

# The necropolitical spectrum: political lives of the surplus dead

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## Abstract

This article sets forth a theoretical framework that first argues that necropolitical power and sovereignty should be understood as existing on a *spectrum* that ultimately produces the phenomenon of surplus death – such as pandemic deaths or those disappeared by the state. We then expound this framework by juxtaposing the necropolitical negligence of the COVID-19 pandemic with the violence of forced disappearances to argue that the surplus dead have the unique capacity to create political change and reckonings, due to their embodied power and agency. Victims of political killings and disappearance may not seem to have much in common with victims of disease, yet focusing on the mistreatment of the dead in both instances reveals uncanny patterns and similarities. We demonstrate that this overlap, which aligns in key ways that are particularly open to use by social actors, provides an entry to comprehend the agency of the dead to incite political reckonings with the violence of state action and inaction.

**Key words:** necropolitical spectrum, surplus death, necropolitics, agent dead, political lives of the dead

## Introduction

Bodies littering the streets. Others interred in mass graves. The families of the victims unable to say goodbye, plan a funeral or participate in important public grieving rituals. Mass demonstrations flood the streets. The military has been called in to quell the unrest.<sup>1</sup> These descriptions could relate to any number of military regimes that have used disappearance and political killings to gain control, and the reaction to the tears in the social fabric that those deaths have created. Yet these are not the recollections of the past, they are accounts of the COVID-19 present.

In this article we argue that surplus death, an increase in the numbers of dead citizens, exists along a *spectrum* of necropolitical power and sovereignty over the levels of potential violent death that the state can impose on its citizens. We then expand this idea by juxtaposing the necropolitical negligence of the COVID-19 pandemic with the violence of forced disappearances to argue that the surplus dead have the

unique capacity to create political change and reckonings, due to their embodied power and agency. We ask: 'How can we understand the manifestations of state violence on a continuum that runs from lethal negligence to systematic killing? How do mistreatments of the dead and the inability to mourn fuel opposition to necropolitical orders?'

This article builds on others' theoretical suggestions<sup>2</sup> that necropolitical violence is not only state-sanctioned murder but also the systemic neglect, denial and abandonment that fuels mass death in a pandemic and global necroliberalism.<sup>3</sup> We consider neglect and abandonment not as absences of government but as related forms of death-dealing state power. Victims of political killings and disappearance may not appear to have much in common with victims of disease, yet focusing on the mistreatment of the dead in both instances reveals uncanny patterns and similarities. The violence of political killings and pandemic death align in key ways: (1) the normalised cycle of life, death and burial has been completely disrupted and (2) the agency of the dead, as symbolic and embodied political vehicles, is particularly open to use by social actors. We demonstrate that the overlap of interrupted mourning in both forced disappearances and pandemic deaths provides an entry to comprehend the agency of the dead to incite political reckonings with the violence of state action and inaction.

This theoretical framework emerges from the analysis of secondary and historical data. We focus on the United States (US), where necropolitics is fully on display, with the aim of providing an approach relevant to other contexts of pandemic mismanagement. This framework also applies to developing countries beholden to destructive neoliberal health practices that have been caught unprepared, due to cuts in public health infrastructure.<sup>4</sup>

### The spectrum of necropolitics

Achille Mbembe's concept of necropolitics provides a theoretical lens through which to examine surplus death. Necropolitics modifies Foucault's reflections on biopolitics, the mode of governing that works through 'numerous and diverse techniques for achieving the subjugation of bodies and the control of populations.'<sup>5</sup> Biopolitics is the power of modern government to make live or let die, a productive power of control that strives to optimise populations and secure the efficiency of citizens' bodies. Mbembe, however, suggests that biopolitics does not fully encapsulate how states still use the threat of *violent death* to maintain control over their populations.<sup>6</sup> Drawing attention to histories of colonial warfare and fascist violence, he reveals how the colonised and oppressed experience the 'vitality' of biopower as the aggressive infliction of death. Those deemed 'unproductive' and 'disposable' never relate to biopolitics as a generative force; they experience it only as a lethal power operating at the scales of the body and the population. Histories of racism and biopolitics are interwoven: 'In the economy of biopower, the function of racism is to regulate the distribution of death and to make possible the state's murderous functions.'<sup>7</sup> The meaning of death in society becomes clear by asking who does the killing, which techniques they use and who is targeted.

