimes attributed to the *favelas* were exposed as the main threat to democracy while, paradoxically, the military and illegal police violence became symbols of its salvation. It is in this context that the idea of human rights became an arena of conflict under democratic rule. While human rights for some represents an opening to democracy, for others it means no more than permissiveness inviting criminal behavior. It is frequently portrayed by key actors in politics and the media as an impediment to democracy and effective policing [56].

Defenders of human rights as targets of police violence and as “allies of criminals”

While human rights violations are common in the contemporary world, a negative portrayal of human rights in the context of a democracy is a particularity of Brazil's democratic transition. During the military dictatorship, the notion of human rights applied mainly to middle-class political prisoners being persecuted by the regime; it was the subject of discourses demanding the release of political prisoners and calling for civil liberties such as freedom of expression and freedom of the press. However, after passage of the Amnesty Law in 1979 and the release of political prisoners, human rights organizations broadened the scope of their activities and turned their attention to the torture of regular prisoners, those from the majority poor, non-white Brazilian population [43]. In Brazil, unlike in other Latin-American countries and newly democratized societies, the idea of human rights was no longer tied to the overthrow of the authoritarian regime but took on a new meaning: privileges for bandits. For many, the idea of guaranteeing human rights for prisoners and criminals proved unacceptable.

In the first few years of the democratic transition, the stigmatizing of human rights defenders was a key characteristic of Brazil's political discourse. The administration of André Franco Montoro in the State of São Paulo (1983–87) was a target of criticism because it represented a coalition opposed to the military regime, calling for the restoration of human rights and the curbing of police violence. This discrediting of human rights in public security discussions is illustrated in the words of a key political actor, the secretary of public security under the military regime, Erasmo Dias (ARENA, 1974–79). In Brazil's main newspaper, Dias was quoted as saying that the “impunity of criminals” was caused by Montoro and his “philosophy boasting ‘human rights’ [...] for the benefit of the marginal, giving him the ‘right’ to steal, kill and rape while carrying a gun” (*Folha de São Paulo*, September 11, 1983, 3–22). This discourse penetrated judicial institutions in the 1990s, when, as reported by Human Rights Watch [36], in his decision to acquit a policeman accused of torture, a Brazilian judge wrote that “these so-called human rights exist only to protect criminals from the law, when in truth they should exist to protect the honest citizen from the actions of crooks.” This opposition to human rights held fast against the Workers' Party during Lula da Silva's presidency (2003–11). During a 2006 outbreak of violence in São Paulo when the PCC killed several police officers and attacked government institutions, the state governor, Geraldo Alckmin (Partido da Social-Democracia Brasileira, PSDB), held the Lula government responsible. Alckmin claimed that, because of Lula's defense of human rights and his failure to build more prisons, he was “complicit in this situation [...] I condemn the bandits. Lula attacks the police” (*Folha de São Paulo*, May 18, 2006, A4). This statement is highly indicative of a public security discourse that not only condemns human rights but puts them on the side of criminals in the war on crime. Far from being marginalized in Brazilian society, this representation of human rights as “privileges for bandits” is widely accepted by the population in addition to penetrating judicial and political institutions. In 2018, 20% of the Brazilian population agreed that human rights serve to protect criminals [19].

The ideological militarization of public security, coupled with a firm opposition to human rights, created new conditions for the political repression of human rights defenders. In a spirit of guilt by association, these people came to be depicted as “allies of criminals” and as “internal enemies.” On March 14, 2018, Marielle Franco was murdered in Rio de Janeiro. Franco was a black city councilor and human rights defender known for speaking out against police violence in Rio’s *favelas*. The minister of Public Security, Raul Jungmann, attributed “with certainty” her assassination to death squads (*milicias*) and powerful politicians (*UOL Notícias*, November 23, 2018). In October 2018 Franco’s death was celebrated by candidates and supporters of Jair Bolsonaro’s party (PSL) during an election rally for Rio de Janeiro governor Wilson Witzel.

