

Killings in Brazil and the Blame-it-on-the-poor Syndrome

Written by Augusto Zimmermann
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The Constitution of Brazil says, in its Article 5, that Brazilians and foreigners residing in the country shall be ensured with the inviolability of their right to life. This means, in practical terms, that they have the right of not being killed by either the state or criminals.

Actually, the Brazilian Constitution explicitly prohibits death penalty as well as penalties of life imprisonment, hard labour, banishment, and cruel punishment.(1)

By comparison, the U.S. Constitution only says that a person cannot lose his life without due process of law, that is, by means of formal proceedings followed by regular courts.

Therefore, the laws in the United States give much less protection to the right to stay alive than the laws in Brazil.

In practice, however, such right to life is not fully guaranteed in Brazil. Killing has become the major cause for unnatural death in this country.

According to the United Nations, Brazil has only 2.8 percent of the world's population but more than 11 percent of all its registered homicides.

According to the IBGE (Brazilian Institute of Geography and Statistics), 600 thousand people were killed in Brazil between 1980 and 2000 alone, an average of 30 thousand per year.(2)

By comparison, the terrible thirty-year civil war that devastated Angola killed "only" 350 thousand people, or 11 thousand per year.(3)

The great majority of these 600 thousand killings occurred in the last decade.(4) In fact, the death rate for killings has dramatically increased over these last ten years.

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While 37 thousand people were murdered in 2002, the number jumped to 49 thousand in 2003.(5)

Both numbers were higher than in the whole region of the Middle East, including Iraq and Israel. For Timothy Cahill, an investigating leader for the Amnesty International, they fall very easily within the U.N. parameters for civil war.(6)

Since the military left power, in 1985, the situation has clearly worsened. The annual number of killings grew 130 percent between 1980 and 2000.(7)

While a city like Rio de Janeiro had registered "only" 840 killings in 1984, the number jumped to 10 thousand in 2002.(8)

According to Beatriz Kuhn, the head of an anti-violence group, normality in a city like Rio de Janeiro has now become a daily reality of civil war.(9)

The Human Rights Watch (HRW) reports that Rio de Janeiro today "is most often described as a city under siege".(10) For example, this is precisely what an article from The Guardian, a British newspaper, reported on May 19, 2003:

"Heavily armed drug gangs" launched a series of audacious attacks that have shocked the city's residents. Homemade bombs were thrown at the luxury Hotel Le Meridien on Copacabana beachfront and at a hotel and restaurant in nearby Leblon

"Shots were fired at the up-market Hotel Glória. A grenade was thrown at one shopping centre and another was machine-gunned. Scores of buses [were] burned out and gun battles close the city's main roads." (11)

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Even authorities in Rio now confess that violence is out of control. They openly recognise that criminals totally overrun the city.

For instance, Rio's Public Security Secretary, Anthony Garotinho, was reported to have declared: "We cannot deny that the situation is out of control. To say that isn't is to ignore the reality." (12)

When the military (uniformed) police killed a record 100 people, in April 2003, Garotinho argued that the extra-judicial killings were a "positive development", assuring the population of Rio de Janeiro that "only" criminal suspects were assassinated.(13)

The Poverty Explanation

An argument that seems to be completely fallacious is that the growth in the number of killings proceeds from, or can be explained by, situations of poverty.

While it is true that some violent criminals have indeed emerged from a background of social deprivation, many of these criminals are middle-class teenagers who do not stem from a "deprived childhood" so much as from a conscious choice by a mind deprived from any regard to human life.

Although social or environmental factors can obviously prompt someone with criminal tendencies to take away a person's life, it would appear that a very common motivation for violent behaviour is not need but greed.

Crime is not necessarily a product of poverty. Since the situation of poverty is a constant reality in Brazil's history, it does not serve to explain why poverty could by itself be the major cause for the absurd growth of criminality over the last two decades.

The truth is that poverty does not explain such a growth, nor can it reasonably explain why the

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poorest states in the country, Maranhão and Piauí, are precisely the less violent ones.(14)

Nor it would explain why São Paulo and Rio de Janeiro, the richest states of the Brazilian federation, are curiously the most violent ones. In fact, not even unemployment in both states would serve as a good explanation.

In Rio de Janeiro, for instance, 70 percent of all convicted prisoners were fully employed when they decided to commit their crimes.(15) São Paulo, a state that registered 62 killings per 100 thousand in 2002, had six times a higher number of killings than Argentina, a country where 20% of the working force was unemployed in the same period.(17)

In reality, it seems that temptation for violent criminal behaviour has obviously increased among individuals from the higher classes. For instance, the growth of violent crimes committed by middle-class teenagers has actually become a major concern in the country. In this case, a background of social deprivation certainly will not help to explain the individual option for criminal behaviour.

Actually, a better explanation for the problem is given by Ib Teixeira, a specialist on the subject of criminality.

He comments that Brazil's criminal laws are considerably "soft" against dangerous criminals, because they are drafted by jurists who embrace a "radical criminology" which considers criminality a sole product of social injustices generated by free-market capitalism.

As Teixeira explains, the premise is obviously wrong, for an authentic capitalist society such as the United States has "infinitely" lower levels of criminality than Brazil.(17)

In contrast to what normally happens in a country like the United States, a person who is in Brazil convicted for the crime of murder will not spend a long time behind bars. He might stay not more than four or five years arrested.

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After this period, this criminal might be released on parole for having completed only one-third of the sentence. Unfortunately, the rate of recidivism in such cases is discouragingly high, for the majority of such criminals tend to commit other crimes subsequent to their original discharge.

Of course, their easier target always is the poor citizen, whose right to security has been cowardly denied by the state, and is not able to pay for "special protection"™ against those criminals.

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Teixeira, *A NotÃ-cia*, Joinville, February 3, 2002.

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