ANTAGONISTIC AUTHORITIES AND THE CIVIL POLICE IN SÃO PAULO, BRAZIL

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Abstract: This article draws on participant observation research in a Civil Police station (delegacia) in the city of São Paulo, Brazil, to disentangle existing notions of police resistance to democratic change. Through processes such as "talk of castigation," the Civil Police reproduce three kinds of authority—public, institutional, and criminal— that influence how police work is done. These authorities are antagonistic, battling over different normative worldviews and notions of acceptable police practice, and these an- tagonisms result in police work that is often a conflicted amalgam of democratic, institu- tional, and criminal pressures. The slow pace of democratic change at this police station emerges from not one but multiple modes of resistance that complicate how police can do their work.

"Why did you try to kill a cop?!" shouted Renata, a Civil Police (CP) investiga- tor (*investigadora*).[1] "You're lucky. If it had been me out there, you'd be dead by now. You should be thankful that it was these guys that caught you." In front of her a teenage boy sat, stoic, with his head thickly wrapped in gauze, blood encrusted about his eyes, ears, and face. He stared straight ahead as Renata leaned into his face, incensed. On the desk of the CP shift chief (*delegado*) lay a standard issue Military Police (MP) Taurus .38 revolver and four lead bullets in brass casings standing on end. In the case report (*boletim de ocorrência*) two MPs provided the details: The team of two had responded when a local businessman thought two teens suspicious and called 190, the emergency line. Arriving at the scene they found them, one with the revolver concealed beneath his shirt. When the MPs approached them the armed teen pulled the gun from his waistband and pointed it at the police menacingly. They took down the two teens without major inci- dent or shots fired, and the armed teen hit his head in the process. Upon hearing their story, the CPs in the precinct heaped praise upon the two MPs, promising to nominate them for the tactical squad (*força tática*) for the flawless way they

   1. To respect the anonymity and safety of research informants, the names of people and places are pseudonyms. None of these changes impact the analysis.

handled the incident. "They need people like you," echoed Renata, appreciating their precision.

A much deeper story line lay outside of the description of the report, however. Beneath the shiny chamber of the police-issued .38 a once-visible serial number had been diligently scratched away. What remained was a trace of the illicit passageway between the police and a vast criminal underworld in São Paulo; a powerful reminder of police weakness and organizational porousness in an insecure city. Engraved in the scoured serial number were difficult questions about the case on the table. What actually happened on the street? Did the teen hit his head? How does a fourteen-year-old get a police weapon? These problematic issues did not surface in the report and were avoided in conversations between the CP and the MP. Nonetheless, these kinds of problems are normal in everyday policing, having become woven into the practices and social relations of the public security system. It was only the next day during a coffee break that the shift chief casually said to me, "You know that the [MP] beat him, don't you?"

This article examines why the Civil Police in the city of São Paulo, Brazil, struggle with democratic change. Why has police transformation been so halting in a country nearly thirty years removed from authoritarian government and democratic reform? A de facto consensus exists on the matter: Brazilian police organizations actively resist democratizing pressures for greater accountability and transparency by continuing historic practices of extreme, and often extrajudicial, repression and corruption. This view is based on studies of the urban poor, civil society organizations, or city dwellers coping with violence, or on research that examines police organizations from a top-down, structuralist perspective. However, since the topic and method of most research does not emphasize the lived experience of police officers themselves, decisively little is known about Brazilian police and their practices, incentives, and constraints. Consequently, there is a dearth of understanding about police, from their position in economic, social, and political transformation; their role in the construction of the (un)rule of law (law in practice versus law on the books); their location in processes of urban crime, violence, and marginality; their normative outlooks and subcultures; and their structures of accountability. I seek to shed some light on these subjects in Brazil by examining the (re)production of sociological structures of authority in Santa Clara, a Civil Police precinct in the city of São Paulo.

Certainly, apprehension of change exists in all organizations. Police organizations, which are charged with reproducing a given (and presumed static) social and legal order, are no different. My intent is to lift the veil on some of the factors that can create a spurious image of collective and/or organizational resistance to change. I argue that there are multiple modes of resistance with different rationales, practices, and antagonisms that obstruct open and accountable policing. I build on concepts from Weber (1962) and Shearing and Ericson (1991) to propose that democratic transformation is constrained by the existence of *antagonistic authorities,* competing and incongruent sources of power and normative allegiance to which police orient their behavior. Police (re)produce three authorities in their day-to-day practices and worldviews. The first, which I term *public authority,* is broadly democratic, consisting of extraorganizational pressures that

push for greater police accountability. Using Caldeira's (2000) "talk of crime" I introduce the idea of a "talk of castigation" in which police narrate stories about investigations of colleagues by public authorities in ways that reproduce the validity of these same authorities. The second, which I call *institutional authority*, is largely (though not exclusively) intraorganizational, consisting of a set of norms and values that guide police behavior and pragmatism through notions of career advancement, political connectedness, and an operational environment of acute resource limitations. The third I term *criminal authority*. This authority reflects the existence of powerful criminal elements and organizations in the city of São Paulo, the relative weakness and exposure of street-level police, and shifting power asymmetries between the police and these same criminal, and certainly coercive, elements.[2]

Efforts by public authorities to create more open and accountable, or democratic, police forces are constrained by the incongruence and contention between these three authorities. Authority is not zero-sum—these authorities exist in the same space and time. These normative bases and outlooks overlap and are reflected in how Civil Police officers interact with citizens, their fellow police officers, public institutions, and criminals. Police practices (and products) can simultaneously evoke democratic sensibilities, institutional pragmatism, and criminal influence.

