

Keeping the “public machinery” running: notions of crisis and efficiency in the administration of waiting by the National Committee for Refugees (CONARE)

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Abstract

Based on an investigation of the administration of refugees in the city of São Paulo between 2015 and 2019, this article discusses the administration of time and waiting by the National Committee for Refugees (CONARE), the state apparatus responsible for judging refugee requests addressed to the Brazilian government. I analyze different solutions implemented to respond to *crises* and keep the “public machinery” running “efficiently”. I shine a light on administrative activities, and procedures for attending to asylum seekers and granting eligibility with which CONARE carried out its ordinary duties; referred and delegated; provided responses and justifications for delays in each stage of the processes; and resolved *cases*. These resolutions led to decisions but could also mean not deciding, postponing a particular process indefinitely.

Keywords: public administration; refugees; crises; efficiency; anthropology of the state.

Fazendo andar a “máquina pública”: noções de crise e eficiência na gestão das esperas pelo Comitê Nacional para os Refugiados (CONARE)

Resumo

A partir da investigação das administrações do refúgio na cidade de São Paulo entre os anos de 2015 e 2019, abordo, neste artigo, a gestão dos tempos e das esperas pelo Comitê Nacional para os Refugiados (CONARE), o aparelho estatal responsável por julgar as solicitações de refúgio endereçadas ao governo brasileiro. Analiso as distintas soluções implementadas com o objetivo de lidar com as *crises* e de fazer andar a “máquina pública” de maneira “eficiente”. Lanço luz às atividades administrativas, ao proceder dos atendimentos e aos trabalhos de elegibilidade através dos quais o CONARE cumpria com suas atribuições ordinárias, encaminhava e delegava, fornecia respostas e justificativas para as morosidades de cada uma das etapas dos processos e resolvia *casos*. Resoluções que levavam a decisões, mas que podiam significar também não decidir, postergando um determinado processo indefinidamente.

Palavras-chave: gestões públicas; refugiados; crises; eficiência; antropologia do Estado.

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Introduction

Based on ethnographic research carried out at the office of the National Committee for Refugees (CONARE) in the city of São Paulo¹, this article looks at state administrations that base their actions on notions of *crisis* and *efficiency*. I explore the relationship between administrative entities that are produced as distinct, yet as a coherent unit. The relationship between these entities is based on a distance that is interposed in daily life. In this reflection, I consider the rhythms of administration (Facundo, 2014; Vianna, 2015), as well as the imposition of waiting and urgency on people seeking to regularize their refugee status in the country. Making people wait (Pecheny & Palumbo 2017) to be attended to, to schedule interviews or to sign a document are different ways of playing with time, with the spacing of meetings and decisions in a context of so-called rationing of resources and structural precariousness. I argue that, in CONARE’s activities, it is the incessant manipulation of time and waiting that makes it possible for the “public machinery” to run despite and through *crises*, structural precariousness, a lack of resources and growing demand.

The reflection I present in this article stems from my doctoral thesis (Ribeiro, 2021), in which I investigated ways of administering movements of people who applied for refugee status as an optional method for remaining in the country, mainly between 2015 and 2018. During the research, I identified different strategies of governing, and question how reports of an “unprecedented *crisis*” worked to administered borders and populations. I also analyzed how these management techniques and the subjectivation processes linked to them were permeated by categorizations of gender, race, sexuality and national belonging.

An important aspect of my involvement in the field is that I had the opportunity to volunteer at the CONARE office in São Paulo for a year. In this way, I was also a subject of the state “on the other side of the counter” (Lugones, 2009), facing challenges that have long been explored in research on so-called state institutions. I mention reflections from Castilho, Souza Lima and Teixeira (2014), which, in dialog with Laura Nader’s perspective (1972) and what the author called “studying up”, permeate situations in which the researcher finds herself inserted in power dynamics determined by her professional position or by an involvement in which she takes part in the social processes of the research. At times, it is precisely from professional insertion that the possibilities to conduct ethnographies are derived. These are contexts in which the research was carried out, therefore, not precisely “below”, but “between” and in which the negotiations of access and loyalties are an inseparable part of anthropological practice. But the most important thing about these reflections is what they make possible for analysis, that is, a questioning of the boundaries of state power practices or what is understood by the state.

¹ CONARE is responsible for processing requests for refugee status addressed to the Brazilian government. The Committee operates within the institutional framework of the Ministry of Justice (MJ) and was created under Brazilian refugee legislation, Law No. 9,474 of July 22, 1997. At a deliberative level, the Committee is composed of government representatives, from numerous ministries and the Federal Police, as well as international agencies and other civil society entities.

It is in this sense that I review CONARE’s practices: in its production of *crises* and *solutions*, in its delimitation of both its competencies and the boundaries of its work. Starting from what is understood as the primary objective of the Committee’s activities: the resolution of asylum *cases*, I reflect on the daily practices that allowed this work to be done. I describe the office visits, the interviews, and the production of confidential reports by state officials - specialists in asylum and refugees. I therefore ask how CONARE produced and resolved cases and crises, specifically addressing the management of the times and rhythms of the processes in each of the moments produced as stages of this work. These processes gave materiality to asylum and refugees, but also to the state itself and its borders.

The crises

CONARE’s office in São Paulo was located in an old house in the Cambuci neighborhood, in the center of the city, at the offices of the Centro Público de Direitos Humanos e Economia Solidária [Public Center for Human Rights and Solidarity Economy]. The Committee operated in rooms provided by the São Paulo city government and shared its facilities with a project called the Incubadora de Projetos Sociais [Social Projects Incubator], which occupied the structure with numerous activities and employees, exhibitions and workshops for the elderly. From the front gate you could see a somewhat difficult-to-read sign indicating the services operating in the building. The lettering that formed CONARE’s name looked like a kind of sticker pasted on top of the sign, in different colors and typeface, an improvisation that made little effort to perform the “make-believe” of the state (Navaro-Yashin, 2007). The fact is that not only the sign, but the entire building, was somewhat improvised. The building’s configuration was not at all reminiscent of buildings commonly occupied by other offices in the justice system, such as the Public Defender’s Office, for example, where some of CONARE’s activities were carried out before the Cambuci office came into existence. The old house, although large, retained a domestic aura, keeping its original internal structure and wooden flooring, although partition walls were installed in various rooms.

In the entrance hall was the reception desk, behind which an outsourced security guard sat in an office chair. To his left and right were two rows of chairs for people waiting to be attended. To the right of those entering the hall was an old wooden staircase with creaking steps, one of which was slightly broken and sagging. Next to the stairs was a heavy door that was almost always closed. It guarded a large room, divided by sheetrock walls. The room was transformed into four other relatively private rooms where the interviews with asylum seekers took place. These small rooms did not have acoustic insulation, so the sound leaked between them and each interview was heard in the neighboring rooms, and at times more than one interview overlapped on the staff recorders.

