

University of Nevada, Reno

**Public Acquiescence of Police Brutality and  
Extrajudicial Killings in São Paulo, Brazil**

A dissertation submitted in partial fulfillment of the  
requirements for the degree of Doctor of Philosophy in  
Social Psychology

By

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May 2006

UNIVERSITY  
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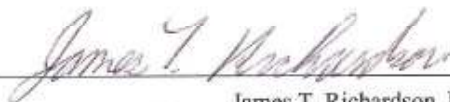
**DANYA JOAN PETERS**

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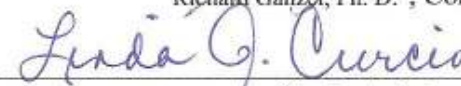
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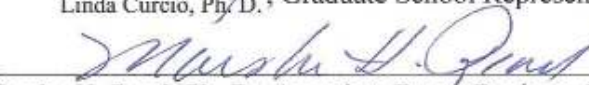
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## **ABSTRACT**

The purpose of the current research was to take a social psychological approach to understanding public acquiescence and support for extra legal police violence in Brazil. Data were drawn from research conducted by NEV- CEPID/FAPESP. The sample consisted of 1000 youth and adults age 16 and greater in the city of São Paulo who were representative of the general population based on sex, age, education level, occupation, and geographic area (with an oversampling of people from violent neighborhoods). T-tests and ANOVA techniques were utilized to explore group differences in support for citizen and police extra-legal violence based on race, social class, and gender. Structural equation modeling (SEM) was then used to estimate a mediational model of the relationships between environmental influences (direct and indirect victimization, as well as the presence of neighborhood incivilities), general justice related judgments and paradigms (the justice system as inefficient and ineffective, the traditional human rights paradigm, and the emerging human rights paradigm) and support for specific kinds of extra legal violence (support for citizen vigilante justice, support for procedural violence by the police, and support for retributive violence by the police). As hypothesized, direct victimization, indirect victimization, and neighborhood incivilities were all positively associated with fear of crime. In turn, fear of crime was negatively associated with adopting the emerging human rights paradigm and positively associated with viewing the justice system as inefficient and ineffective. Unexpectedly, fear of crime was not associated with a more traditional human rights paradigm. However, the emerging human rights paradigm was negatively associated with support for citizen vigilante justice, as well as support for procedural and retributive violence by the police. Conversely, the traditional human rights paradigm was positively associated with support for all three types of violence. Furthermore, viewing the justice system as inefficient and ineffective

was positively associated with support for citizen vigilant justice and retributive violence, but, unexpectedly, was not related to support for procedural violence. Theoretical implications of the results are discussed.

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## CHAPTER 1

### INTRODUCTION

#### 1.1 BACKGROUND

Local law enforcement in Brazil is generally supplied at the state level by a force of civil police who investigate crimes and a force of military police who deal with the day-to-day law enforcement and maintenance of public order (Human Rights Watch, 1994; Pinheiro, 2000; U.S. Department of State, 2003). Extra legal police violence at the state level by the civil and military police forces, including torture of criminal suspects and prisoners, as well as extrajudicial killings of civilians by the police, continues to be a serious national problem throughout urban and rural areas of Brazil (Pinheiro, 2000; U.S. Department of State, 2003).

Torture of suspects and prisoners is illegal in Brazil. Brazil ratified the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984 (Rodley, 2001). Furthermore, torture is prohibited under the Brazilian Constitution and was criminalized in a 1997 law (Pinheiro, 2000; U.S. Department of State, 2003). Regardless of its illegality, torture is used by both civil and military police during investigation and detention of suspects and convicted criminals (Pinheiro, 2000; Rodley, 2001; U.S. Department of State, 2003). Complaints to a national Ministry of Justice torture hotline totaled 873 in 2002: police actions in São Paulo state received the most complaints, followed by Minas Gerais, Bahia, Para, and Rio de Janeiro (U.S. Department of State, 2003). However, these complaints are likely only a fraction of actual incidents of police torture. A report by NGO Justiça Global indicated

1,631 cases of torture in São Paulo prisons alone during 2002 (U.S. Department of State, 2003).

Widespread excessive use of force can also be seen in the number of police homicides of civilians. Official reports released from the São Paulo State Secretary for Security and the São Paulo police ombudsman indicate that police in São Paulo killed an average of 59 to 69 civilians a month in 2002, a marked increase over 2001 rates (U.S. Department of State, 2003). Although the state of Rio de Janeiro stopped releasing records of police homicides in 2000, earlier records demonstrated similar increasing problems in Rio de Janeiro. Police homicide nearly doubled in the city of Rio de Janeiro from 1997 to 1998 and from January through October of 1998, the police in Rio de Janeiro had already killed 511 people (U.S. Department of State, 2000). It is very difficult to divide these cases into legitimate and illegitimate police action, because documents filed by policemen in cases of extrajudicial killings are almost always falsified. Nearly without fail, the policemen involved report that the victim(s) had been resisting arrest. However, a study done by the Institute for Religious Studies (ISER) in 1997 found that 40 of the police homicides that they studied in Rio de Janeiro “clearly demonstrated execution-style deaths, where victims were first immobilized and then shot at close range” (U.S. Department of State, 1999, pg. 517)

In 1995 an execution style death received international attention when the event was recorded by television crews who happened to be filming in the area of the incident. Cristiano Moura Mesquita was captured in front of the Rio Sul shopping center after robbing a pharmacy with an accomplice. After surrendering to the police, Mesquita was ordered by military police corporal Flavio Ferriera Carneira to kneel, at which point he shot Mesquita in the back of the

head at point blank range. In a more recent incident in 2000, Sandro do Nascimento was strangled to death in a police vehicle by several policemen following his capture after he had held six people hostage on a city bus. After a four and a half hour televised stand-off with the police, Nascimento attempted to exit the bus with a young woman. The woman was killed during gun fire between Nascimento and the police. Although medical evidence showed that Nascimento had died of asphyxiation due to strangulation, the policemen involved in the incident returned to work after 30 days of disciplinary prison, the maximum amount of time allowed under military police by-laws (Folha de São Paulo, July 13, 2000). Intentional homicide charges were brought against the policemen in the strangulation death of Nascimento, but later all men were acquitted (Rohter, 2003)

In the past, military police courts separate from the civil courts exacerbated the prevalence of torture and extrajudicial killings by lending an air of impunity to offending officers (Human Rights Watch, 1994; Pinheiro, 2000). Military police courts were unwilling to lead exhaustive investigations of fellow officers (similar to the “blue code of silence” in the United States<sup>1</sup>) and almost never convicted them of crimes. However, in 1996, a law referred to as the “Bicudo” Law was passed which gave civil courts the jurisdiction over intentional homicides. Despite the passage of the Bicudo Law, very few cases have been handed over to the civil courts because the police force continues to have the authority to determine whether a police homicide was intentional (U.S. Department of State, 2003). Therefore, this new law has had minimal impact on the prosecution of policemen for intentional homicides or on the rate of extrajudicial killings. Also contributing to the problem have been the death threats that witnesses, prosecutors, judges, and human rights monitors often receive when they become involved in an investigation of misconduct (U.S. Department of State, 1995). Similarly, because lesser charges

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<sup>1</sup> See Skolnick (2002) for discussion of the “blue code of silence” in the United States.

of police misconduct, such as torture, continue to be under military court jurisdiction, delay tactics by other policemen or military court judges result in the statute of limitations running out, adding to the air of impunity for improper police action (Pinheiro, 2000; U.S. Department of State, 2003).

Even in unambiguous cases of extra legal police violence, the majority of people in Brazil have supported violent police action as a legitimate means of procedure and punishment. Polls taken after the execution of Mesquita showed that the majority of people in Rio de Janeiro (upwards of 60% of those surveyed) said that they supported the action of police corporal Carneira (Human Rights Watch, 1996; Prillaman, 2000; U.S. Department of State, 1996).

After the Nascimento incident, public opinion showed widespread disgust with the police actions that led to the death of the woman; however, there was a much smaller focus on the strangulation of Nascimento (Veja, June 21, 2000). This public uproar contributed to the passing of a national public security plan in June of 2000 that focused heavily on crime fighting, but included no measures to curb police violence (Human Rights Watch, 2001; Veja, June 28, 2000). Director Jose Padilha created a documentary called *Bus 174* that chronicled the standoff between Nascimento and the police, including images of the emotional aftermath for the surviving hostages and information about Nascimento's early life as a street kid and survivor of the 1993 Candelaria Massacre (a famous incident where a death squad of off-duty police officers and others open fired on a group of sleeping street children in Rio de Janeiro). Tellingly, after the premier of *Bus 174* in Rio de Janeiro, Yvonne Bezerra de Mello, a woman who appeared in the documentary discussing the plight of street children, did not receive any offers of assistance for her school program for street children. In her own words: "Instead, I got threatening letters

saying that I was responsible for that young women's death and should stop protecting juvenile criminals..." (as quoted in Rohter, 2003).

Although all Brazilians may not explicitly support extra legal police violence, acceptance and acquiescence of police brutality and extrajudicial killings is widespread. This was demonstrated in 2002 when retired police colonel Ubiratan Guimaraes won a bid for the São Paulo State Legislative Assembly in a democratic election *after* being convicted of murder for his part in the death of 111 inmates during an uprising in Carandiru prison in 1992 (U.S Department of State, 2003). Guimaraes' appeal for the murder convictions is still pending.

As is evident in the discussion above, there appears to be large inconsistencies between laws and practice in Brazil, at least within the domain of extra-legal police violence. Not only have laws not been followed as written with regards to the due process of suspected criminals, when discrepancies between police behavior and the law become evident, these instances of illegal violent police behavior have often been supported by the public. On the surface this may indicate a breakdown in the rule of law in Brazil; however, this would not take into account the existence and operation of alternative, more informal justice rules. As Brinks (2003) has noted:

Since most Latin American countries have adopted laws that embody liberal democratic guarantees of individual rights, many of the democratic deficiencies that observers point out can be restated as the failure of actual practices to live up to the formal laws....This conceptualization may conjure up images of anomie, of lawlessness. In fact, what is observed in many cases is not the absence of rules, but the presence of alternative rules, which are often labeled informal institutions or informal rules. (pp. 2-3)

These informal justice rules reflect the complex interplay in Brazil between egalitarian and hierarchical ideals. Formal laws have been written using egalitarian principles which protect the

individual rights of everyone, while informal justice rules protect hierarchical power relationships within Brazilian society by safeguarding distinctions based on deference and respect. The current research will try to identify how these formal and informal justice rules function with regards to support for police violence within the Brazilian context.

## **1.2 PURPOSE OF THE STUDY**

The current research will take a social psychological approach to understanding public acquiescence and support for extra legal police violence in Brazil. Research efforts will focus on identifying cultural influences, as well as day-to-day experiences of citizens in Brazil, that promote the development and maintenance of attitudes that support police violence as acceptable and desirable, or at the least, as defensible. Hypothesis testing will focus on the day-to-day experiences that promote support for police violence as a means of social control via beliefs about human rights and the inefficiency of the Brazilian justice system.

## **1.3 THEORETICAL FRAMEWORK**

The current research takes a post modernist approach to the understanding of the creation and maintenance of attitudes about police violence in Brazil. I use a social constructionist view which assumes attitudes are socially constructed by people as they try to make sense of their social world. This view of attitudes as social constructions is becoming more and more accepted within the field of social psychology as a whole (see Jost & Kruglanski, 2002; Schwarz, 2000; Stainton Rogers, 2004; Wilson & Hodges, 1992). By studying the discourse through which

people create meaning we can gain a better understanding of why people think and act the way that they do.

The study of attitudes within social psychology has a long and rich history. Many definitions of the attitude construct have been articulated over its relatively long history within psychology. Broad definitions of attitudes have been preferred by many researchers, such as Ajzen (1989), Pratkanis (1989), and Eagly and Chaiken (1993). Specifically, Ajzen (1989) viewed an attitude as, “an individual’s disposition to respond favorably or unfavorably to an object, person, institution, or event, or to any other discriminable aspect of the individual’s world” (pg. 241). Similarly, Pratkanis (1989) defined an attitude as, “a person’s evaluation of an object of thought” (pg. 72) and Eagly and Chaiken (1993) define an attitude as “a psychological tendency that is expressed by evaluating a particular entity with some degree of favor or disfavor” (pg. 1). All of these definitions, as do most definitions of attitude, share two elements: an attitude object and an evaluation of that attitude object.

Attitudes are generally conceptualized and treated as latent variables that cannot be directly observed, but rather can be inferred from various measurable responses (Ajzen, 1989; Eagly & Chaiken, 1993, 1998). Specifically, attitudes are inferred from observable cognitive, affective, and behavioral responses that express evaluations of an attitude object. Although traditionally a tripartite model of attitudes that includes cognitive, affective, and behavioral components has been widely accepted (as well as widely debated), Eagly and Chaiken (1993) argue that the three components should instead be thought of as classes of evaluative responses that potentially can be observed under some, but not all circumstances.



Experience with an attitude object, whether direct (i.e. through personal experience) or indirect (i.e. through cultural learning), is usually an antecedent to attitude formation (Eagly and Chaiken, 1993). This experience can generate thoughts or beliefs, feelings or emotions, and behavior or intentions to behave as evaluative responses towards an attitude object via cognitive, affective, and behavioral processes, respectively. How life experiences effect the formation and structure of various political attitudes will be a major focus for the current research. These resulting attitudes are thought to have an internal structure (that is, between the observed affective, cognitive, or behavioral responses), as well as an external structure between different attitudes (that is, between attitudes organized in cognitive networks). Most researchers assume a consistency between classes of evaluative responses *and* between attitudes in a cognitive network, to varying degrees (see Ajzen, 1989, and Eagly & Chaiken, 1998, for discussion). Expressly, the directions of all evaluative responses towards a single attitude object should be the same (i.e. positive, neutral, or negative) and implicational relations between attitudes should follow reasoned logic.

In the current research, attitudes are understood to be less global and less central than, but functionally related to, values (Rokeach, 1969). Inconsistencies between attitudes and values are presumed to create cognitive dissonance. Attitude change has been demonstrated in research where inconsistencies between attitudes and their more centrally held values are brought to the attention of research participants (e.g. Kehoe, 1975). However, cultural differences in the level of discomfort experienced when attitudes are inconsistent with relevant values have largely been unexplored.

According to Stainton Rogers (2004), a social constructionist approach to knowledge asks, “what does it do?”, “whose interest does it serve?”, “what does it make possible?” The current research will spend a considerable amount of time focusing on the second question, particularly as it relates to power concerns of race and social class. In line with the thinking of Jost and Kruglanski (2002), the current research accepts as true that human thought can only be, “understood in relation to specific historical, cultural, and ideological contexts” (pg. 169), and, as such, will try to identify many historical, cultural, and ideological concerns that influence public discourse surrounding the acquiescence of police violence in Brazil.

#### **1.4 SIGNIFICANCE OF THE STUDY**

“The transformation of cultures of violence into cultures of peace is the greatest challenge facing humanity on its journey into the new millennium” (Brenes & Wessells, 2001)

Transforming cultures of violence into cultures of peace has long been one of the main goals of the United Nations (United Nations General Assembly, 1998). Human rights organizations within Brazil, both governmental and nongovernmental, are likewise interested in building a stronger culture of peace in Brazil. Cultures of peace embrace nonviolence and respect for human rights. Police violence, as well as popular support for and acquiescence of police violence, constitute major obstacles to building a stronger culture of peace in Brazil. Attitudes about human rights are formulated not only through international debate, but also

through the day to day experiences of people. The paradox of supporting police violence is that the violence spreads and those who support it may be victimized by it (Caldeira, 2000).

The current research will attempt to identify relationships between every day experiences and a variety of justice related attitudes of Brazilians living in the city of São Paulo . Festinger (1957) originally formulated the idea that inconsistency between attitudes creates dissonance and a motivation to return to balance. This would imply a change in one attitude could spread to related attitudes (see McGuire, 1989, for discussion). A better understanding of the antecedents and consequences of justice-related attitudes in Brazil holds potential for changing the way that Brazilians view the human rights of criminals. As such, the current research, with the goal of a better understanding of public support for police violence, has implications for decreasing public acquiescence of police violence and building a stronger culture of peace in Brazil.

## CHAPTER 2

### REVIEW OF THE LITERATURE

#### 2.1 SOCIO-CULTURAL CONTEXT

An understanding of the socio-cultural context of police violence in Brazil is essential to understanding support for such violence. Historical, cultural, and ideological concerns provide the context within which people make sense of their daily experiences. This section will address the following research questions:

1. What role, if any, do social class and race play in the public acquiescence of police brutality and extrajudicial killings?
2. Why do many Brazilians apparently not define torture and extrajudicial killings as human rights violations?

I will begin by discussing cultural beliefs about social class and race that guide the interpretation of the day-to-day experiences of Brazilians. These cultural beliefs about class and race are important components for understanding support for extra legal police violence in Brazil. I will then discuss why many Brazilians do not define torture and extrajudicial killings as human rights violations. Via this discussion, several issues will emerge that will form the basis for analyzing public support for police violence for the current research.

### 2.1.1 Social Class and Race in Brazil

Historically, the police in Brazil have been used to suppress lower classes for the benefit of the upper classes. However, Holloway (1993) has argued that no Brazilian, from any class, would interpret the historical role of urban police from a view of consensus or legitimacy. Instead, proponents (i.e. the majority of Brazilians) have seen the police forces as “necessary agents of order and discipline” (pg. 5), while critics (i.e. mostly academics) have seen the police as “the authoritarian state in repressive action” (pg. 5). However the police are perceived, both civilian and military police have historically played an important role in Brazilian politics.

From 1964-1985, Brazil was ruled by a military dictatorship. The military government controlled its people by limiting their civil liberties. Strict censorship and an intolerance of liberal ideas led to the disappearances or expulsion of many people, including priests, journalists, students, artists, and university professors. In this environment, where nearly any political action was perceived as espionage against the military dictatorship, the military used torture in an effort to quell dissident groups. Although there were rumors of widespread use of torture during the military rule, the extent of the use of torture became known only after the military dictatorship surrendered power in 1985.

In 1973, Amnesty International published a report on allegations of the use of torture in Brazil. They had received numerous complaints from former political prisoners or their families, but when they tried to investigate these allegations, they obtained very little cooperation from Brazilian authorities. These depositions led Amnesty International to conclude that the torture had been implemented by a “multiplicity of security services” with torture that had been “well-studied and developed” (pg. 46).

The Roman Catholic church played the most significant role in chronicling the use of torture by the Brazilian military during the military dictatorship. The Archdiocese of São Paulo secretly recorded the extensive use of torture in a book they published in 1985 entitled “*Brasil: Nunca Mais*.”<sup>2</sup> Within two weeks of publication, this book reached number one on the Brazilian best-seller list. After 91 consecutive weeks on the list, *Brasil: Nunca Mais*, was one of the “country’s all-time best-selling nonfiction works” (pg. xiv, Dassin & Wright, 1998). After the repressive military state had surrendered power, people began to express moral indignation that the rights of many Brazilians had been violated. Indeed, up to the present time, evidence of human rights abuses during the rule of the military dictatorship continues to anger public opinion (Rohrer, 2004).