According to Amnesty International, Brazil is one of the world’s most dangerous countries for human rights activists. From January to August 2017, 58 human rights defenders were killed in Brazil [3]. *Milicias*, made up of current and former police officers who engage in both vigilantism and organized crime, are the face of the most extreme state violence inherited from the dictatorship and renewed under securitized democracy. With a mission to return order to Brazil, they have the means to infiltrate political institutions and ensure that certain politicians get elected. The murders perpetrated by these death squads occur in secret, but are on view within the imagination because the bodies turn up, they are reported in the media and anyone living in a poor urban community knows the story they tell. The *milicias* wreak terror upon political activists and popular social movements in order to conquer and organize the poor.

By dismantling political institutions in poor urban communities and stifling liberal forms of political activism, this reign of terror showed that it favored the opening up of a violent militarized political space where violence is produced and reproduced on a continuum. This violence has dire implications for Brazil’s other continuum, the ongoing struggle for democracy and the rights of the poor. As an insidious effect of state violence where political activism is ever limited by fear and anxiety, the space for political expression in poor urban communities has, since the 2000s, come to be increasingly occupied by the PCC’s discourse and its hegemony in São Paulo’s outskirts. While it is a complex criminal organization that itself reproduces violence and oppression in the urban peripheries, the PCC also represents the “politicization of crime” and a new form of political expression for the poor through a discourse sustained by a broad social imaginary of equality, emancipation and the “right to have rights.”

I will review the two main theoretical perspectives used to analyze the PCC in the academic literature: a mainstream perspective, centered on the idea of organized crime and public security, and an anthropological one focusing on the discursive and cultural strands of the PCC.

The dual image of the Primeiro Comando da Capital

The PCC emerged within the Brazilian prison system in the early 1990s. Although there are several narratives regarding the context of its birth, in the narrative that prevails the PCC was founded on August 31, 1993, in one of the country’s most

rigid correctional facilities: Anexo da Casa de Custódia e Tratamento de Taubaté in the State of São Paulo. In the media and in political discourse, the PCC is frequently portrayed as the apex of criminal violence [1, 47]. While today its presence is almost hegemonic in the prisons of the State of São Paulo, many scholars have demonstrated that it also exists outside of prison walls, in São Paulo's outskirts and *favelas* [10, 12, 31, 40, 55]. A dual and sometimes contradictory image of the PCC is generally expressed in Brazilian society as well as in the scientific literature.

The dominant image of the PCC is that of classical "organized crime." The PCC has also been described as an enterprise of professional criminals, composed of an official membership within a hierarchical organization whose main purpose is to profit from illegal activities and the frequent use of violence. Within this perspective, which I will label "PCC as organized crime," the organization can be described as comprising more than 30 000 members [2] present in all of the five Brazilian macro-regions, having branches in at least 8 countries (Venezuela, Colombia, Peru, Bolivia, Paraguay, Argentina, Portugal and Holland), and it can be affirmed that 80% of PCC profits comes from drug trafficking of approximately 40 tons of cocaine/year, totalizing more than US\$200 millions/year [32]. This analysis addresses the PCC exclusively from the perspective of public safety and criminality. Its roots can be traced to the early 2000s, when two particularly violent events were attributed to the PCC, officially establishing the organization as public enemy number one in the war on drugs. The first event, simultaneous riots in 29 prisons in the state of São Paulo on February 18, 2001, demonstrated the PCC's organizational skills inside prison walls. It was at this moment that the authorities recognized the PCC as a major component of Brazil's network of organized crime [54] and a serious challenge to the state's "monopoly on the legitimate use of physical violence" [1, 44]. However, the organization was seen as a prison gang, restricted to carceral settings and presenting no real threat to the general population. It was the second event, the "Crimes of May" 2006, that exposed the PCC as a major threat beyond prison walls. At this time, the PCC carried out a series of attacks against the police and public institutions, leading to a security crisis that paralyzed São Paulo, the economic engine of South America. The organization was now seen as a public enemy, not only operating behind the walls of penitentiaries but hiding in the *favelas* of São Paulo. There followed one of the most violent examples of police repression under democratic rule in Brazil, with 439 people killed by gunfire between May 12 and 21, 2006. A special commission set up to investigate the Crimes of May reported that police "reprisals" against the PCC had resulted in the murder of 118 "suspects," mainly in São Paulo's poor peripheries. Of these victims, 93 were between the ages of 14 and 17 and the majority had no criminal record and no known ties to the PCC [16], 26).