The old staircase in the hall led to the second floor where there was a large room with two tables where two city employees, about to retire, were eating their lunches and chatting about the fact that they would be leaving early that day for a doctor’s appointment. They also spoke about their coming retirement, which had been announced for some time but not yet enjoyed because, if they left, there would be no one to take their place. They were concerned because it seemed that no one else seemed to care about maintaining their positions at the Public Center. Between their desks, a bit farther back, a large, noisy printer shared by everyone was hard at work. Facing the desks was another wooden door that was always closed, guarding the room

where CONARE’s so-called “eligibility officers” did their work². Inside, the employees checked the files on the computers, prepared for interviews and produced “technical” opinions, examining demands and talking about the “cases”.

The room had two rows of tables with old computers, one with four and the other with five workstations. To get to the desks, you had to carefully step over broken wooden planks on the floor. Some of the floorboards were held down with adhesive tape that over time had become a wad of tape stuck to the broken boards. It was rare for all the tables to be occupied, not because of a lack of employees, but because of a lack of machines, since every time three were repaired, another three would break, keeping the balance between machines and employees constantly stable. According to the employees, to deal with the lack of computers they worked in previously established shifts. Those who had to do appointments and interviews came to the office, while the others did their work from home.

In the house in Cambuci, applicants could ask questions about their cases, accompany them, and deliver and collect documents. It was also there that the staff carried out their administrative work, preparing for interviews, making copies of applicants’ identification documents, and filing them digitally, producing research and reports, and maintaining the electronic data system for applicants’ and refugees’ cases. However, it was at CONARE’s General Coordination Office in Brasilia that all the logistical work took place and decision-making meetings were held. It was also in Brasilia that the notifications, declarations and terms were drawn up and where all these documents were signed, and their veracity certified.

The Cambuci office was opened in 2015, the year in which a Technical Cooperation agreement was signed between the Ministry of Justice, the body to which CONARE was subordinate, and the Municipal Secretariat for Human Rights and Citizenship (SMDHC). The same type of partnership was established when an office was opened in Porto Alegre, in Southern Brazil, based on an execution agreement with the Instituto Federal, and in Rio de Janeiro, where the structure of the National Archives was used. These “arrangements” - as they were described to me by an official - were the way found to “make offices viable” in other cities, considering CONARE’s “budget limitations” and the lack of “available physical space” from the Ministry of Justice in those locations. At the time of my fieldwork, CONARE had its headquarters in Brasília and offices in São Paulo and Porto Alegre. The Rio de Janeiro office had just closed.

These “arrangements” were made possible by a diagnosis of a *crisis*, that is, a significant and sudden increase in asylum requests, when the structure that had been in place until then proved to be insufficient, making it necessary to open up channels for face-to-face consultations and interviews, with the training of state staff to carry out this work. As far as São Paulo is concerned, in addition to the physical space, the city government provided all the technical equipment needed to run the office: computers, internet, printers, recorders and office supplies. The municipality was responsible for maintenance of this equipment, and had to be notified of any needs. According to the Committee’s staff, the structure was always and continuously “far from ideal”, “limited” or “insufficient” for carrying out day-to-day activities.

The five employees who worked as “eligibility officers” were ceded by the Brazilian Airport Infrastructure Company, Infraero, when some of the country’s airports were concessioned to the private sector. The five “officers” who worked at CONARE included people with degrees in business administration, law, and social work, and people who had worked on a factory floor before moving on to the runway and boarding gates at

² The position of “eligibility officer” never officially existed in the Brazilian civil service, nor was it provided for in national refugee legislation. The absence of the position in the letter of the law, however, did not prevent it from being mentioned in official communications of the Ministry of Justice and reiterated in everyday interactions, becoming a “local” language inspired by transnational frameworks and international refugee law, based on the administrative mechanisms undertaken by the United Nations High Commissioner for Refugees (UNHCR). “Local” practices are therefore juxtaposed with normative instruments and modes of management at different scales of government, which must always be considered when referring to the processes attributed to the “state”.

Guarulhos airport. According to these employees, the whole “arrangement” that led to the opening of the office was due to the Ministry of Justice’s budget restrictions and the context of the political and economic crisis that “Brazil” was going through. Considering the calls for a reduction in the “public machinery” and, conversely, the increased demand for CONARE’s services, with the intense rise in the number of people requesting refugee status each year, the relocation of staff from other government structures and the use of the material structure of the city government appeared to be solutions to circumvent the crises and budgetary difficulties.

In addition to the eligibility officers, CONARE had volunteers who helped with the daily activities, in particular the reception, administrative and research work and, occasionally, in translating the interviews. The volunteers were chosen through simplified selection processes, both in Brasilia and São Paulo. The idea was that they would serve at all the hours when the office was open, to assist the staff. At the time I was selected, there were seven volunteers, and the São Paulo office had five permanent staff and five UNHCR consultants, who were dismissed a week after our arrival. As the months went by, however, many of the volunteers stopped showing up, leaving a number of office hours uncovered.

In the Cambuci office, the lack of transparency created by the solid wooden doors between the staff work rooms, and the antechambers that preceded them, as well as the interdiction that prohibited those being assisted from accessing the workrooms, performed modes of fixation. The old house kept those seeking assistance in place, sitting in the reception chairs, while staff and volunteers went up and down the stairs, collecting passports, questions, requests, and complaints. The applicants were kept on the first floor, unaware of what was going on beyond the wooden staircase. All that was known was that “officials” and volunteers would return with a response, which was almost always disappointing and insufficient. The procedures, supported by the physical layout of the old house, were surrounded by an aura of intense mystery, considering that we didn’t know what was being done upstairs. It was therefore often assumed that nothing was being done, based on the feedback: “we still don’t have an answer to your request”, “your file is in Brasilia”, “please make this request online”, “you should go to the PF” [Federal Police], “you should go to Caritas”³, “wait at home and we’ll contact you with the day of the interview”.

The pace of the work was dictated by the speed with which the information was checked on the old, slow, and faulty computers. It was determined by the temperamental machinery that crashed and had to be restarted again and again until it was possible to type in each of the 17 numbers printed on the applicant’s refuge protocol, to check the progress of the process. The pace also depended on the data on the documents, which at times didn’t match the data in the system and needed to be corrected by the Federal Police; it depended on files that couldn’t be found or that hadn’t yet been entered into the system because it took a while; on doubts and discussions about specific cases; and on how to get around the slow internet connection or the challenges posed by another process that wasn’t done properly. There was also the time spent going up and down stairs and making copies of documents with a constantly reduced number of staff. The structural precariousness thus performed a job, managing the rhythms and progress of processes. This precarity, as I will argue later, enabled the administration to fulfill its primary objective: the resolution of refugee cases.

³ The Caritas Archdiocesan is the Catholic organization that is an official operating partner of the UN High Commission for Refugees in Brazil, which receives funds to assist refugees in the country.

