Public Security and Institutional Racism[1,2]

Almir de Oliveira Junior[3]
Verônica Couto de Araújo Lima[4]

1 INTRODUCTION

As a constitutional duty, the State should provide citizens, regardless of gender, age, social class, or race, with a broad framework of protection against the possibility of becoming victims of violence. This is a right from which no individual could legitimately be excluded – the basis of the social contract itself. However, public security is one of the State action's dimensions in which racial selectivity becomes more evident.

There is great inequality between white and black people regarding security distribution. This inequality becomes evident in the higher victimization rates of the black population. We can take the homicide rate as a reference. If – due to the country's insecurity context – the entire population is already exposed to a strong possibility of violent death, being black corresponds to belonging to a population at risk: for every three murders, two are against black people (Waiselfisz, 2011). Considering the total population of residents in the 226 Brazilian cities with more than 100 thousand inhabitants, one estimates that the possibility of a black teenager being a victim of homicide is 3.7 times higher compared to a white teenager.[5]

Suppose those numbers show a greater demand for security on the black population's side. In that case, it should be noted that the agencies in charge of providing this social good act biasedly, damaging this part of the population. According to a study conducted by Adorno, although there is no evidence that black people commit more crimes than white people do, they tend to suffer greater coercion by the criminal justice system, either by more constant surveillance by the Police or by a greater probability of suffering punishment (Adorno, 1996).

In this context, the objective is to address institutional racism within the Police. Even without underestimating the role or relevance of the other institutions included in the criminal justice system, the Police deserve to be under the spotlight for a few reasons. First, because they are the system's primary "filter." By directly assisting the population and engaging in crime investigation, they set the distance between detected and legally processed crimes (Paes, 2010). Second, because

the Police are one of the most present and active State apparatuses in the population's daily lives, especially for the poor and black classes – the obvious target of Police surveillance and repression operations (Paixão, 1985).

A lot needs to be done for these institutions to contribute more substantially, in a boarder way, with a conceptualization of development encompassing the guarantee of individual rights and the promotion of equity. Usually, police officers work in a discriminatory manner when looking for their "clientele," based on stereotypes related to the "suspect's" skin color as the main element. In democratic societies, this type of orientation becomes one of the most controversial elements of policing.

2 THE CONCEPT OF INSTITUTIONAL RACISM

Institutional racism can be defined as the collective failure of institutions to provide a professional and appropriate service to people because of their skin color. The concept was first used in 1967 by the activists Stokely Carmichael and Charles Hamilton, members of the Black Panthers, to define how racism manifests in the organizational structures of society and institutions (Geledés and CFMEA, 2013, p. 11). It was also used, as of 1993, by institutions to fight racism in England, especially the United Kingdom's Commission for Racial Equality (CRE) (Sampaio, 2003). It manifests itself through discriminatory rules, practices, and behaviors active in the work of organizations every day, resulting from prejudice or racist stereotypes (Ipea, 2007). Institutional racism is not expressed in specific actions, explicit or declared acts of discrimination, but acts diffusely within the institutions' and organizations' routines, which operate differently – from a racial point of view – in the distribution of services, benefits, and opportunities to different sectors of the population (Silva et al., 2009).

Hasenbalg (1979) points out that race has been kept a potent symbol of subordinate position in labor's hierarchical division and continues to provide the logic for confining members of subordinate racial groups to the conditions that society's racial code defines as their "suitable places." According to Santos (2012), institutional racism is veiled by mechanisms and strategies of public institutions, explicit or not, hindering the presence of black people in those spaces or the presence of the State where there is a greater concentration of the black population. Access is restricted not by written and visible norms and rules but by legal obstacles in social relations reproduced in institutional and public spaces and/or State agent training. The action is always aggressive, insofar as it affects human dignity, crystalizing within the organization's routine and generating inequalities and inequities in public policy implementation (Ipea, 2007). According to Ipea (op. cit., p. 216, our translation), "this type of discrimination has extremely relevant effects. It goes beyond interpersonal relationships and sets itself in an organization's routine, including effective public policy implementation, producing inequalities and inequities in a broad, even if diffuse, way".

In Brazil, the concept of this form of racism started to be used only in the 1990s by black social movements. It was used to formulate and execute federal racial equity programs in 2005, such as the Program to Fight Institutional Racism (Programa de Combate ao Racismo Institucional – PCRI) (Ipea, 2007). The goal of the program was to expand public institution's capacity for identifying and preventing institutional racism through policy formulation, institutional training, and review of standards and procedures. The transversality in programs of this nature would help mobilize managers and professionals from different areas to find solutions to reduce racial inequalities.

3 RACIAL DISCRIMINATION AND POLICING

There are several ways for the State to act on the racial injustice context, manifested in the unequal rates of violence against the black population. A large public policy apparatus needs to focus on racism, of which lethal violence is one of the most perverse aspects. We also need to promote the reduction of the imbalance involving distribution of public security between black and white populations.