I begin with a background discussion of the position of the Civil Police within the state. After providing an explanation of the methodological foundations of the research, I briefly review the literature on policing in Brazil and provide some theoretical context for my argument. My empirical evidence is presented in three parts: public authority, institutional authority, and criminal authority. I close by discussing the need to revisit some common assumptions about police organizations in Latin America.

BACKGROUND AND METHODOLOGICAL CONSIDERATIONS

In Brazil, street-level policing is split between two agencies. The Military Police, trained and organized by the military, are responsible for policing and patrolling the beat.[3] The plainclothes Civil Police are the bureaucratic arm of the public security system. Within the CP of São Paulo there are five occupations that work in the reception area. Police chiefs (*delegados*) decide terms of detention, guide the completion of case files, and sign off on investigations. Investigators (*investigadores*) interact with citizens and process suspects by fingerprinting, strip-searching, and jailing, as well as collecting evidence. Registrars (*escrivãs*) write up the report under the guidance of the delegado and file the documentation in the electronic system. *Carcereiros* are prison agents. This position is being phased

2. I recognize that the category of *criminal* is a construct both of the police and the flexible paradigm of social order at play. I use it to delineate a general category that is often heavily influenced by illicit economies—drugs, guns, contraband, and so on—that are otherwise not contained by the state. For greater analysis of the social and political dimensions of this category see Davis (2009).

3. According to the Brazilian constitution the Military Police are a reserve force of the national military.

out at the station level following the centralization of jails.[4] In the interim, prison agents have the same tasks as investigators. These positions are all filled by different public service examination. Only the delegado must have a university degree. The others need to have completed some level of secondary education. At the time of research, starting salaries ranged from $900 (USD equivalent) for a prison agent to $1,600 a month for a delegado.[5]

The Civil Police has two spheres of action. The first is to interface with the public and the Military Police to file official crime reports. This takes place at the twenty-four-hour walk-in reception area, the *plantão,* and is the central function of every neighborhood CP station. Collecting a report entails taking evidence—statements from victims, witnesses, and the MP officers—and where relevant, processing a suspect by fingerprinting, strip-searching, and taking the suspect's statement. They then forward the paperwork and preliminary evidence to colleagues in the CP and the public prosecutor's office. The plantão is the place where the MP bring the CP cases of individuals arrested during or immediately following a crime—caught red-handed. These are given a special legal designation (*flagrante*) that provides police greater leeway for preventive arrest and detainment. Many of these cases are "lucky," coming from a patrol car passing at an opportune moment or from a careless criminal. When compared with the sheer number of cases filed, flagrantes represent a tiny slice of the total number of crimes that occur. Still, flagrante arrests accounted for 68 percent of the total number of individuals detained in 2008 (SSP 2008). Flagrante cases are time consuming, typically demanding multiple hours of attention. For this reason, they are central to work on the plantão. The second sphere of action of the CP is to investigate the crime reports filed on the plantão, an action that comes (or not) at the behest of the public prosecutor (Ministério Público). Though more numerous, these cases represent less than one-third of arrests.

This article focuses on the former sphere of action, the plantão. It is based on roughly 390 hours of participant observation research that took place during two sojourns at the Santa Clara Civil Police station in 2009–2010. The analysis follows the work of eighteen police officers working in teams of five or six, consisting of one delegado, two registrars, and two investigators/prison agents at a time, during their twelve-hour day and night shifts from 8:00 to 8:00. In designing this study, I drew on the body of police and policing literature that evolved in the postwar period of the global North (Westley 1953; Chevigny 1972; Cain 1973; Manning and Van Maanen 1978; Ericson 1982; Punch 1985). The use of ethnographic or participant observation methods is front and center in this literature and became the de facto method for research on police practice as of the 1950s (Westley 1953; Bittner 1970; Van Maanen 1972; Manning 1977). Ethnography and participant observation methods, which I group together because little distinction is made between

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4. Many former jails have been renovated into specialized precincts for women, the elderly, and hate crimes teams.

5. Since 2011, the governor of São Paulo has raised salary levels considerably, by more than double for some. They now range from $1,900 to $2,900. Police complain that with deductions the difference in take-home pay is almost negligible, however.

the two in this literature, allow researchers to penetrate guarded and suspicious police organizations and the institutional networks within them. The insularity of the police, fed by their nature as a social group marked as exceptional, makes belonging and trust inseparable from data collection. Without trust police officers are not typically forthcoming or uninhibited. Perhaps because of the demands of this kind of research there is a dearth of ethnographic studies of the police in the global South (Marks 2004).