Waiting

January 2017

The Congolese Jana came to the CONARE office carrying a notification of acceptance⁴. The document stated that she and her son Makori had been recognized as refugees by the Brazilian government⁵. Jana and her son had arrived in São Paulo from Kinshasa, in the Democratic Republic of Congo, more than two years ago. Makori was not even a year old when he landed at the airport in Guarulhos with his mother⁶.

The notification Jana received said: “The following requests for refuge have been granted”. On the line below it, Jana’s full name and her refugee protocol number were printed. On the other line was Makori’s name, whose protocol number was identical to hers. The child’s name was entered incorrectly. The surname came before the first name on the document. Makori had inherited the name from his grandfather, his father’s father, a former general in the Congolese army who had been assassinated years earlier.

Jana had already visited the Cambuci office many times. To have her refugee status recognized, she expressed her desire to apply for refuge at the Federal Police Superintendence. There, she received an extensive application form in Portuguese. She then returned with the completed form and all the documents needed to open the process. She left the Federal Police building with her asylum protocol. In possession of the document, which temporarily regularized her migratory situation, Jana sent emails and visited CONARE numerous times asking about the next steps in the process. After many visits to the office, she realized that there was no point in asking. She would have to wait for a notification, to be sent by telegram and e-mail, stating the date of the mandatory interview with a representative of the Committee. At first, Jana followed her case anxiously, calling every week and sending messages, and going to the office to demand clarification. After a while she stopped, when she realized that she had no way of knowing whether the interview would take place in a month, a year, or five years.

More than a year after her request, a period in which Jana had to renew her refugee protocol with the Federal Police, she was finally called in for an interview. She answered all the questions she was asked about her life, her family, her professional and political activities, and the persecution and torture she had suffered from the DRC government. After the interview phase, Jana believed that she would soon have a definitive answer, but she had to wait another whole year for her application to be assessed.

Once she had the notification, the next step was to take it to the Federal Police and, with all the necessary documentation, apply for the National Registration of Foreigners (RNE). The misspelling of Makori’s name was a big disappointment. The notification, written and digitally signed by a civil servant whose identity was unknown to Jana, and who was based at CONARE’s headquarters in Brasilia, had to be corrected before she could take it to the PF. I noticed that we were the only ones waiting in the hall. After less than 10 minutes of waiting, a young woman came down the wooden stairs and stopped in front of us. That’s when I realized that we would be served right there. I didn’t know, it was my first visit to the Committee, but Jana had accumulated

4 I emphasize the importance of considering nationality as a category that is activated contextually by the subjects and is not necessarily identical to their national origin. I therefore understand it as a relational categorization. This is why I present the terms referring to these categorizations in italics throughout the text.

5 Refugee legislation defines that the Brazilian government will recognize as a refugee any person who: I - due to well-founded fears of persecution for reasons of race, religion, nationality, social group or political opinions, is found outside their country of nationality and is unable or unwilling to avail themselves of the protection of that country; II - having no nationality and being outside the country where they previously had their habitual residence, is unable or unwilling to return to it, due to the circumstances described in the previous subsection; III - due to a serious and widespread violation of human rights, is forced to leave their country of nationality to seek refuge in another country. (Brasil, 1997).

6 All the names used in the article are fictitious to guarantee the integrity and privacy of the people in refuge, and to keep their cases anonymous.

expertise from years of performing the same ritual. She quickly changed her expression, frowned, and raised her usual tone of voice. She expressed her indignation at having to return to that office because of “such an elementary mistake”. She showed the woman her notification and was asked to wait once again. The employee hurried up the stairs and the wooden steps creaked loudly.

After a short wait, the employee returned with Jana’s documents saying that she was alone in the office at the time, and that there was no one there to sign the notification. This signature had to be requested “in Brasilia”. The employee picked up a clipboard and a form resting on the counter, which read: “Registration update form”. She would have to provide her name, protocol number, country of origin, e-mail address, address and contact telephone number. “That way we can request it in Brasilia and get in touch,” the employee said. “But how long?” asked Jana. “I don’t know, a few more days. You’ll receive the notification in your e-mail. If you don’t receive it in a week, just come back here.”

“Just come back here.” Jana’s tone became even harsher. She said that she had come from far away and expected to leave the office with the document. She had left a child for her neighbor to look after, she was pregnant, unemployed and didn’t have the money or time to visit the office “every week”. With an expression that was a mixture of pity and impotence, the employee repeated that “I can’t do anything, only in Brasilia”. Jana commented out loud, ironically, that if she had known she would have gone straight to Brasilia. After the employee had gone upstairs and the stairs creaked again, Jana folded up the worn papers and returned them to her leather bag because she knew she would have to bring them again next week. As we walked towards the exit door, the security guard tried to console us by saying that “it’s always like that “.

There was no need to make an appointment at the Cambuci office. Applicants were dealt with on a first-come, first-served basis. While on certain days there were more than 50 people, on others there were only 10. People rarely waited more than thirty minutes to be seen, even on the busiest days. Those who had appointments had to wait for the officer assigned to their case. In these cases, the wait could be much longer. The consultations were made right there in the hall, with the plaintiffs standing or sitting on chairs, everyone was attended to in front of everyone else, and there was no privacy. It was pointed out that attending in the hall, in a somewhat temporary and public way, was a circumstance derived from the precariousness of the old house. The “lack of structure” was blamed for this arrangement, since, according to what the staff had been told, it wasn’t possible to install internet points on the first floor. They were thus resigned to having a service structure which, according to one of the officials, “is not the ideal environment for us”.

The time available for each service fluctuated with demand and with the instability of the internet when checking documents, at which point the justification for the delays fell on the “system”. The “system” in question is called SEI, the administrative management software used by the federal government. SEI stored all the documents that materialized a refugee process, both those presented by the applicants and refugees, such as passports and “evidence” that made up their narratives of persecution, as well as the documents produced by the “officials” and the Federal Police. All the ministries and organizations participating in the Committee had access to SEI. The platform had different user profiles, which allowed differentiated access to its information and functions. The signature function, for example, was not available to volunteers or employees of the São Paulo office. Hence it was not possible to promptly provide a statement or rectify a document, leaving everything to be signed by the coordination staff. Whether undertaken by volunteers or “officials”, the service largely consisted of contacts with Brasilia. Without the possibility to present their cases

7 In addition to representatives from the Ministry of Justice, officials from the Ministries of Foreign Affairs, Economy, Health, and Education, as well as the Federal Police and two organizations representing civil society, were also part of the Committee in its deliberative sphere. The UNHCR and the Federal Public Defender’s Office also had seats on CONARE, but no voting rights.

to those who “really decide”, applicants and refugees presented them to officials who acted, according to their own perception, as “intermediaries”. The way in which staff and volunteers operated during the visits rarely departed from the response that “nothing can be done now, we just have to wait”. Wait for someone who has the competence to resolve or decide.