While these events are central in the image of "PCC as organized crime," a second analytical perspective stems from ethnographical and anthropological studies of penitentiaries and *favelas* [12, 29, 30, 41]. Here, the PCC is not viewed solely as a police and public security matter, but, rather, is defined as a latent political experience manifested through attitudes, beliefs and the organization of daily life in the outskirts of São Paulo. While not refuting the PCC's criminal and violent components, this second approach highlights the cultural aspect of the organization by emphasizing its hard-hitting political and social role that

extends beyond criminal settings. It describes the PCC as a form of self-defense against daily injustices experienced in prison and as a reaction to the Carandiru Massacre of October 2, 1992, in which 111 prisoners were killed by the military police [47]. In this perspective, the notions of justice and emancipation are upheld through the image of *comandos* fighting against oppression and violence and for peace among criminals. These studies also show that the PCC is responsible for the creation and propagation of a vernacular language in the outskirts of São Paulo, rejecting hierarchy and favouring equality and democratic ideals among marginalized populations [12, 41]. These cultural aspects of the PCC have been examined particularly with respect to the socialization process of poor urban youth involved in the informal economy and in hip hop culture [10, 11, 28].

This dual image of the PCC reflects the intermingling of crime and politics in democratic Brazil. In fact, in the “PCC as organized crime” image, the PCC is a public enemy and its cultural and political components are actively denied and negated. In 2013 and 2014 the São Paulo State Court of Justice issued judgements² proclaiming the act of singing lyrics about the PCC in rap songs as “serious misconduct.” Scholars have stressed that the PCC “does not involve organized popular collectives that struggle against social injustices and inequalities and affirm the securing of rights, [but engages in] unchecked violence, without sparing death, and [is] capable of terrorizing society” ([1], 12).

I argue that any analysis of politics in poor urban areas must take into account not only the criminalization of politics and human rights but also its counterpart: the politicization of crime as presented by the PCC experience. However, the PCC cannot be examined using traditional sociological concepts of revindication of rights. It is not a social movement, a trade union or a political party. As a criminal gang, the PCC defies the usual categories for analyzing disruptive politics. This paper contributes to the study of violence and politics in Brazil by introducing the concept of “plebeian imaginaries” as a theoretical tool for analyzing the PCC’s discourse in poor urban settings and emphasizing the “expressive” rather than the “instrumental” components of its disruptive politics.

The politics of plebeian imaginaries

The “plebs” is not a sociological entity but a political experience of radical dissent. It refers both to a tradition of philosophical thought and to a recurring process of dissent in Western political history [13] and recent popular uprisings in Latin America [23]. In Roman history, the distinctive nature of the plebs was not merely their economic status but the fact that they were denied any political rights. This is the way that Roman plebs were reinterpreted, first in the classical

² Agravo de Execução Penal nº 0,038,494–46.2014.8.26.0000, TJSP, 3ª Câmara de Direito Criminal, Rel. Des. Geraldo Wohler, j. 19.08.2014, DJ 28.08.2014, v.u.; Agravo de Execução Penal nº 0,013,202-93.2013.8.26.0000, TJSP, 3ª Câmara de Direito Criminal, Rel. Des. Toloza Neto, j. 30.07.2013, DJ 05.08.2013, v.u.

period by Machiavelli and Montesquieu, then in light of the revolutionary experience by Ballanche and De Leon, and in our own time by Foucault and Rancière. The plebs is not Marx's revolutionary proletarian agent whose revolution will bring human history to its fulfillment. It does not promise a happy ending. It is, rather, a momentary reconstruction of memories and traces of recurrent uprisings by those who are denied public speech (*logos*) and are reduced to the basic animal expression of pleasure and pain (*phoné*). Thus, according to Breugh (13, xvi), "the plebeian experience refers to a disposition that refuses the limits of the possible present of the dominant order and whose goal is to bring about a collective existence other than that which holds sway in a specific political community."