How do we reconcile this outpouring of outrage over police violence during the military dictatorship with evidence of unconcealed indifference toward or support for police violence today? In Brazil, as in most other countries, issues of race and class influence the application of human rights and appear to differentiate between the victims of torture during the military dictatorship and the victims of torture and extrajudicial killings today.

Brazil is widely viewed as an authoritarian society (Fernandes, 1991; Shirley, 1987). Economic and political power were historically concentrated in the hands of a small, originally landed, elite whose members desired to control a slave class, and later, a peasant class. As a result, Brazil has been a society built on clear class distinctions. Della Fave (1986) seeks to explain the reproduction of stratified social orders by looking at the process by which it is legitimated not only by those people who have the most

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<sup>2</sup> English translation of title: “Brazil: Never More.” Published in English by the University of Texas in 1998 under the title “Torture in Brazil: A shocking report on the pervasive use of torture by Brazilian military governments, 1964-1979”, prepared by the Archdiocese of Sao Paulo, translated by Jaime Wright, and edited by Joan Dassin

wealth and power, but also by those who have very little. Della Fave referred to legitimation of inequality as the normative approval of stratification. He used self-evaluation theory to show “how legitimation is reproduced by describing the process through which existing unequal distributions of wealth and power in the society at large translate into congruent *norms* of distribution which become an integral part of the self-identities of the members of a society” (pg. 478). In congruence with equity theory, those people with the most resources believe that they have these resources as a result of their own actions. Likewise, people with fewer resources also see their share of the resources as fair, even though they may like to have more. Why would people invest in their own subordination? According to Della Fave (1986), the day to day life of people includes learning how to function socially—to be able to “fit in”. Everyday knowledge about appropriate behavior includes norms of subordination and superordination. Because these norms go unquestioned in daily life, any deviation from or attempts to change them are seen as abnormal or out of touch with reality. In other words, day to day reality, i.e. what you have to do to survive (particularly for those people who have very little wealth and power), reinforces equity norms, which reinforces the legitimation of inequality.

The process involved in the legitimation of the use of violence by the police is similar to, and partially a product of, this legitimation of inequality. It is grounded in the day-to-day lives of Brazilians. This reality includes norms of subordination and superordination, which view the poor, at the very least, as less deserving. People from upper classes hold a paternalistic view of the poor, and they physically and psychologically distance themselves from the poor. According to Caldeira (2000), this

psychological distancing is achieved by creating symbolic fences in the form of stereotypes and prejudices of the poor, as well as literally constructing material fences to create physical separation. Although upper class people recognize the poor as having little opportunity to improve their conditions, at the same time they blame the poor for their inability to rise above poverty and doubt their capacity to run their own lives and contribute to society (Caldeira, 2000). Because the victims of police violence are likely to be residents of poor neighborhoods (SEJUP, 1997), upper class Brazilians have little empathy, as a result of the social distance individuals have carefully constructed in the present as well as the social distance Brazilian society has constructed in the past.

Although one might predict lower class Brazilians would be less likely to support police violence because there is less distance between them and victims of police brutality, the poor seem to use the same stereotypes and prejudices that are used against themselves by upper class people to discriminate against those who are in even worse conditions (Caldeira, 2000). They “emphasize their own dignity, cleanliness, good citizenship, home ownership, and good family” (Calderia, 2000, pg. 80) to create distinctions between themselves and other poor.

In order to understand the complex, and often seemingly contradictory, Brazilian notions of race, it is important to look at the historical development of racial ideology in Brazil before and since the abolition of slavery in 1888. Similar to the United States, Brazil had a history of slavery beginning during its colonialization period, when miscegenation was freely practiced (Skidmore, 1974). However, unlike the dichotomous racial classification system in the United States, “mixed-blood” mulattos were recognized as a separate racial category in Brazil (Skidmore, 1974). The significance of this is that



racial categorization in Brazil has always been more fluid than in the U.S. The mulatto population was allowed limited upward mobility based on physical and cultural “whiteness.” That is, the fairer skinned and more educated, wealthy, and polite a person was, the more likely s/he would be able to move up the social ladder (Skidmore, 1974). During the end of the 19<sup>th</sup> century and the beginning of the 20<sup>th</sup> century, the Brazilian elites were looking for a solution to their “negro problem.” They were willing to accept racial ideologies popular in the United States and Europe that whites were superior; however, the reality in Brazil was that a larger and larger portion of the population was becoming mulatto and upwardly mobile. This tension was resolved with the Brazilian theory of “whitening” which assumed that, “miscegenation did not inevitably produce ‘degenerates,’ but could forge a healthy mixed population growing steadily whiter, both culturally and physically” (Skidmore, 1974, pg. 65). As a result, there has never been a strong movement within Brazil to separate people based on race, and, in fact, efforts to raise racial consciousness through distinctions are still considered racist.

A legacy of the theory of whitening is the belief held by most Brazilians that Brazil is a racial democracy—in effect, that race is not an issue. In fact, the great majority of people have a hard time distinguishing between racial discrimination and other forms of oppression in Brazil (Hanchard, 1994). However, patterns of discrimination in social relations indicate that the consequences of race are substantial. For example, research in the 1960s sponsored by UNESCO began to show that the darker a person’s skin was, the more likely s/he would fall within the lowest levels of income, occupational prestige, and education (Skidmore, 1974). More recently, Hanchard (1994) has argued that the social implications of being black in Brazil continue to include having

a lower standard of living and less access to health care and education. Moreover, blacks are also more likely to be victims of torture and extrajudicial killings by the police (SEJUP, 1997). Despite this evidence that race does matter, most Brazilians subsume issues of race under the umbrella of class barriers (Skidmore, 1974), and in many ways race and class are inexplicably linked. Nonetheless, “disparities in income and job attainment between blacks and whites actually increase, in both relative and absolute terms, as one moves up the educational ladder: the more education that black job seekers obtain, the farther they fall behind their white peers in the competition for good jobs and salaries, and the greater an impediment discrimination seems to become” (Andrews, 1991, pg. 235). So, evidence suggests that race has negative effects, independent of class effects. However, the cultural myth that race is not an issue in Brazil is strongly held by the majority of Brazilians and has serious consequences for the incidence of discrimination in Brazil. Without motivation to reduce racial stereotypes, Brazilians are guided by prejudiced beliefs to exclude certain groups of people from access to human rights.

Those people who have been tortured and killed by the police in contemporary Brazil are predominantly Afro-Brazilian men who live in lower class neighborhoods (SEJUP, 1997). According to Benedito Domingos Mariano, police ombudsman for the city of São Paulo , “during the time of the dictatorship the middle class opposed torture because their children were the victims. Today nobody pays attention to it because it takes place on the poorer peripheries of the cities” (SEJUP, 1997). As in all societies to varying degrees, race and class issues in Brazil form the lens through which extra legal police and citizen violence should be viewed. Cultural beliefs about race and class inevitably effect developing beliefs about the human rights of poor

minority criminals. The way that people talk about crime and criminals is frequently “marked by prejudices and stereotypes” (Caldeira, 2000, pg. 35). Relative to citizens living in lower class neighborhoods, Brazilians from middle and upper social classes are less aware of the extent of the use of torture and extrajudicial killings by the police because they insulate themselves through security measures. However, even when middle and upper class people are made aware of unambiguous cases of police violence, they can easily appeal to pre-existing stereotypes about the poor or blacks or poor black criminals to justify their beliefs that violent police action is just. Similar justifications can be used by people from lower classes. Although they are more aware of the use of torture and extrajudicial killings because they are more often confronted with this reality, the poor create social distance by making a distinction between themselves as law-abiding citizens and the criminals as undeserving law-breakers. Salient group identity becomes “law-abiders” versus “law-breakers” instead of members of a common race or class (Caldeira, 2000; N. Cardia, personal communication, August 9, 2000).

### 2.1.2 Police Violence and Human Rights in Brazil

Forsythe (2000) viewed human rights as, “those fundamental moral rights of the person that are necessary for a life with human dignity” (pg. 3). This definition of human rights, as well as most human rights laws that have been developed, documented, and disseminated by the United Nations, presume a particular natural rights tradition which assumes equal protection of every person within a society. However, as Schoeman (1982) has argued, natural rights are, “not typically regarded as entitling people to unrestricted liberties even within the domain explicitly covered by rights” (p. 132). A balance must be struck between the rights of individuals and the duties of individuals to

others and to society as a whole. Human rights cultures within societies are socially constructed through this discourse about human dignity and human responsibility.

Although violations of human rights are still common place around the world, Brazil is distinguishable in its widespread opposition to the legitimacy of the idea of human rights (Caldeira, 2000). Evans (1998) has argued that the powerful in a society socially construct human rights norms in a self-serving and exclusive manner. Evidence of this process can be seen in Brazil. As discussed above in the section on the effects of race and SES, Brazilians have not always opposed the legitimacy of human rights. On the contrary, when middle and upper class Brazilians were political prisoners during the military regime, there was widespread support for groups demanding respect for the human rights of these political prisoners. It was not until these same groups tried to extend ideas of civil rights to the general prison populations that opposition began (Caldeira, 2000).

This social construction of human rights within Brazil has resulted in the development of two competing human rights paradigms: a traditional human rights paradigm that focuses on the duties of the individual to society and an emerging human rights paradigm that focuses on the rights of the individual. The traditional human rights paradigm is traditional in the sense that it is largely grounded in the historical hierarchical organization of relationships between people in Brazil. An organizing principle in the traditional human rights paradigm is the recognition of the legitimacy of these hierarchical relationships wherein some people are more deserving of all things, and more specifically of human rights protection. At times the traditional human rights perspective can appear very Orwellian: all people are created equal, but some people are more equal than others (Orwell, 1946). This greater deservingness is largely based on race and class

issues, as discussed above. Also inherent in this traditional human rights paradigm is the recognition of the interconnectedness of all people. Breaking the social contract (in this case, by being a suspected criminal) elicits high levels of offense because group membership is so salient in everyday life. Exclusion of certain groups of people from access to human rights (i.e. poor, black criminals) is legitimated within this traditional human rights perspective because those who are excluded have broken the social contract with their alleged criminal behavior.

Within this traditional human rights paradigm, when some people (including different human rights groups in Brazil) try to extend human rights protection to criminals, the concept of human rights itself is often trivialized or thought of as silly or useless. Caldeira (2000) traces the origins of this opposition to the time period between 1983 and 1987 when Franco Montoro was the governor of the state of São Paulo. During his time as governor, he placed great emphasis on human rights, particularly on curbing police violence and improving prison conditions. Unfortunately, as Caldeira (2000) points out, also during this same time period violent crime increased significantly and people became very concerned about public safety. Political opponents of Montoro and his administration publicly equated rise in crime with Montoro's support for the human rights of criminals. Many negative beliefs about the legitimacy of human rights were being expressed, including criticisms that using public funds to improve the treatment of criminals was sacrificing funds which could be used to improve the situations of hard working poor, that by protecting the human rights of criminals the government was not protecting the public, and that protecting the human rights of criminals gave criminals the "right" to commit violent crimes (Caldeira, 2000). Although strong resistance to the legitimacy of the idea of human rights lessened some during the 1990s, these arguments are still commonly used when discussing human rights (Caldeira, 2000).

According to Caldeira (2000), the way that many Brazilians talk about crime and criminals is marked by oversimplifications and stereotypes where criminals are viewed as evil and disconnected from other people, and through this discourse become dehumanized. A major consequence is an under-development of the idea of penal proportionality, where the consequences for theft are as steep as the consequences for rape or murder because all criminals are seen as equally undeserving. This “talk of crime is...at odds with the values of social equality, tolerance, and respect for others’ rights. The talk of crime is productive, but it helps produce segregation (social and spatial), abuses by the institutions of order, contestation of citizens’ rights, and, especially, violence itself” (Caldeira, 2000, pg. 39).

On the other hand, the emerging human rights paradigm in Brazil draws strongly from the more egalitarian human rights doctrines espoused by the United Nations. Accordingly, because of an acceptance of the natural rights tradition, all people are seen as equally deserving of human rights protection, even suspected criminals. In contrast to the recognized interconnectedness of all people that is a part of the traditional human rights paradigm, the individual in the emerging human rights paradigm is conceptualized as more autonomous with inalienable rights and boundaries. The focus within this emerging human rights paradigm is on the rights of the individual, as opposed to the needs of society as a whole. It is interesting to note, however, that even within this emerging human rights paradigm hierarchical organization of power relationships are important. Brazilian human rights organizations appeal to the United Nations and to the “world view” (i.e. higher authorities) to help develop a stronger sense of individual rights in Brazil. This new emerging paradigm also reflects a new emerging sense of self—one that is more active politically with an increased sense of power to make changes to Brazilian society.

These two competing human rights paradigms reflect the broader conflict between egalitarian and hierarchical ideals within Brazilian society. Although egalitarian ideals are codified in the Brazilian constitution and other laws which supposedly guide the treatment of suspected criminals, hierarchical ideals appear to guide public support and/or acquiescence for police violence towards suspected criminals. Rarely is this struggle between egalitarian and hierarchical ideals resolved, even within individual people. These two competing human rights paradigms simultaneously influence developing attitudes about the human rights of perceived criminals. Depending largely on how the immediate situation helps to provide meaning to social interactions, people express attitudes that at times are consistent with the traditional view of human rights and at times consistent with the emerging view of human rights. Although this may seem inconsistent, it likely reflects strong divisions between the ideal and the real within the Brazilian context. Ideally, most Brazilians would like to live in a society where all people respect the laws and therefore be treated with respect. However, real life is much more disorderly. People commit crimes and this causes conflict regarding treating them with the same respect accorded to law abiding citizens.

Failure by police to apprehend criminals and a judicial system which is too overloaded to punish those who are caught leads to widespread impunity for those who commit crimes. Generally, Brazilians do not have a lot of faith that justice will be served via the criminal justice system (Prillaman, 2000). Historically, as formal legal structures in Brazil have predominately been created and controlled by and for the benefit of the economic elite, justice for everyone else has largely been informal (Shirley, 1987). Vigilante justice (also referred to as “lynch law” or “popular justice”) has long been seen as an appropriate alternative to the inefficient,

untrustworthy, and overburdened judicial system (Caldeira, 2000; Prillaman, 2000; Shirley, 1987). In a 1984 public opinion poll, 48.2% of Brazilian's surveyed supported citizen vigilante justice (Shirley, 1987). The current research will examine possible parallels between support for citizen vigilante justice and support for extralegal police violence as a form of vigilante justice. In reality, citizen and police vigilante justice frequently overlap, as in the case of the Candelaria massacre where shopkeepers hired off duty policemen to kill street children who were seen as a threat to public safety (Human Rights Watch, 1994). An assumption that will be tested in the current research is that the same conditions give rise to support for both citizen and police extra legal vigilante style justice.

In general, when the police violate the human rights of suspected criminals, most Brazilians have little affective reaction because torture and extrajudicial killings are seen as a legitimate means of punishment, as well as an appropriate response to increasing crime and violence. According to Caldeira (2000), "...people are usually asking the police, whose violence they fear, to take violent action 'against the side that deserves it.' Their rationale is clear: once dead, criminals no longer pose a threat" (pg. 192). This thinking reflects the use of the more traditional human rights paradigm. Ironically, police violence and arbitrariness increases citizen distrust of the police, but this distrust does not transform into widespread protest to reform the police, rather it increases tolerance of police violence (Cardia, 1997).

However, when many Brazilians support police violence it is not because they believe it is desirable in an ideal sense, but because they believe it is a necessary response for public safety. Research by the Center for the Study of Violence at the University of São Paulo has shown that 95% of people in São Paulo, and 88% of people in Rio de



Janeiro believe that violence is increasing in their cities (Cardia, 1999). These perceptions are supported, in large part, by crime statistics kept by the Secretary of Public Safety for São Paulo. From 1996 to 1999 the number of robberies in the city of São Paulo more than doubled and the number of homicides increased from 4,682 in 1996 to 5,418 in 1999 (Folha de São Paulo, August 17, 2000). Public concern about increasing crime has surpassed concern about inflation and the state of the economy (Veja, June 28, 2000). Furthermore, fear of crime pervades the day-to-day activities of the people of São Paulo and Rio de Janeiro. For example, 47% of people in São Paulo and 51% of people in Rio de Janeiro avoid going out at night because of fear of violence (Cardia, 1999). Moreover, 29% of Paulistas and 45% of Cariocas say that they avoid certain neighborhoods and streets of the city (Cardia, 1999).

Although the emerging human rights paradigm puts a higher priority on rights over duties, the traditional human rights paradigm appears to place a higher priority on duties to society over the rights of individuals. Accordingly, a strong human rights culture has developed in Brazil, but often human rights apply only to those people who deserve them by contributing positively to society. Negative beliefs about the legitimacy of human rights, resulting from increased concerns about rising crime and violence, still act as barriers to constructing a more inclusive human rights culture in Brazil. As Damatta (1991) has observed, “In short, equality for all is problematic and provokes attempts to restore hierarchy by violence” (pg. 133).

## 2.2 FEAR OF CRIME

The previous section posits that fear of crime influences how people talk about and view the human rights of criminals. What has research shown about fear of crime? Fear of crime is generally seen as a negative psychological reaction to crime related environmental conditions. Frequently, measures of fear of crime encompass both a cognitive assessment of perceived risk and an affective assessment of fear. Some researchers have argued that this confounds different constructs and that these two components should be viewed as distinct from one another in both theory and research (e.g. Lane & Meeker, 2003; Rountree, 1998); however, other researchers have viewed affective fear and related cognitions as “two sides of the same coin” (Winkel, 1998, pg. 473). For the current purposes, fear of crime is conceptualized as an attitude that can include cognitive, affective, as well as behavioral components, and therefore measurement of fear of crime will attempt to include indicators which assess all three components.

What are known antecedents to fear of crime? Much research has shown that personal victimization can increase individual levels of fear of crime (Hale, 1996). This general finding has been demonstrated in international research that confirms similar results across people living in diverse countries, such as the United States (e.g. Hanson, Smith, Kilpatrick, & Freedy, 2000; Meier, Kennedy, & Sacco, 2001), the Czech Republic (e.g. Hraba, Lorenz, Pechacova, and Bao, 1999), Japan (e.g. Omata, 1999), and Germany (e.g. Kury & Ferdinand, 1998). However, the strength of this relationship can be mediated by a variety of variables, such as individual coping styles and competencies, interpersonal trust and neighborhood cohesiveness, and personal versus property

victimization; such that, at least in some populations, victimization does not necessarily increase fear of crime (Bilsky & Wetzels, 1997; Carcach, Frampton, Thomas, & Cranich, 1995; Dull & Wint, 1997; Hale, 1996; Winkel, 1998).

However, direct victimization is not the only predictor of fear of crime. Various means of indirect victimization have also been shown to affect individual levels of crime fear more consistently than direct victimization. For example, sensationalization of violence and crime by mass media, such as in news broadcasts and print newspaper articles, has been shown to increase fear of crime (Heath & Gilbert, 1996; Lane & Meeker, 2003). Similarly, hearing about the victimization of a friend or family member (Omata, 1999), or worrying about the safety of family members can also increase fear of crime indirectly (Hanson, Smith, Kilpatrick, & Freedy, 2000).