This is how distances and waits were juxtaposed in the daily routine, when it wasn't possible to take responsibility for certain tasks or make decisions. These modes of administration determined different temporalities and “waiting times” (Lugones, 2009). The waiting was precisely what led people to seek out the office when they asked about when the interviews would take place or even when they would receive an answer to their various demands. Thus, waiting in the hall was only a small part of the continuum of waits that materialized a process of recognition of refugee status. Waiting was instituted in each of the steps that had to be taken to gain the desired papers.

Pecheny and Palumbo (2017: 20-27) emphasize the importance of considering waiting as an element in power relations that highlight tensions between the subjects' time and institutional time, which operate in the sense of “putting the other in their place”, that is, in the sense of demarcating distinctions and social locations. The authors point out that waiting presupposes a learning of governmentality, in other words, that it is necessary to “learn to wait”. They thus highlight the discrepancy between the experience of urgency of those who wait for a wide variety of services and the valorization of those who make them wait, who are in turn responsible for assigning priorities. Considering this reflection, it is possible to state that waiting consists, contextually, of disciplinary mechanisms, in view of their pedagogical role in the production of docile subjects and bodies (Foucault, 1979).

Maria Gabriela Lugones (2009) also analyzes waiting as a form of the “daily exercise of power”. Lugones speaks of an administration that implied that the administered, “being ‘outside’, separated, in a space of time in subjunctive mode, remained before a range of possibilities”. (Lugones, 2009: 74). Thus, both for those waiting to be attended to in the corridors of the Cordoba Juvenile Court - characters in Lugones' analysis - and for the asylum seekers waiting to be attended to at the reception desk of the Cambuci office, waiting “outside” where the work was being done, in a “situation of uncertainty”, in Lugones' terms, and, I would add, of continuous confusion and tension, “was an operative, active, productive part of the work” (Lugones, 2009: 74).

Considering the productivity of waiting and the “chains of subordination” (Nadai, 2018) that act on the rhythms of service, I observe that what is referred to by employees as improvisation and limitation, far from being obstacles to achieving the administration's objectives, were what enabled the work to be done. I point out that dealing with applicants on the first floor, in so-called “less than ideal” conditions, which were clearly temporary and public, served to keep the interactions brief, while the separation of the reception and administrative rooms gave the officials greater control over waiting times. Thus, the activities carried out by the “officials” of the São Paulo office provided a specific rhythm to the growing demand, which “increased enormously” every year. There was an operative aspect, in this sense, in the temporality of the services, achieved precisely through the precariousness, distances, waiting, and physical separations. These distances were first established in the house in Cambuci, which separated applicants from the space in which their files were checked and “processed”, but distance was also interposed on another scale: in the allocation of “decisions” in Brasilia.

But there is also a productivity aspect to waiting that follows the logic of rationing resources, as Ballesteros et al. (2017) point out. This logic often imposes longer waiting times on patients whose need for attention is classified as less urgent. I understand that in regard to rationing strategies within CONARE (considering here the complaints from “officials” about the inadequacy of the physical structure and everything that would be “not

ideal” for carrying out their activities, such as the low number of staff), this rationing is also fundamentally related to the technical-moral management of waiting. In this way, the lack of staff to carry out service at the counter, interviews and research was consolidated as a permanently provisory state of affairs.

The office staff understood that their responsibility within the CONARE structure was to conduct interviews with asylum seekers and produce “eligibility reports” - the documentary artifacts that supported the decisions about cases. In addition, they all expressed the understanding that attending to applicants was not their job and that the administrative work was being carried out by the “officials” only temporarily, due to the lack of specific staff and the “deficiency” of resources. The justifications for the delays and the somewhat artisanal or insufficient nature of the responses were linked to notions of precariousness and crises: while demand was increasing, given the intensification of movement and the growth in applications for refugee status, resources were dwindling every year.

The employees’ complaints about the deviation of their activities were also related to an hierarchy of functions, in which attending the public was seen as less important to the accomplishment of the work than the production of reports and conducting interviews, which were so-called “technical” activities. The secondary role that employees gave to attending to the applicants who came to the offices indicated forms of administration permeated by “chains of subordination” (Nadai, 2018: 64) which proliferated countless “administrative control checkpoints”. Even though the work was being done, part of it was delegated to volunteers, who had no employment ties, no ongoing training, no payment and no strong possibility of interfering in the resolution of demands. Therefore, these volunteers could not be “held accountable” or responsible for the delays, evasive responses and decisions considered unfair. However, the capacity of the office staff themselves to deal with day-to-day demands was also limited. If the volunteers could not take responsibility, neither could the “officials” - who did the administrative work as best they could, given the “less than ideal” material conditions. It is in this sense that allocating in Brasilia everything from deciding cases to very simple demands such as signing a document was also a way of to resolve, to govern by managing time and waiting, by giving a certain rhythm to each decision, although staff said the placement of all decisions in Brasilia was an obstacle.

With these strategies in mind, I will analyze the temporal administration of procedures, focusing on changes to some of the normative instruments that directed CONARE’s activities. With these norms, although crises were not resolved outright, they were managed continuously and on a daily basis. I discuss some “efficiency” strategies, in other words, the economic and time management of the procedures within CONARE, specifically addressing the manipulation of time and waiting in the day-to-day operations, with the postponement of cases considered “complex” and the acceleration of others considered “simple” in each of their stages. These strategies began to be adopted, especially in 2018 and 2019, with the manifest aim of “relieving CONARE”, “reducing backlog” and “prioritizing true refugee cases”. They were thus presented as ways to speed up the processes of those considered to be “truly refugees”, optimizing resources.

The solutions

April 2018

Chara, an Ethiopian woman who had applied for refugee status more than two years earlier, arrived at the Cambuci office panting and scared. She had run from the subway to CONARE because she lived far away and didn’t want to risk being late. Chara was carrying a notification for her eligibility interview with an official from the Committee. The notification was sent via a messaging app and at first she couldn’t understand any of its content, since the document was in Portuguese and Chara did not yet have a good command of the language.

She spoke a little Arabic and English, as well as Amharic, her mother tongue. After showing the message to her neighbor, Chara realized that she was finally being called for her long-awaited interview at CONARE.

On the day and time stated on the notice, Chara asked for time off work so that she could come to the office. A while later, she told me that she almost lost her job for being absent. Chara lived far from downtown, in a neighborhood on the eastern edge of the city, and it took her almost two hours to get to reach CONARE. She rushed because she said she was very anxious and had spent most of the night awake. Missing an interview for which she had waited so long would be “a terror”.

At CONARE, Chara was seen by the “official” who would be conducting her interview. The woman immediately asked if Chara had brought an interpreter. She replied that she didn’t have anyone who could translate, she was alone, but she could perhaps do the interview in Portuguese or English. The employee denied this possibility, emphasizing that it was extremely important that Chara understood all the questions very well. Asked if it would be possible to return another day with a friend or acquaintance who could act as an interpreter, Chara said no. Her Ethiopian friends did not speak enough Portuguese, English or Arabic to translate. Besides, it would be difficult to ask her friends to leave their jobs in the middle of the week.