Breugh [13] describes the plebs as a little-known political tradition of *the many*: little known because, besides a mainstream narrative of how popular demands were represented and included in the dominant political order, there is an underground, and often unrecognized, history of expressive politics and radical refusal, by popular sectors, of political institutions. The political evidence of that history, in its disruptive rather than reformist strands, is often hidden. However, as a disruptive force it reveals the pretense of the "common" founding of a political order. That twofold history is revealed through the use of *demos* as opposed to *hoi polloi* in ancient Greece or *populus* as opposed to *plebe* in ancient Rome. In contrast to *demos* or *populus*, the plebs remains outside of official narratives, political institutions and any common space for political dialogue between the many and the few. Not being an organized social movement, the plebs is encompassed by turmoil and disorder. Frequently portrayed as violent by the dominant political order, the plebs refuses to accept the injustice that is usually taken for granted but does not offer an alternative political project that might later be reclaimed by the state or some other political institution. However, the plebs is no less a fundamental form of political expression.

The plebs is an important, perhaps central, component of Jacques Rancière's political thought: "Politics is primarily conflict over the existence of a common stage and the existence and status of those present on it" (1999, 26–27). For Rancière, the political is the meeting of two opposite processes. The first is aimed at bringing citizens together so that the community can take shape through "the distribution of shares and the hierarchy of places and functions" (1992, 63) in accordance with the titles to be governed. Rancière refers to this process of domination as "police." Policing is what ensures the marginalization of the plebs and others so that they are unable to participate in the community. The second process constitutive of the political is opposed to the first. It relates to the question of equality and rests on the idea that everyone is equal. This process, called "emancipation," is based on the constant verification of equality through practices that challenge the "police" distribution of places and functions. Seen as "unworthy" of reclaiming the "right to have rights," the plebs materializes a political experience whose purpose is to disrupt this distribution [51]. The meeting between these two antagonistic processes – that is, between police and emancipation – reveals the "wrongs" that the order of the community (police) inflicts on equality (emancipation). The plebs does not establish a new political order but, rather, corresponds with the momentary emergence of a political subject that reveals its subhuman

status as “unacceptable” and capable of partly “paralyzing” the dominant political order. By exposing a permanent state of violence, suffering and injustice, the plebs produces images of disagreement and intractability. The plebs finds its place in that illegitimacy and remains intractable: unlike a political party, trade union or social movement, it refuses to address or negotiate demands (with the state) and to be included as part of the dominant political order. The intractable is “what refuses to be processed: it cannot be integrated into a system. It is located in the margins of contemporary collective existence and never coincide with a unitarian political subject (proletariat, social movement, students, etc.)” [13], 36). The plebeian has no materiality of its own but can be found in what we name “plebeian imaginaries” of intractability and equality.

One of the principal social theorists of social imaginary, Castoriadis ([17] 1987), defines the imagination as the capacity to posit that which is not, to see in something that which is not there (e.g., to see the number 10 in a line juxtaposed to an oval or the ability of the plebeian experience to intervene in the “visible and utterable”). Plebeian imaginaries share this characteristic as they unveil “other realities” – violence, oppression and inequality – where the dominant political order posits pacification, democratic freedom and equality. However, as noted by Brossat [14], for whom Foucault is a theorist of the plebs, what characterizes plebeian action is the ability to lacerate the present, to disfigure it. The plebs’ manifold experiences can reproduce violence and oppression in their most tragic form, as in the case of the PCC.

Appropriation of plebeian imaginaries by the PCC

Here, I will analyze public pronouncements and narratives put forth by the PCC that typically combine rationalities of crime with those of democracy, human rights and emancipation. Key statements defining the PCC can be found in the narratives on the birth of the Partido – or the changes made to its motto in 2003 – or in the narratives of the prisoners and inhabitants of São Paulo’s *favelas*. It is appropriate to analyze the PCC as a set of recurrent statements rather than solely as a hierarchical criminal organization because of a paradox that has been noted by Brazilian scholars for more than a decade: the PCC is “present” even where it has no official members. The anthropologist Karina Biondi [12] has documented the case of a prison facility where there were no *irmãos* (official members) of the PCC but where prisoners had adopted its philosophy, language and objectives. Another anthropologist, Gabriel de Santis Feltran (as cited in [39]), encountered similar cases within São Paulo’s *favelas*, where young drug traffickers who were not under the control of the gang enforced the “law” of the *irmãos*. The works cited above refer to the cultural components of the PCC that have also been found to be expressed through music and the vernacular language generated within poor communities in São Paulo.