Another strong environmental influence that affects fear of crime is the level of incivilities present in neighborhoods, such as vacant buildings, dirty streets and sidewalks, public drug and alcohol abuse, and vandalism (Borooah & Carcach, 1997; Carcach, Frampton, Thomas, & Cranich, 1995; Hanson, Smith, Kilpatrick, & Freedy, 2000). Hale (1996) has perceived incivilities as a “symbol of decaying communities” (pg. 80) which are frequently a stronger predictor of fear of crime than victimization history (Carcach, Frampton, Thomas, & Cranich, 1995; Hanson, Smith, Kilpatrick, & Freedy, 2000). Because neighborhood incivilities indicate violations of accepted norms and values, differences in the meanings of specific incivilities may differ from neighborhood to neighborhood (Spelman, 2004), and presumably from country to country.

## 2.3 JUSTICE

Up to this point, I have discussed public support for police violence as a monolithic phenomenon. However, research into justice judgments (i.e. judgments of situations or events as fair or unfair) generally draws distinctions between three different justice domains: distributive justice, procedural justice, and retributive justice. At their most fundamental levels, distributive justice judgments involve fairness of distribution of resources, procedural justice judgments involve fairness of process, and retributive justice judgments involve fairness of punishment for wrongdoing.

Generally, researchers who conduct justice research do so from two broad theoretical perspectives: a self interest based model of social exchange or a social identity based group value model (Tyler & Smith, 1998). Contrary to traditional self interest models where people maximize their outcomes by sacrificing the needs of others, social exchange models of justice recognize that although people are motivated by self interest to maximize their own outcomes in social interaction, they must maintain mutually beneficial relationships with others in order to get more of what they want in the long run. Social interaction is regulated by justice rules that people follow and enforce because they are likely to benefit by doing so (Tyler & Smith, 1998). Fairness in social exchange models is defined by equitable outcomes—that is, when people get what they deserve based on their input in terms of resource distribution, conflict resolution, and retribution.

In contrast, group value models of justice posit that people not only evaluate justice in terms of objective outcomes, but also in terms of relational implications. According to Tyler and Smith (1998), people “use experiences with authorities as a source of information about their

position within their group” (pg. 612). Group value models assume that people construct their social identities according to how their justice concerns are treated by those in authority. Justice is perceived when someone is treated with dignity and politeness and individual rights are respected (Tyler & Smith, 1998).

However, as discussed by Tyler and Smith (1998), not all justice judgments are psychologically similar. Instrumental concerns appear to dominate distributive justice judgments while relational concerns appear to dominate procedural justice judgments<sup>3</sup> (Tyler, 1994). On the contrary, retributive justice judgments appear to be motivated heavily by *both* instrumental and relational concerns. A more instrumental behavioral control model of retributive justice posits that people are motivated to punish wrong doing in an effort to decrease further offending. However, a more relational group value model posits that people punish for more symbolic reasons (e.g. to defend group values).

What appears to be missing from the justice literature is a model which could predict differences in justice judgments based on intergroup relations, particularly in real life situations where one group has more power than another. How might justice judgments be influenced by intergroup considerations? Is justice defined differently for ingroup and outgroup members? Realistic group conflict theory, within the domain of intergroup relations research, has a long history of predicting intergroup discrimination and prejudice. When two groups are in conflict with one another (i.e. when one group gains at the expense of another), prejudiced attitudes and hostile behavior are likely to follow; whereas, when group goals or interests are compatible, the likelihood of intergroup hostility is lessened (Campbell, 1965; Jackson, 1993; Sherif, 1966).

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<sup>3</sup> However, although Tyler (1994) found distributive justice judgments to be related primarily to instrumental concerns, relational concerns also played a part.

When looking at public support for police violence in Brazil, ingroup/outgroup categorization appears to be defined by conflicts of interest. That is, salient group identity is based in the ongoing and frequent conflicts between law-abiding citizens and criminals. Both instrumental elements *and* symbolic group value elements appear to be important for understanding support for punitive responses to criminal behavior in Brazil. Although social scientists tend to restrict the application of distributive justice concepts to the distribution of economic resources, some researchers have also applied distributive justice concepts to the distribution of political resources (e.g. Hochschild, 1982). The current research will take a similar approach to understanding how Brazilians, in general, view human rights in the traditional human rights paradigm. Attitudes of many Brazilians towards human rights seem to include the belief that human rights are not infinite (as they are in the natural rights tradition espoused by the emerging human rights paradigm and advocated by the United Nations), but rather finite. Therefore, because there are not enough to go around, human rights should be distributed based on deservingness, and protection should be reserved for only those who are worthy of it. This attitude represents a symbolic exclusion of criminals as members of society and humanity, and is a major component of the traditional human rights paradigm.

## **2.4 CONCEPTUAL MODEL AND RESEARCH HYPOTHESES**

Several concepts have emerged which lend themselves to model development and hypothesis testing. The current research will attempt to test a model of justice judgments regarding the appropriateness of police violence. Attitudes about human rights and the

efficiency of the justice system appear to link victimization and fear of crime to support for police violence. The model will elucidate the nature of the relationships between day-to-day experiences with crime and various justice-related attitudes. The hypotheses outlined below constitute the components of the model and will be tested simultaneously during model estimation.

Literature on fear of crime has demonstrated several predictable antecedents to fear of crime. Day-to-day experience with direct personal victimization (Hale, 1996), indirect victimization of a friend or family member (Omata, 1999), and the presence of neighborhood incivilities (Hanson, Smith, Kilpatrick, & Freedy, 2000) have all been shown to be associated with increased levels of fear of crime. As such, the first three hypotheses involve these well established antecedents to fear of crime:

- Hypothesis 1:     The higher the level of direct victimization, the greater the fear of crime**
- Hypothesis 2:     The higher the level of indirect victimization, the greater the fear of crime**
- Hypothesis 3:     The greater the presence of neighborhood incivilities, the greater the fear of crime**

Although evidence of direct effects of fear of crime on increased punitiveness in response to criminal behavior have been tenuous (Tyler & Weber, 1982), research indicates that this relationship may instead be indirect via more general justice related attitudes that develop in response to fear of crime. For example, fear of crime has been associated with decreased trust in the justice system (Sprott & Doob, 1997). In turn, decreased trust in the justice system has been shown to increase punitiveness and support for vigilante justice (Hale, 1996). Furthermore, research in the United States has shown that reduced faith in the justice system has led to broader

approval of vigilante justice in the form of lenient jury verdicts for those engaged in vigilante activity (Robinson & Darley, 1995).

In the current research, fear of crime is believed to influence several general justice related attitudes that have previously been discussed in this chapter. Fear of crime is expected to simultaneously make it more likely people will endorse the traditional human rights paradigm and less likely they will endorse the emerging human rights paradigm. Furthermore, based on the work of Sprott and Doob (1997) that has shown fear of crime to be positively associated with negative judgments about the justice system, fear of crime in the current research is expected to increase people's judgments that the justice system is inefficient and ineffective. Therefore, the next three hypotheses to be tested are:

- Hypothesis 4a: Level of fear of crime is negatively related to the degree to which the emerging human rights paradigm is supported**
- Hypothesis 4b: Level of fear of crime is positively related to the degree to which the use of the traditional human rights paradigm is supported**
- Hypothesis 4c: Level of fear of crime is positively related to the degree to which the justice system is judged as inefficient and ineffective**

How do these general justice related attitudes influence support for citizen vigilante justice and police violence? Guided by the principles of equality and individualism, the emerging human rights paradigm is presumed to be negatively related to all forms of violence which might infringe upon the individual rights of criminals to due process. On the other hand, the traditional human rights paradigm, which is guided by the legitimacy of hierarchical power relationships between people, is presumed to support forms of violence which maintain unequal access to human rights based on deservingness.



According to Forsyth (1999), “Groups that have a history of devaluing segments of their society are more likely to engage in moral exclusion, as are groups whose norms stress respect for authority and obedience.” Furthermore, realistic group conflict theory predicts that the result of conflict between groups (in this case, between criminals and non-criminals) is degradation and the development of prejudiced attitudes toward outgroup members (Sherif, 1966). However, this conflict between criminals and non-criminals is likely to be viewed quite differently from the emerging human rights versus the traditional human rights paradigms in Brazil. In the emerging human rights paradigm, *everyone* is presumed to be equally entitled to access to human rights—a person cannot commit an act that would forfeit their individual rights to due process. In contrast, in the traditional human rights paradigm, only those people who deserve human rights protection by contributing positively to society are granted this protection. In a similar fashion, a criminal cannot lose his or her right to human rights protection under the traditional human rights paradigm either; however, this is because s/he never had the right to be protected to begin with.

It appears from the justice literature reviewed above that people make distinctions between procedural and retributive forms of justice (Tyler & Smith, 1998). The current research presumes that a similar distinction will be drawn when people are judging the appropriateness of police violence. That is to say, support for police violence in a procedural context (i.e. support for police violence during the course of police investigations) is recognized to be conceptually different from support for police violence in a retributive context (i.e. support for the use of violence as an appropriate penalty for wrongdoing).

Processes for those who judge the justice system as inefficient and ineffective are presumed to be psychologically similar to processes for those who are using the traditional human rights paradigm. Similarly, processes which support police violence

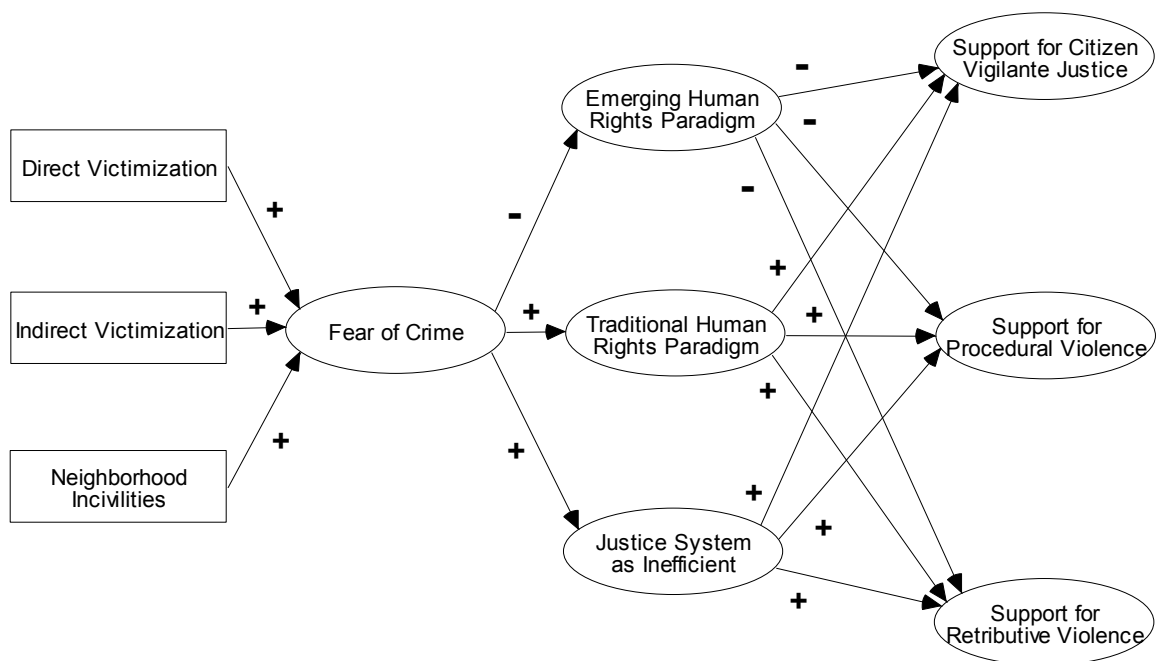
are presumed to be psychologically similar to processes which support vigilante justice in general. Keeping all of these things in mind, the current research intends to test the following nine hypotheses:

- Hypothesis 5a:** The degree to which the emerging human rights paradigm is adopted is negatively related to the level of support for vigilante justice
- Hypothesis 5b:** The degree to which the emerging human rights paradigm is adopted is negatively related to the level of support for procedural violence
- Hypothesis 5c:** The degree to which the emerging human rights paradigm is adopted is negatively related to the level of support for retributive violence
  
- Hypothesis 6a:** The degree to which the use of the traditional human rights paradigm is retained is positively related to the level of support for vigilante justice
- Hypothesis 6b:** The degree to which the use of the traditional human rights paradigm is retained is positively related to the level of support for procedural violence
- Hypothesis 6c:** The degree to which the use of the traditional human rights paradigm is retained is positively related to the level of support for retributive violence
  
- Hypothesis 7a:** The degree to which the justice system is judged as inefficient and ineffective is positively related to the level of support for vigilante justice
- Hypothesis 7b:** The degree to which the justice system is judged as inefficient and ineffective is positively related to the level of support for procedural violence
- Hypothesis 7c:** The degree to which the justice system is judged as inefficient and ineffective is positively related to the level of support for retributive violence

The relationships between all of the variables of interest for the current research are summarized in Figure 2-1 below. The resulting conceptual model is a very complex mediational model with fear of crime, the emerging human rights paradigm, the traditional human rights

paradigm, and viewing the justice system as inefficient all acting as mediators in the model. The hypotheses above, which outline the nature of the relationships between all of the variables of interest for the current research, are the components of this model and will be tested simultaneously during model estimation using AMOS 4.0 (process to be described in more detail in Chapter 3).

**Figure 2-1:**  
**Conceptual Model**



## CHAPTER 3

### DATA AND METHODOLOGY

#### 3.1 INTRODUCTION

The current analysis will utilize structural equation modeling (SEM) to estimate a mediational model of the relationships between environmental influences (direct and indirect victimization, as well as the presence of neighborhood incivilities), general justice related judgments and paradigms (the justice system as inefficient and ineffective, the traditional human rights paradigm, and the emerging human rights paradigm) and support for specific kinds of extra legal violence (support for citizen vigilante justice, support for procedural violence by the police, and support for retributive violence by the police). Structural equation modeling allows for the latent measurement of attitudes and paradigms within a mediational model, and as such, is an ideal method of analysis for the current research (see Kenny, Kashy, & Bolger, 1998). Furthermore, alternative models to the conceptual mediational model presented in chapter 2 can be estimated using SEM and compared to the conceptual model to ascertain whether the proposed conceptual model is more promising than possible alternatives (alternative models which would include direct effects in addition to the hypothesized indirect effects).

Structural equation modeling proceeds in two steps: confirmation of the measurement model and estimation of the structural model after the measurement model has been validated (Garson, 2003). The measurement model uses confirmatory factor analysis to determine how well three or more indicators seem to reflect related latent constructs. The structural model then assesses the feasibility of proposed relationships between the latent variables.

Hypotheses testing will focus on the day-to-day experiences of direct and indirect victimization and neighborhood incivilities that promote support for police violence as a means of social control via fear of crime and resultant attitudes and paradigms about human rights and the inefficiency of the Brazilian justice system, separating support for police violence into procedural and retributive domains. Examination of the standardized path coefficients from the structural models will elucidate whether the relationships between the variables proposed in the research hypotheses were supported by the data.

### **3.2 DATA**

The data used for the current analysis were drawn from survey research developed by the Violence Studies Nucleus at the University of São Paulo (Núcleo de Estudos da Violência-NEV), the Centers for Research, Innovation, and Diffusion (Centros de Pesquisa, Inovação e Difusão-CEPID), and the Foundation for the Support of Research in the State of São Paulo (Fundação de Amparo à Pesquisa do Estado de São Paulo FAPESP). The survey instrument was administered by IBOPE, the largest political polling, attitudes, and market assessment service in Brazil, in early 2001. A general population sample of 1000 youth and adults age 16 and greater in the city of São Paulo was created using 1996 census data to obtain representativeness based on sex, age, education level, occupation, and geographic area, with an oversampling of people from violent neighborhoods (Jardim Angela, Capao Redondo, and Jardim São Luis). Interviews were carried out at the homes of the participants.

### 3.3 DESCRIPTION OF THE SAMPLE

Gender. A demographic analysis of the sample revealed that 47.6% of the participants were male and 52.4% were female.

Race. The largest portion of the sample was considered by the interviewers to be white (62.4%), with 27% of the sample considered to be mulatto, 9.4% of the sample considered to be black, and 1.2% considered to be Asian. Race of the participants was assessed by observation of the interviewer. Methodologically, this method of racial categorization is somewhat problematic, given the complexity and situational malleability of race in Brazil. For example, those who were perceived to be economically more advantaged were likely to be judged “whiter” than more disadvantaged counterparts, even though facial features and skin color may have been very similar (see da Silva, 1997). Similarly, the racial category that the interviewer considered him/herself may have influenced judgments of “whiteness” or “blackness” of those he or she was interviewing. However, presumably the interviewers were equally culturally versed in racial nuances as the general population of Brazil; therefore, racial assessments by the interviewers are still considered to be largely valid.

Socio-Economic Status. The SES composite score was constructed by IBOPE and combined buying power (e.g. household goods, cars, and servants) and head of household education level. Frequencies of the SES indicators can be found in Appendix B. “Privileged” classes (upper, upper middle, and middle classes) make up 28.2% of the sample. Those considered lower middle class comprise 41.3% of the sample, while 30.5% are considered to belong to the most economically disadvantaged lower class. Frequencies of the demographic variables are summarized in Table 3-1 below.

**Table 3-1:**  
**Frequencies of Demographic Variables**

	Frequency	% of Sample	n=1000
<b>Gender</b>			
Male	476	47.6	
Female	524	52.4	
<b>Race</b>			
White	624	62.4	
Black	94	9.4	
Mulatto	270	27.0	
Asian	12	1.2	
<b>SES</b>			
Privileged Classes			
(Upper/Upper Middle/Middle Class)	282	28.2	
Lower Middle Class	413	41.3	
Lower Class	305	30.5	

Preliminary analyses indicate some relationships among the demographic variables. Because of the categorical nature of the demographic variables, crosstabulations and chi-square tests were utilized to determine the nature of these relationships. No relationships were found between gender and race. However, a relationship between gender and SES was found. Specifically, by looking at each cell in the crosstabulation and using the rule of thumb that 3.84 equals one degree of freedom, it was determined that the actual number of men in the lower class was fewer than expected if gender and SES were statistically independent.

In addition, several relationships were found between race and SES. Specifically, the actual number of whites in the privileged classes was greater than expected if race and SES were statistically independent, whereas the actual number of blacks and mulatos in the privileged classes was fewer than expected. Furthermore, there were more mulatos in the lower middle class than expected. Finally, there were fewer whites and greater blacks than expected in the lower class.

### 3.4 MEASURES

Survey data allowed for the direct measurement of three environmental variables of interest: *direct victimization*, *indirect victimization*, and *neighborhood incivilities*.

Direct Victimization. Direct victimization was assessed using a temporal measure which asked the respondent whether any of the following situations had happened to him or her in the last 12 months: being threatened with a revolver during a robbery; being assaulted with swear words; being threatened with a knife during a robbery; being threatened by a policeman or other authority to extract money; being offered drugs, having suffered a physical aggression such as a slap, punch, or kick; having suffered some type of aggression or maltreatment from the police; being wounded by a firearm; and being asked to find drugs (1=yes, 0=no). Scale responses could range between zero and 9 (mean = .68; standard deviation = 1.25; alpha = .70).