The official said goodbye to Chara, saying that she was sorry, but that it wouldn’t be possible to carry out the interview without an interpreter. She also said that, given her “difficult situation”, she would find a translator who spoke Amharic and would get in touch as soon as she could find a volunteer interpreter. More than a year after her visit to CONARE, Chara was still anxiously awaiting contact from the official to reschedule the interview.

The fact that there were no established deadlines for any of the stages of the processes, either in the Refugee Law or in internal regulations, meant that their elasticity, and what was considered to be a reasonable definition period, came to be managed in a somewhat discretionary way, fluctuating according to “demands” or “migratory flows”. If the “flows” increased at a given time, it was understood that it was “normal” for the waiting time to increase as well. It was then determined that the urgency called for emergency actions materialized in “task forces” or in the issuing of regulations to “simplify” procedures (also obeying the political convenience of recognizing or not a particular violation of rights as violence).

Regarding the criteria and prioritization of interviews and other procedural steps, I would like to emphasize that telling those who came to the office that we did not know when the interviews would take place was not a “trick” or a way of misleading those seeking information. The criteria and pace at which each stage of the process was resolved followed a timetable that was not fully known even to the staff. They, like the applicants seeking assistance, had to wait. Marking appointments for interviews was centralized in the General Coordination Office and made by officials who the São Paulo officials referred to as “the scheduling sector”, according to criteria that were not known. While some staff pointed out that what was essential was the order in which the requests were made, or the “chronology”, others admitted that there were factors that influenced the speed or delay of a specific appointment. It was said that people of certain nationalities were called more quickly because they were dealing with “less complex” cases. By this, they meant that the recognition of “severity” or “severe and widespread violation of human rights”, according to the law, as was the case with Syrians, for example, allowed the interviews of these applicants to be shorter, and the opinions to be made more quickly, compared to those that were considered “more complex” cases. As an example of the latter, was regularly mentioned the natives of the Democratic Republic of the Congo, whose interviews, according to the officials, could last up to three hours, while those of Syrians were “cleared in 30 minutes”.

At the time I interviewed the “officials” of the São Paulo office, in mid-2018, something they referred to as a “task force” was being implemented, in which some of these employees selected, interviewed and issued reports exclusively for Syrians, to speed up the resolution of cases that were “truly refugees” and “reducing the backlog”, i.e. the cases pending interviews and reports, considering that every month, with more people

seeking asylum and the limited number of staff, “the backlog only increases”. In addition to the cases of Syrians, however, the officials identified some priorities among people classified as more vulnerable. Elderly people, people with disabilities or people with serious illnesses identified during the visits had their cases expedited. It was unclear, however, whether the cases would actually be included among the priorities, as this was the responsibility of the “scheduling sector” or the General Coordination.

One official said during an interview that “I don’t really know how the scheduling works”, but that “we inform Brasilia what’s going on and then Brasilia does the sorting”. Another official pointed out that he forwards “the oldest cases” to “the guy who does the scheduling”, and that there is also a “triage by language”, but that “the rest I honestly can’t tell you”. In an interview with a coordinator, (s)he said that “as a rule, people join the queue without any discrimination, but if it’s a situation of extreme vulnerability, the case can be expedited”. Another official acknowledged that there are “strategies” with nationalities such as Syrians, where “they’re all granted, so the sooner we can interview them and get them through as quickly as possible, the better”. The same “officer” described a strategy to determine the “number of pending nationalities”, with the aim of “clearing that up right away”. In other words, with the aim of reducing the number of different nationalities of applicants in the official data and “removing from the path” cases where it is assumed that applicants will not show up for interviews. It was also pointed out that the language spoken by the applicants and the possibility of finding an interpreter was another factor influencing the speed of the interviews. At the time, two officers conducted interviews in English and one in Spanish, but none spoke Arabic or French. Thus, the scheduling of interviews depended on the applicant bringing an interpreter, or, if that wasn’t possible, on a volunteer from CONARE or partner organizations doing the translation. As in the case of Chara, interviews could even be postponed indefinitely.

An important strategy for resolving processes was to modify procedures by issuing Normative Resolutions (NRs), which was a form of management that was already ingrained in CONARE’s administrative practices. Normative Resolutions were discussed and approved during monthly or bi-monthly meetings of the Deliberative Committee in Brasilia. The resolutions often proposed by the coordination, in its incessant concern for speeding up processes and “reducing the liability” or the backlog. These actions sought results to be presented publicly in the form of statistics and data about efficiency, which showed that each year, despite the incessant increase in requests, many more cases were resolved than in previous years.

To “reduce backlog”, the regulations prioritized the so-called “accelerated” or “simplified” procedures for processing cases. These procedures made it possible for certain stages, such as interviews, the production of reports by officials and the decisions taken by the collegiate body in Brasilia, to allegedly be carried out more quickly. This series of changes included the aforementioned “task forces”, when some of the “officials” selected and carried out interviews and drafted reports exclusively on people of specific nationalities.

Another way of speeding up processes and guaranteeing efficient action, implemented through changes in the NRs, was the creation of the figure of “manifestly well-founded asylum claim”, in which case “simplified” procedures could be adopted. The rule also created the figure of “manifestly unfounded” applications which could also have each of their stages “accelerated” or “simplified”, which in practice meant that it became possible to reject applications more quickly and without so much rigor in terms of procedures. This series of measures made it possible for Venezuelan nationals to be recognized as refugees by CONARE in collective blocks, without individual interviews in the office or individual assessment of the merits of the cases. This collective recognition, called *prima facie* recognition by refugee “technical” staff, made it possible for CONARE to announce in August 2020 that “Brazil now has more than 46,000 Venezuelans accepted as refugees -

the largest population with this profile in Latin America”⁸. As a result of these measures, while 20,902 applications for refugee status from Venezuelan nationals were granted in 2019, the second most recognized nationality, Syrian, had only 255 applications granted, and the third, Cuban, 35 approvals.

These “simplification” measures, publicized as “cases of success” or “good practices” in news articles and institutional propaganda, such as the one above, made applicants who were waiting for their cases to be processed feel that their applications were being passed over, while people from other countries were granted asylum more quickly. Dolores, a Cuban applicant at the time, an anthropologist and historian, told me that seeing other refugees accepted while her case remained on hold caused her indignation and suffering. Dolores told me about a colleague, a Syrian historian who arrived in São Paulo at the same time as she did. She was resentful because, in less than a year, the Syrian was at University of São Paulo (USP) doing his doctorate, something that Dolores had not yet had the opportunity to do after many years in the city.