The Santa Clara district of São Paulo is a predominantly residential and middle-class neighborhood consisting of apartment buildings and older single-family homes. Its homicide rate is average for the city of São Paulo; the most common crimes are carjackings, armed robbery, theft, "flash" kidnappings (*sequestro relâmpago*), and domestic assault. I selected this precinct for study for three reasons. First, the Santa Clara police station does not have a history of or tendency toward serious police violence.[6] Second, Santa Clara is not among the wealthiest or the poorest areas of São Paulo. I hope to avoid the political connectedness of elites in wealthy areas, which drives police to respond for personalistic reasons, and the extreme criminalization of the poor in the periphery. I hope that Santa Clara lies somewhere in the middle. Third, gaining access to the police, whether civil or military, can be a very challenging task. I had the opportunity to choose between only a few sites. Selecting the Santa Clara precinct is the best situation that I could have hoped for given these constraints. As a researcher I was welcomed by the station chief (*delegado titular*) and gradually gained the trust of the CP plantão teams. After a week or two I was welcomed into social activities and was not obviously obstructed from viewing any aspect of CP work on the plantão. Despite this, I chose not to take notes while on site at the plantão. As a consequence, I cannot relate much of my evidence in long quotations. In large part, I present my evidence in paraphrased form. I recognize that these criteria and minor obstructions limit my ability to generalize, though, given the epistemological basis of the research, it is not my intent to do so in any case. This research is about police that happen to be at the Santa Clara precinct. The narratives and norms of these police are not bounded or informed uniquely by the walls of this police station. As my argument goes, they flow from many other sources—home, training, moonlighting, their colleagues, old stomping grounds—that carry with them broader understandings of space, history, and social relations.

RESISTING (DEMOCRATIC) ARREST?

In 1992, Military Police stormed into the Carandiru prison complex to quell a violent prison riot. In short order they killed 111 inmates. In 2006, São Paulo witnessed a series of attacks that paralyzed the city. Police responded by carrying out waves of vigilantism that left nearly 500 people dead. These incidents are but two examples of police violence that have occurred since Brazil began a transi-

6. My current research with the Civil Police examines the work of the Homicide Division (Departamento de Homicídios e de Proteção à Pessoas), which is responsible for both homicides and police killings of civilians, known until recently as *resistências seguida de morte*.

tion to democratic governance in the 1980s. Events such as these have become important in the construction of a narrative of violence and democratic resistance in the research on policing in Latin America and the global South more generally (Heyman 1999; Comaroff and Comaroff 2006). Today, the literature on policing in Brazil and Latin America coalesces around a consensus: Brazilian police organizations operate with a normative worldview of violent repression and corruption that positions them as institutionally resistant to reformist pressures for greater accountability and transparency. This consensus can be disaggregated into two categories of knowledge. The first consists of an agglomeration of spatially defined research that examines social problems in a particular city or space within a city. By consequence of their obvious connections to contemporary urban social problems, police regularly become part of the analysis and conclusions. Important findings about violence and fear (Caldeira 2000), race and class in favelas (Goldstein 2003), communal violence and lynching (Goldstein 2004; Godoy 2006), social networks and democratic hindrance (Arias 2006), democratic transformation in society (Holston 2008), and death squads (Scheper-Hughes 2004) have had spin-off effects on perceptions of police.

The epistemological basis of these studies is typically the urban poor or city dwellers affected by violence. This research advances our understanding of the (re)production of violence, fear, marginalization, racial discrimination, and democratic social movements in Latin America in numerous and invaluable ways. However, the knowledge generated by this kind of research should not be construed as more than perceptions of police and policing. This knowledge indicative of the social construction of police is important for understanding how citizens react to police, defer to their power (or not), and create a practical and personal understanding of why police do what they do. In short, it shows us how and why people from different spaces, racial backgrounds, and classes believe what they do about police, what they expect police to be, and how they interpret incidents of police violence.

The second body of knowledge about police emerges from research on police that is top down or structural in nature and that makes theoretical claims at the scale of the public security system or police organizations. This literature conceives of police as defined by organization- or system-sized problems, such as the operational legacy of dictatorship, which promotes corruption and the systematic use of extreme violence. Police organizations are paralyzed by corruption, typified by personalistic forms of control that are characteristic of a "rotten barrel" of corrupt police, as opposed to a few "bad apples" (Chevigny 1999; Hinton 2006). Yet, methodologically, this category of knowledge hinges largely on survey data; public statistics; and/or interviews with police press representatives, private citizens, or organizations that interface or clash with the police (Ahnen 2007; Pinheiro 2002; Bailey and Dammert 2006; Méndez, O'Donnell, and Pinheiro 1999; Ungar 2002; Caldeira 2002; Brinks 2008; Tulchin and Ruthenberg 2006).

Neither of these two bodies of knowledge can really tell us what police do or why they do it. To know this we must examine the police as an epistemological community with a situated knowledge of their own, and adjust our method(s) of data collection as a result. There are a handful of studies that should contribute

directly to debates about the nature of police organizations and institutions. In particular, two English-language ethnographies of Brazilian police examine the gendered aspects of policing in Brazil's women's precincts, shedding some light on violence, masculinity, and feminism within a distinct community of the CP in São Paulo and Salvador, Bahia (Santos 2005; Hautzinger 2007). There is also an important corpus of research on police by Brazilians (Lemgruber 1985; Zaverucha 2000; Minayo and Souza 2003; Sadek 2003). Two police ethnographies stand out. These come from Brazilians who worked in police organizations. In 1992 Guaracy Mingardi wrote about his experience as a member of the CP in São Paulo, arguing that street-level CP had distinct patterns of clientelism, operating with impunity and with near-limitless discretion. Luiz Eduardo Soares (2000) was a staff member of the governor of Rio de Janeiro's public security team. He details the pressures of politics, a network of drug traffickers running wild, and the internal disorganization of a public security system beholden to violent street-level police. For the most part, and despite their important contributions, these ethnographies of the police have not been recognized in debates about policing and democracy in Brazil. For good reason, there is a need to transcend the two dominant bodies of knowledge about policing, and to value research that produces a more insightful and grounded understanding of what police do, why they do it, and what that means for social change in fragmented and inequitable societies.