Indirect Victimization. Similarly, indirect victimization was assessed by using a temporal measure which asked if any of the following things had occurred during the last 12 months: a close relative was wounded by a firearm or knife, a close relative was kidnapped, and/or a close relative was murdered (2=yes, 0=no). Positive responses to



these items were combined with responses to a question that asked, “In the past three months, have you witnessed or heard about some of the following incidents happening in your neighborhood?” These incidences included: someone being assaulted, gang fights, shootings/gun fights, someone being threatened with a knife, someone getting shot, someone getting killed, and/or someone being beaten (2=yes, 1=I haven’t witnessed it, but I have heard about it happening, 0=no). Scale responses could range between zero and 20 (mean = 5.16; standard deviation = 4.77; alpha = .82).

Neighborhood Incivilities Neighborhood incivilities were assessed by asking respondents to think about how much the following things existed in their neighborhoods: vacant and abandoned lots, unpaved streets, streets without street lights, abandoned cars, abandoned construction sites, broken windows, vacant houses or apartments, graffiti, alcohol consumption in public places, drug use in public places, selling of drugs in public places, nightly disturbances, prostitutes, and trash on the sidewalks (2=a lot, 1=some, 0=none). Scale responses could range from zero to 28 (mean = 11.21; standard deviation = 6.14; alpha = .78).

Survey data allowed for the latent measurement of seven justice-related attitudes. Confirmatory Factor Analysis (CFA) was used in Amos 4.0 (a computer program which performs CFA and SEM) to determine how well five of the seven proposed latent constructs predicted multiple-item measures. Measurement models were estimated separately in Amos for each of the following latent variables of interest in this study: *fear of crime, the justice system as inefficient and ineffective, support for citizen vigilante justice, support for procedural violence, and support for retributive violence.* Measurement models for *traditional human rights paradigm* and *emerging human rights*

*paradigm* could not be estimated in Amos because there were insufficient degrees of freedom. However, one component was extracted for the three indicators of *traditional human rights paradigm* and one component was extracted for the three indicators of *emerging human rights paradigm* when confirmatory factor analysis was used in SPSS (for further discussion of the development of the human rights variables, see below). After eliminating non-significant indicator variables from the measurement models, the following indicators were maintained for each latent variable:

Fear of Crime. Fear of crime was assessed using cognitive, affective, and behavioral measures. Respondents were asked, “How secure do you feel walking alone at night through your neighborhood, if you go out at night?” Responses ranged from ‘very secure’ to ‘very insecure,’ with ‘I don’t go out at night’ as the most extreme expression of fear. This question taps into both a cognitive risk assessment, as well as an affective fear assessment.

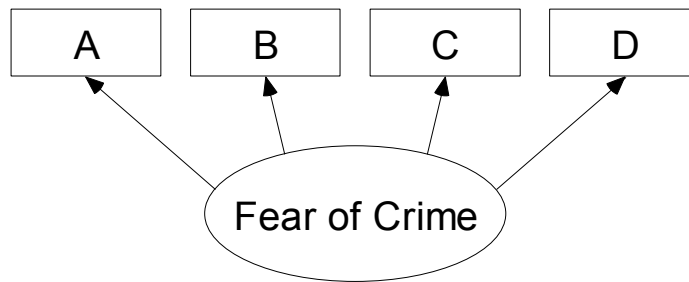
The next sets of behavioral measures were composite scores of positive responses to a question about whether fear of violence had motivated the respondents to change some things about their day-to-day life. Two variables were created from this question, distinguishing between changes in habits and changes made to his/her place of residence. The nine items used to create the *change in habits* scale included: changing trajectory from home to work or school, stopping the use of a bus line, circling around some neighborhoods or streets of the city, avoiding going out at night, avoiding talking with neighbors, avoiding walking with money, armoring a car, prohibiting his/her children from playing with other children, and buying a gun. The nine items used to create the *change in residence* scale included: heightening the walls of the residence, putting bars

on the windows, placing a padlock on the entrance, installing an intercom at the entrance, getting a guard dog, installing an alarm system, contracting a street/block security guard, contracting a private security company, and installing a closed circuit television. Both of these created scales ranged from zero to nine of these changes being made.

The third and final behavioral measure was created from a question that added a temporal dimension to possible changes in a person's life. Each participant was asked whether, in the last 12 months, he or she had moved residences because of fear or threat of violence and whether he or she had felt the necessity to walk armed. Although similar to items that were included in the first and second set of behavioral measures, these two items were included in a separate variable because they appeared to show a higher level of fear motivation, as respondents who responded positively to these items were showing an extreme perception of vulnerability to violence. He or she had not only bought a gun (an item included in *change of habits*), but he or she felt the necessity of carrying it with him or her. Likewise, moving residences because of a fear of violence appears to indicate a much higher level of fear motivation than simply making changes to a current residence to make it more secure. This created scale ranged from zero (neither of these changes were made) to two (both of these changes were made). Figure 3-1 illustrates the measurement model for *fear of crime*.

**Figure 3-1:**  
**Fear of Crime Measurement Model**

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A: How secure do you feel walking alone at night?

B: Changes made in habits

C: Changes made in residence

D: Higher fear motivation life changes

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Human Rights Paradigm(s): Six indicators of human rights paradigms were factor analyzed using principle components analysis in SPSS to see if the data supported the notion of two relatively distinct human rights paradigms: a more traditional human rights paradigm and an emerging human rights paradigm. Based on theory, I expected three of the six indicators to load more heavily with a more traditional view of human rights factor and the other three to load more heavily with an emerging view of human rights factor, as outlined below.

Traditional Human Rights Paradigm. Three indicators in the data set appear to represent the concept of a traditional human rights paradigm. These three indicators considered two components: an exclusion of certain groups of people from access to human rights, and the concept of human rights as silly or useless. Respondents were asked for their level of agreement or disagreement on two statements: “The judiciary worry too much about the rights of the accused” and “Rights are for those who walk a

straight path. Prisoners don't have rights" (1=completely disagree to 4=completely agree).

In addition, a scale was created from a question that asked respondents what they thought of the expression "human rights." Two items from this question were used to create a scale that ranged from zero (neither statement represents what the respondent thinks about the expression "human rights") to two (both statements represent what the respondent thinks). The two items included were: "Human rights are rights that impede/impair the work of the police" and "Human rights are rights for bandits."

*Emerging Human Rights Paradigm.* Three other human rights indicators appear to characterize the concept of an emerging human rights paradigm. These three indicators focus on the rights of individuals (as opposed to the needs of society as a whole). Respondents were asked their level of agreement towards the following three statements: "Everyone has the right to a fair trial, even if they are accused of rape," "Those who do time should only lose the right to freedom and to vote" (indicating a maintenance of most rights), and "It is better to let ten guilty people free than to condemn one innocent person" (1=Completely Disagree to 4=Completely Agree).

Using principle components analysis, two components were retained, with initial eigenvalues of 1.378 and 1.128 for components 1 and 2, respectively. The two components extracted represent 41.76% of the variance of the six indicators. The unrotated component matrix is presented in Table 3-2 below.

**Table 3-2:**  
**Component Matrix for Human Rights Paradigm Indicators**

	Component 1	Component 2
<b>A</b>	<b>.361</b>	<b>-.637</b>
<b>B</b>	<b>.565</b>	<b>-.387</b>
<b>C</b>	<b>.408</b>	<b>-.115</b>
<b>D</b>	<b>.643</b>	<b>.105</b>
<b>E</b>	<b>.449</b>	<b>.459</b>
<b>F</b>	<b>.383</b>	<b>.580</b>
A: Rights are for those who walk a straight path. Prisoners don't have rights		
B: The judiciary worry too much about the rights of the accused		
C: Negative statements about human rights concept		
D: Those who do time should only lose the right to freedom and to vote		
E: It is better to let ten guilty people free than to condemn one innocent person		
F: Everyone has the right to a fair trial, even if they are accused of rape		

As can be seen in Table 3-2, the variables are loading on both factors. Therefore, to make the results easier to interpret, a Varimax rotation was employed (see Hair, Anderson, Tatham, & Black, 1998, for discussion). Varimax is an orthogonal rotation method which assumes that the two factors are unrelated. The orthogonally rotated component matrix is presented in Table 3-3 below.

**Table 3-3:**  
**Orthogonally Rotated Component Matrix for Human Rights Paradigm Indicators**

	Component 1	Component 2
<b>A</b>	<b>.682</b>	<b>-.266</b>
<b>B</b>	<b>.682</b>	<b>.057</b>
<b>C</b>	<b>.389</b>	<b>.168</b>
<b>D</b>	<b>.432</b>	<b>.488</b>
<b>E</b>	<b>.058</b>	<b>.640</b>
<b>F</b>	<b>-.070</b>	<b>.692</b>

A: Rights are for those who walk a straight path. Prisoners don't have rights  
 B: The judiciary worry too much about the rights of the accused  
 C: Negative statements about human rights concept  
 D: Those who do time should only lose the right to freedom and to vote  
 E: It is better to let ten guilty people free than to condemn one innocent person  
 F: Everyone has the right to a fair trial, even if they are accused of rape

The indicators are loading generally as expected, with the exception of indicator D (“Those who do time should only lose the right to freedom and to vote”) which is loading about the same on both factors. It is possible that indicator D is loading positively on both factors because the statement indicates a loss of rights for criminals, which is consistent with both views. It should be noted, however, that although there is a complex loading on both factors, indicator D is loading slightly higher on the second factor possibly because the statement also indicates a maintenance of most rights, despite criminal activity. The first three indicators are loading more heavily on Factor 1, which is consistent with what was expected for a traditional human rights paradigm factor. The final three indicators loaded more heavily on the second factor, which is consistent with what was expected for an emerging human rights paradigm factor.

As noted above, an orthogonal rotation assumes that these two factors are not correlated. An oblique rotation method (such as Oblimin in SPSS) is more realistic

because the underlying dimensions are not assumed to be unrelated, and as such is the preferred method for theoretically meaningful factors (Hair et. al., 1998). The principal components analysis was rerun using Oblimin rotation. The obliquely rotated component matrix is presented in Table 3-4 below.

**Table 3-4:**  
**Obliquely Rotated Component Matrix for Human Rights Paradigm Indicators**

	Component 1	Component 2
<b>A</b>	<b>.701</b>	<b>-.313</b>
<b>B</b>	<b>.683</b>	<b>.011</b>
<b>C</b>	<b>.382</b>	<b>.143</b>
<b>D</b>	<b>.409</b>	<b>.461</b>
<b>E</b>	<b>.024</b>	<b>.639</b>
<b>F</b>	<b>-.108</b>	<b>.700</b>

---

A: Rights are for those who walk a straight path. Prisoners don't have rights  
 B: The judiciary worry too much about the rights of the accused  
 C: Negative statements about human rights concept  
 D: Those who do time should only lose the right to freedom and to vote  
 E: It is better to let ten guilty people free than to condemn one innocent person  
 F: Everyone has the right to a fair trial, even if they are accused of rape

Because the correlation between the two factors is small (.12, see Table 3-5 below), the results of the obliquely rotated component matrix largely mirror the results from the orthogonally rotated component matrix for the six indicators. The first three indicators are loading more heavily on factor 1 and the last three indicators are loading more heavily on factor 2 (with indicator D continuing to be factorially complex). Using the rule of thumb that factor loadings greater than  $\pm .30$  are considered to have practical significance (see Hair et al, 1998), I conclude that these data support the notion of the



existence of two relatively distinct human rights paradigms: a more traditional human rights paradigm and an emerging human rights paradigm.

**Table 3-5:  
Component Correlation Matrix**

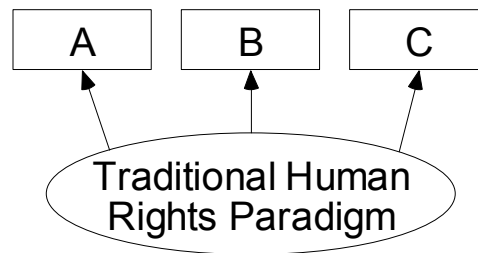
	Component 1	Component 2
Component 1	1.00	.121
Component 2	.121	1.00

However, as there is a small positive correlation between the two factors (probably due to indicator D loading similarly on both), the results do appear to indicate that the two human rights paradigms are not mutually exclusive. The two human rights paradigms are not competing in the sense that as one becomes stronger the other becomes weaker, but competing in the sense that one person can hold both paradigms at the same time and use of one or the other probably is largely dependent on the circumstances surrounding use of the paradigms or the level of abstraction (e.g. the ideal vs. the real).

Based on the results of the factor analysis, the measurement model for *traditional human rights paradigm* is presented in Figure 3-2 and the measurement model for *emerging human rights paradigm* is illustrated in Figure 3-3 below.

**Figure 3-2:**  
**Traditional Human Rights Paradigm Measurement Model**

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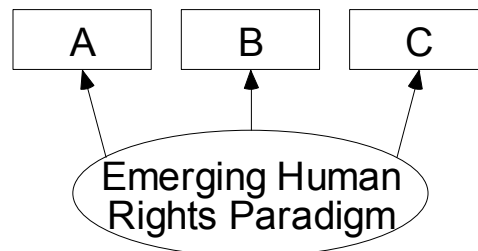

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A: The judiciary worry too much about the rights of the accused  
 B: Rights are for those who walk a straight path. Prisoners don't have rights  
 C: Negative statements about human rights concept

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**Figure 3-3:**  
**Emerging Human Rights Paradigm Measurement Model**

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A: Everyone has the right to a fair trial, even if they are accused of rape  
 B: Those who do time should only lose the right to freedom and to vote  
 C: It is better to let ten guilty people free than to condemn one innocent person

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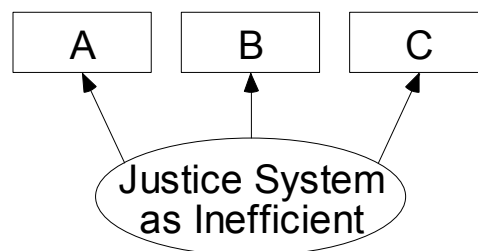
Justice System as Inefficient and Ineffective: Perceptions of the justice system as inefficient and ineffective were assessed with three questions. First, respondents were asked how satisfied they were with the quantity and quality of the police in their neighborhood. Responses ranged from 'very satisfied' to 'very unsatisfied,' with 'there

aren't any police in my neighborhood' as the most extreme expression of dissatisfaction. Next, respondents were asked whether the police in their neighborhoods got better, got worse, or remained the same over the last year (1=got better, 2=remained the same—they were good, 3=remained the same—they were bad, 4=got worse).

Finally, a scale was created that represented each respondent's average rating of the efficiency of justice related institutions. Specifically, the respondents were asked to rate the efficiency of the following institutions based on experience, and not on what they had heard: the military police, the civil police, the federal police, the judiciary, and the prosecuting attorneys (1=very good to 5=very bad, with 3=average rating of efficiency) and then an average of these responses was calculated. Scale responses could range between 1 and 5. The measurement model for the *justice system as inefficient and ineffective* is presented in Figure 3-4.

**Figure 3-4:**  
**Justice System as Inefficient and Ineffective Measurement Model**

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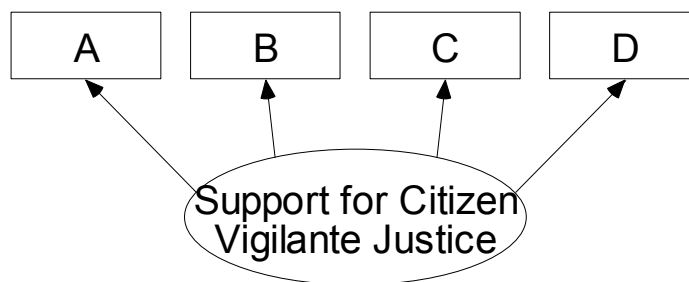

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A: Satisfaction with quality and quantity of police in neighborhood  
 B : Police in neighborhood got better/worse/remained the same  
 C: Average rating of the efficiency of justice related institutions

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Support for Citizen Vigilante Justice: Support for vigilante justice was measured with four questions which assessed support for extralegal citizen administered justice. First, respondents were asked their level of agreement to the following statement: “If the authorities fail, we have the right to take justice into our own hands” (1=completely disagree to 4=completely agree). Respondents were later asked if they approved, did not approve but understood, or disapproved of the following three situations: an acquaintance killing the person who raped his/her daughter, someone killing a person who frightened their neighborhood, or a group of people from their neighborhood starting to kill “undesirable” people (1=neither approve nor understand, 2=do not approve but understand, 3=approve). Figure 3-5 illustrates the measurement model for *support for citizen vigilante justice*.

**Figure 3-5:**  
**Support for Citizen Vigilante Justice Measurement Model**



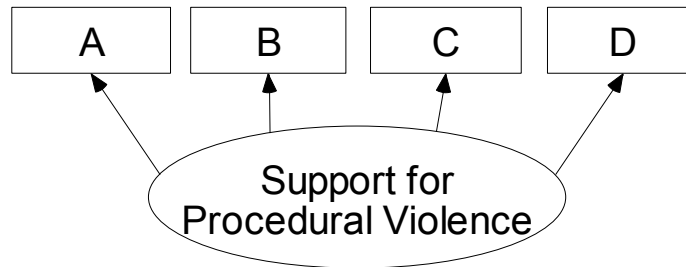
- 
- A: We have the right to take justice into our own hands  
 B: Level of approval for someone killing the person who raped his/her daughter  
 C: Level of approval for someone killing a person who frightens the neighborhood  
 D: Level of approval for a group of people starting to kill “undesirable” people
-

Support for Procedural Violence: Support for procedural violence was assessed through a series of questions that looked at support for torture during the course of police investigations, and its implications for criminal court proceedings. The first measure of support was created from a question that provided respondents with a list of situations and asked them what the appropriate police action would be in order to obtain information. The list of situations included: someone caught robbing a motorist at a traffic light, someone suspected of participating in a gang of kidnappers, someone suspected of being a rapist, someone caught using drugs, and someone caught selling drugs. Three responses were considered support for the use of torture: giving shocks or burns with the end of a cigarette, leaving the suspect without water or food, or (simply) torture. Some of the responses that were not considered as indicating support for the use of torture included threatening the safety of family members, questioning without the use of torture or ill treatment, and threatening with verbal force and intimidation. A composite score was created from the three responses that indicated support for the use of torture for each situation. Scores could vary from 0 (showing no support for the use of torture in any of these situations) to 5 (showing support for the use of torture in all five of these situations).

Also, respondents were asked for their level of support for the following three statements: the courts should accept evidence obtained through torture, torture should be permitted in the questioning of criminal suspects, and torture should be a permitted method in order to obtain information (1=completely disagree to 4=completely agree). The measurement model for *support for procedural violence* is presented in Figure 3-6.

**Figure 3-6:**  
**Support for Procedural Violence Measurement Model**

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A: Support for use of torture during police investigations  
 B: The courts should accept evidence obtained through torture  
 C: Torture should be permitted in the questioning of suspects  
 D: Torture should be a permitted method of obtaining information

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Support for Retributive Violence: Support for retributive violence was measured with items that showed support for the use of death as an appropriate penalty for wrongdoing. First, respondents were asked for their level of support for the following statement: no crime justifies the use of the death penalty (1=completely agree to 4=completely disagree). Respondents were also given a list of transgressors (kidnappers, terrorists, youth that kill, rapists, and drug dealers) and asked what is the appropriate treatment that should be dispensed to each of them. A scale was created by counting the number of times death was listed as the appropriate penalty for each of the different transgressors. Scores could range from 0 (none of these transgressors deserved death) to 5 (all of these transgressors deserved death).

