

You Can't Kill Marielle

Meg Stalcup and Erika Robb Larkins¹

Marielle Franco was part of a new generation of progressive activists in Brazilian politics. She was assassinated point-blank on March 14, 2018 by an elite shooter. In this piece, Meg Stalcup and Erika Robb Larkins examine how Marielle's death is revealing of the issues that she fought for in her life. They also ask how she continues to be present in and beyond the unfolding investigation into who killed her.

Figure 1. Protest for Marielle Franco, Cinelândia, Rio de Janeiro, March 20, 2018



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Marielle Franco was elected to Rio de Janeiro's city council in 2016 with the Partido Socialismo e Liberdade (PSOL, or Party of Socialism and Freedom). Marielle—referred to by her first name, like most public figures in Brazil—and the PSOL had entered politics only a decade or so earlier. They were part of a movement for change at a moment when Brazil's most powerful political parties were in the midst of the *mensalão* ("big monthly stipend") scandal (Baiocchi 2006). Revelations in the affair centered on the leftist Partido dos Trabalhadores (PT, or Workers' Party),

¹ Both authors contributed equally to this article.

which, with the election of Luiz Inácio “Lula” da Silva to the presidency, was finally in power but without a majority to implement its agenda. Ultimately, the PT was found to have paid for alliances in the national assembly, incentivizing legislators from other parties through monthly payouts for votes to pass a series of social programs. These included conditional cash transfers to 14 million families, which would eventually help lift nearly a quarter of the population out of poverty (Silva 2017). Influence peddling, kickbacks, and other forms of corruption are extraordinarily common in the Brazilian political process and institutions at all levels (Carson and Prado 2014, pp. 19–23). The fact that this scandal broke, unlike any number of others, was understood, at least partly, as a backlash against the PT and the social progress it bought with those votes.

If Brazil’s oligarchy felt threatened by the PT, farther on the left it was viewed as not doing enough. The PSOL splintered from the PT largely over President Lula’s more neoliberal economic reforms, and as the vote-buying scheme was confirmed, its ranks swelled with those revolted by this move to the center, and dirty politics as usual. Inspired by the idea of a brighter future, the PSOL took as its logo a smiling sun that plays on its name (*sol* means “sun” in Portuguese). The picture used by Marielle’s campaign, fittingly enough, shows her standing in a sunbeam in the middle of the street in Maré (Figure 2), the complex of *favelas* where she was born and raised.

Figure 2. Marielle Franco in Maré, Rio de Janeiro



© PSOL.

Marielle started in politics in 2006 by campaigning for progressive state legislator, Marcelo Freixo, in the PSOL’s first elections. She then worked on his staff, making the kind of name for herself that would allow her to win a seat on the 51-person city council as the fifth most voted legislator a decade later. Her victory would have been impressive for any first-time candidate. In a city—and country—with complexly intertwined racial and class prejudice, clientelism, and a corrupt “good old boys” political culture, the massive number of votes she received, without bribery or a network of favors, was especially remarkable.

She immediately set to work creating social programs, from night-time child care for low-income mothers to assistance for the families of police officers killed in the line of duty. She also publicly decried the violence² that affected her constituents, criticizing the federal government for installing

² See: www.sapiens.org/culture/favelas-police-gang-violence.

military troops³ in the city, and the police⁴ for their use of deadly force, particularly towards Brazilians of Afro-descent. Two years later, Marielle would be the one who was killed.

The news that Marielle and her driver Anderson Gomes had been gunned down in public spread swiftly across the city, Brazil, and the world, facilitated by the dynamism of Brazil's social networking and media activism (Stalcup 2016). An outpouring of grief—visceral, anguished, aghast—filled the streets with mass demonstrations. Within days, she had become an international symbol of the struggle for human rights and justice. Just as rapidly, a disinformation campaign began trying to shape the narrative around her death. Two hours after her death, the first false stories⁵ began circulating in private WhatsApp groups, most attempting to link her to drug traffickers, or implying that traffickers had been behind her assassination. The rumor, according to researchers at the University of São Paulo, appeared to have been “sophisticated and planned.”⁶

Figure 3. Article on Marielle Franco in the *Washington Post* on March 19, 2018



These two mediations of Marielle's death—her rise as a figure that stands for what she had, in fact, been in life, and the effort to smear her through association with crime—are flip sides of the same coin. Both speak to her power, as a person and a symbol. Marielle and Anderson's murders must be understood within the context of violent local disputes, and this, in turn, as part of the national struggle and a backlash against all that she represented.

³ See: www.jb.com.br/artigo/noticias/2018/03/16/ultimas-palavras.

⁴ See, for example: <https://twitter.com/mariellefranco/status/972587390131896320>.