The approach offered here aligns with a growing body of literature that reads necropolitics and biopolitics as complementary concepts, describing a spectrum of experiences and methods of mass death.<sup>8</sup> The relation between life making and death dealing can be understood in part as a matter of positionality, with necropower exercised on a colonised Other.<sup>9</sup> Furthermore, necropower and biopower involve techniques of violence that employ a continuum of forces ranging from intervention to withdrawal. Active embodiments of state violence, e.g., murders by security forces, differ in degree rather than in kind from the seemingly passive, yet no less lethal, violence of state negligence, neglect and abandonment.

The necropolitical end of the spectrum foregrounds power relations that define forced disappearances. Armed groups, or 'war machines' as Mbembe prefers to call them, exercise violence that is highly mobile and adaptive in its organisation. These war machines have complex, partial relations to the state.<sup>10</sup> They include state security forces, paramilitaries, special forces, police, militias, mercenaries and private military firms. While Mbembe emphasises the role of these death squads in securing the extraction of labour and resources, he notes that they also begin to take on a form of governmentality characterised by relations of command and annihilation. These extreme forms of government and sovereignty 'are less concerned with inscribing bodies within disciplinary apparatuses than with inscribing them, when the time comes, within the order of the maximal economy now represented by the "massacre"'.<sup>11</sup> This is the active, intervening force of making death.

In contrast to the active necropolitics of forced disappearance, the study of biopolitics has focused more extensively on death inflicted by abandonment. Biopolitical operations of 'letting die' work through 'ordinary/taken for granted deaths'.<sup>12</sup> Biopolitics acts as if surplus death is a seemingly natural part of political order. Those lives unable to produce value in the marketplace are made more vulnerable and subject to exposure. Where this logic is carried through to its conclusion, these are lives lived in a state of social death, relegated to what Biehl has called 'zones of social abandonment'.<sup>13</sup> If necropolitics in its quintessential form operates through an intervening violence, biopolitics directs our attention to the forms of death that arise from the withdrawal of social ties.

However, necro- and biopower exist along a continuum, both employing active and passive, intervening and withdrawing techniques. Slow, accretive forms of violence – for instance, those unfolding along deadly borders, in refugee camps and detention centres and through the poisoning of the environment – constitute an integral part of necropolitics.<sup>14</sup> Conversely, biopolitics entails degrees of intervention. As Elizabeth Povinelli notes, threats to market value are not only abandoned but also 'ferreted out and strangled'.<sup>15</sup> The aggressive manifestations of biopolitics are not so far from the eliminative logic of sovereign killing. Both track down 'subversives', one pursuing risks to productivity and profitability and the other hunting threats to authoritarian order. In the case of state-sanctioned murder, necropolitics works through raids and disappearances. By contrast, biopolitics relies on a distinct repertoire of intervention, deploying regimes of policing, punishment and incarceration against those who deviate from the norms of an efficient and productive population. Mbembe further reveals these shared tendencies when he suggests that

biopolitics arose in conjunction with necropolitical projects of the slave trade and colonisation.<sup>16</sup> Bio- and necropower constitute two overlapping modalities of producing death in relation to the figure of life: 'creating *death-worlds*, that is, new and unique forms of social existence in which vast populations are subjected to living conditions that confer upon them the status of the *living dead*.'<sup>17</sup> From making one die through extreme violence to letting one die through the withdrawal of social bonds, this array of death worlds constitutes what we call the *necropolitical spectrum*.

### COVID-19 and the necropolitical spectrum

In cases where the government has been purposively obstinate, if not wholly hostile, to controlling the spread of COVID-19, the mismanagement of the pandemic has served as a necropolitical weapon wielded against surplus populations. Others have postulated that COVID-19 deaths exemplify the cost of the status quo of necropolitical power, necroliberalism and the health disparities that build from 'slow violence' to more accelerated and efficient killing machines during a pandemic. As Ravindran argues, 'The crisis generated by the outbreak of COVID lays bare the core features of global necroliberalism as the impacts of class, racial, and gendered disparities in access to health care are forcefully becoming visible everywhere.'<sup>18</sup>

At the time of writing this article, deaths from COVID-19 in the US exceed 600,000. The basis for comparison with other national traumas shifts regularly as the death count continues to tick upward. Geographically, the coronavirus is nearly everywhere, and major outbreaks are more the norm than the exception especially with new variants emerging. The prevalence of cases makes a comprehensive, effective test and trace scheme functionally impossible. While the virus is seemingly omnipresent, its effects are highly differential, reinforcing or intensifying long-standing inequalities.