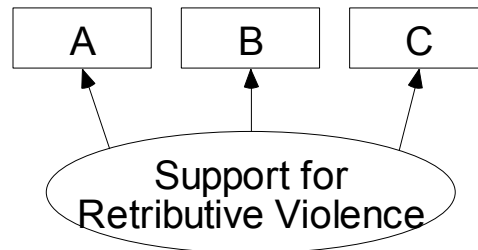
These questions bring up an interesting measurement issue. The phrase “pena de morte” (which was used in the original phrasing of both of these questions) holds more than one meaning in Portuguese. It can mean “death penalty,” as in a legitimated government sponsored penalty for wrongdoing. It can also mean “penalty of death,”

which is less legitimate by legal standards, but still a highly punitive penalty for wrongdoing. As Caldeira (2000) has articulated, “Many Brazilians...think of capital punishment as summary execution and not as a juridical process...Many people think that if someone is caught committing a violent crime, he or she should be killed immediately...Vengeance is conceived in personal and immediate terms, even when the responsibility of carrying it out is lodged in an institution, the police” (pg. 360). Although these questions did not specifically ask for support for extrajudicial killings by police, because there is no legalized death penalty in Brazil, and the police are currently the main dispenser of death, arguably, some of these positive responses can be perceived as indicating support for extrajudicial killings by the police.

Finally, respondents were asked the appropriate action the police should take in a prison rebellion: (1) they should do nothing, (2) they should arrest the most excited without the use of weapons, (3) they should use only a baton, (4) they should shoot but not to kill, or (5) they should shoot to kill. Although I initially had some questions about whether supporting punitive responses to prison rebellions was a procedural or a retributive issue, factor analysis indicated that this question loaded stronger with the other retributive statements than with the procedural statements (factor loadings equaled .622 versus .05, respectively, in an orthogonally rotated component matrix). Furthermore, prison rebellions are commonly viewed as prisoners misbehaving, which would place this judgment of appropriate police action in the domain of retributive justice concerns as the police respond to wrongdoing by the prisoners. The measurement model for support for retributive violence is illustrated in Figure 3-7.

**Figure 3-7:**  
**Support for Retributive Violence Measurement Model**

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A: No crime justifies the use of the death penalty  
 B: Death as appropriate treatment for various transgressors  
 C: Appropriate police action in a prison rebellion

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After measurement models were estimated separately and non-significant indicator variables were eliminated, measurement models were then estimated simultaneously and allowed to covary with one another (including the latent measurement of *traditional human rights paradigm* and *emerging human rights paradigm*). Unstandardized and standardized path coefficients, as well as critical ratios, for each indicator can be found in Table 3-6 below. All of the indicators were significant at the  $p < .05$  level. The purpose of comparing the path coefficients and critical ratios of each indicator in the individual measurement models to the path coefficients and critical ratios of each indicator when all measurement models are estimated simultaneously and allowed to covary with one another is to add confidence that the same concepts are being measured in the individual measurement models and in the structural model that will be described in Chapter 4. Although the absolute size of the path coefficients and critical



ratios varied slightly in the individual and simultaneously estimated measurement models, the relative ranking of the loadings of each indicator to its construct remained the same, with one exception. For *support for vigilante justice*, the level of approval for the killing of “undesirable” people in the neighborhood loaded higher than level of approval for someone killing the person who raped his/her daughter in the simultaneous estimation of the measurement models, whereas the reverse was true in the individual measurement model of *support for vigilante justice*. However, as there is nothing in theory that would predict one statement should load higher than the other, I conclude that the same concepts are likely being measured in both the individual and the simultaneously estimated measurement models of *support for vigilante justice*.

Table 3-6:

**Relationship of Each Indicator to its Underlying Construct when Measurement Models are Run Simultaneously\***

	b	$\beta$	Critical Ratio
<b>Fear of Crime</b>			
Change in habits	1.00	.83	
Higher fear motivation life changes	.08	.33	7.53
How secure do you feel walking alone at night?	.19	.29	6.83
Change in residence	.54	.52	9.32
<b>Traditional Human Rights Paradigm</b>			
Rights are for those who walk a straight path	1.00	.40	
The judiciary worry too much about the rights of the accused	.79	.32	4.22
Negative statements about human rights concept	.27	.19	3.15
<b>Emerging Human Rights Paradigm</b>			
Everyone has the right to a fair trial, even if accused of rape	1.00	.57	
Better to let 10 guilty people free then to condemn 1 innocent	.42	.19	3.04
Those doing time should only lose the right to freedom/vote	.45	.21	3.24
<b>The Justice System as Inefficient and Ineffective</b>			
Rating of the efficiency of justice related institutions	1.00	.42	
Satisfaction with quantity and quality of police	1.59	.61	9.61
Police in neighborhood got better/worse/remained the same	2.41	.76	9.19
<b>Support for Citizen Vigilante Justice</b>			
We have the right to take justice into our own hands	1.00	.27	
Level of approval for:			
Someone killing the person who raped his/her daughter	1.34	.61	6.64
Someone killing a person who frightens neighborhood	1.75	.75	6.70
A group of people starting to kill "undesirable" people	1.05	.52	6.46
<b>Support for Procedural Violence</b>			
Torture should be permitted in the questioning of suspects	1.00	.75	
The courts should accept evidence obtained through torture	.39	.24	6.36
Torture should be a permitted method of obtaining info	1.09	.78	12.75
Support for use of torture during police investigations	.32	.23	6.28
<b>Support for Retributive Violence</b>			
Death as appropriate treatment for various transgressors	1.00	.62	
No crime justifies the use of the death penalty	-.45	-.30	-6.59
Appropriate police action in a prison rebellion	.46	.40	7.96

\*Chi<sup>2</sup>/df = 2.41; CFI = .99; RMSEA = .04

The covariances between the latent variables when the measurement models were run simultaneously and allowed to covary with one another are presented in Table 3-7 below. When the estimates are statistically significant, all constructs appear to be related in the manner expected, helping to further establish the construct validity of the measurement models. Nonsignificant estimates between several of the variables have interesting implications. Notably, the emerging human rights paradigm and the traditional human rights paradigm are not related to one another. This gives further support to the notion of the existence of two relatively distinct human rights paradigms. However, several of the variables are unexpectedly unrelated to one another. Specifically, nonsignificant covariance estimates indicate that fear of crime and the traditional human rights paradigm are not related to one another and that viewing the justice system as inefficient and ineffective is unrelated to support for procedural violence.

**Table 3-7:****Covariances between Latent Variables when Measurement Models are Run Simultaneously**

	Estimate	Critical Ratio	P
Fear of Crime ↔ emerging hr paradigm	-0.137	-2.146	0.032
Fear of Crime ↔ Traditional hr Paradigm	0.105	1.579	0.114
Fear of Crime ↔ J.S. as Inefficient	0.211	6.260	0.000
Fear of Crime ↔ Vigilante Justice	0.095	3.417	0.001
Fear of Crime ↔ Procedural Violence	0.160	2.929	0.003
Fear of Crime ↔ Retributive Violence	0.328	4.083	0.000
Emerging hr paradigm ↔ Traditional hr Paradigm	0.025	0.732	0.464
Emerging hr paradigm ↔ J.S. as Inefficient	-0.037	-2.463	0.014
Emerging hr paradigm ↔ Vigilante Justice	-0.044	-3.034	0.002
Emerging hr paradigm ↔ Procedural Violence	-0.140	-4.662	0.000
Emerging hr paradigm ↔ Retributive Violence	-0.289	-6.398	0.000
Traditional hr Paradigm ↔ J.S. as Inefficient	-0.024	-1.551	0.121
Traditional hr Paradigm ↔ Vigilante Justice	0.068	3.865	0.000
Traditional hr Paradigm ↔ Procedural Violence	0.152	4.533	0.000
Traditional hr Paradigm ↔ Retributive Violence	0.178	3.811	0.000
J.S. as Inefficient ↔ Vigilante Justice	0.018	2.924	0.003
J.S. as Inefficient ↔ Procedural Violence	0.010	0.822	0.411
J.S. as Inefficient ↔ Retributive Violence	0.071	3.685	0.000
Vigilante Justice ↔ Procedural Violence	0.044	3.479	0.001
Vigilante Justice ↔ Retributive Violence	0.161	5.673	0.000
Procedural Violence ↔ Retributive Violence	0.331	8.085	0.000

### 3.5 METHODS OF ANALYSES

Preliminary Analyses. The current analysis will first utilize t-tests and ANOVA techniques to explore group differences in support for citizen and police extra-legal violence based on race, social class, and gender (which will also be used as control variables later during structural equation modeling). The purpose of this is to identify which groups are most likely to support violent responses to crime in order to determine any systematic variance that may need to be built into the model. Analysis will focus on the individual items from the questionnaire that will be used as the indicators of the latent variables in the structural equation modeling during later analyses. Results will inform model development and enable a more thorough analysis and interpretation of group differences that may appear in the final model. Although systematic differences among race, gender, and SES were found (as described in section 3.2), interaction effects will not be tested because AMOS was not designed to fit nonlinear structural models (Wall & Amemiya, 2003). Although it is possible to estimate separate group models for every combination of race, gender, and SES, this method is impractical given there are 24 potential combinations of the three variables.

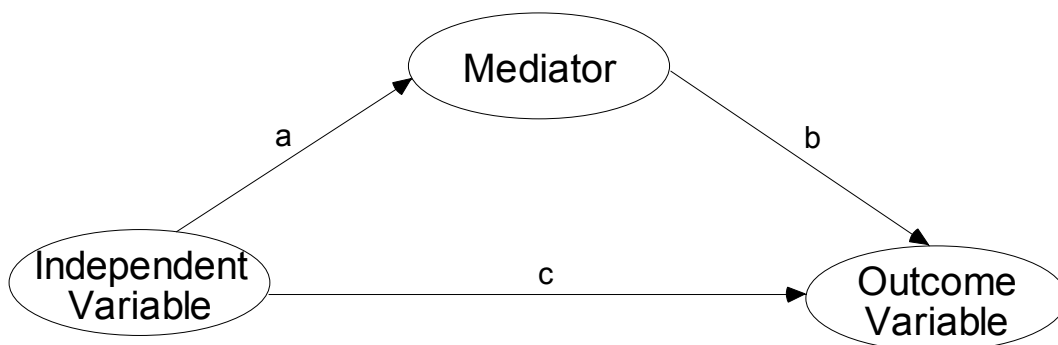
Model Development. The analysis will then turn specifically to model development utilizing structural equation modeling techniques. The analysis will proceed in many stages which will compare the conceptual model illustrated in Figure 2.1 to less restrictive alternative models. The purpose of comparing the conceptual model to alternative models is to assess whether *fear of crime*, use of the *emerging human rights paradigm*, use of the *traditional human rights paradigm*, and/or judging the *justice system as inefficient and ineffective* fully act as mediators between victimization experiences and support for citizen and police violence (as they

are hypothesized) or whether there are direct effects between all of the variables/constructs in the model in addition to the hypothesized indirect effects.

According to Baron and Kenny (1986), mediation has occurred when several conditions exist, presuming the independent variable and the outcome variable have a significant bivariate association. Figure 3-8 presents a path diagram of the relationships involved in a mediated relationship. First, the independent variable must be significantly related to the mediator (path “a”). Additionally, the mediator must be significantly related to the outcome variable (path “b”). If the relationship between the independent variable and the outcome variable (path “c”) is nonsignificant when paths “a” and “b” are controlled for, full mediation can be concluded. Otherwise, partial mediation can be concluded. Although Baron and Kenny (1986) have contended a thorough four step process for establishing mediation is necessary, Kenny, Kashy, and Bolger (1998) have argued that the only essential steps for establishing mediation are the estimation of paths “a” and “b” since path “c” is implied if paths “a” and “b” are significantly different from zero.

**Figure 3-8:**  
**Path Diagram of Mediated Relationships**

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Because of the complexity of the conceptual model proposed in the current research, estimation of the mediated (indirect) effects between all of the constructs will initially be estimated simultaneously (as described above) in the first stage estimation of the conceptual model. However, because it is also important to assess whether the data support fully mediated processes over partially mediated processes (as hypothesized), the 21 direct effects between the variables/constructs in the model will also be tested individually by comparing the more restrictive conceptual model to 21 different less restrictive models which will add one direct effect at a time.

It should be noted that the conceptual model and all of the alternative models that will be tested are nested models. Two models can be considered nested when the models are the same except that some of the parameters that are fixed in one of the models are free to vary in the other (Maruyama, 1998). In other words, two models are nested when the measurement models of the two are the same, but the structural models differ by one or more paths. The significance of setting up comparisons between nested models is that they can be directly compared using chi-square statistics and their corresponding p-values. The chi-square statistic and its corresponding p-value are frequently used to assess absolute fit of a model to the observed data. A model is considered to have a perfect fit with the data when it's predicted variance/covariance matrix matches the variance/covariance matrix generated from the data. A significant p-value indicates that there is a significant amount of unexplained variance remaining after the model has been estimated, indicating a poor fit. When comparing two nested models, the difference between the chi-square statistics of the two alternative models is calculated ( $X^2_{\text{for model 1}} - X^2_{\text{for model 2}}$ ), as well as the difference between the degrees of freedom of the two models ( $df_{\text{for model 1}} - df_{\text{for model 2}}$ ).

model 2), to determine if the two models are significantly different from one another (Maruyama, 1998). If the two models have a comparable fit to the data (based on a non-significant chi-square difference), the more parsimonious (or less complex) model is the preferred model (Garson, 2003).

However, the chi-square statistic is very sensitive to sample size. When using chi-square difference tests to determine whether two nested models are significantly different from one another, trivial differences between models may be found to be significant in large samples (Garson, 2003). Furthermore, because, in general, the more complex a model, the better it fits, parsimony measures (which penalize for a lack of parsimony) are frequently employed when comparing two nested models. Maruyama (1998) has noted that if parsimony indexes do not indicate improved fit, even when a chi-square difference test shows improved fit, the researcher could return to the original model. These guidelines will inform the comparison of nested models in Chapter 4. The parsimony measure that will be utilized when comparing nested models in this part of the analysis will be the parsimony comparative fit index (PCFI) and the root mean square error of approximation (RMSEA). The higher the PCFI and the lower the RMSEA, the better the model fit (Garson, 2003; MacCallum, Browne, and Sugawara, 1996).

After comparing the conceptual model to the 21 different alternative models, which add one direct effect at a time, all direct paths that have been shown to improve the fit of each individual model via this alternative model building process will be estimated together in a “full” alternative model (i.e. without “trimming” nonsignificant effects). This full alternative model will then be systematically compared to the full conceptual model to see if any of the paths from the conceptual model changed substantially in size or significance in the alternative model. Next, nonsignificant paths will be trimmed from the full alternative model and this “trimmed”



alternative model will be systematically compared to both the full alternative model (to see if any of the paths have changed substantially) and the trimmed conceptual model (to verify which has a better fit with the data).

Several fit indexes will be used to assess the overall fit of the models throughout the analyses. As noted above, the chi-square statistic and its corresponding p-value are generally used to assess the absolute fit of a model. However, because the chi-square statistic is sensitive to small differences between the variance/covariance matrices, especially in large samples, measures of relative fit are frequently employed. Relative fit indices compare the proposed model to a “null” model. Relative fit indices employed in the current research include the chi-square/degrees of freedom ratio and the comparative fit index (CFI) which penalizes for large sample sizes. Satisfactory model fit can be concluded when the  $\chi^2$  ratio is 6.0 or less (Kohn & Schooler, 1983) and the CFI is .90 or higher (Maruyama, 1998). The parsimonious fit index RMSEA will also be employed when evaluating the fit of the models. A model is considered to have a good fit if the RMSEA is .05 or less (Garson, 2003; MacCallum, Browne, and Sugawara, 1996) and an adequate fit if the RMSEA is .08 or less. Further examination of the standardized path coefficients will elucidate whether the relationships between the variables proposed in the research hypotheses were supported by the data.

### **3.6 CONTROL VARIABLES**

Race, socio-economic status (SES), and gender will be used as control variables in the structural models tested in all stages of analyses. Controlling for the effects of race, class, and gender on support for citizen vigilante justice, procedural violence, and retributive violence will enable more precise estimation of the hypothesized effects in the

models. Dummy variables have been created for each racial category (white, black, mulato, and Asian), each SES category (upper/upper middle/middle class, lower middle class, and lower class), and each gender category (male, female). Lower class black males will be left as the reference category because they are the most likely to become victims of police violence. This enables relative comparison of support for extra legal violence within each control variable (e.g. females to males; whites, mulattos, and Asians to blacks; and members of the privileged classes and lower-middle class to members of the lower class).

Expected Results: I anticipate that blacks will be less likely than non-blacks to support violent police action because they are more likely to become victims of it. Furthermore, they will be more likely than non-blacks to interpret police violence as racist and be more aware of the possibility that this expected discrimination could affect them in the future, regardless of their criminal intentions or (non)actions. However, if blacks are more likely than non-blacks to become the victims of non-police violence, they may be more likely than non-blacks to support police violence.

Although all classes may feel that justice will not be served through the courts, because the privileged classes are also more likely to feel they deserve justice as a result of their elevated position in society, they may be more likely to support citizen vigilante justice in its many forms. Similarly, non-blacks may be more likely to support citizen vigilante justice than blacks because they may be more likely to perceive themselves as worthy of justice based on their preferred status in society (although most non-blacks are likely to verbally deny such a racial bias) and therefore be more likely to support

vigilante justice as long as they perceive justice will not be served through the judicial system.

However, many group differences may be difficult to detect or explain because of possible countervailing effects. For example, because those in the lower class may be more likely to become the victims of police violence (or know others who may become the victims of police violence), they may be less likely to support police violence as a form of social control. On the other hand, if those in the lower class are more likely to be the victims of violent criminal behavior, they may be more likely to support punitive police actions to try to curb such violence. However, if no class effects are found, it could be the result of an actual lack of class differences, rather than from possible countervailing effects of increased likelihood of victimization from the police versus increased likelihood of victimization from criminals. For example, the social construction of norms is disproportionately guided by middle and upper class ideas and values and those in the lower class frequently adopt many norms that are not in their best interest (as discussed extensively in the legitimization of inequality literature—e.g. Della Fave, 1986). Therefore, those in the lower class may be just as likely to support violent police action as those in more privileged classes because it is possible they have adopted social norms that support violent police action even though they may be more likely to become the victims of it.

It is also possible that the current analysis may encounter countervailing gender effects. Although women are often viewed to be less aggressive and presumably less punitive (which would predict that they would be less likely than men to support violent citizen and police action), they are also more likely to have higher levels of fear of crime

(even though, in actuality, they may be less likely than men to become crime victims),  
which could result in their supporting citizen and police violence more than men.

## CHAPTER 4

### RESULTS

#### 4.1 DESCRIPTIVE STATISTICS

This section explores who is most likely to support citizen and police extra-legal violence. The analysis focuses on individual items from the questionnaire that will be used as the indicators of the latent variables in the structural equation modeling, and utilizes t-tests and ANOVA techniques to identify group differences in level of support for violence based on race, social class, and gender. The Bonferroni correction was used when multiple comparisons were made because it decreases the chance of type 1 error (Keppel, 1991). Frequency of responses for each of the items used to measure the ten key concepts can be found in Appendix A.