⁵ See, for example: www.bbc.com/portuguese/brasil-43797257.

⁶ See: www.bbc.com/portuguese/brasil-43549550.

Marielle won office as the ramifications of another Workers' Party initiative were making themselves felt. The PT had strengthened the judiciary's autonomy and capacity for criminal investigation; the result was that the political and business elite were taken to task for corrupt practices in a way that had never before been seen in Brazil. Operation Car Wash, as it was known, focused on a sprawling network of white-collar crime built around cartels of companies that set prices, overcharging for construction contracts, in return for payoffs that provided access to politicians throughout Latin America.⁷ The money from this apparatus greased palms across Brazil, including those of Congress. Furious that then-President Dilma Rousseff, Lula's successor, refused to halt the investigation into their corruption, legislators voted to remove her from power on charges of misleading accounting. The impeachment was viewed as an effective legal procedure by her opponents, and as a procedural coup by her supporters. Since she had done nothing illegal (confirmed in a subsequent review by the federal prosecutor⁸), they argued there was no legal reason for the vote.

As this was under way, Rio de Janeiro was gearing up to host the 2016 Summer Olympic Games. Close on the heels of the 2014 FIFA World Cup, held in Rio and other locations around Brazil, these major international events were justified as ways to build the nation's infrastructure and generally boost the economy. Instead, by the closing ceremonies of the Olympics, the city was in fiscal ruins. Officials, including the former governor, were swept up in Operation Car Wash for kickbacks related to the large-scale construction projects undertaken in order to host the events. On a national level, the impeachment of Dilma was finalized, and her incredibly unpopular replacement, Michel Temer (who in 2017 would be formally charged⁹ with receiving multimillion-dollar bribes but managed to remain in office), began to implement a series of draconian austerity measures while winding down funding and governmental support for the corruption investigation. Unemployment rose dramatically in the immediate post-Olympic period, as Brazil's larger economic downturn came home to roost.

Figure 4. Police in the street during a “Temer Out” (“*Fora Temer*”) protest against proposed changes to labor and pension laws, Rio de Janeiro, June 30, 2017



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⁷ See: www.aljazeera.com/blogs/americas/2018/03/exporting-corruption-brazil-car-wash-scandal-180307110441253.html.

⁸ Available here: http://estaticog1.globo.com/2016/07/14/Arquivamento_Pedalada_Final.pdf.

⁹ See: www.reuters.com/article/us-brazil-corruption-temer-idUSKBN19H2PG.

Rio's ill-conceived governance began to bear ugly fruit, particularly in the realm of security. In the period prior to the World Cup, the city had implemented a counterinsurgency model aimed at winning hearts and minds through "proximity policing" in select *favelas*, located in areas that were strategic with regard to tourists, the elite, and sports venues. Pacification, as this was called, almost exclusively targeted *favelas* controlled by drug traffickers. In made-for-television operations, traffickers were spectacularly pushed out (Larkins 2015); however, this simply meant they turned to new territories, where other agents of violent order-making, the *milicias* (militias¹⁰), had for years been left to flourish.

Militias are contemporary versions of extrajudicial vigilantes, descended from extermination groups, or the even older "death squads" (Alves 2003). To begin with, they trafficked not in drugs but in the provision of "protection," terrorizing residents and killing rivals; in short order, this would also include the sale of drugs. Importantly, members of these groups themselves come from state security forces, and the shady police, firefighters, prison guards, and military soldiers who create these extortionist rackets draw on their authority as state actors. As the fleeing traffickers left *favelas* in the city's central tourist areas for the peripheries where militias reigned, violence exploded.

Figure 5. Protest for Marielle Franco, Avenida Rio Branco, Rio de Janeiro, March 20, 2018



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¹⁰ See: <https://abcnews.go.com/International/story?id=5182364&page=1>.

Rio de Janeiro was thus in the grips of a heightened security crisis when Marielle was assassinated. This was perhaps a contributing factor to the president's earlier decision, in February 2018, to place the city's security under the control of the military¹¹ for the first time under the 1988 post-dictatorship constitution. But as Marielle herself pointed out, in an article published posthumously,¹² despite the numbers, Rio was far from the most violent city in country. What was far more relevant was the fact that it was an election year. The order for intervention was signed on the eve of a controversial vote that would have gutted the country's labor protections and pension system. Brazilian law prohibits votes of this type while there is a federal "emergency" intervention under way. Since it was slated to last until December 2019, Temer effectively put off the vote until after the upcoming election cycle.