As we address in more detail later, hospitalisation rates and death rates vary unevenly along lines of race and class. Some of the deadliest outbreaks have arisen within prisons and state-run care homes for the elderly.<sup>19</sup> Moreover, as Ravindran argues, it is not just the scale of risk to exposure or healthcare access, but the 'extent to which one is forced to sacrifice basic needs so that the privileged are not exposed to risk.'<sup>20</sup> The Trump administration, during its entirety, responded with denial, obfuscation and obstruction of both public health efforts and relief from eviction, poverty and hunger, further highlighting who they thought should be sacrificed.<sup>21</sup> When asked to reflect on the death toll in an interview with journalist Jonathan Swan on *Axios on HBO*, Trump would only respond, 'it is what it is'. At a campaign rally on 21 September 2020, Trump said coronavirus 'affects virtually nobody.'<sup>22</sup> After contracting COVID-19, Trump (echoing Jair Bolsonaro) used his experience as an opportunity to downplay the severity of the illness and to deny the inequality of access to medical treatment in the US and the disproportion of those with high-risk, pre-existing conditions in communities of colour; and he further rejected the humanity of those who have died when he tweeted, 'Don't be afraid of Covid [*sic*]. Don't let it dominate your life.'<sup>23</sup>

While the egregiousness of mismanagement at the national level has understandably elicited the most attention and criticism, state and local responses range from

inadequate to defiantly reckless. Saidiya Hartman has described the response, or lack thereof, of the US government as one of triage: “Triage is the response to the crisis, a crisis exacerbated in the United States by the “no state” state and capitalism, by racism and white nationalism, by lies and more lies, by mismanagement, by opting for death, by the lack of universal health care.”<sup>24</sup> Triage is exacerbated by the years of privatisation, destruction of state welfare and reduced medical infrastructure which intersects the slow-death necropolitical violence associated with higher rates of pre-existing conditions among Black, Indigenous, people of colour, Asian, minority ethnic and rural communities.<sup>25</sup> Moreover, those most likely to survive the desperate act of triaging are bodies already ‘cultivated for life and reproduction’, as the conditions for life and death are linked through the distribution of resources and the ‘fundamental bio-and necropolitical negotiation.’<sup>26</sup> For example, the risk of dying of COVID-19 in the US is four times higher if you are Black than White, and 3.3 times higher if you are Latino or Indigenous, adjusted for age<sup>27</sup> – again highlighting that the citizens prioritised by the state generally fare better in health crises, due to better access to medical care, better-quality food and water, and mobility.<sup>28</sup>

At issue in this concept of triage are the forms of biopower and necropower manifesting in the response to the COVID-19 pandemic. Triage involves an ordering of priorities, a process of deciding between those forms of life to be supported and those left to die. Yet the question of state action and inaction is inseparable from this kind of collective triage. Triage entails assessment with the expectation that the necessary action will come later, at least for those at the front of the line. In the US, it is a characteristic action of the “no state” state, a state form defined by austerity that has stripped away its capacity to act toward any notion of the collective good, and by the White supremacist order that oversees the administration of surplus death.<sup>29</sup> In understanding this mode of state action, we might speak of mismanagement or maladministration, a product of wilful or wanton state negligence.

### **Societal inequalities in necropower and key differences along the spectrum**

What a society does with its dead is illustrative of the stratification of the citizenry within the social order.<sup>30</sup> How dead bodies are then interpreted by the state also reflects uneven distributions of political power.<sup>31</sup> This can be most clearly demonstrated by looking at how societies bury and glorify their political, cultural and religious leaders when they die, in comparison to how they bury their indigent or criminal dead.

At one end of the necropolitical spectrum, cases of political disappearance, such as the political killings in Latin America during the various dictatorships of the 1970s and 1980s in Chile, Argentina and Uruguay, the majority of those who died were members of marginalised groups fighting injustice and illegitimate power.<sup>32</sup> In Guatemala, during the genocide, the majority of those killed were indigenous Maya who were at the lower end of the socio-economic strata of society.<sup>33</sup>

Political killings involve hunting down, assassinating and removing the body of a perceived enemy of the state. These deaths embody the unique power of the man-hunt, what Grégoire Chamayou calls cynegetic sovereignty (from the ancient Greek *kunēgetikós*, ‘of hunting’).<sup>34</sup> Within cynegetic sovereignty, state power is neither

a relation between shepherd and flock nor one between governor and governed. Instead, cynegetic sovereignty envisions the power of the state as that of the hunter pursuing prey. This is a form of power that always works on the notion of 'human animality', the idea that prey poses a challenge to the reach of power but never quite rises to the level of rival.<sup>35</sup> The manhunt has become a facet of modern government most evident in fascist regimes, but not altogether foreign to liberal governance. Its violence seeks to 'isolate the most vulnerable', targeting subjects for predation and dividing them from the collective social body.<sup>36</sup>