Feltran [28], in studying the popular music of Jorge Ben and Tim Maia in the 1960s and 1970s as well as the Brazilian hip hop of the 1990s and 2000s, argues that the values of peace, justice, liberty and equality, which make up the official motto of the PCC, have deep historical roots within popular struggles in Brazil. In São Paulo’s outskirts, these values were essential to the workers’ movement of the 1960s

and 1970s and a central aspect of samba [57] and the *música popular brasileira* [46] with their resistance to the military dictatorship. Today, these values can be found in hip hop, where the “world of crime” is construed to replace the workers’ movement as the guardian of popular values and the struggle against oppression [38]. In 2012 two famous rappers from São Paulo’s outskirts, Dexter and Cascão, were accused of being members of the PCC because their lyrics were about the PCC and political resistance (*Revista Forum* December 10, [53]). In an interview with *UOL Notícias* [9] on December 7, 2012, Dexter, rejecting the accusation of being associated with the PCC and with violence and crime, said that he saw the PCC as a “type of organization of the people to revindicate rights.” In the same interview, Cascão described the PCC as “people who fight against the indecency of the system” and who are “tired of seeing the military police kill.”

This idea of the PCC as a reaction to police violence against the poor and a revindication of rights is tied to the narrative of its being founded as a reaction to the 1992 Carandiru Massacre. This narrative was officially revived in the 2001 *Statute of the Primeiro Comando da Capital* released to the media during the prison riots. Calling for unity in the struggle against injustice and oppression, the Statute states that “the priority of the *Comando* is to put pressure on the State Government to deactivate the Concentration Camp of House of Custody and Treatment of Taubaté [commonly known as *Carandiru*], where the *Comando* originated, in the middle of such atrocious suffering.” In the face of oppression and state violence, “unity,” “solidarity” and “peace” are the central values outlined in the Statute. In a 2006 PCC press release read over TV Globo, the organization stated, “We want a prison system with human conditions and not an inhuman and failed system where we suffer numerous humiliations and beatings. We demand nothing more than what is in the law. [...] The democratic state has the obligation and duty to ensure minimal conditions of survival for the sentenced” (quoted in [27], 267). These official political statements by the organization produce various cultural iterations outside the boundaries of the “PCC as organized crime.”

A central plebeian aspect of statements associated with the PCC concerns the capacity to extend the oppression experienced by the “criminal” to “the many” and “the poor,” who share a negation of the “right to have rights.” In his testimony before the Committee to Combat Violence³ (Comissão de Combate à Violência), Marcola (leader of the PCC, according to Public Security), described the creation of the *Comando*:

I don’t have *a right to anything* [in this maximum security pavilion], and I didn’t in 1991, 1992 and 1993, when the PCC was created. So the **PCC was created because of that** and **because of the Carandiru Massacre** when 111 prisoners were executed [by the authorities]. I am inside a prison where 111 prisoners died. I feel insecure, Doctor. The PCC was created because there was

³ Testimony of Marcos William Herbas Camacho, known as Marcola, before the Comissão de Combate à Violência (Committee to Combat Violence) on October 21, 2011, as indicated in its final report. Marcola is considered one of the main leaders of the PCC since 2002, after the split with the founding members Geleirão and Cesinha. At the time of this testimony, however, that split had not yet occurred.

nowhere to run. If we complain, if we [submit] documents, no one takes any action, no one looks at the prisoner, mainly because **he is poor.**” (Comissão de combate à violência [21], 126).