There was another significant drama under way related to the elections scheduled for October. Despite efforts by the Operation Car Wash investigation to connect former president Lula to the corruption scandal, he consistently polled as the frontrunner in the presidential race. He was eventually charged and jailed for allegedly accepting a bribe, in the form of a favorable price for an apartment in the port town of Santos. The investigators came up with no documentary evidence,¹³ however, so they used testimony from a convicted executive who plea-bargained for his own shorter sentence. Lula's supporters describe the charges against him as "lawfare," the result of a politicized judiciary disproportionately targeting leftist politicians. The goal, according to this view, is to return electoral power to the conservative political elite, and put an end to the implementation of the kinds of progressive social policies that so radically transformed Brazil in the previous decade.

Figure 6. Screenshot from the TV program *Domingo Espetacular*,¹⁴ which on May 6, 2018, broke news of seemingly intentional police errors in the investigation into Marielle's assassination



The details of Marielle's death have brought to light the problems of illicit state power that she fought against during her life. The investigation has revealed that she and Anderson were killed by a highly trained gunman. As ballistics testing and a reconstruction of the assassination would show, the shooter used an HK MP-5 submachine gun favored by the state's elite military troops. Some speculate that the police themselves were behind the murder—not, in this hypothesis, for her denouncement of their violence, since she had long been making such statements; instead, it was to

¹¹ See: www.theguardian.com/world/2018/feb/16/brazilian-army-rio-de-janeiro-michel-temer.

¹² Available here: www.jb.com.br/artigo/noticias/2018/03/16/ultimas-palavras.

¹³ See: www.nytimes.com/2018/01/23/opinion/brazil-lula-democracy-corruption.html?smid=tw-nytopinion&smtyp=cur.

¹⁴ Available to view online here: www.youtube.com/watch?v=OL84nAPfcQY.

send the message that they would not be held accountable by outside attempts to “clean up” or “reorder” the security scene in Rio.

Much of the media coverage in Brazil has focused on the possibility that her death was ordered by another part of the *banda podre* (“rotten gang”) of the police—that is, by the militia: organized crime run by state actors. Indeed, her early work with Marcelo Freixo included a legislative task force¹⁵ formed to investigate militia activity in 2008. This initiative, and her denunciations of police violence, made her a highly visible figure located at the forefront of challenging illicit power. Researcher José Cláudio Souza Alves wrote a book¹⁶ on the history of extrajudicial violence in the region. He points out that while previously it was common to speak of the *favelas* as being governed by the “parallel power” of the drug traffickers, this term actually obscures the new reality of the militias’ entrance into politics. The militias, he explains,¹⁷ “[i]n addition to being largely composed of public security agents, [...] already elect councilors and deputies, and command secretaries of government. It is part of the legally constituted power.” Accordingly, at the same time that leaders like Marielle were finally securing the hard-won right to speak as elected representatives, militia candidates were strong-arming their way into the ranks of legislative power through intimidation. Marielle’s electoral success, rather than her denunciations, may have been a threat to this process.

Figure 7. “Marielle, Presente!”¹⁸ Protest for Marielle Franco, Candelária, Rio de Janeiro, March 20, 2018



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¹⁵ See: www.marcelofreixo.com.br/cpi-das-milicias.

¹⁶ See: <http://livrariagramsci.com.br/?product=dos-baroes-ao-extermio-uma-historia-da-violencia-na-baixada-fluminense-jose-claudio-souza-alves>.

¹⁷ See: <https://theintercept.com/2018/04/05/milicia-controle-rio-de-janeiro>.

¹⁸ See: www.mariellefranco.com.br/quem-e-marielle-franco-vereadora.

Marielle in life was both a genuine force in local politics and a bright symbol of the best of democracy. What seems clear is that her assassination, like Dilma's impeachment and Lula's imprisonment, are pushbacks against the social change that each, in their own way, embodied.

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Meg Stalcup is a visual and medical anthropologist, and an assistant professor in the School of Sociological and Anthropological Studies at the University of Ottawa. Her research and teaching explore the intersections of technology and data with cities, security, science, and ethics, drawing on long-term fieldwork in Brazil, the United States, and Canada. She is also the director of the Collaboratoire d'Anthropologie Multimédia/Multimedia Anthropology Collaboratory (CAM/MAC), a forum for ongoing explorations of pedagogy and research methods.

Erika Robb Larkins is an associate professor in the Departments of Anthropology and Sociology at San Diego State University, and director of the J. Keith Behner and Catherine M. Stiefel Program on Brazil. Her research and teaching focus on urban anthropology, particularly violence and inequality in Brazil. Her first book, *The Spectacular Favela: Violence in Modern Brazil* (University of California Press, 2015), explores the political economy of spectacular violence in one of Rio's most famous *favelas*. Dr Larkins is presently working on a second book examining the private-security industry in Brazil.

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