IN SEARCH OF AUTHORITY

In this analysis I borrow the conceptual lens of *authority* from Max Weber (1962). Weber provides a framework for identifying and examining the production of sources of authority within social relations. Authority, Weber argues, is a basis for social relationships, an indicator of accountability, hierarchy, and the intractability of social convention. Authority, as a social construct, is valid when individuals or groups repeatedly orient their actions and conduct to reflect a hierarchy or source of power. Authority is not linear or temporally defined; and mutually contradictory channels or systems of authority can exist within the same social grouping. Weber notes: "A person who engages in a duel orients his behaviour toward the observance of an honour code; but he also orients his conduct toward the criminal law by keeping the duel a secret or, conversely, by appearing in court" (1962, 73).

The production of authority is essentially a cultural question related to conduct and actions in the social group that is the police. But how do we know which actions and conduct produce authority? There are some answers in the police studies literature. A nucleus of research on policing in the global North follows a paradigm of symbolic interactionism, which subscribes to the idea that social life is negotiated and is in a constant process of construction as people act by evaluating, assessing, interpreting, defining, and symbolizing situations to themselves (Punch 1985, Holdaway 1980; Van Maanen 1973; Manning and Van Maanen 1977). For the police as much as any other social unit, narratives are a didactic tool that produce and reproduce structures of authority, hierarchy, and power (Richardson 1990). Following this paradigm, Shearing and Ericson (1991) argue

that police learn the normative, occupational, and practical parameters of policing from narratives, stories, and the conduct of their peers on the job. Knowing what authority is and how it is produced in police culture is ultimately embedded in the "figurative action" of police (Shearing and Ericson 1991). Figurative action is the illustration of context, examples of right, wrong, and success that provide a "vocabulary of precedents" that constitute the social parameters and guidelines of policing. Shearing and Ericson state that "police stories provide directions for *being* a police officer, guidance as to how officers should experience the world if they are to act as police officers within it" (491, emphasis in the original). In what follows I focus on the production of authority by investigating figurative culture in the Santa Clara precinct through narratives, bureaucratic practices, and interactions between police officers.

PUBLIC AUTHORITY: SENSING SURVEILLANCE

São Paulo has a handful of state agencies with the power to collect information, investigate, prosecute, and/or punish the CP for illegal activities and practices. Chief among these agencies are the public prosecutor (Ministério Público), the Internal Affairs Division (Corregedoria), the police ombudsman (Ouvidoria), and the Homicide Division (Departamento de Homicídios e de Proteção à Pessoa). These organizations must work together in the transfer of complaints, investigations, and evidence and the prosecution of CP officers involved in criminal activity. Yet since the democratic turn in the 1980s these organizations have faced criticism for their toothlessness (Brinks 2008).

The police at Santa Clara view these organizations, along with criminal defense lawyers, as encroaching on their discretionary territory by scrutinizing police behavior. By investigating police activities and carrying out prosecutions of wayward police officers, these organizations drive police to increasingly police themselves. This system of authority affects police through the public investigation and punishment of colleagues and coworkers, producing a process much like Caldeira's (2000) "talk of crime"—the everyday discourse of narratives, commentaries, conversations, and jokes that promote a "symbolic reorganization" of understandings and practices of fear. Similarly, among police there is a "talk of castigation" in which incidents of investigation at the hands of these organizations spread via police narratives, commentaries, and conversations. Grouped together by the police, these agencies are indicative of what I call *public authority*—publicly accessible state organizations that investigate police practices and push for greater accountability from the police.

One evening two teams congregated collegially during the evening shift change on the plantão. Tonight Vicente, an investigator, had a bee in his bonnet. Two days earlier members of the CP Homicide Division had come to his home to harass him about an incident involving another police officer, "I wasn't home . . . but they were sons of bitches with my wife. They wanted the jacket I was wearing . . . and they went through all of our closets to find it. When they got it they yelled at my wife that I was a killer that would be found guilty. They said they were going to find blood on it." Vicente had been working off duty with two other

police officers when they stopped at a bar (*barzinho*) for a beer. According to him, when his two colleagues got into a heated argument they left the table and went to the back of the bar to figure things out. Soon after, a gunshot rang out. One of the officers came back. His gun had accidentally gone off, he said. The other policeman was dead. Since the incident the Homicide Division had been following Vicente, threatening to expose him to his colleagues and calling him trash (*lixo*) for killing a fellow policeman.

As Vicente told his story many of the others nodded. Some had had run-ins with the Corregedoria putting pressure on them for supposed corruption or other problems. Silvia, a registrar, said two investigators from the division had come to her home recently and unexpectedly. As she related, "They came right in. 'Nice big house,' this investigator said to me, 'I wonder how you managed to afford this.' It's like they expect us to live in poverty. Because we are Civil Police we can't live a decent life." Heads around the group wagged in agreement. "But we can't do a lot of the things we used to do, now with all of these human rights and investigators around," said Janaina, a registrar. "It's true," piped in Renata, the investigator, "but sometimes we think we're God."

That sense of omnipotence, if it ever really existed for the CP, is gone. Renata continued, "Don't you remember what happened with Fernanda?" Weeks earlier a registrar had created a lot of upheaval after she was cornered by a lawyer for pocketing his client's cash. In the case in question, a foreigner had been brought in by the MP for drug possession and had the equivalent of two thousand dollars in his pockets. He had a lawyer, which was uncommon. Fernanda hid the money in a desk drawer. When the foreigner's lawyer questioned her incessantly about the money, Fernanda relented, "finding" the cash where it had been misplaced. The police in the precinct were irate, but not at the lawyer. They called Fernanda's whole attempt "stupid" and "foolish" for not recognizing the consequences. Renata synthesized this reaction, saying, "she should have known better than to do it when there was a lawyer around."