Also, in response to the “simplification” measures, a new computer system was implemented, Sisconare, which would allow all stages of the procedures, from the application to access to decisions, to be conducted virtually. With computerization, I began to receive many requests for help from people I followed during my research, who went to the Federal Police every year to update their refugee protocols and were told that they had to register with Sisconare. It wasn’t even explained to them what the platform was for. At the time, the system had not yet been translated into languages other than Portuguese and many applicants did not have a computer or access to the internet, which made the whole procedure very difficult. It was common for people to frequently lose their passwords and have to request new access. Computerization, therefore, once again required applicants to look for intermediaries to receive help - a service that would not be provided by CONARE. The discontinuation of certain activities in the face-to-face mode, moreover, in addition to not making life easier for those who did not have digital access, did not relieve the office either, according to the reports of the “officials”, since applicants continued to come in to ask questions, at which point they would be referred once again to third parties, whether civil society organizations or other government entities.

The measure to computerize all stages of the process was celebrated by the committee’s coordinators, despite complaints from applicants. This was because as a “simplification” strategy, the measure sought “efficiency”, a way to keep the “public machinery” moving, as one CONARE coordinator pointed out in an interview. It was a measure that therefore served the interests of productivity, saving time and resources at a “complex” time when “funds are lacking”, when all that was left, as one “official” pointed out in an interview, was to keep “working with it”. “Working with it” implied continuous provisional measures, in which they had to deal with a demand that exceeded their capacity to attend the applicants, normalizing the waiting and arbitrariness inscribed in the increasingly frequent changes to the rules that guided the procedures. Strategies that determined, through incessant normative measures, which were frequently modified, what was the “correct” or “most efficient” way to make decisions, the appropriate listening format, the narrative mode of the documents produced by the “technical” staff and what had to be discarded a priori as a “manifestly unfounded” case.

Returning to the management of waiting discussed by Ballesteros et al. (2017), I draw attention once again to the relationship between the imposition of waiting and strategies to ration resources. Technologies that defined more or less elastic waiting times for cases determined who should have their suffering shortened and who could wait longer for a definition of their regularization. Solutions that established that, for a given

⁸ From the article “Brasil reconhece mais 7,7 mil venezuelanos como refugiados”, on the portal of the UNHCR, written to congratulate the country for this amount. It is important to emphasize that, until the measures that allowed collective recognition of refugee status, the absolute number of refugees recognized by the Brazilian government since the implementation of the refugee law was not more than ten thousand. Available at: <<https://www.acnur.org/portugues/2020/08/28/brasil-reconhece-mais-77-mil-venezuelanos-como-refugiados/>>.

applicant, it was reasonable to wait for more than three or four years to have their case considered, while for others this was an excessive amount of time.

In this respect, the pace of the procedures was also influenced on a more day-to-day scale. Even though the officials seemed to see a lesser importance in their duties, interaction with the applicants was essential in the management of times and waits. In determining who was “vulnerable”, what was “urgent” and what was a “priority”, the actions of the office staff were central. One of the elements that defined what was urgent and what could wait was related to what Laura Lowenkron (2015) calls, in dialog with Foucault (1979), “local knowledge”. Local knowledge, from a Foucauldian perspective, is a form of knowledge that is “particular, regional, local, a differential knowledge incapable of unanimity” (Foucault, 1979: 170). In the context of her research, Lowenkron (2015: 198) refers to “typical practical police knowledge”, which does not require specific training, but which in no way constitutes “common knowledge”. I point out that it was based on this knowledge that the officials considered, according to their technical-moral perception, what would or would not be an “urgent” situation. It was the “local knowledge” of “officials” and “technical” state employees who identified, according to their own interpretative schemes, certain degrees, and scales of vulnerability, creating what Auyero (2012) identifies as a “politics of waiting”.

Another element of “local knowledge” in the ordinary management of processes involved what was called the specific “way of working” of the coordinator in charge. The understanding of the coordination staff determined numerous procedural criteria, from the interview schedule to the production of the eligibility reports. These criteria fluctuated according to their “work plan” and their understanding of what would be an adequate number of interviews to do or reports to deliver each week. It is important to note that during the year I was a volunteer, four different coordinators passed through CONARE, each with new ideas and visions about productivity, about what should or should not be considered a priority and about the best way to conduct the work to “reduce backlog”. Rhythms and urgencies were therefore established according to somewhat discretionary aspects, establishing different visions of priorities, efficiency and CONARE’s own function.

It would be wrong to say, however, that the coordinating staff was solely responsible for these resolutions, considering that the “tripartite” nature of CONARE’s structure had to accommodate the interests of different actors. This meant that “priorities” were set according to very different visions. As an example, I will look at a provision of “total priority”: cases closely monitored by the Federal Police, specifically compulsory measures. Some officials pointed out the extreme speed required of their work in situations involving people who had been imprisoned in the country -- and who because they wished to remain in Brazil, requested asylum -- considering the limited possibilities for regularization⁹. One official was even recruited to conduct an interview inside a prison in a case involving extradition. At the time, he asked the UNHCR for support in preparing for the interview, considering the unprecedented nature of the situation, which made him feel, in his words, somewhat “insecure”. I cite this case, reported by the staff in an interview, to highlight the perception of extreme urgency that situations involving expulsion and extradition acquired, when the Federal Police had direct influence on prioritizing interviews, opinions and even inclusion on the agenda of the decision-making council. One official described this as a situation of “pressure” for the processes to move at the required speed. The timing of the processes was therefore managed by a group of actors whose decisions required negotiations. In this respect, times were manipulated according to political and institutional interests that were not restricted to the competence of “technicians”.

⁹ Sometimes, applying for refugee status was the only way for non-nationals who had been jailed in the country to stay in Brazil. This is because the legislation provided that, as long as the request was active, awaiting a resolution from the Committee, the applicant could not be deported. Similarly, the guarantee of non-refoulement provided for in the asylum law prevented asylum seekers and refugees from being extradited or returned to their countries of origin.

In an interview, a coordinator confirmed that she had chosen to prioritize appointments based on the “provocation” of the applicants, i.e. their appearance at the office followed by their updating of their contact details, since it was important for them to provide “tools” so that CONARE could “get the process moving”. This was because calling people who might not show up on the day of the interviews was, in their view, putting the “public machinery” to work in an “ineffective” way - which indicates the overriding concern with rationing resources at a time of crisis. The same coordinator pointed out that she considered the positions of employees of migrant aid organizations, considering that these people were in more direct contact with the applicants and were able to identify “more sensitive” situations. Otherwise, “chronological” criteria would be used in cases of priorities provided for by law. Even so, she pointed out, in working with refugees, a “vulnerable population”, “everything was a priority”, and it was necessary to identify the “highest priorities”, considering the existence of a large “backlog” still waiting for interviews. There was also a disciplinary demand that applicants be patient with the lengthy processes, but at the same time to “provoke” CONARE or, in other words, to demonstrate “agency”.