Yet the violence of the manhunt is never purely individualised violence. The deaths or grievous injuries inflicted send waves of terror rippling through the population. In the case of forced disappearance, the social order has been purposively disrupted so that the missing individual materially disappears. Forced disappearances further illustrate how a state has the power to condemn its enemy dead to an 'in-between space' of existence, never being able to socially, culturally or religiously transition from living citizen to being classified as dead. The act of disappearing involves an attempt to excise the individual from collective and individual identities, stripping the disappeared of rights and the claim to a future, and denying proper funerary rites.<sup>37</sup> Through political killings and forced disappearances, the sovereign power that takes the form of a manhunt exerts an active mode of violence that disrupts and denies the process of grieving and mourning the dead.

By comparison, the mismanagement of pandemic works through a more inert variation of violence, operating through withdrawal, inaction of the state and pre-existing necropolitical health structures. COVID-19 related deaths, though not quite as removed from the stratification of the dead as the disappeared, certainly have not received the sombre attention one might expect from governments facing a large crisis resulting in thousands of citizens' deaths. COVID-19 victims are disproportionately working poor and other marginalised groups, in the US predominantly Blacks, Latinos and Indigenous.<sup>38</sup>

On a global level, there has not been a concerted effort by any government to commemorate the lives taken by COVID-19. For the time being, memorialisation seems to have taken a back seat to routine political and economic agendas, even in countries that were previously the pandemic's epicentre. Importantly, this necropolitical ignoring of the dead further illuminates that those who have died were of lower importance in life as well. These were always the expendable workers, the elderly and the infirm, or those ignored and forgotten both in life and in death. While vaccination efforts have since prioritised these groups, the distribution of vaccines has revealed further inequalities between rich and poor countries and urban and rural medical infrastructures.

In instances in which the medical system was overloaded, as was the case in multiple US cities, the sovereign decision on life and death was outsourced to protocols at the level of trauma care. In cases where hospital and state infrastructure had been cut, this decision on life and death may have been made long before the pandemic, in the form of austerity measures and acquiescence to demands to operate with reduced resources. Shortages have been a decisive part of the pandemic. These have included shortages of personal protective equipment, ventilators,

hospital beds, doctors, emergency mobilisation, public communication and political will. In stark contrast to shortages of supply, surplus pervades the description of COVID-19 deaths. Reports speak of *excess mortality*, the number of deaths beyond those expected over a given time frame. A basic reproduction number *greater than one* and *community spread* refer to a surplus of the coronavirus circulating through the population. The *overflow* of dead bodies necessitates the construction of mobile morgues. Prisoners – society’s ‘surplus population’ – handle the dead at great risk in these mobile morgues.<sup>39</sup> In the necropolitics of pandemic mismanagement, the coronavirus and the bodies of the dead exist in abundance, while the supplies to maintain life constantly seem to be lacking.

Despite the differences between forced disappearance and pandemic mismanagement, they are similar in regard to the denial of responsibility by the state. In the case of forced disappearance or political killings, the destruction of the bodies of political enemies attempts to sow terror in the body politic, while the act of disappearing removes evidence of a crime, thereby minimising the possibility of holding the regime responsible. With pandemic deaths, however, state inaction has played a decisive role in processes of death. Long-standing forms of social abandonment coupled with dismissiveness by prominent political figures and withdrawal from public life prove lethal. Agents of state power invoke plausible deniability to excuse their role in surplus death by disease, as the state has not executed anyone. Yet, the maladministration of care, when weaponised and used as a tool for effective removal, is still violence.<sup>40</sup>

Forced disappearance and COVID-19 mismanagement thus exemplify different ends of the necropolitical spectrum of state power and sovereignty, as the state’s actions or inactions ultimately culminate in the violent deaths of undesirable populations. Each form of violence has a distinct way of producing and managing surplus death, but they converge in upending funerary practices and disrupting the process of mourning and grieving. A juxtaposition of these forms reveals much about the way surplus death can become a site of resistance and contestation within the necropolitical order.