The presence of these agencies in police officers' narratives and discussions is an important indicator of the authority that police accountability agencies and defense lawyers have gained in Santa Clara. The way that police talk about the actions of public authorities suggests that normative positions about what is possible and impossible for police are informed, to some important degree, by their top-down and extraorganizational pressures. The punitive actions of these public authorities have a diffuse effect as they are reproduced through stories about police castigation, creating a shared sense of surveillance. As a result, the effect of public authorities drives police to construct certain limits on their behavior and extend that sentiment to their peers in the stories they tell and emotions they share.

INSTITUTIONAL AUTHORITY: SEEING IT FROM THE STATION

The Civil Police face severe constraints in technology, pay, and human resource capacity. Most incidents never receive crime scene investigations or are subject to procedures such as ballistics examinations or DNA tests. Many CP officers are

forced to take secondary employment (*bico*) to complement a meager salary that places them among the worst-paid Civil Police in the country. Though official crime statistics have fallen significantly over the last ten years, the investigation rate of crime reports hovers around 14 percent (SSP 2008). Yet despite these severe constraints, police must do their utmost, while advancing in their careers, to ensure that criminals are brought to account. This results in a normative pragmatism where police reconcile contrasting objectives, demands, and constraints, as well as notions of career advancement and political connectedness, in order to get the institutional job done.

The process of completing a case report incorporates these aspects of institutional authority. This is particularly true for high-priority, open-and-shut flagrante crimes. Flagrante crimes are largely the responsibility of delegados, who must coordinate the arresting officers (the MP), witnesses, evidence, and all statements to create a report that justifies preventative detention of a suspect. How police go about this, given certain constraints and normative outlooks, is central to the (re)production of institutional authority.

Early one morning two MPs brought in two suspects, two witnesses, and a victim related to an incident that had occurred late the night before. According to the MPs the two male suspects, who were transvestite sex workers, had attempted to carjack the victim's truck as he came to a stop at an intersection. As the victim slowed down at the stoplight, one of the suspects jumped through his open passenger side window, grabbing the victim's arm. A short tussle ensued in which the victim attempted to fight off the suspect. In the process the key broke off in the ignition shaft, spurring the victim to flee the driver's seat. At that point the second suspect came around the other side of the truck and entered the driver's seat before the two sped off down the boulevard. They didn't get far. Less than one hundred meters down the road, they hit the center median and careened back across to collide with two parked cars and a telephone pole, which subsequently fell all the way across the boulevard. Without seatbelts, both suspects suffered minor injuries to their heads, hands, and arms.

The account of the two suspects did not entirely contradict this account of the events. One significant difference emerged; the suspects claimed that the victim had invited them into his car for sex but had attempted to leave without paying. They had attempted to obstruct him from leaving, but after the tussle they had tried to flee to avoid persecution by the police. Two witnesses corroborated the account of the victim, however. One of the two witnesses had seen the incident in full while the other had only seen the car speeding down the avenue.

The delegado began the case report while sitting at a computer at the reception counter. He first took the report of a Military Police officer. Yet instead of taking a verbatim statement, he took the report by asking the officer clarifying questions about the events. Little dialogue occurred between the two as the delegado typed up the account. As he typed up the MP's statement, which the MP had only told in oral anecdotal form, the delegado took care and attention to the words being used, making sure to select words and verb tenses that implicated the suspects. Every few minutes, the delegado would pause over a discrepancy in the story and pose a (usually leading) question to the MP officer. These questions implied guilt

and sought confirmation for the actions of the suspects: "When the two came through the window, they punched and kicked the driver, right?" "They had a gun, didn't they?" "They wanted money, correct?"

In the course of the transcription of the events, the MP mentioned that there had been a third car that was hit, and that the owner of that car had also seen the incident in full. When the delegado asked where this witness was, the MP stated that the witness did not want to give a formal statement because he had to go to work. "Right," said the delegado, "then we won't put him in here." Once the delegado had completed the MP officer's statement, I expected him to summon the other MP officer for his version of the events. Instead, he simply copied and pasted the first statement, changed the name of the officer, and asked the first MP officer to call up the victim for his turn. The victim, though eager to tell his story, did not do much talking either. It occurred in much the same way as with the first MP. This continued until about three-quarters of the way through the statement, when the delegado was interrupted by an investigator and casually left the counter. After fifteen minutes or so of his absence, with the victim waiting for him to return, a member of the press approached the victim to ask if he would mind answering a few questions. As I watched, the victim retold every aspect of the story, including details that I had not heard from the MPs, the suspects, or the witnesses talking about the incident. As he related this divergent but factual account, he told the reporter that the two had grabbed his arm to keep him from driving away but did not physically attack him. They had really only wanted money and not to steal his car. As they were talking, the delegado returned. Noticing that a new individual was at the counter, he abruptly asked who she was. She identified herself as a reporter from a certain media company and was dismissed by the delegado, who said, "Please do not speak with him until I am finished."