But if the “agency” of the applicants was considered by one coordinator, it might not be by the next, making the criteria somewhat arbitrary and opaque. What was considered a priority or not, therefore, fluctuated according to the vision of the “effectiveness” of “local knowledge”, as well as the “agency” of the applicants. These criteria were not entirely clear to the applicants or even to the office staff who, separated from the “scheduling sector”, did their work in a segmented way, pointing out that they knew little or nothing about the criteria used for calling people for interviews or for including each case on the agenda for the deliberation meeting in Brasilia.

Thus, even though they were told that it wasn’t necessary to go to the office and that the notification would reach the applicants’ addresses, their “agency” could be considered when selecting them for interviews. I will now review some of the complaints from the employees themselves, who said that they were not responsible for attending people who arrived and that this work, especially when a lot of people showed up, got in the way of their production of interviews and reports. I would point out that this “lack of time” was, to a certain extent, an effect of the way the waiting times were managed, considering that it was necessary to go to the office to demonstrate an “agency” and clear up any doubts. Telephone and e-mail were not forms of communication considered effective or reliable by the applicants, who could not simply wait passively for cases to progress. Thus, considering the delays in the processes, which dragged on for years, it was necessary and expected to appear several times and systematically listen to the same justifications until the interview was finally scheduled.

It is remarkable, however, that although the scheduling system was often not fast, there was no consideration of making changes to organize the criteria and increase transparency about them, setting deadlines and scheduling interviews according to a previously established agenda, at the time of the request itself. This is a demand I heard countless times from applicants, who said that worse than waiting, was waiting without a forecast. In addition to the structural problems mentioned, there were other difficulties related to the administration. This was because the lack of deadlines for scheduling interviews and deciding cases generated more work, overloading the service and intensifying a division of tasks or “fragmentation” (Lugones, 2009: 13) which, according to the staff, was the main cause of the slowness in producing reports and conducting interviews. However, it was this very fragmentation and the overload of work - which led to the requirement to go to the office in person - that justified the delays. It is in this sense that distances and waiting times, precariousness and fragmentation were also aspects of management, allowing interviews and reports to be completed in their own time, that is, in the administration’s time.

Considering the “local knowledge” and the ordinary practices of the “officials”, who carried out their daily tasks, in the words of one of the employees, “as best they can”, I point out that both the case resolution strategies and the non-resolution techniques (i.e. postponing a certain decision in order to move the processes along more quickly), were all aimed at the objective of managing crises and “reducing backlog”. They were administrative solutions that operated daily, based on the administration of time and waiting. I am dialoging here with Carolina Moulin (2019: 34), who points out that the “temporality of the crisis” strategically combines the time of urgency, which demands “timely and exceptional” responses, and the time of waiting, which induces uncertainty. Moulin says that the modulations between these two aspects allow for a management of time based on reports on the crises. As far as CONARE was concerned, the signs were that the crises and precariousness that had accompanied the office since its implementation were perpetuated by political and administrative choices that both produced and managed these crises. In this sense, maintaining the office with only five employees meant prolonging the crises, working at the limit of the resources, which appeared more as a way of governing than as an impossible obstacle.

The decisions

According to the CONARE staff, it was in Brasilia that the refugee processes were “really” deliberated and decided. The São Paulo officials thus reinforced their “technical” position, keeping *decisions* at different levels and the entire political burden of deliberations on the recognition of refugees by the Brazilian government, allegedly, far from their remit. In this way, the Cambuci office staff signaled, for different stages of the process, different ways of not knowing and not deciding. They reiterated that their functions and competencies involved conducting interviews and producing reports, leaving criteria and resolutions up to a General Coordination and CONARE that were distinct from their individual practices. They also justified their non-participation in the Committee’s deliberative plenary sessions. They all pointed out that they had participated in one or another meeting by videoconference, but that this was not common practice. Once the interviews had been carried out and the eligibility reports produced, the next stage of the work became the exclusive responsibility of Brasilia. They knew little about the criteria, timing or even the exact nature of the “higher” instances.

They mentioned reasons of productivity and division of labor for the absence of these employees from the plenary sessions where applications were decided – a decision that, in general, only endorsed the “suggestions” of the eligibility reports. The “officials” themselves felt that they had to give priority to the interviews and reports for which they were responsible, which were piling up while applicants were waiting for a response. There was also the justification of the distance from the center where decisions were made. Regarding these distances, it was reiterated that little or nothing was known about certain procedures, dates and rituals. According to one employee, the “officials” in Brasilia “take part in the meetings, they follow the judgment of the cases”, while those in São Paulo only “forward” the cases. She also pointed out that taking part in the plenary sessions would not be productive for the officers because “it’s the time for us to draft a report, instead of watching something you’re not going to take part in”, and that “it’s still not very clear to me what the plenary session is”, considering that “no one has ever explained it to me and I’ve never tried to find out either”.

These statements once again refer to the analysis of the fragmentation of administrative practices in state entities. Ángela Facundo (2014) and Lucas Freire (2019) discuss the notion of “fragmentation of actions” by Maria Gabriela Lugones (2009). Lugones points out that the work of administrators in the day-to-day operations of the Preventive Juvenile Courts in Córdoba involved managing dramatic situations by “dealing with fragmentations of different orders” (2009: 139), which were seen by the officials as obstacles to carrying out their duties and which Lugones proposes should be understood as “a condition of possibility” for their “exercises of power”. These exercises allowed the administrators to deal with the “exacerbated moralization”

of issues involving victimized and mistreated children. In dialogue with this proposition, Lucas de Magalhães Freire chooses to use the category of “segmentation”, as “a kind of division of labor” in which “each employee/sector performs only part of the service” (Freire, 2019: 310). In his research on the Health Dispute Resolution Chamber (CRLS) in Rio de Janeiro, Freire identifies an “absence of dialog” between the different sectors, so that the segmentations serve as a kind of protection against listening to dramatic stories. Meanwhile, Ângela Facundo’s use of the notion of fragment (2014: 197 - 228), has two main meanings. One regards the portrayal of the stories and lives of subjects who are refugees as “fragments that can be fit into administrative categories”, while the other meaning involves the construction of refugee processes as “an orderly set of stages that will lead to a resolute moment”.

Considering the “step-by-step” nature of the processes described by Facundo, I highlight the important productivity of the fragmentation of CONARE’s work, which was manifested, firstly, in the physical distances that separated the applicants from the room where part of the administrative work was done, and from the entity that “truly decides”, in other words, “Brasilia”. But, in a related sense, the fragmentation I am referring to is related to the view that the processes form an ideal sequence of stages, each to be carried out by a specific entity and by a specific set of officials, separated from each other by distances that are not only physical, but also “labor” related and “informational” (Freire, 2019), and which limit the officials’ actions to specific moments of the work.