### Disrupted funerary practices and complicated grief

In this section we discuss how disrupted funerary practices and complicated grief created by surplus death is a key to the dead’s capacity to create societal reckonings. The death of a person is not solely a biological reality or restricted to the private grief of immediate family. Instead, death has public effects, calling up first, social obligations, second, moral obligations and third, cultural norms of mourning. Scholarship on the obligations to the dead has established a general pattern of grief and mourning. The first is characterised by ‘rites of separation’, which isolate both the corpse and the mourners from society; the second is exemplified by the ‘rites of transition’, or the passage from the world of the living to the afterlife, with the third being the burial or other kind of separation of the human remains from their ‘temporary stay’. In this third phase, ‘the mourning has come to an end, the social order has been restored, and the flow of everyday life has picked up again.’<sup>41</sup> To interrupt this

process upsets the existing social and political order. Grief is such a powerful emotion that political establishments do 'their best to turn its passion into something dull and depressive'.<sup>42</sup> The surplus dead from forced disappearances or disease violate all three of these stages, redirecting passions that then may manifest in political reckonings. The political power of the surplus dead may catalyse public protest, usher in new forms of legal contestation and the articulation of new rights, and in certain cases, unseat a regime.

State necropower extends to the disruption of not only the life cycle but also death rituals and handling of the body. For example, the deaths of the disappeared and the victims of disease, particularly COVID-19, are witnessed by a select few, who are rarely, if ever, the victims' families. The ability for loved ones to be there is removed, whether this be for contagion protocols or because states do not want witnesses to criminal killings. Furthermore, in both cases (progressively more so with COVID-19 death, as the virus intensifies), the bodies of the surplus dead are unable to receive full death rites, such as in the case of New York, where bodies were quickly moved to Hart Island, sometimes without the families knowing.<sup>43</sup> Moreover, in both cases, families are unable to conduct important mourning rituals, such as having public funerals. The importance of funerary rites spans cultures and demonstrates the separation of the living and the dead. They also allow families to fulfil their responsibilities to their dead.

However, COVID dead are not disappeared: people know what happened to them and where their bodies are (mostly). However, they too have been relegated to an 'in-between space', and in some cases, as in the US when discussed by members of the Trump administration, categorised like the enemy dead. An especially heightened example of this has been Trump's repeated denials that the numbers of the dead are real, most recently claiming 'it's fabricated'.<sup>44</sup> Much like the authoritarian regimes that disappear their citizens, Trump similarly denies the true number of lives taken and impacted by COVID-19.<sup>45</sup> In other countries this categorisation is even more explicit, such as in Bolivia, where the threat of disappearance has been directly connected to pandemic death. One key example of this was when Ivan Arias, the Minister for Public Works, was filmed during his patrols of rural and urban indigenous communities, yelling out, 'When your little children die [of COVID], you will not be allowed to even see their corpses'.<sup>46</sup>

Despite their key differences, victims of disease and victims of disappearance experience disrupted death rituals, as the state decides how to dispose of the political and disease-related contagion, which often challenge traditional funerary practices for victims and their families.<sup>47</sup>

Pandemic deaths have led to the extraordinary step of limiting or altogether denying funerary rituals for the families of the lost. Hospitals, to reduce contagion risk, have been prohibiting families from accessing their loved ones as they are dying, with many reported cases of loved ones saying goodbye over the phone or online, with nurses and doctors holding the hands of the dying.<sup>48</sup> Across the US, though dependent on each state's and local government protocols, funerals have either been banned<sup>49</sup> or reduced to only family,<sup>50</sup> and have had military honours discontinued,<sup>51</sup> leaving many no option but to have funerals online via Zoom.<sup>52</sup> A localised example



of this happened in New York when the city buried (as of June 2020) almost 1,000 COVID victims in mass graves on Potter's Island,<sup>53</sup> the families of the dead unable to decide how to bury their loved ones or participate in public mourning.

Scholars have argued that when families cannot keep watch over their dead, lay them to rest or memorialise them in the way their beliefs require them to do, their mourning becomes impartial, imperfect and complicated by feelings of guilt.<sup>54</sup> The inability to process the loss, sometimes provoked by sudden death, or the inability to witness the death or be aware of it, as in the case of disappearance, can lead to what scholars call ambiguous loss, also known as complicated grief, which is described as a grief process that is unending due to the lack of closure or rituals of support.<sup>55</sup>

However, it should be noted that this complicated grief and ambiguous loss is not something found only at the individual level, as the impact of families unable to bury their dead is felt by the whole. Scholars have suggested that the disappearance of citizens, or the lack of space in cemeteries due to an overwhelmed system, creates the sense that the souls of these dead are unable to pass from the land of the living to the afterlife. Rather, the spirits stay adrift to 'haunt the living in the form of the constant anxiety of relatives who cannot mourn' and who will continue to demand 'a reckoning from society and its political and military leaders'.<sup>56</sup>