Public security's process of production and distribution comprises activities to control crime and violence by the criminal justice system, formed by institutions linked to the Executive and the Judiciary, acting in coordinated and sequential stages of social control, defining the role of the State in achieving public order. As a State representative on the streets, the police officer must, by law, treat citizens universally, impartially, without distinctions of class, skin color, gender, etc., but this remains a concept. Black people are more likely to be assaulted by police officers than white ones. As the National Victimization Survey shows, 6.5% of the black people who suffered an assault in the previous year had police officers or private security guards (often police officers working during their time off) as aggressors, against 3.7% for white people (IBGE, 2010).

In the daily life of uniform officers, in their constant surveillance operations, suspicion and approach are work instruments for which they seek to set a basis and rationalize. The police officer should have an articulated argument before deciding to stop and search a citizen – an action that somehow constrains the person's freedom. Policing approach is based on the Code of Criminal Procedure (Código de Processo Penal – CPP), which handles this topic in articles 240 and 244, defining that, even without a warrant, the police officer can conduct a home or personal search in case of *reasonable suspicion*. However, reasonable suspicion is very subjective, and the determination of its existence depends on the Police authority's discretion (Teixeira Júnior, 2001).

In practice, the signs identified to approach a suspect are – in general, but not exclusively – strongly associated with citizens' social class and race. For a survey conducted in Recife, when asked about who to approach first in a suspicious situation involving a black man and a white man, military police officers were almost unanimous in saying that black men suffer a differentiated look and, therefore, they are always the first to be approached – or, sometimes, even the only ones (Barros, 2008). In the same study, it was found that the situation regarding drivers that most raised suspicion was a black person driving a luxury car: this is a suspicious situation for 21% of military police officers, while a white person driving a luxury car would raise suspicion for only 2.6% of respondents (Barros, 2008, p. 139).

The concept of institutional racism seems, therefore, reasonably appropriate to the way Police organizations operate. It is not a matter of the Police, per se, that produces the discrimination phenomenon. It reflects the deviant behavior in several other groups, including those of its members (Reiner, 2004).

> It is worth highlighting the paradox of the Military Police [Polícia Militar – PM], an institution with a strong presence of black people on their staff, practicing racial discrimination, being perceived as very racist by a significant part of society, and, even so, defensively avoid any questioning, any debate, internal or external, about this issue (Ramos and Musumeci, 2005, p. 215, our translation).

Police should act as public agencies to minimize the iniquity generated by racism and other social imbalances, not reproducing or amplifying them. Research by Ipea shows a precise diagnosis

of the distance between the Police and society; an issue aggravated in the relationship with the non-white population, who trust less the services provided by the Police and, consequently, trust less these institutions (Oliveira Júnior, 2011).

The Police's organizational culture guides a biased view. This lack of impartiality can be observed when bodies of young black and poor people are found in the *favelas* and peripheries. Police officers continually refer to the same version on the news displayed in the different media outlets in the country, usually condensed into the following statement: "We already know what happened: the victim was involved in drug trafficking," without carrying out a more serious investigation. However, although Police authorities estimate that most shooting victims in Brazil consist of individuals involved in trafficking, research shows this is a simplistic explanation (Adorno and Pasinato, 2010; Misse, 2010). It becomes clear that the Police not only exercise greater punitive power over the poor black young people but also "save" energy to ensure the punishment of those who commit violence against them (Adorno, 1996). Those points deserve a broad and in-depth political debate. We need to question the fact that the black population, mainly the young and poor, is defined as the preferred target of repressive and exclusionary policies.

The crystallization of the myth that associates the black youth with criminality multiplies disastrous consequences in daily Police practices. One of the most evident components of the Police's institutional racism is naturalizing the relationship between poverty and crime, incoherently taking skin color as its visible indicator. The most striking result of this attitude is that the homicide rate of young black people in Brazil – to which the Police contribute significantly – is much higher than the death rates of young people in countries at war (Waiselfisz, 2012).

It is as if the young black man synthesized the drama of a society incapable of resolving its contradictions. The image of the young black man condenses the positive and syncretic aspect of Brazilian culture, expressed in *samba* and *malandragem* (street smartness), among other manifestations, which distance us from the European colonizer. At the same time, it embodies a matter of disorder, atrocious from the point of view of an authoritarian State, historically aimed at controlling and taming the "dangerous classes" as if they were a kind of domestic enemy.

4 FINAL CONSIDERATIONS

Every day, criminal justice decisions, mainly the ones made by the Police, are unjustifiably harsher for black than for white people. The offshoot of legitimate State repression – sometimes, even the means of summary executions – mainly affects young black men. Usually, police officers work in a discriminatory way when looking for their "clientele," based on stereotypes related to the "suspect's" skin color as the main element. In democratic societies, this type of orientation becomes one of the most controversial elements of policing.

A lot needs to be done for these institutions to contribute more substantially, in a boarder way, with a conceptualization of development encompassing the guarantee of individual rights and the promotion of equity. Considering these critical conditions, we need to introduce programs to fight institutional racism in public security, making progress in materializing the proposals in PCRI.

Fighting violence against the black population, especially against young people, requires public policies to reinforce the position of the Brazilian State as a provider of rights, as a guarantor of equal opportunities, and correcting social distortions historically produced by racist ideologies

and practices. Without a doubt, criminal justice actions alone cannot dilute racial inequality if made in disconnection. However, if broadened, they can mitigate it, reducing obstacles to the full development of capacities of a representative contingent of the population.

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