By virtue of its association with the Carandiru Massacre, Marcola’s narrative exposes the subhuman status of prisoners, who are deprived of rights (“no one looks at the prisoner”) and suffer violence inflicted by the state. The PCC portrays itself as a political statement by a category of people who have long been excluded and have been subjected to a permanent state of violence, suffering and injustice. In addition to being “present” in the narratives of many prisoners, the argument of causality between the massacre and the emergence of the PCC was also used in a 2006 press release (*salve*) issued in the name of the PCC [12]. In his testimony before the Parliamentary Commission of Inquiry on Arms Contraband (Comissão parlamentar de inquéritos do tráfico de armas [22], 131) on June 8, 2006, Marcola commented that “justice is rarely done, because two types of justice exist: one for the poor and one for the rich.” While this narrative proclaims the infrapolitical status of the prisoner, it suggests as well that the exclusion applies not only to the “criminal individual” but also to a greater community: the poor.

This statement indicates that the social component being rejected by the political order is not the “criminal” himself but “the poor” – the broad category of people to which the prisoner belongs. This infrapolitical status conferred on prisoners also characterizes the poor: they share the specificity of not being “seen” and not being able to speak and to engage in public debate in an equitable manner. “The ‘poor’, however, does not designate an economically disadvantaged part of the population; it simply designates the category of peoples who do not count, those who have no qualifications to part-take [sic] in *arche*, no qualification for being taken into account” (Rancière, Panagia and Bowlby [52], thesis 4). In Marcola’s statement, the poor, the prisoners and the PCC are exposed as a community of equals under the common condition of having “no right to have rights.”

This ideal of equality is a central feature of plebeian imaginaries. In 2003 it was officially added to the PCC’s motto of “Peace, Justice and Freedom.” According to many scholars, the PCC assumed a hierarchical structure in the 1990s, with its three founding members – Geleirão, Cesinha and Bandeirão – at the top. As reported by Marcola, “the people close to this leadership got drunk on their success [...] and ended up committing atrocities that were worse than the one they came to curb” (Comissão parlamentar de inquéritos do tráfico de armas [22], 69–70). It was between 2002 and 2003 that a violent conflict erupted against the concept of leader (Cesinha was murdered at Avaré Penitentiary on August 13, 2006), inaugurating a new configuration of power that demanded equality for all [47]. A cell-type organization was formed, one in which – although the hierarchy remains – there is a constant mistrust of transcendent leadership [27]. As demonstrated in Breugh’s work, the question of leadership has been central to every plebeian political engagement throughout history: “The designation of a plebeian leader is problematic because it involves the establishment of a power *over* others, that is, a coercive power, whereas the plebs’ transformation into a political subject represents precisely the effort to construct a power *with* others” [13], 41).

Most importantly, the ideal of equality was materialized through the emergence of a vernacular language associated with the PCC among prisoners and the poor of São Paulo. This language rejects the concept of leader, favors discussion (*debate*) to settle conflicts and highlights the collectivity of decision-making [12]. After the PCC's 2003 internal conflict, the ideal of equality gave birth to the concept of "legitimate leadership" – immanent as opposed to transcendent, or leadership without command, similar to the type of authority described by Clastres ([20] 1989) in South American Native cultures. This leadership is based on a form of authority ritually confirmed and performed in conflict mediation to maintain peace in the "world of crime" [28]. This collective leadership follows *proceder pelo certo* ("proceed to do what's right", often simply abbreviated as *proceder*) as a code of ethics for determining what is right and what is wrong in the street, among the marginalized and those living on the proceeds of illegal activities. In this code, *o certo* (what's right) is guided by the respect of a fragile symbiosis between authority and equality. This symbiosis is represented as a balance between *humildade* ("humility", understood in reference to those who do not "humiliate the poor") and *cabulosidade* (to stand up for yourself and resist being "pushed around") [40]. Two of the major hip hop bands from São Paulo's peripheries in the 1990s, RZO and Racionais MC's, frequently sang about *proceder*. In this vernacular language of the PCC and the peripheries, the word *sintonia* (tuning) is often used in the sense of a non-coercive way of transmitting ideas that can resonate among those sharing a similar life experience in crime, exclusion and oppression. Instead of "giving orders," which presupposes subordination, the PCC tends to send *salves* as messages that "communicate the right thing to do" as determined through collective debate. I remind the reader that my purpose here is not to determine whether the PCC's mode of operation is always in line with the ideal of equality – it is not – but, rather, to trace the effects of its "egalitarian discourse" at the level of political imaginaries in the outskirts of São Paulo.