Support for Citizen Vigilant Justice: Thirty point nine percent of the respondents (30.9%) said that they either somewhat or completely agreed with the statement, “If the authorities fail, we have the right to take justice into our own hands.” Only 9% of respondents said that they would approve of a group of people in their neighborhood starting to kill “undesirable” people. However, an additional 22.5% said that although they did not approve, they understood such an action. There were no statistically significant race, class, or gender differences in the responses to either of these two questions.

Twenty-two percent (22%) of the respondents approved of an acquaintance killing the person who raped his or her daughter (with an additional 46% saying they disapproved, but understood), while 18.9% said they would approve of a person killing someone who frightens the neighborhood (with an additional 35.1% saying they disapproved, but understood). Although no

statistically significant race differences were found in either of these two remaining indicators of support for vigilante justice, there were some gender and class differences. Women were significantly less likely to approve of someone killing a person who frightens the neighborhood, but there were no gender differences in approval for an acquaintance killing the person who raped his or her daughter. The privileged classes (upper class, upper middle class, and middle class) and the lower middle class were all more likely than the lower class to support an acquaintance killing the person who raped his or her daughter. Finally, the privileged classes were more likely than both lower middle class and lower class to support the killing of a person who frightens the neighborhood.

Support for Procedural Violence: The first measure of support for procedural violence was an index that was created from a question that provided respondents with a list of situations and asked them what the appropriate police action would be in order to obtain information. Three responses were considered support for the use of torture: giving shocks or burns with the end of a cigarette, leaving the suspect without water or food, or (simply) torture. Twenty-four point two percent (24.2%) of the respondents showed support for the use of torture in at least one of the five situations. The situation that elicited the highest level of support for the use of torture to obtain information was someone who was suspected of being a rapist (with 17.1% of respondents indicating support for the use of torture). The situation that elicited the lowest level of support for the use of torture was someone being caught robbing a motorist at a traffic light (with only 6% of respondents indicating support for the use of torture). There were no statistically significant gender, race, or class differences in how this question was answered by the respondents.

When asked for their level of agreement with the statement, “Torture should be a permitted method in order to obtain information,” 20.1% of the respondents indicated that they either somewhat or completely agreed with the statement. There were no statistically significant gender, class, or race differences in how the respondents reacted to this statement.

However, there were some statistically significant gender differences in how the respondents reacted to the final two indicators of support for procedural violence. Twenty-five point six percent (25.6%) of respondents said they either somewhat or completely agreed with the statement, “The courts should accept evidence obtained through torture,” while 19% of the respondents said they either somewhat or completely agreed with the statement, “Torture should be permitted in the questioning of criminal suspects.” Women were significantly less likely than men to show agreement towards these two statements. In contrast, there were no statistically significant race or class differences in how people responded to these two statements.

Support for Retributive Violence: Respondents were asked for their level of agreement with the statement, “No crime justifies the use of the death penalty.” Almost half of the sample (48.8%) either somewhat or completely disagreed with this statement. There were no statistically significant gender or race differences; however, significant class differences did emerge. Those in the lower class were more likely to disagree with this statement than those in the privileged or lower middle classes (with disagreement indicating higher support for the use of the death penalty).

Respondents were also given a list of transgressors and asked to identify the appropriate treatment that should be dispensed to each of them. A scale was created by

counting the number of times death was listed as the appropriate penalty for each of the different transgressors. Nearly forty-five percent (44.6%) of the respondents indicated death as an appropriate penalty for at least one of the transgressors. The transgressors which received the highest level of support for death as an appropriate penalty were rapists (with 34.4% of respondents). Youth who kill received the lowest level of support for death as an appropriate penalty (with 10.2% of respondents). There were no statistically significant gender or race differences in how the respondents reacted to this question; however, some class differences did emerge. Those in the privileged classes were significantly more likely to indicate death as an appropriate penalty for punishment than those in the lower class.

Finally, respondents were asked the appropriate action the police should take in a prison rebellion. Fifty-seven point seven percent (57.7%) gave responses which were indicative of support for some use of force (i.e. using only the baton, 30.9%; shooting but not to kill, 20.7%; and shooting to kill, 6.1%). Again, there were no statistically significant gender differences in how respondents reacted to this question. However, whites were more likely than blacks, and the privileged classes were more likely than those in the lower class, to indicate more punitive responses to a prison rebellion.

In sum, there were some statistically significant class and gender differences in two of the four items used to measure support for citizen vigilante justice, but no race differences for any of the indicators. Significant gender differences were found in two of the four indicators of support for procedural violence, but no statistically significant race or class differences were found. No statistically significant gender differences were found for any of the indicators of support for retributive violence; however, some class differences were detected for all three



indicators and race differences were found for one of the three indicators of support for retributive violence. These results are summarized in Table 4-1 below.

**Table 4-1:**  
**Summary of Gender, Class, & Race Differences in Support for Violence Indicators**

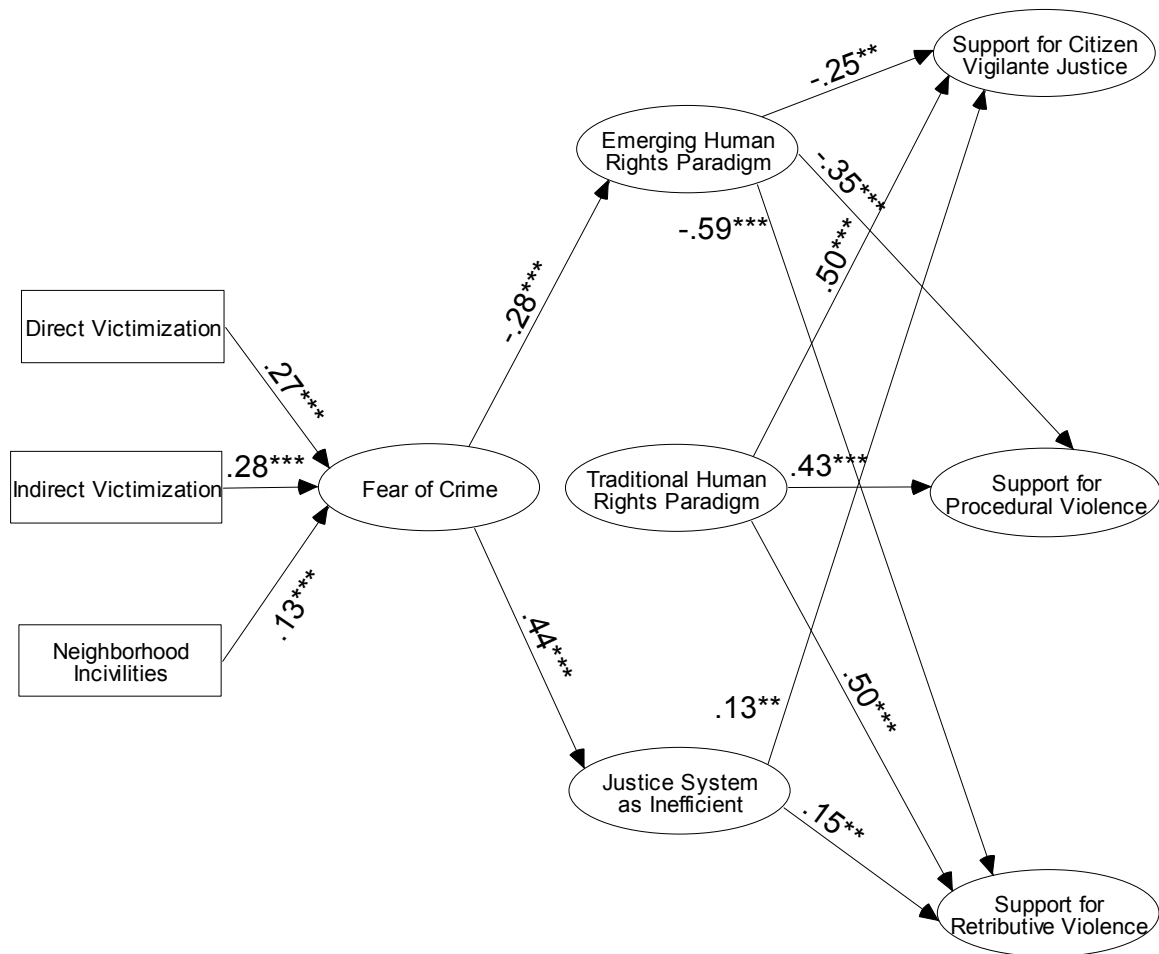
	Gender Differences	Class Differences	Race Differences
Support for Citizen Vigilante Justice	Some	Some	None
Support for Procedural Violence	Some	None	None
Support for Retributive Violence	None	Some	Some

Based on these results, I expect that some gender differences in the level of support for both citizen vigilante justice and police procedural violence may emerge in the structural models estimated next. Correspondingly, I also expect that I may find some class differences in the level of support for citizen vigilante justice and retributive violence by the police when structural models are estimated. Finally, I expect that some race differences may emerge in the level of support for police retributive violence in the structural models. However, also based on these results, I expect to find no gender differences in the level of support for police retributive violence, no class differences in the level of support for police procedural violence, and no race differences in either the level of support for citizen vigilante justice nor the level of support for police procedural violence.

## 4.2 ESTIMATION OF PROPOSED CONCEPTUAL MODEL

Model development proceeded in several stages. During the first stage, the proposed conceptual model was estimated using structural equation modeling techniques. After the initial estimation of the proposed conceptual model, nonsignificant paths were removed. This “trimmed” model is presented in Figure 4-1. It is worth noting at this point in the analysis that only two of the original hypothesized paths were nonsignificant (Hypothesis 4B: fear of crime → traditional human rights paradigm and Hypothesis 7B: justice system as inefficient → support for procedural violence). The remaining paths were significant and in the direction hypothesized. Figure 4-1 presents the standardized path coefficients for the conceptual model, as well as the fit indices. Path coefficients for the measurement part of the model have been excluded from Figure 4-1 because they are similar in size and significance to those results presented in Table 3-6. Race, SES, and gender were used as control variables during the estimation of the conceptual model. Results indicate some race and class differences. Those in the privileged classes were more likely than those in the lower class to support both citizen vigilante justice ( $\beta=.11^*$ ) and retributive violence by the police ( $\beta=.14^{**}$ ). Furthermore, both whites and mulatos were more likely than blacks to support retributive violence by the police ( $\beta=.17^{**}$  and  $\beta=.14^*$ , respectively).

**Figure 4-1:**  
**“Trimmed” Conceptual Model with Standardized Coefficients**



Notes: Controlling for the effects of race, class, and gender on support for citizen vigilante justice, procedural violence, and retributive violence.

\* significant at  $p < .05$ , \*\* significant at  $p < .01$ , \*\*\* significant at  $p < .001$

Chi<sup>2</sup>/df = 2.586

CFI = .984

RMSEA = .04

N = 1000

As was discussed in Chapter 3, fit indices employed in the current research include the Chi<sup>2</sup>/degrees of freedom ratio, the comparative fit index (CFI), and the root mean square error of

approximation (RMSEA). Satisfactory model fit can be concluded when the  $\chi^2$  ratio is 6.0 or less (Kohn & Schooler, 1983), the CFI is .90 or higher (Maruyama, 1998), and the RMSEA is .05 or less (MacCallum, Browne, and Sugawara, 1996). Model fit indices indicate that the trimmed conceptual model presented in Figure 4-1 adequately fits the data ( $\chi^2/df = 2.586$ , CFI = .984, and RMSEA = .04).

### 4.3 ALTERNATIVE MODEL BUILDING PROCESS

Although the trimmed conceptual model satisfactorily fits the data, an alternative model that includes direct effects in addition to the proposed indirect effects between all of the variables/constructs could fit the data better. To address this possibility, I proceeded to compare this conceptual model to 21 different models, which added one direct effect at a time, in order to assess which direct effects might improve the fit of the model. In order for the models to remain nested during this alternative model building process, and therefore directly comparable using chi-square statistics and their corresponding p-values, the “full” conceptual model (pre-“trimming”) was used when comparing the conceptual model to the alternative models. The results of this alternative model building process are summarized in Table 4-2 below. Five of the 21 direct effects were found to be significant at the .05 level when added to the conceptual model on an individual basis: direct victimization → emerging human rights paradigm, indirect victimization → emerging human rights paradigm, indirect victimization → justice system as inefficient, neighborhood incivilities → justice system as inefficient, and indirect victimization → support for procedural violence. Chi-square difference tests determined that these five models which added one direct effect at a time all differed significantly from the original conceptual model.

**Table 4-2:****Summary of Alternative Model Estimation**

Path added to Conceptual Model	Chi-square Difference	Comments
Dir Victim → Traditional Hum Rights	.972	Path nonsignificant
Dir Victim → Emerging Hum Rights	13.281**	Path sig, .001 level, negative, REMSA & PCFI same
Dir Victim → JS Inefficient	.09	Path nonsignificant
Indir Victim → Traditional Hum Rights	.284	Path nonsignificant
Indir Victim → Emerging Hum Rights	5.772*	Path sig, .01 level, negative, REMSA & PCFI same
Indir Victim → JS Inefficient	15.442**	Path significant, .001 level, positive, REMSA & PCFI same
N'hood Inciv → Traditional Hum Rights	.041	Path nonsignificant
N'hood Inciv → Emerging Hum Rights	.018	Path nonsignificant
N'hood Inciv → JS Inefficient	23.856**	Path sig, .001 level, pos, REMSA & PCFI same
Dir Victim → Vigilante Justice	1.344	Path nonsignificant
Dir Victim → Procedural Violence	.516	Path nonsignificant
Dir Victim → Retributive Violence	.411	Path nonsignificant
Indir Victim → Vigilante Justice	.449	Path nonsignificant
Indir Victim → Procedural Violence	6.624*	Path significant, .01, positive, REMSA & PCFI same
Indir Victim → Retributive Violence	2.149	Path nonsignificant
N'hood Inciv → Vigilante Justice	.001	Path nonsignificant
N'hood Inciv → Procedural Violence	.429	Path nonsignificant
N'hood Inciv → Retributive Violence	.016	Path nonsignificant
Fear of Crime → Vigilante Justice	.473	Path nonsignificant
Fear of Crime → Procedural Violence	.842	Path nonsignificant
Fear of Crime → Retributive Violence	.067	Path nonsignificant

Notes:  $\chi^2$  difference =  $\chi^2$  for conceptual model –  $\chi^2$  for alternative model

\* significant at  $p < .05$ , \*\* significant at  $p < .01$ , \*\*\* significant at  $p < .001$

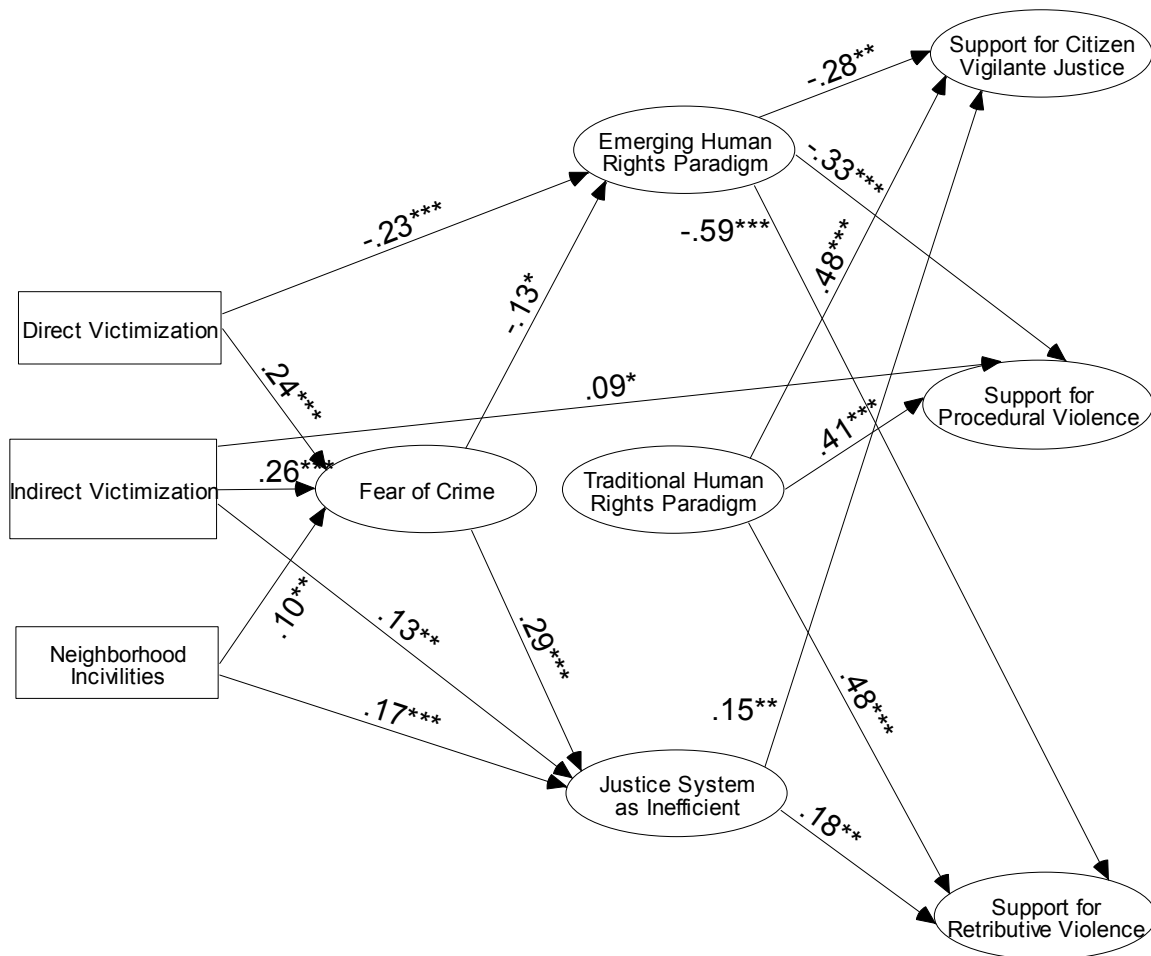
All of the five direct paths that were shown to improve the fit of the model were then estimated together in a “full” alternative model. Four of the five direct paths remained significant. Notably, the direct path between indirect victimization and the emerging human rights paradigm became nonsignificant when all five of these direct paths were included in the model, indicating that its effect was likely a reflection of its positive correlation with direct victimization. This path was subsequently trimmed from the “full” alternative model.

When the “full” alternative model is systematically compared to the “full” conceptual model, all but one of the paths from the conceptual model remain substantially the same in both size and significance. The one exception is that the path between fear of crime and the emerging human rights paradigm becomes nonsignificant in the full alternative model. This is likely due to the inclusion of the direct path between direct victimization and the emerging human rights paradigm. When this direct path was added to the conceptual model on an individual basis, the path between fear of crime and the emerging human rights paradigm became borderline significant at the .06 level. However, because of its theoretical importance, its significance in the estimation of the conceptual model, and its borderline significance during the alternative model building process, this path between fear of crime and the emerging human rights paradigm was retained in the model during the trimming process of the full alternative model to assess whether there would be an increase in power to detect it when all other nonsignificant paths were trimmed. It again becomes significant at the .05 level when all other nonsignificant paths are trimmed from the model.