Shortly after, when the delegado starting typing again, he asked the victim to identify which of the two suspects had jumped through the window. After a moment the victim said, "It was the one with the black shirt and the white pants." This confused the delegado, who knew that the one with the black shirt was not wearing white pants. He was wearing jeans. The one in the white pants was wearing a red shirt, he said. When he asked the victim to clarify, he couldn't. He said, in an exasperated tone while laughing, "I think it was the one in the black skirt, but I don't really know with these kinds of people." Everyone at the counter laughed out loud. The delegado then turned to me, knowing that I had watched them being fingerprinted, and asked, "So which one was it then? The one in the black, or the one in the red?" I was startled that he was asking me to identify which individual was the aggressor. Expecting that my answer, right or wrong, would incriminate one of them, I abruptly blurted, "I don't know." Just then, the first MP, overhearing the conversation, came over to try and clear up the misunderstanding. He said that is was the one in the black, not the one wearing the white pants. But when the delegado checked the statement he found that it contradicted what he had typed—that the one wearing the white pants had gone through the passenger window. With everyone thoroughly confused (yet still grinning), the delegado shouted for the investigator to "go and ask the prisoners which one jumped through the window." After a minute or two the investigator, who had not been

there for the conversation, came back and said, "The one from Rio de Janeiro admitted it was him." This left everyone entirely exasperated. As it turned out, the suspect in the black shirt was from Rio de Janeiro, causing the delegado to go back through the other statements to ensure that the story was the same.

The absence of lawyers on the plantão, except in cases where the suspect has the means to pay for one, allows delegados greater discretionary space. They can mold and re-create how and why crimes occur, how many people are involved, and what, precisely, the crimes were: armed robbery and carjacking, or amorous spat. The next day I inquired more deeply about doing a report with a delegado working a different case. What he had to say was telling: "The statements are like that children's game, you know, the one where the square must fit in the square hole and the star must fit in the star hole. If it doesn't fit, it doesn't work, so we have to work with the star to make it fit in the square hole."

Flagrante case files, said the delegado, are destined to be evaluated by a judge, who determines the strength of the case and the need for preventative deprivation of liberty in accordance with national and international legal codes. If the report that is passed on by a delegado cannot be positively adjudicated by a judge, then he hasn't done his job. He must use the tools at his disposal to file the edges of the star to ensure that it fits within the square hole of the rule of law. This approach, in which the ends justify the means, hinges on the need to figure out a solution despite having limited resources but overriding demands to make sure flagrante criminals don't get away.

As the arm of the state, the police carry exceptional power. With that power comes insularity and contrasting normative worldviews. Sometimes police abuse the power that they have vested in them as exceptional individuals. "They are criminals," said an investigator, "so either they don't deserve what they have, or it isn't theirs." In one such incident the MP brought in a young man they had arrested for robbery. As is customary, the young man was strip-searched by the investigators and his inessential belongings were removed and put aside. As the delegado filed the paperwork he called for the mother of the youth, who was already waiting in the seating area of the plantão, to come and take the belongings that would not accompany him to the detention center. As she was about to take the belongings, she asked the investigators to check whether he had been wearing a family heirloom gold chain. He had, an investigator said. However, the chain wasn't with his other things—a hat, a leather bracelet, and a wallet. The mother asked the investigator, who responded that he had put it in the boy's hat together with all of his other effects. She began nervously asking each police officer where it was. During the time that the youth had been booked and the chain last seen there had been at least six police, two juvenile detention staff, and myself in the area. When it became entirely clear that the chain was missing the mother became frantic, clamoring to each police person, and myself, for answers. The police became increasingly dismissive and stoic until the mother left, distraught, with only the hat, bracelet, and wallet in hand.

Police understand that they cannot run afoul of institutional boundaries, however. Police officers are easily transferred and it is widely understood that unpopular officers, those who get caught and punished, or those who are connected

to the wrong kinds of political circles may end up working (at least temporarily) in stations on the social and spatial periphery of the city. By contrast, there are two ways for police officers to progress in their careers—through political connectedness, which is fast, or formal benchmarks, which is slow. When an election takes place, a large-scale shifting occurs. Politicized individuals find themselves advancing quicker in their careers and placed in "luxury" stations (*delegacias de luxo*) where violence can be as low as in North America and policing resources are greater. And, when a precinct chief moves he calls his allies with him, making a precinct a pseudo-fiefdom of allegiance. Getting on the right side of this superior, and staying there, is important since it can define one's career, one way or the other.

CRIMINAL AUTHORITY: WHEN THE ILLICIT COMES HOME TO ROOST

In São Paulo, as other Brazilian and Latin American cities, the state does not hold a monopoly over violence throughout the urban space (O'Donnell 1993; Davis 2009). Powerful armed groups, such as the Primeiro Comando da Capital (PCC), control large parts of the urban periphery and exert pressure upon a police system suffering from organizational weaknesses (Denyer Willis 2009). The PCC and other criminal syndicates are not bound by territory, however. The influence of these groups may be concentrated in some areas but are diffusive over space, affecting policing and society broadly, as the case of Military Police .38 suggests. This can be attributed in part to the socioeconomic configuration of space in São Paulo and the concordant background of street-level police. Whether they work in these same areas or not, street-level police officers, both civil and military, are often residents of the same low-income communities controlled by criminal groups. Severing ties between police and criminal elements or armed groups is difficult, whether these ties emerge at the place of residence or the place of employment or are carried between the two. The divided organizational structure of the CP, which firmly distinguishes between education levels and career advancement prospects for investigators, prison agents, registrars, and delegados, means that police are not upwardly (or spatially) mobile. This situation, combined with dependence on a secondary source of income, leaves police susceptible to illegality.