It must be stressed, however, that the politics of the plebs as an inherited memory of disruption and uprising against oppression is not exclusive to the imposition of new inequality structures that reproduce hierarchy, violence and oppression. As shown by Breaugh [13], the first plebeian secession in Rome led to the reproduction of inequality through the establishment of coercive power in the tribunes of the plebs. Some arrogate plebeian power to themselves in order to reshape it into a tool for their own political or social ascendancy – what Breaugh refers to as the "tragic" nature of the plebeian experience. This does not reflect a linear and progressive theory of emancipation, for that matter, the PCC has replaced the state in some areas through the effective use of violence, instilling of fear, and alternative forms of justice and governance. Alongside its plebeian imaginaries, the PCC is a criminal organization that uses violence when necessary to oppress ordinary people and that exploits social inequality by hiring poor people for the material gain of a small group of leaders (Ferreira 2019). I argue that, "despite its tragic nature, the plebeian experience leaves its mark and resonates for others, [...] inaugurating a discontinuous history of political freedom" [13], 43) that can be reactivated through the social imaginary of resistance and a particular set of utterances, echoed and reproduced among Brazil's urban poor. The political effects of the plebeian imaginaries that the PCC reactivates are notable for what they "unveil" in the face of the dominant political order. Through

its political discourse, which resonates in non-criminal settings and cultural forms of expression of the *favela* – music (hip hop, funk), literature (*literatura marginal, sarau*) or dance parties (*baile funk*) – the PCC plays a role in exposing the fallacy of a democracy whose authority is built not on equality and the protection of citizens' rights but on the militarization of public space, the criminalization of human rights and support for illegal police violence. In contrast to the “instrumental” component of traditional political organizations that address concrete sets of demands, the “plebeian PCC,” by virtue of its expressive and cultural nature, seeks less to attain something than to express a reality that is denied daily by the structures of power.

Final considerations

This article has argued that the criminalization of human rights by the democratic Brazilian state has the effect of stifling traditional political activism in poor urban communities and, in turn, creating the possibility of a new form of political expression of the plebs: the politicization of crime. As documented in the work of Gleddhill and of Pearce, the defense of human rights and political activism by the poor remain limited by fear, anxiety and death, co-produced by the state in its war on drugs. While conventional analyses of the PCC in terms of organized crime or public security are essential, they do not offer the theoretical tools necessary to take into account its political and plebeian dimensions. On the other hand, the traditional conceptual categories used to analyze contentious politics, as in the case of social movements, trade unions or political parties, can hardly take into account the expressive and intractable nature of this new form of political expression. The main contribution of this article has been to draw on political philosophy to introduce the concept of the plebs, understood as an experience of radical dissent by those sub-political subjects whose violent repression is normalized. The plebs is theorized not as a social movement or a sociological category but as a disposition of radical dissent of the poor, materialized in social imaginaries of equality, emancipation and freedom. In the midst of chronic violence and death, these plebeian imaginaries are subjected to reappropriation by organized crime. Revealing the plebeian aspects of the PCC's discourse is essential in understanding today's violence in Brazil and its production of new political forms of expression by the poor.

In one of its most tragic forms of expression, a pillar of PCC's politics can be found in its proposition of “confronting the police” (“*bater de frente com a polícia*”) [12, 42]. The political nature of this proposition can be understood as a superimposition of Rancière's (2001) “police” (theorized as the distribution of parts of society, including of those who have no part) and on-the-ground “policing” and maintenance of order. In a world where democratic transition means consolidating privileges for the elites and sacrificing the poor, where a “city of walls” [15] and a militarized police ensure peace and security for the wealthy but expose the poor to chronic violence, the PCC's rebellions and public pronouncements have the effect of moving the violence of one world into another and making visible that which has no reason to be seen: the state constructing non-citizens who are subjected to pure violence and have no part in democracy.

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