Figure 4-2 below presents the standardized path coefficients for the trimmed alternative model, as well as the fit indices. As they were in figure 4-1, path coefficients for the measurement part of the model have been excluded from Figure 4-2 because they are similar in

size and significance to those results presented in Table 3-6. Again, race, SES, and gender were used as control variables during the estimation of the alternative model. Model fit indices indicate that the trimmed alternative model presented in Figure 4-2 adequately fits the data ( $\chi^2/df = 2.492$ , CFI = .985, and RMSEA = .039).

**Figure 4-2:**  
**“Trimmed” Alternative Model with Standardized Coefficients**



Notes: Controlling for the effects of race, class, and gender on support for citizen vigilante justice, procedural violence, and retributive violence.

\* significant at  $p < .05$ , \*\* significant at  $p < .01$ , \*\*\* significant at  $p < .001$

$\chi^2/df = 2.492$

CFI = .985

RMSEA = .039

N = 1000



#### 4.4 COMPARISON OF CONCEPTUAL TO ALTERNATIVE MODEL

Besides the inclusion of the four additional significant paths in the trimmed alternative model, as outlined above, the most notable differences between the conceptual model and the alternative model are the size and significance of the paths between fear of crime → emerging human rights paradigm, fear of crime → viewing the justice system as inefficient and ineffective, and neighborhood incivilities → fear of crime. The path between fear of crime and the emerging human rights paradigm decreased in both size (from -.28 to -.13) and significance (from significant at  $p < .001$  to  $p < .05$ ), while the path between fear of crime and viewing the justice system as inefficient decreased only in size (from .44 to .29) and the path between neighborhood incivilities and fear of crime decreased only in significance (from  $p < .001$  to  $p < .01$ ).

The effects of race, class, and gender were largely comparable between the conceptual and the alternative model, as well. Those in the privileged classes continued to be more likely than those in the lower class to support both citizen vigilante justice ( $\beta = .11^*$  in both models) and retributive violence by the police ( $\beta = .14^{**}$  in conceptual model and  $\beta = .15^{**}$  in the alternative model). Again, both whites and mulatos were more likely than blacks to support retributive violence by the police ( $\beta = .17^{**}$  and  $\beta = .14^*$ , respectively in both models). No significant class differences were found with regards to support for citizen vigilante justice in either model. Furthermore, no significant gender differences were found with regards to support for vigilante justice, support for procedural violence, or support for retributive violence in either model. Also, no significant race, SES, or gender differences were found for support for procedural violence in either model.

Fit indexes for both the trimmed conceptual model and the trimmed alternative model are summarized in Table 4-3 below. All fit indexes for both models indicate an acceptable fit to the data. At first glance, the trimmed alternative model appears to have a better fit with the data than the trimmed conceptual model. The chi-square/degrees of freedom ratio and the RMSEA are lower and the CFI is higher for the alternative model than for the conceptual model. However, the trivial differences between the fit measures for the two models cannot be considered statistically significant when the tolerance range for a significant fit is as wide as it is for each index. These negligible differences between the fit measures indicate that both models represent the data equally well and therefore are both equally appropriate. However, in general, if two models have a comparable fit to the data, the more parsimonious model is the preferred model. Based on these grounds, I reject the alternative model and accept the conceptual model as the final model.

**Table 4-3:**  
**Summary of Fit-Indexes and Model Comparisons**

	Trimmed Conceptual Model	Trimmed Alternative Model	Difference
$X^2/df$	2.586	2.492	0.094
CFI	.984	.985	0.001
RMSEA	.04	.039	0.001

Notes: Difference = difference between fit indexes for conceptual model and alternative model

#### **4.5 HYPOTHESIS TESTING**

Examination of the standardized path coefficients presented in Figure 4-1 will elucidate whether the relationships between the variables proposed in the research hypotheses were supported by the data. A summary of the results of hypothesis testing of hypotheses 1 through 7c is presented in table 4-4 below. As predicted, direct victimization, indirect victimization, and neighborhood incivilities were all found to have a positive relationship with fear of crime. In turn, fear of crime was negatively associated with adopting the emerging human rights paradigm and positively associated with viewing the justice system as inefficient and ineffective. Unexpectedly, fear of crime was not associated with a more traditional human rights paradigm. However, the emerging human rights paradigm was negatively associated with support for citizen vigilante justice, as well as support for procedural and retributive violence by the police. Conversely, the traditional human rights paradigm was positively associated with support for all three types of violence. Furthermore, viewing the justice system as inefficient and ineffective was positively associated with support for citizen vigilant justice and retributive violence, but was not related to support for procedural violence.

**Table 4-4:**  
**Summary of Hypothesis Testing**

	Hypothesis	$\beta$	Results
H1:	The higher the level of direct victimization, the greater the fear of crime	.27***	Supported
H2:	The higher the level of indirect victimization, the greater the fear of crime	.28***	Supported
H3:	The greater the presence of neighborhood incivilities, the greater the fear of crime	.13***	Supported
H4a:	Fear of crime is negatively associated with support for the emerging human rights paradigm	-.28***	Supported
H4b:	Fear of crime is positively associated with support for the traditional human rights paradigm		Not Supported
H4c:	Fear of crime is positively associated with judging the justice system as inefficient and ineffective	.44***	Supported
H5a:	The emerging human rights paradigm is negatively associated with support for vigilante justice	-.25**	Supported
H5b:	The emerging human rights paradigm is negatively associated with support for procedural violence	-.35***	Supported
H5c:	The emerging human rights paradigm is negatively related to support for retributive violence	-.59***	Supported
H6a:	The traditional human rights paradigm is positively associated with support for vigilante justice	.50***	Supported
H6b:	The traditional human rights paradigm is positively associated with support for procedural violence	.43***	Supported
H6c:	The traditional human rights paradigm is positively related to support for retributive violence	.50***	Supported

H7a:	Judging the justice system as inefficient and ineffective is positively related to support for citizen vigilante justice	.13**	Supported
H7b:	Judging the justice system as inefficient and ineffective is positively related to support for procedural violence		Not Supported
H7c:	Judging the justice system as inefficient and ineffective is positively related to support for retributive violence	.15**	Supported

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Note: \* significant at  $p < .05$ , \*\* significant at  $p < .01$ , \*\*\* significant at  $p < .001$

#### 4.6 MEDIATION

The current research finds support for a very complex mediational model. Fear of crime emerged as a mediator between victimization experiences (direct victimization, indirect victimization, and the presence of neighborhood incivilities) and the emerging human rights paradigm. Furthermore, fear of crime was also a mediator between victimization experiences and viewing the justice system as inefficient and ineffective. Overall, victimization experiences are associated with an increase in fear of crime, which, in turn, is associated with decreases in the adoption of the emerging human rights paradigm and increases in judgments that the justice system is inefficient and ineffective.

The emerging human rights paradigm came out as a mediator between fear of crime and support for all three types of violence. Specifically, fear of crime is associated with decreases in acceptance of the emerging human rights paradigm, which, in turn, is associated with decreased support for citizen vigilante justice and procedural and retributive violence by the police. Unexpectedly, the traditional human rights paradigm

does not appear to act as a mediator between fear of crime and support for citizen vigilant justice and procedural and retributive violence, because fear of crime is not significantly related to the traditional human rights paradigm (a condition for mediation). However, as predicted, viewing the justice system as inefficient and ineffective does mediate the effects of fear of crime on both support for citizen vigilante justice and support for retributive violence by the police. Fear of crime is associated with increased judgments of the justice system as inefficient, which, in turn, is associated with increased support for vigilante justice and retributive violence. Unexpectedly, viewing the justice system as inefficient and ineffective does not appear to act as a mediator between fear of crime and support for procedural violence, because viewing the justice system as inefficient and ineffective is not significantly related to support for procedural violence (again, a condition for mediation).

## CHAPTER 5

### DISCUSSION

#### 5.1 SUMMARY

The purpose of the current research was to take a social psychological approach to understanding public acquiescence and support for extra legal police violence in Brazil. Data were drawn from research conducted by NEV- CEPID/FAPESP in 2001. The sample consisted of 1000 youth and adults age 16 and greater in the city of São Paulo who were representative of the general population based on sex, age, education level, occupation, and geographic area (with an oversampling of people from violent neighborhoods). T-tests and ANOVA techniques were utilized to explore group differences in support for citizen and police extra-legal violence based on race, social class, and gender. Structural equation modeling (SEM) was then used to estimate a mediational model of the relationships between environmental influences (direct and indirect victimization, as well as the presence of neighborhood incivilities), general justice related judgments and paradigms (the justice system as inefficient and ineffective, the traditional human rights paradigm, and the emerging human rights paradigm) and support for specific kinds of extra legal violence (support for citizen vigilante justice, support for procedural violence by the police, and support for retributive violence by the police).

As hypothesized, direct victimization, indirect victimization, and neighborhood incivilities were all positively associated with fear of crime. In turn, fear of crime was negatively associated with adopting the emerging human rights paradigm and positively associated with viewing the justice system as inefficient and ineffective. Unexpectedly, fear of

crime was not associated with a more traditional human rights paradigm. However, the emerging human rights paradigm was negatively associated with support for citizen vigilante justice, as well as support for procedural and retributive violence by the police. Conversely, the traditional human rights paradigm was positively associated with support for all three types of violence. Furthermore, viewing the justice system as inefficient and ineffective was positively associated with support for citizen vigilant justice and retributive violence, but, unexpectedly, was not related to support for procedural violence.

## **5.2 IMPLICATIONS FOR THEORY**

Interestingly, the size of the effects of direct and indirect victimization on fear of crime were nearly identical (.27 vs. .28, respectively) and twice the size of the effect of neighborhood incivilities on fear of crime (.13). This is in contrast to previous research in the United States and Australia which has shown that neighborhood incivilities were a better predictor of fear of crime than victimization histories (e.g. Carcach, Frampton, Thomas, & Cranich, 1995; Hanson, Smith, Kilpatrick, & Freedy, 2000) and probably relates to cultural differences in the meanings attached to various neighborhood incivilities, as well as meanings attached to both kinds of victimization. In this case, the social construction of meaning of incivilities and victimization has likely resulted in the downgrading of the level of threat actually posed by the presence of such things as trash or public drunkenness, and the elevation of the level of threat actually posed by both direct and indirect victimization. The way that the citizens of São Paulo talk about their own victimization histories and the victimization histories of those around them influences their perceived risk of future victimization and their affective experiences of fear related to victimization.



The current research unexpectedly found that fear of crime, while negatively related to the emerging human rights paradigm, was not associated with the traditional human rights paradigm. This result is not too surprising when one considers that the traditional human rights paradigm is much more highly grounded in history than the emerging human rights paradigm. Many of the defining features of the traditional human rights paradigm, such as Brazilian beliefs about race and class and the legitimacy of hierarchical power relationships between people, are known to be resistant to change. Therefore, it makes sense that the emerging human rights paradigm may be more influenced by current events than the traditional human rights paradigm. However, it is interesting to note that current events are frequently used in public discourse to justify existing beliefs from the traditional human rights paradigm that some people are more worthy of human rights protection than others.

The current research suggests that the emerging and the traditional human rights paradigms coexist in competition with one another. However, they are not competing in the sense that as one becomes stronger the other becomes weaker, but competing in the sense that one person can hold both paradigms at the same time and use of one or the other is largely dependent on the circumstances surrounding the use of the paradigms. The reality that Brazilians can hold two seemingly contrary paradigms at the same time reveals that Brazil is not a society where people tend to think in terms of dichotomies. What makes it more probable that one paradigm will be employed rather than the other during the social construction of attitudes about the human rights of criminals? Although this is a complex issue, results from the current research suggest that fear of crime makes it less likely that someone will use the emerging human rights paradigm when forming attitudes about appropriate police action towards criminals. If one considers that public opinion polls have found upwards of 60% approval rates

for specific incidences of extrajudicial killings by the police, it appears that the traditional human rights paradigm is more frequently used during the social construction of the human rights of criminals than the emerging human rights paradigm. As Damatta (1991) has noted, “When the egalitarian pole grows stronger, the hierarchical structure does not automatically fade or disappear; it finds new ways to react and reinforce itself” (pg. 154). However, this is not to say that the emerging human rights paradigm is not a powerful force for change in Brazil, particularly because human rights organizations, both governmental and nongovernmental, recognize the importance of hierarchical power relationships in Brazil. Brazilian human rights organizations increase their effectiveness by appealing to the United Nations and to the “world view” (i.e. higher authorities) to help develop a stronger sense of individual rights in Brazil.

Judging the justice system as being inefficient and ineffective was positively related to support for retributive violence, but was not significantly related to support for procedural violence. Dissatisfaction with the justice system was associated with neither an increase *nor* a decrease in support for procedural violence. This non-significance likely reflects a complex relationship that could not be detected by the measures of procedural violence used in the current research. Cardia (1997) has contended that police violence and arbitrariness increases distrust of the police, but rather than creating widespread efforts towards reformation of the police, it instead increases tolerance of police violence. This indifference towards police violence could not be detected in the current research because the variables used to measure support for procedural violence forced a choice between approval or disapproval of the violence (with no neutral point which might have indicated indifference towards or tolerance of police violence within the procedural domain). Although more research is definitely necessary to clarify the complex relationship between dissatisfaction with the justice system and support for procedural

violence, the current research suggests that judging the justice system as ineffective and inefficient actually increases *support* for police violence within the domain of retributive justice and possibly increases *tolerance* of police violence within the domain of procedural violence.

The results from the current research do appear to support a model which predicts differences in justice judgments based on intergroup relations. The model presented in Figure 4-1 is consistent with realistic group conflict theory, within the domain of intergroup relations research, which predicts prejudiced attitudes and beliefs will develop when two groups are in conflict with one another. In the current research, inter-group conflict, as well as ingroup/outgroup categorization, was based on the negative interactions between law-abiding citizens and criminals, where those who were victimized (whether directly or indirectly) were more likely to support violent extra-legal responses to crime, via several general justice related judgments and paradigms. Furthermore, the model of justice judgments supported in the current research included both instrumental and symbolic group value concerns. Having little faith in the criminal justice system (an instrumental concern) appears to link victimization and fear of crime to support for extra-legal citizen and police vigilante style justice. The traditional human rights paradigm, while not acting as a mediator between fear of crime and support for citizen and police violence, was associated with increased support for extra-legal violence and is characterized by a symbolic exclusion of criminals as members of society and humanity.

An assumption that was tested in the current research is that the same conditions give rise to support for citizen and police vigilante style justice. Although unspecified, both procedural violence and retributive violence were assumed to be types of vigilante justice. However, the results of the data analysis offer preliminary support for a theoretical distinction between “vigilantism” and “vigilante justice”. The patterns of the relationships studied in the model were

identical for support for citizen vigilante justice and support for retributive violence, giving preliminary confirmation for the notion of retributive violence as a type of vigilante justice. Although the pattern of relationships which predicted support for procedural violence by the police was very similar to the other two outcome variables, it was not identical. Conceptually, what do citizen vigilante justice and retributive violence share that procedural violence does not? One apparent similarity is that they both involve judgments of fairness of punishment for wrongdoing and are not merely extra-legal responses to crime.<sup>4</sup> Although further research could add clarification to this issue, the results of the current study suggest that the concept of “vigilantism” should be used to refer to any extra-legal response to crime, whereas “vigilante justice” should be used to refer to any extra-legal punishment for wrongdoing, regardless of whether it is carried out by citizens or by the police. In sum, there was support from the current research that the same conditions give rise to both citizen and police vigilante style justice, but that procedural violence by the police, though vigilantism, probably should not be considered vigilante justice.

### *Group Differences*

Group differences in support for citizen and police extra-legal violence were found in the current analysis. When race, class, and gender were used as control variables during structural equation modeling, race and class differences emerged in support for citizen vigilante justice and police retributive violence. Specifically, the results indicated that whites and mulattos were more likely than blacks to support retributive violence by the police. These race differences are interesting when one considers that blacks are the most likely racial group to become victims of extrajudicial killings. Presumably, blacks were less likely than non-blacks to support retributive

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<sup>4</sup> Although this begs the question of whether retributive violence is a type of vigilante style justice, or whether citizen vigilante justice is a type of retributive violence.

violence by the police because they are more likely to become the victims of it. Although most Brazilians are assumed to be guided by negative racial stereotypes to exclude blacks from access to human rights, blacks presumably hold significantly less prejudiced beliefs about themselves as a group than non-blacks. Correspondingly, it is probable that blacks are more likely than non-blacks to interpret retributive police violence as racist and be more aware of the possibility that this discrimination could affect them in the future, regardless of their criminal intentions.

Furthermore, results of the structural equation modeling showed that those among the privileged classes (upper, upper middle, and middle classes) were more likely to support both vigilante justice and retributive violence than those among the lower class. Those in the privileged classes may be more likely to support citizen vigilante justice than those in the lower class because they are more likely to feel, as a result of their elevated position in society, that they deserve to see justice served—particularly when justice has not been meted out through the courts. This privatization of justice may reflect the privileged classes' expectations that justice will be served, one way or another. Furthermore, those among the lower class may have lower expectations that they will see just outcomes because they experience injustice in so many different areas in their lives, not just within the domain of criminal victimization. Class differences in support for retributive violence may mirror a similar dynamic to the race differences discussed above. Those in the lower class may be less likely to support retributive violence by the police because they are more likely to become (or know others who may become) the victims of it. Correspondingly, those among the privileged classes may be more likely to support retributive violence by the police because they are less likely to have personal familiarity with people who have become the victims of extrajudicial killings by the police.

No gender differences were found during structural equation modeling. However, earlier analyses utilizing T-tests and ANOVA techniques indicated some gender differences in support for citizen vigilante justice and procedural violence by the police when focusing on individual items from the questionnaire that were later used as the indicators of the latent variables during structural equation modeling. Gender differences were found in one of the three indicators that were used to measure support for citizen vigilante justice. Specifically, women were less likely than men to approve of someone killing a person who frightened the neighborhood. Gender differences were also found in two of the four indicators of support for procedural violence. Women were less likely than men to agree that the courts should accept evidence obtained through torture or that torture should be permitted in the questioning of criminal suspects. These results are consistent with expectations that women, in general, may be less punitive than men overall. However, lack of gender differences during structural equation modeling, where multiple indicators were used to measure support for violence, may reflect similar levels of feelings of vulnerability to crime for both men and women in the sample. Although previous research has shown that women, in general, are more likely to have higher levels of fear of crime (Bilsky & Wetzels, 1997), post hoc analyses indicate that women and men in the current research show similar levels of fear of crime. Presumably, this leads men and women to support citizen and police violence equally via decreased adoption of the emerging human rights paradigm and increased judgments that the justice system is ineffective and inefficient. It is important to note, however, that men and women may have differed in a systematic way which might have “washed out” gender effects during structural equation modeling, although no relevant differences were identified in the current research.