The disappeared and COVID dead occupy an ambiguous, 'in-between' place creating collective liminality, meaning the harms (collective and singular) which emerge when an individual is stuck in an in-between status.<sup>57</sup> In this context, the condition of uncertainty experienced by the families of the disappeared is clear, as the disappeared already exist in an in-between status of life and death, as designed by the state. However, COVID deaths are a little more ambiguous in this application. The COVID dead are still able to provoke collective liminality, particularly for families who were unable to be with their loved ones when they died, have funerals or engage in important funerary practices. Medical professionals have argued that the lack of access to the dying and the limitation of funerary practices leads to increased complicated grief for family members.<sup>58</sup> The most recent research on the impact of solitary death in COVID hospital wards paints a picture of the long-term psychic pain these deaths have caused to families and medical workers.<sup>59</sup>

Furthermore, the concept and experience of collective liminality during the COVID era should perhaps be expanded to include the shared social experience and condition of the constant uncertainty caused by the intensified threat of material and emotional hardships. Medical professionals have long been warning of other forms of ambiguous loss and complicated grief for the loss of social opportunities such as weddings, graduations and basic socialising, which has also undeniably impacted on society.<sup>60</sup> The US government, through its inability (or unwillingness) to control the virus, has, in many ways, weaponised COVID-19 and trapped the populace, especially in cities targeted by the far right such as Los Angeles, New York and El Paso, in a state of existential dread of pandemic mismanagement, the state's inert executioner. That is, of course, unless one also occupies a privileged status with access to the best healthcare.

In sum, in these two instances of surplus death, the normalised cycle of life, death and burial has been unsettled by active or passive necropower creating a 'bad death'

for thousands of expendable citizens. As bodies are unable to receive full death rites, families are unable to complete and the process of mourning. Furthermore, in both cases the state, due to its overreach in necropower, relegates these surplus dead to an in-between category that it would rather continue to ignore. The surplus dead can sometimes be temporarily silenced, but, as past work on disappearances has demonstrated,<sup>61</sup> the dead will only stay silent for so long.

### Agency of the dead and opposition to necropolitical orders

In this section we expand on the idea of the power of the necropolitical spectrum, starting with the 'in-betweenness' of the victims' status, arising from both disappearance and disease, that produces a tear in the social fabric and the possibility of political rupture. The wounding loss that cannot be healed until grieving occurs holds within it a transformative potential, which we further discuss later in this section. Mbembe notes this power obliquely when he observes, 'death does not amount to the pure annihilation of being' but holds within it 'a power of proliferation.'<sup>62</sup> This subversive return of surplus death, its proliferating transformative power, may not always be recognised or acknowledged. Indeed, disappearance and pandemic mismanagement both entail strategies to obscure this opening, by emphasising the missing body of the disappeared and the seeming naturalness or inevitability of death by disease. Nonetheless, the accumulation of death without mourning grows within the public imagination, and the materiality of surplus death persists, despite its disavowal. Whether it is through bodies of the dead appearing in the streets, deaths intersecting with underlying social inequalities or forensic exhumations of long-disappeared dead, the agentic 'voice' of the dead can provoke political reckonings. A comparison of the ways in which the disavowed dead of disappearances and pandemic mismanagement return, both materially and symbolically, illuminates the possibilities of this power of surplus death.

Materiality studies focus on understanding the world as embodied social relationships to which matter gives form, structure, limitations and meaning.<sup>63</sup> This perspective argues for the agency of objects, their capacity to affect society and politics prior to dynamics of representation.<sup>64</sup> Objects have unruly effects that cannot be subsumed by the interpretation of subjects.<sup>65</sup> For the purposes of this analysis, we need not determine the primacy of the material and the symbolic. Materiality has obdurate effects and can also be electrified with symbolic and interpretative significance and value.<sup>66</sup> Through this lens we can attempt to highlight how the material bodies of the dead and their discursive invocation unsettle social orders.<sup>67</sup> Human remains are peculiar in that they are unruly objects, because they require unequivocal care in specific environments.<sup>68</sup> They demand attention and concern as part of the grieving process. Katherine Verdery argued that remains' 'corporeality makes them important means of *localizing* a claim.'<sup>69</sup> The physical form of a human body fosters different modes of identification between the dead and the living, inducing affects ranging from fear to empathy. Because we all have bodies, when we see one, the possibility always arises that we will identify with it as potentially being our own.<sup>70</sup> Verdery argues that dead bodies are efficient symbols because they are

multivalent in meaning; skeletons can be reconstituted to fit the desires and needs of the living. As such, human remains are both material objects with affects and capacities and powerful symbolic presences that can be contested based on *who* is utilising their symbolic power.<sup>71</sup> The materiality of remains catalyses a social and political response, but the form of that response is multiple and malleable: 'It is not politics that gives meaning to bones . . . rather it is the bones that animate social and political processes such as mourning, othering, marginalization and subversion.'<sup>72</sup>