The relationship between armed groups and police in Brazil is a key subject of debate. Some argue that the connection between the two constitutes an "illegal network" (Arias 2006), "symbiosis" (Mingardi 2007), or parallel power (Leeds 1996). Yet little is known about directionality and the coercive source of the problem. Here I suggest that criminal authority in the Santa Clara station reflects the existence of powerful criminal actors and organizations, the relative weakness and exposure of street-level police, and an asymmetric balance of power between the extralegal spaces occupied by these coercive criminal groups and the formal legal space of law and state power. Police are pragmatic and relatively autonomous actors that (must) find ways to navigate this asymmetry.

Sometimes police are forced to interact with criminal groups. This can occur in different ways, and in both the police station setting and while working off duty. Many Civil Police officers work off duty providing private security for

banks, shopping malls, and other elite businesses, which is a high-risk activity that places them in situations of violence. Hugo, an investigator, lifted his shirt one afternoon to show the scar of a bullet wound suffered while moonlighting as private security. "He got the worst of it though. One of them was an MP," he said, hushed. "They were trying to rob a place." Hugo didn't clarify further. He didn't really need to; it was clear that one of them—he or the off-duty MP—was involved in something unsavory.

Sometimes the relationship between criminal groups and police is even more vivid. Adão, a prison agent, told me one afternoon about some of the tricky details of managing a prison population of hundreds with only two or three police officers. Managing these prisoners, he said, was about creating a relationship of tacit respect and trust. This was good for both parties. "It's about balance," said Adão. "If you recognize some of their needs and give a little, they won't cause trouble when you go in. When the wife is visiting, when mom wants to pass some sweets along, it's good to let them know that you are looking the other way. If you do, they won't take advantage and be hard on you when you have to go in and pull someone out of there." When this doesn't occur, as in when a police officer chooses to mistreat or defame, the prisoners can exploit the weaknesses of the system in order to strike back. When the prisoners aren't accepted as a legitimate threat, coercion can change direction. Adão elaborated:

I had a colleague once who didn't care so much for the prisoners. He'd yell at them, beat them, and swear at them. He was transferred and I heard about him afterward from a friend. Where he was working he'd always told a particular prisoner at the end of his shift that he was going to his home to fuck his wife. He always said it, like every day. "I'm going home to your place tonight to nail your wife!" He thought it was really funny. Then one day, he and an investigator had to go in to pull someone out. As he opened the second set of jail doors the prisoners rushed out at him. His partner shot a couple of them with his shotgun, but he disappeared inside.

After a number of hours, Adão explained, the prisoners had let the investigator go in exchange for food. When he came out he was all bruised and his eyebrows were shaved. "Shaved?" I said, naively, wondering at once what the significance was and how there was a razor blade in the cell. "Why were they shaved?" Startled that he had to explain it, Adão indicated that in the prison population a certain type of prisoner was made to wear their demeaned position openly. "He never admitted that it had happened to him," said Adão, "but everyone knew it."

DISCUSSION

Police in the Santa Clara station are not organizationally resistant to democratic transformation. The picture is substantially more complex and contradictory. How Civil Police do their work is a product of different structures of power and authority that influence their decision making and pragmatism. Authorities—public, institutional, and criminal—are reproduced by those same motivations, fears, and objectives, creating an environment of contradictory but intertwined normative worldviews that define police work. The evidence suggests that the police are responsive to some democratic institutions but are constrained by

institutional factors such as lack of resources and tacit acceptance of certain forms of corruption. In addition, they face challenges posed by illicit sources, such as occasional power asymmetries with armed groups and other criminal elements that can drive police officers to collude. Three contradictory authorities exist, each carrying with it a different set of norms and practices. These notions and practices of authority are difficult to reconcile, creating an environment of contentious interests and competing notions of acceptable police behavior.

This street-level analysis allows us to revisit key problems in the field in at least four ways. First, an analysis of police practice provides a set of conceptual tools that can be used to disaggregate big concepts that, according to the literature, obstruct police reform. With regard to the notion of corruption, we can see two different types. The first, institutional police corruption, such as theft from prisoners, is quietly condoned. The second, criminal corruption, such as selling one's service weapon to criminal elements, is not. Institutional corruption is emblematic of police working within the normative worldview of the CP, doing what they can to make financial and professional ends meet, given the constraints and challenges extant in the institution. More severe or criminal corruption, on the other hand, depletes the monopoly on violence and weakens organizational capacity (even if it might be necessary for personal survival). Though these are two starkly different spheres of police action, they are regularly and simplistically grouped together as "police corruption." Recognizing these as two dramatically different empirical categories of malfeasance raises poignant questions about the reasons why police engage in one or the other and what can be done about it. Disaggregating static categories such as police corruption or police violence brings greater clarity to the dynamics of policing, allowing us to take apart other reified binaries (such as democracy/resistance, bad apple/rotten barrel) and to think about more pragmatic interventions for the resistances occurring at different scales.

This finding echoes the police literature from the global South in some ways. The discussion on corruption in this literature is mature, having developed and problematized categories and subtypes (Punch 1985; Shearing 1981; Sherman 1978; Reiner 2010). Even so, this literature does not delve into the question of monopoly of violence and directionality of coercion. The findings of the research presented here may be novel. Not only do police at Santa Clara engage in financial and process corruption, both subverting and abusing the special trust, they also interact with a criminal realm that is capable of reversing the coercive flow. The means and motivation of these police, potentially to protect themselves and their families from a larger threat, perhaps on their doorstep, suggests that a new analysis of police corruption is needed. The influence of the criminal realm as a driver of police behavior is a destabilizing dynamic that is unexplored in the literature on police in the North.

