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## ENFORCED DISAPPEARANCE: AN INVISIBLE PUNISHMENT

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### ABSTRACT

Enforced disappearance has been used as a powerful retributive instrument against individuals who have wounded the sovereignty of state. The maritime laws of every country somehow legitimate such violation of disappearance, further advance state violations by providing certain exemptions for the military groups in addressing counterterrorism. It violates not only rights and freedom of the victims but also infringe the basic constitutional and international norms. The purpose of this study is to examine the enforced disappearance as an invisible punishment by the sovereign states in the condition of ‘state of exception,’ as the administrative bodies to have a new version to enforce sovereign power and ensure that sovereignty has been turned more public production by liberty thus making the disciplinary powers to be connected with common quality of punishment, i.e. where the corporal punishment could be substituted by imprisonment through qualitative transformation. This paper further addresses the distinction of the enforced disappearance among other forms of violence launched by the state based on the idea of social formation, which articulates the disciplinary power function of society to be superimposed, where the legal subject of sovereignty becomes an ideological representation. However the interpretation on the powerful modern prison counterpoise its insights with the consequences of theoretical perspective, as the bio political power still remains perfunctory and inadequate in various names, such as racism. Although, the synchronicity between the action of death and concern over life establishes the ‘antinomies of political reason’, it is sensed that it might be because the sovereignty cannot be as a pure juridical dialogue about the existence of rights and omits thinking about the power established in administration bodies by sovereignty to counter threats. The paper concludes with the need to insist both state and the administrative bodies to address sovereignty in most complex scenarios such as torture and extrajudicial killing extensively, more than the definition given in theorizing. Further, the paper recognises the importance to understand how selective entitled punishments could be recognized as legally bound, as well as unbound – violence by the tropical interpretation given to the enforced disappearances.

**Keywords:** Enforced Disappearance, Sovereignty, Punishment, Violence, Interpretation