The idea that the dead can make demands on the living is not a new concept. Anthropologists have long shown how the dead make claims through ancestor worship and spirit interactions. Agency, as such, is 'distributed across several nodes that join together to realize a particular action.'<sup>73</sup> Scholars have reasoned that victims of forced disappearance, due to their ambiguous state, have the agency to 'haunt' and inspire, fuelling demands for transitional justice, or upending repressive regimes.<sup>74</sup>

In the case of forced disappearance, materiality often comes in the form of mass grave exhumations. In the field of forensics-based human rights, the physical object of human remains is often cited as a source for multiple avenues for truth in situations of state terror. For example, human remains have been used as pedagogical instruments during mass grave presentations in Guatemala<sup>75</sup> and Spain,<sup>76</sup> as well as key to correcting historical records about the dead,<sup>77</sup> such as how they died and how this often contradicts the state's narrative of what occurred.<sup>78</sup> Moreover, skeletal remains can also act as material evidence of violence and crime that supersede the nation-state, such as the international justice efforts done by the International Committee on Missing Persons in Bosnia and Herzegovina, which were used to prove genocide in the international tribunals at the Hague, creating avenues for legal justice and new historical records of the past violence.<sup>79</sup>

The idea that the dead continue to influence the political actions of the living is a prominent and defining aspect of many of the human rights groups formed by the relatives of the disappeared in Argentina and Spain.<sup>80</sup> However, due to the rise of forensics-based human rights, the formerly disappeared now have even more political power, whether it be from mass graves of the genocide and ethnic cleansings of the former Yugoslavia, Rwanda or Cambodia<sup>81</sup> or the exhumation and reburial of former Soviet-era political and cultural figures.<sup>82</sup> As such, dead bodies play an active role in national politics today.

Where the exhumation of human remains in the case of forced disappearances focuses on a concerted effort to reconstruct the body of the dead and the event of state/paramilitary terror at a particular site, the bodies of those killed by pandemic mismanagement enter public space at surprising moments and in unpredictable configurations. The materiality of the COVID-19 dead appears in the overflow of morgues, the cramped space of funeral homes, the shortage of workers to handle bodies (many of whom have fallen ill), the donning of hazmat suits and other personal protective equipment by those working near remains, and mass graves. COVID-19 deaths are powerful in their ambiguity; they accelerate long-standing, systemic inequalities and grow daily, but also upend familiar patterns of everyday life. The chaos of hospitals and morgues differs strikingly from the eerie calm of public spaces marked by absence. Busy streets and squares are largely abandoned.

The visibility of this materiality – for instance, the circulation of images of empty intersections in cities or of the mass grave on Hart Island in New York – further intensifies the power of the surplus dead.

While the materiality of pandemic mismanagement ‘speaks’ for itself, there have also been attempts to amplify this ‘voice’ and signify the scope of COVID-19 deaths. For example, as the US approached the ominous 100,000 deaths mark on 24 May 2020, the *New York Times* front page ran the names of 1,000 of those lost. This documentation of surplus death indexed the violence of pandemic mismanagement and necropower. The headline referred to ‘*incalculable loss*’, referencing the *surplus* nature of death on display. The enormity of the list, unthinkable at the time but now exceeded more than six-fold, named each death individually, while also conveying power through aggregation. The decisive quality of the list was that it was simply *too many*, vastly more than a competent state response. When 200,000 had died in the US, public space became the new medium of remembrance. A group of citizens planted over 20,000 American flags across the National Mall to symbolise the dead.<sup>83</sup> With public spaces largely empty, the Mall provided ample room to convey the excessiveness of death, and each marker was apportioned its own space, as if to establish the social distance of the body it represented. Where the interaction with public space suggested a creative approach to mourning, the act of remembrance took on a nationalist form – flags planted at an iconic site. This is perhaps an ambivalent nationalism. Even as the memorial suggested widespread failure on the part of the state, it articulated memorialisation in a patriotic vernacular.