Second, I have attempted to show that police transformation can be obstructed by factors other than organizational resistance. How reports are done is a case in point. Delegados strive to ensure that bureaucratic documents fit within the rule of law, creating a product that is democratically sound. In other words, it stands up to outside scrutiny and reflects the checks and balances of preventative

deprivation of liberty for an individual. The problem is not the product, however. Many factors influence the process of doing a report. Resource constraints, institutional perspectives about criminals, and poor coordination with the Military Police affect how a delegado uses his discretion (which is reduced in the presence of a lawyer) to get the job done. The outcome is an awkward fusion of accountable product and unaccountable process. Taken as a whole, the democratic packaging of this formal product obscures the underlying problems from external, fleeting, or statistical observers.

Third, this analysis connects top-down police accountability efforts with the street-level experience of their mandate. Public authorities have an important role to play as they exert pressure on police, even if in imperfect and/or incomplete ways. In Santa Clara, the discretionary space of the police is limited by the influence of public authorities and reflects a vastly different environment than in years past. Mingardi's study of the CP in São Paulo in 1992 argues that police had unbridled discretion, working only under a set of clientelistic and extortionary arrangements between lawyers, informants, and police. No noticeable extraorganizational accountability existed, either public or criminal. Lawyers were a part of an institutionalized extortion scheme. This is not the case in Santa Clara. Here police recognize external public pressures and reproduce public authority by talking about castigation and investigation of police officers. They view public authorities as bothersome but legitimate, and they decry but comply with their influence.

Public authorities are important for limiting police discretion, but their capacity to do so is limited. The public prosecutor, the ombudsman, and internal affairs typically focus on more egregious problems such as extrajudicial violence, torture, and large-scale extortion. They are less able to cope with more everyday administrative malfeasance. Police therefore do not yet recognize them as pertinent to the bureaucratic sphere—scrutinizing statements, double-checking witnesses, or looking into whether a bloodied teen with a stolen gun really "hit his head." In this regard, lawyers are much more capable everyday actors who can surveil the system. But public defenders (*defensoria pública*) are difficult to access in São Paulo. Legal representation remains a strong indicator of socioeconomic position and/ or connectedness to large-scale criminal networks. Those who can afford lawyers are not the common criminals who police deal with routinely.

Inequitable access to legal defense speaks to the entrenched problem of impunity for the wealthy and to broad inequities in criminal justice. In fact, the presence of lawyers and their ability to limit the administrative discretion of police raises questions that threaten to reverse a common assumption about criminal justice in Brazil; that the wealthy escape punishment because of bribery, political ties, or extortion. We may now be in the position to ask whether lawyers are successful at keeping their clients from prison because they collude with police, or because they are able to (easily) poke holes in the administrative process. If the answer is the former, an important transformation has occurred in the criminal justice system. When the value of legal representation lies in the ability to cap police discretion and to cast a scrutinizing eye, as the evidence from Santa Clara

suggests, then there is a particularly vital place for public defense. Put on the plantão for flagrante crimes, public defenders may be able to exert heightened pressure upon a weak system, forcing it to respond by making everyday processes more predictable and accountable.

I have looked at the modes of resistance, contradictions, and antagonisms within the CP that are unexplored in the research to date. The first example, that of the .38 revolver, demonstrates that notions of democracy can coexist with institutional and criminal connectedness in a single incident, creating a complex and antagonistic amalgam of worldviews about what is good policing. In this case none of these worldviews, or the authorities that they speak to, appear to have the upper hand. At once, Renata expresses some sympathy for old-style policing while also praising the MPs for resolving the issue without causing serious harm. On the other hand, the MPs take down the teens without killing anyone—a success, in historical terms—but beat one of them until his hair is stained red with blood. In another twist, the police delegado writes the incident up in a formal report that contains no legal loose ends, despite deep holes in the MPs' statements and knowledge that they beat one of the teens. To top it all off, a police gun sold into crime underscores the whole event, bringing into question the integrity and monopoly on violence that the police are supposed to have as a premise of their legitimacy in society. Sometimes these antagonisms are particularly troublesome. Criminal groups are a very real and powerful component of the terrain of illegality in the city of São Paulo. As a result, police are forced to respond pragmatically to coercion from this realm by granting personal concessions, providing greater legal leeway, or at worst, engaging in more sustained collusive relationships.

This is an avenue for further research. Decisively little is known about the breadth of criminal group influence particularly as it varies across the urban space or in different cities. How do police and organized criminal groups reconcile their mutually contradictory differences? How those reconciliations shape the face and practice of public security across disparate security environments is a central challenge for ensuring that police are accountable to democratic agencies.

We also do not know what the antagonisms of public, institutional, and criminal authorities mean for the process of transformation. I cannot claim to know whether this analysis is a snapshot of change toward the positives of openness and accountability, toward the negatives of criminal elements or greater police discretion, or to some undefined state in between. To be sure, Brazil's major cities are petri dishes of inequality, criminal violence, and state deficits that in many ways mirror the structures of authority and the degree of antagonism apparent in Santa Clara. We need to know more about how the street-level experience of policing, both in police stations and on the beat in cities like Rio de Janeiro, Mexico City, and Caracas, connect to the larger challenges of democratic transformation in inequitable societies. To do this we must be mindful to transcend existing bodies of knowledge and their accompanying assumptions. This often means employing lesser-used methods and reaching into epistemological communities that, though contentious or unpopular, can provide us with novel ways to revisit reified concepts and their precast solutions.

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