It is important to mention that the reports do not bear the individual signatures of the officials. As a result, according to the officials, the report is no longer their own document, but a “CONARE” document, for which officials, coordinators and members of the plenary were responsible. In the end, accountability became somewhat diffuse within the collegiate body, diluted between different actors, organizations, and entities, both “from the state” and “outside the state”. Responsibility for documents and decisions of all kinds was thus diffused. The figure of the “official” was diluted, based on the circulation of reports, in a General Coordination. The coordination, in turn, was diluted, when it came to the decision-making process at CONARE which, as a collegiate entity, shared responsibilities among agents representing the government, civil society, and international agencies.

Refugees and applicants referred to this entity, to those who “decide”, at times as “CONARE”, at times as “the Brazilian government” or simply as “Brazil”, when they said that “Brazil doesn’t help”, “the Brazilian government hasn’t given me an answer” or “the requests don’t progress in Brazil”. This is how, despite the effect of the dilution of responsibilities resulting from the administrative procedures, their results pointed to a “unity”, materialized in the “final decision” of a CONARE or a Brazil that was cohesive in its procedures and criteria. This was an effect of unity or a state-effect (Mitchell, 2006), which is materialized in the stamping of the Committee’s logo on a barely legible and visibly improvised sign on the entrance door of the house in Cambuci. It is reflected in references to a CONARE that made decisions and to a law or regulation that had to be respected, when, upon handing in a notification of rejection, it was said that CONARE, unfortunately, decided this way and the only option was to appeal to another body. This unity and coherence was simultaneously challenged when it was admitted that they did not know anything about the process or other points of the work. It was also challenged when it was said that it wouldn’t be possible to contact Brasilia at that moment because no one was answering the phone, or even to check the process because the “system” was down. The distances established thus contributed to an effect of opacity, considering that it was only possible for the CONARE employees to answer for the part of the work that fell to each person.

Conclusion: the fragmentations that make the state

Finally, it is important to mention that the opacities do not appear as a deliberate way to camouflage a hidden truth or a supposed cohesion of state practices. What I am saying is that there is no univocal understanding of practices and notions within a solid state. In this understanding, it is first necessary to consider what various studies have been saying for a long time about state practices: that there is no coherent and univocal state “entity”, and that the state is not an objective “thing” to be accessed, discovered, and apprehended in research. It is even more important to understand that:

the production of the belief in the uniqueness, coherence and effectiveness of the public administration’s practices of power is a daily task that imposes itself with enormous force on the actions of the public administration and its extensions, which are in themselves generally dissonant, precarious and contradictory, producing the conditions for their legitimacy and power, weaving with the threads of the administrative fabric what is the product of realms totally alien to it. (Castilho; Souza Lima; Teixeira, 2014: 13).

This is how we negotiate and establish the belief in the borders of the state, conferring to it “the materiality that ideas can have” (Castilho; Souza Lima; Teixeira, 2014: 14). I return here to the reflections of Veena Das and Deborah Poole (2004) who point out that, to study the state, it is necessary to move from the most obvious places where its power is exercised to the margins of everyday life, where its practices become observable. What Das (2007) identifies as paradoxical, however, is that the state maintains itself and (re)produces itself in new ways precisely at the locus of excuses and arbitrariness, which indicates the advantage of observing how its authority is incorporated in moments of violence and urgency, when, alluding to the words of CONARE’s coordinator, “everything is a priority”.

In a context of deepening *crises*, the solutions of “prioritizing the priorities” intensified, based on criteria that were not only “technical” but also “compassionate”, as the coordinator of the Committee pointed out. The administration operated based on changing normative devices that were never guaranteed, managing time and waiting in the day-to-day running of the administration. I argue that this production of arbitrariness (Gupta, 2012) can be seen as an effect that permeates what is understood/produced as each of the steps in the administrative processes that I portray in this article. Rather than an aberration or exceptionality, however, the arbitrariness of the criteria is the norm in CONARE’s work, forming part of the very “making of the state” (Souza Lima, 2002) in its daily dimensions and defining how this state presents itself to people.

But limiting oneself to “preparing the report and sending it off”, as one “official” who told me about her duties pointed out, was also a sign of “efficiency”, since there were so many people waiting and “you can’t keep delaying”. Thus, “reducing backlog”, for the officials who met applicants on a daily basis, responding to their demands and conducting interviews, was also, in the words of this official, “making decisions about the person’s life”, it was seeking efficiency so that responses, whether positive or negative, would take a little less time. In this sense, far from being a way of deliberately giving people “the run-around”, as I heard countless times during the fieldwork, the responses to applicants in the different phases of the processes reflected these distances. These fragmentations were central to the work, guaranteeing a protective effect, as Freire (2019) points out, considering that it was not the “official” who was responsible for the decision, but CONARE, Brasilia, the Council or Brazil.

I interrupt the statements of the officials’ here to make room for a statement from a refugee applicant.

And then these people say: ah, it doesn’t depend on us, it depends on Brasilia. I’ve already sent everything to Brasilia, you have to wait. The last time I approached the CONARE representative, he said the same things. Then I asked him: “Why does everyone from CONARE say that they don’t know, that it doesn’t depend on you, that it depends on Brasilia? And when you insist, they give us an e-mail to write to, to send an e-mail to Brasilia (...).

So I told him that this is not normal. Because we don't know anyone in Brasília. We only know you, because you who approach us, you who represent CONARE, you have to answer all the questions we can ask (...). It's not normal, because you're part of the CONARE office [Refugee applicant. July 2016].

The distances between the entities mentioned by the applicant, and the fragmentation of the procedures, mean that these are, in a sense, done “behind closed doors”. This is how the procedures instituted in a “public office” appear - both to those who come to it for information and to instruct their processes, and also, to a certain extent, to those who work there professionally - as “not so public” administrations (Lugones, 2009) when, for example, the access of the employees themselves to parts of the “system”, to the meetings where “decisions are actually made” and to information about the criteria applied at each stage of the processes is restricted. In this sense, fragmentation is yet another way of resolving and running the “public machinery” behind heavy wooden doors, beyond creaking staircases and *in Brasília*. This is how the work is done from and through the opacities and various precariousness of the physical facilities, the distances, the lack of staff and the alleged lack of understanding of the processes on the part of the applicants (when, in fact, who mastered them entirely?).

What makes it acceptable to prioritize “the vulnerable among the vulnerable” in the actions of the staff is that they share the idea that there is a state responsibility to protect these people and that all (the so-called “true refugees”) are entitled to this protection. The other side of this statement, however, is that it implies that, considering the “not so ideal” conditions or the crises, some will have to be prioritized so that this protection can be guaranteed to “those who really need it”. Considering that there are those who “really need it”, however, implies that there are others who do not need it as much, on whom falls not only the entire burden of responsibility for the delays and the continuous and exponential “increase in backlog”, but also the burden of long waits with no end in sight. These are the people destined to live with the uncertainty and precariousness of their condition of permanence in Brazil.

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