Activists with SPACeS in Action and Shut Down D.C. offered a more oppositional critique of state abandonment. As the number of deaths in the US exceeded 270,000, and an impending winter of accelerating infections set in, the organisations left body bags outside the houses of prominent members of the Senate with signs indicating the number of deaths and criticising inaction on a relief bill.<sup>84</sup> Materiality and symbolism converged in this protest. During the pandemic, body bags became a visual marker of the dead, a trace of lives lost that might be glimpsed in public. The act of leaving body bags on the doorsteps of political leaders conveyed the accumulating violence of pandemic mismanagement. It highlighted neglect for the living, through a failure to provide economic relief or take comprehensive action to stem the spread of disease, and disrespect for the dead, continuing the necropolitical course of action. This action suggested a dynamic in which the dead return, despite evasions and obfuscations of responsibility.

The political reckonings brought about by the return of the surplus dead may also energise political movements beyond those focused exclusively on pandemic mismanagement. COVID-19 has made the resurgence of Black Lives Matter more poignant. During the murder of George Floyd by Minneapolis police, Floyd uttered, ‘I can’t breathe’, echoing the last words of Eric Garner during his murder by New York police and resonating with the fact that Black lives are more likely to be lost to this respiratory disease by a margin of one to four. Floyd’s death came on the heels of two other high-profile assassinations of Black citizens: Ahmaud Arbery and Breonna Taylor. Moreover, as George Floyd was COVID positive when he died, he embodied the full and brutal spectrum of the necropolitical order. The political

movement that followed demonstrated the surplus dead's power and agency to provoke political reckonings.

Rage over Floyd's death, captured on camera, exploded onto the streets and across the globe. Demands to end lethal police powers have been coupled with demands to address the inequities of COVID-19 by addressing divestment from Black communities, the priority of militarisation over social services and profit-based and discriminatory models of healthcare and housing.<sup>85</sup> Charmaine Chua describes the political moment as one in which 'the COVID-19 crisis became both a tinderbox for the uprising and a condition of possibility from which new abolitionist worlds grew'.<sup>86</sup> The neglect and abandonment of pandemic mismanagement proves inseparable from the broader field of necropolitics and sovereign power over death. In an account of the ways in which long-standing racial and economic oppression produce disparities in respiratory disease, Adam Gaffney notes, 'The hierarchies that structure our society distribute not just wealth but breath'.<sup>87</sup> The surplus dead of COVID-19 highlight pre-existing social inequalities that exist alongside the surplus dead of other forms of state necropower. Succinctly, COVID turned the pre-existing necropolitical structures of the US racial caste system into an efficient death machine.

The process of claiming the surplus dead in the context of the COVID-19 pandemic has only just begun. During Biden's inauguration celebrations there were multiple ceremonies honouring American COVID dead.<sup>88</sup> While the ceremony suggests a desire to commence mourning of the surplus dead, the inability to gather and looming threat of the virus bespeak the ongoing condition of the pandemic. In New York, workers are identifying those buried on Hart Island during the height of the pandemic and relocating the dead to more suitable funeral sites.<sup>89</sup> Such a process will invite forensic inquiry into pandemic mismanagement. Forensic methods deployed to investigate state violence have served as an important resource for social movements seeking justice for the disappeared.<sup>90</sup> The investigative procedures that will be required to hold states accountable for pandemic mismanagement will differ in form and practice. However, both disappearance and disease are defined by a lingering presence of the dead and an intense materiality of absence. As such, thinking across these instances of necropower can provide a framework for understanding the persistence of the surplus dead in the present.

## Conclusion

This article has set forth a theoretical lens that argues that surplus death exists along a *spectrum* of necropolitical power and sovereignty over the levels of potential violent death that the state can impose on its citizens. We then expanded this idea by juxtaposing necropolitical negligence of the COVID-19 pandemic with the violence of forced disappearances to argue that the surplus dead have the unique capacity to create political change and reckonings, due to their embodied agency. This agency arises from the overlap of the disruption to the normalised cycle of life and death and interrupted mourning in both forced disappearances and pandemic deaths. This framework provides entry into discussions on the necropolitical sovereignty of the

state; the political, material and agentic lives of the dead; and how these intersections have the capacity to incite powerful political reckonings.

Further, we have illustrated how these surplus dead, due to their different forms of ambiguity, have agency as material remainders of necropower and symbolic political vehicles particularly open to use by various actors and social movements. It is not only the living survivors that demand social change, but the dead themselves. Their political power is derived from the nature of their deaths, the inequalities they represent and their lack of full reincorporation into society as dead citizens. Their ambiguous yet material state is where the surplus dead obtain their agency and political strength. We have shown that the world has seen global political movements, crises and realignments, inspired, at least in part, by the surplus dead's material highlighting of underlying societal inequities that provoke social change. They are powerful because they exist in abstract numbers; they are both nameless and named; and they all resoundingly call out to the living to 'not die like we did'.

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