### 5.3 STUDY LIMITATIONS AND FUTURE RESEARCH

A limitation to the current research is not being able to tease out support for extra-legal police killings and a more legitimate death penalty. Although largely a linguistic issue in terms of the multiple possible meanings of the phrase “pena de morte,” future survey research could define for the respondents how the researchers are intending the phrase to be interpreted. Likewise, separate questions could explicitly ask about respondents’ feelings regarding extra-legal police killings versus a legalized institutional death penalty. Furthermore, video clips or vignettes could be utilized to more accurately ascertain citizen support for extrajudicial killings by the police (as opposed to a more legitimate death penalty) by specifically showing or describing particular examples of these police abuses.

The dataset used in the current research provided useful measures of support for citizen vigilante justice, procedural violence, and retributive violence. However, the global and abstract nature of the questions appeared to elicit attitudes which reflect the desirable or the ideal, rather than the real or the necessary. This seems to be revealed in the frequency statistics across the 11 measures used to assess support for vigilante justice, procedural violence, and retributive violence. On average, only 25% of the respondents indicated support for extra-legal violence in response to crime. This is in stark contrast to public opinion polls which have indicated approval ratings of upwards of 60% for extra-legal police violence in specific incidences (e.g. for the execution of Cristiano Moura Mesquita in Rio de Janeiro in 1995). This discrepancy between support for violent action in the ideal and real appears to support the notion that when many Brazilians support police violence it is not because they believe it is desirable in an ideal sense, but because they may feel it is a necessary response to crime in order to increase public safety. Future

research could ascertain the amount of cognitive dissonance associated with this apparent inconsistency between what some Brazilians value in the abstract and the attitudes they express in the context of particular instances of extrajudicial killings. If cognitive dissonance is found to be present, this could have useful ramifications for practical application because attitude change has been demonstrated in research where inconsistencies between attitudes and their more centrally held values are brought to the attention of research participants (e.g. Kehoe, 1975). Interestingly, the results of the current research have shown that day-to-day victimization experiences of citizens in Brazil influence their support and acceptance of extra-legal violence at the more abstract ideal level (via fear of crime and general justice related judgments and paradigms). One can only assume that the relationships specified in the current research model are likely to be even stronger when attitudes towards support for extra-legal violence can be measured in response to particular crime scenarios.

The current research looked at the antecedents and consequences of several general justice related judgments and paradigms in Brazil. However, it is important to recognize that the final model accepted during the structural equation modeling process is not a causal model, per se. Because the data that was used was cross-sectional in nature, no claims about causation between the variables in the model can be made. According to McKinnon (1997), structural equation modeling, “typically seeks to demonstrate only that the causal processes specified by the hypothesized model are consistent with the data” (pg. 99). The current research identified a complex mediation model which showed that criminal victimization was associated with increased support of police violence, via fear of crime and general justice related judgments and paradigms. In order to be more confident that victimization actually increases punitive responses



to crime, data which looks at victimization and corresponding levels of punitiveness across time will need to be collected.

Furthermore, while the alternative model was not accepted as the final model in the current research, it does highlight some potentially interesting avenues for future research. Unexpectedly, although not surprisingly in terms of theoretical possibilities, the alternative model indicated that both direct and indirect victimization, as well as the presence of neighborhood incivilities, had direct effects on several variables in the model, independent of their indirect effects via fear of crime. Specifically, direct victimization was negatively associated with the emerging human rights paradigm; indirect victimization and the presence of neighborhood incivilities were positively associated with viewing the justice system as inefficient and ineffective; and indirect victimization was also positively associated with support for procedural violence. These relationships suggest that other psychological reactions to victimization and neighborhood incivilities besides fear, such as anger or resentment, may influence how people view the human rights of criminals. These direct paths suggested in the alternative model reflect a very complex reality and warrant further research.

#### **5.4 CONCLUDING REMARKS**

Use of the traditional human rights paradigm in Brazil, which views some people as more deserving of human rights protection than others, may act as the “default” paradigm because it is highly grounded in an authoritarian culture where hierarchical power relationships between people are so legitimated. Staerkle and Clemence (2004) note that if a person’s human rights are to be supported as inalienable, his or her deservingness of human rights protection must be disassociated from his or her acts or personal characteristics. Within the traditional human

rights paradigm, information about a criminal's race, social class, and criminal actions are used to justify a lack of deservingness of human rights protection. Because use of the traditional human rights paradigm places the law breaker in context, policies which reinforce popular human rights discourse to include all people as worthy of human rights protection, regardless of race, class, or actions, are necessary. Because the belief that all people are worthy of human rights protection is already a defining feature of the emerging human rights paradigm, public policies are needed which focus on strengthening the likelihood that the emerging human rights paradigm will be used during attitude formation of the appropriateness of violent police action. Within the emerging human rights paradigm, it is possible to support human rights protection for criminals, without supporting their criminal actions. Those who adopt the emerging human rights paradigm are less likely to support either procedural or retributive violence by the police. The current research suggests that fear of crime, which is associated with increased victimization and the presence of neighborhood incivilities, acts as a barrier to the adoption of this emerging human rights paradigm. To the extent that public support for extra-legal police violence is recognized as a barrier to building a stronger culture of peace in Brazil, government strategies which try to address the public's fear of crime will need to continue to evolve.

The effects of fear for personal safety and the safety of significant others on increased punitiveness is not limited to the Brazilian context. A similar phenomenon can be observed in the United States since the terrorist attacks of September 11, 2001. Similar to the dehumanization process of criminals in Brazil, counter-terrorism discourse in the United States dehumanizes terrorists and undermines their civil rights (Douglass, 2004). Feelings of vulnerability have led many Americans to accept policies which limit the civil liberties of suspected terrorists, as can be seen in the widespread indifference towards the detention of

suspected al-Qaeda and Taleban fighters at the U.S. Guantanamo Bay base in Cuba without the civil rights protections normally afforded on American soil.

An issue that was not addressed here, but that is certainly relevant to the current research, is why policemen in Brazil act as they do. Why do they routinely use excessive force during day-to-day law enforcement and maintenance of public order? In Brazil, police forces in general, and the military police in particular, are frequently viewed by the public, the government, and themselves as waging a “war on crime.” This notion of police officers as soldiers is a remnant of the authoritarian model of policing during the military dictatorship where there existed an “internal enemy” of urban guerrillas who were perceived by many as needing to be suppressed (Pinheiro, 1991). According to Pinheiro (1991), “the formal distinction between crime control and repression of political violence has been completely cast aside. In today’s war on crime, the military police behave as if they were confronting an “internal enemy” who must be liquidated....In the end, the only good criminal is a dead criminal” (pg. 173). Beyond this, police officers in Brazil are undervalued, underpaid, under-trained, and under-equipped. According to a survey in one of the most widely circulated newspapers in Brazil (Folha de São Paulo , August 18<sup>th</sup>, 1996), the only professional occupation spontaneously rejected more times than a policeman by those surveyed, was a gravedigger (Cardia, 1997). Furthermore, chronic exposure to dangerous situations, combined with a lack of training and equipment, increases feelings of fear and vulnerability by police officers themselves (Cardia, 1997) which is likely to increase their own punitiveness. Certainly, continued research which further illuminates why policemen use excessive force and why public support and tolerance for such force exists is needed to decrease the actual incidence of police violence in Brazil and around the world.

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## Appendix A: Concepts, Measurement, and Frequencies of Responses

### Direct Victimization

In the last 12 months....	1=Yes		0=No	
	<u>n</u>	<u>%</u>	<u>n</u>	<u>%</u>
a) Someone threatened you with a revolver to rob something of yours	88	8.8	910	91.0
b) Someone assaulted you with swear words	222	22.2	777	77.7
c) Someone threatened you with a knife to rob something of yours	21	2.1	974	97.4
d) A policeman or authority threatened you to extract some money	32	3.2	968	96.8
e) Someone offered you drugs	123	12.3	876	87.6
f) You suffered some type of aggression (slap, punch, kick, etc.)	65	6.5	934	93.4
g) You suffered some type of aggression or maltreatment from the police	63	6.3	937	93.7
h) You were wounded by a firearm	16	1.6	983	98.3
i) Someone asked you to find drugs	48	4.8	949	94.9

### Indirect Victimization

In the last 12 months....	2=Yes		0=No	
	<u>n</u>	<u>%</u>	<u>n</u>	<u>%</u>
a) A close relative was wounded by a firearm or knife	140	14.0	860	86.0
b) A close relative was kidnapped	25	2.5	975	97.5
c) A close relative was murdered	123	12.3	877	87.7

In the past three months, have you witnessed or heard about some of the following incidents happening in your neighborhood:

	2=Yes		1=Not witnessed, but heard about it		0=No	
	<u>n</u>	<u>%</u>	<u>n</u>	<u>%</u>	<u>n</u>	<u>%</u>
a) Someone being assaulted	387	38.7	191	19.1	422	42.2
b) Gang fights	156	15.6	99	9.9	745	74.5
c) Shootings/Gun fights	380	38.0	125	12.5	495	49.5
d) Someone being threatened with a knife	140	14.0	44	4.4	816	81.6
e) Someone getting shot	238	23.8	127	12.7	635	63.5
f) Someone getting killed	276	27.6	150	15.0	574	57.4
g) Someone being beaten	303	30.3	90	9.0	607	60.7

### Neighborhood Incivilities

How much of the following things exist in your neighborhood?

	0=None		1=Some		2=A lot	
	n	%	n	%	n	%
a) Vacant and abandoned buildings	453	45.3	93	9.3	454	45.4
b) Unpaved streets	586	58.6	92	9.2	322	32.2
c) Streets with street lights	620	62.0	95	9.5	285	28.5
d) Abandoned cars	622	62.2	65	6.5	313	31.3
e) Abandoned construction sites	664	66.4	50	5.0	286	28.6
f) Broken windows	607	60.7	106	10.6	287	28.7
g) Vacant houses or apartments	584	58.4	101	10.1	315	31.5
h) Graffiti on walls and houses	241	24.1	433	43.3	326	32.6
i) Alcohol consumption in public places	370	37.0	363	36.3	267	26.7
j) Drug use in public places	367	36.7	386	38.6	247	24.7
k) Selling of drugs in public places	513	51.3	303	30.3	184	18.4
l) Nightly disturbance	435	43.5	224	22.4	341	34.1
m) Prostitutes	476	47.6	272	27.2	252	25.2
n) Trash/rubble on the sidewalks	409	40.9	313	31.3	278	27.8

### Fear of Crime

How secure do you feel walking alone at night through your neighborhood, if you go out at night?

1=Very Secure	2=Secure	3=Insecure	4=Very Insecure	5= I don't go out
n	n	n	n	n
55	192	265	388	98
5.5	19.2	26.5	38.8	9.8

Fear of violence can motivate people to change some things about their day to day life. I am going to cite some of these things that can be changed because of violence and I would like to know if they happen or have happened to you:

In your habits....	2=Yes		0=No	
	n	%	n	%
a) You changed your trajectory from home to work or school	254	25.4	742	74.2
b) You stopped using a bus line	133	13.3	861	86.1
c) You circle around some neighborhoods/streets of the city	326	32.6	671	67.1
d) You avoid going out at night	500	50.0	498	49.8
e) You avoid talking to your neighbors	172	17.2	825	82.5
f) You avoid carrying money	460	46.0	537	53.7
g) You armored your car	28	2.8	961	96.1

h) You prohibit your children from playing with other kids	148	14.8	837	83.7
i) You bought a gun	60	6.0	937	93.7

	2=Yes		0=No	
	<u>n</u>	<u>%</u>	<u>n</u>	<u>%</u>
In your residence....				
a) You heightened the wall of your residence	181	18.1	812	81.2
b) You put bars on the windows	323	32.3	673	67.3
c) You put a padlock on the entrance	549	54.9	448	44.8
d) You installed an intercom at entrance	118	11.8	881	88.1
e) You got a guard dog	211	21.1	787	78.7
f) You installed an alarm system	72	7.2	926	92.6
g) You contracted a street/block security guard	160	16.0	836	83.6
h) You contracted a private security company	20	2.0	977	97.7
i) You installed closed circuit t.v.	27	2.7	970	97.0

	1=Yes		0=No	
	<u>n</u>	<u>%</u>	<u>n</u>	<u>%</u>
In the last 12 months....				
a) You moved from your house because of fear or threat of violence	37	3.7	962	96.2
b) You felt the necessity to walk armed	102	10.2	898	89.8

### Traditional Human Rights Paradigm

The judiciary worry too much about the rights of the accused.

1=Completely Disagree	2=Somewhat Disagree	3=Somewhat Agree	4=Completely Agree
<u>n</u> <u>%</u>	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>
288      28.8	76      7.6	134      13.4	421      42.1

Rights are for those who walk a straight path. Prisoners don't have rights.

1=Completely Disagree	2=Somewhat Disagree	3=Somewhat Agree	4=Completely Agree
<u>n</u> <u>%</u>	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>
322      32.2	94      9.4	147      14.7	414      41.4

Now I would like to know what you think of the expression “human rights.” For each phrase that I cite, tell me if does or doesn’t represent what you think about the expression “human rights”:

Human rights are....	1=Yes		0=No	
	<u>n</u>	<u>%</u>	<u>n</u>	<u>%</u>
a) Rights that impede/impair the work of the police	373	37.3	541	54.1
b) Rights for bandits	348	34.8	567	56.7

### Emerging Human Rights Paradigm

Everyone has the right to a fair trial, even if they are accused of rape

1=Completely Disagree	2=Somewhat Disagree	3=Somewhat Agree	4=Completely Agree
<u>n</u>	<u>n</u>	<u>n</u>	<u>n</u>
<u>%</u>	<u>%</u>	<u>%</u>	<u>%</u>
140	29	93	716
14.0	2.9	9.3	71.6

Those who do time should only lose the right to freedom and to vote

1=Completely Disagree	2=Somewhat Disagree	3=Somewhat Agree	4=Completely Agree
<u>n</u>	<u>n</u>	<u>n</u>	<u>n</u>
<u>%</u>	<u>%</u>	<u>%</u>	<u>%</u>
258	86	134	478
25.8	8.6	13.4	47.8

It is better to let 10 guilty people free than to condemn one innocent person

1=Completely Disagree	2=Somewhat Disagree	3=Somewhat Agree	4=Completely Agree
<u>n</u>	<u>n</u>	<u>n</u>	<u>n</u>
<u>%</u>	<u>%</u>	<u>%</u>	<u>%</u>
304	93	106	410
30.4	9.3	10.6	41.0

### Justice System as Inefficient and Ineffective

How satisfied are you with the quantity and the quality of the police in your neighborhood?

1=Very Satisfied	2=Satisfied	3=Unsatisfied	4=Very Unsatisfied	5= Don't Have
<u>n</u>	<u>n</u>	<u>n</u>	<u>n</u>	<u>n</u>
<u>%</u>	<u>%</u>	<u>%</u>	<u>%</u>	<u>%</u>
34	320	305	299	27
3.4	32.0	30.5	29.9	2.7

Thinking about the last year, would you say that the police in your neighborhood got better, got worse, or remained the same?

1=Got better	2=Remained the same, good	3=Remained the same, bad	4=Got worse
<u>n</u> <u>%</u>	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>
310      31.0	160      16.0	263      26.3	193      19.3

Based on experience, and not on what you have heard, evaluate the efficiency of each of the following institutions that serve the community on the subject of the rights of citizens:

	1=very good	2=good	3=average	4=bad	5=very bad
	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>
a) Military Police	19      1.9	324      32.4	451      45.1	85      8.5	81      8.1
b) Civil Police	12      1.2	328      32.8	396      39.6	114      11.4	84      8.4
c) Federal Police	33      3.3	371      37.1	311      31.1	70      7.0	57      5.7
d) Judiciary	20      2.0	228      22.8	378      37.8	180      18.0	137      13.7
e) Prosecuting Attorneys	15      1.5	224      22.4	350      35.0	144      14.4	101      10.1

### Support for Citizen Vigilante Justice

If the authorities fail, we have the right to take justice into our own hands

1=Completely Disagree	2=Somewhat Disagree	3=Somewhat Agree	4=Completely Agree
<u>n</u> <u>%</u>	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>
611      61.1	58      5.8	126      12.6	183      18.3

An acquaintance of yours kills the person who raped his/her daughter

1=Neither approve nor understand	2=Do not approve, but understand	3=Approve
<u>n</u> <u>%</u>	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>
281      28.1	460      46.0	220      22.0

A person frightens your neighborhood and someone else kills him/her

1=Neither approve nor understand	2=Do not approve, but understand	3=Approve
<u>n</u> <u>%</u>	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>
415      41.5	351      35.1	189      18.9



A group of people in your neighborhood starts to kill “undesirable” people

1=Neither approve nor understand

n	%
645	64.5

2=Do not approve, but understand

n	%
225	22.5

3=Approve

n	%
90	9.0

### Support for Procedural Violence

People have different ideas about what the police can and can't do in order to obtain information. I am going to cite a list of situations and I would like you to tell me what is the appropriate police action for each of these:

	Torture		No food/water		Shock/burn	
	n	%	n	%	n	%
a) Someone caught robbing a motorist at a traffic light	22	2.2	24	2.4	14	1.4
b) Someone suspected of participating in a gang of kidnappers	38	3.8	29	2.9	17	1.7
c) Someone suspected of being a rapist	83	8.3	29	2.9	59	5.9
d) Someone caught using drugs	22	2.2	27	2.7	13	1.3
e) Someone caught selling drugs	48	4.8	26	2.6	26	2.6

The courts should accept evidence obtained through torture

1=Completely Disagree

n	%
611	61.1

2=Somewhat Disagree

n	%
80	8.0

3=Somewhat Agree

n	%
73	7.3

4=Completely Agree

n	%
183	18.3

Torture should be permitted in the questioning of criminal suspects

1=Completely Disagree

n	%
738	73.8

2=Somewhat Disagree

n	%
48	4.8

3=Somewhat Agree

n	%
103	10.3

4=Completely Agree

n	%
87	8.7

Torture should be a permitted method in order to obtain information

1=Completely Disagree

n	%
734	73.4

2=Somewhat Disagree

n	%
40	4.0

3=Somewhat Agree

n	%
98	9.8

4=Completely Agree

n	%
103	10.3

### Support for Retributive Violence

No crime justifies the use of the death penalty

1=Completely Agree	2=Somewhat Agree	3= Somewhat Disagree	4=Completely Disagree
<u>n</u> <u>%</u>	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>
348      34.8	118      11.8	128      12.8	360      36.0

For each type of transgressor that I cite I would like you to tell me which of these treatments, in your opinion, should be dispensed to each of them:

	Death Penalty	
	<u>n</u>	<u>%</u>
a) Kidnappers	127	12.7
b) Terrorists	299	29.9
c) Youth that kill	102	10.2
d) Rapists	344	34.4
e) Drug dealers	144	14.4

What is the appropriate action the police should take in a prison rebellion?

1=Do nothing	2=Arrest w/out weapons	3=Only use baton	4=Shoot, no kill	5=shoot to kill
<u>n</u> <u>%</u>	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>	<u>n</u> <u>%</u>
49      4.9	277      27.7	309      30.9	207      20.7	61      6.1

## Appendix B: Socio-Economic Status Indicators

### Head of Household Level of Education

	n	%
Illiterate/Elementary school incomplete	212	21.2
Elementary school completed/Jr. high school incomplete	390	39.0
Jr. high school complete/High school incomplete	172	17.2
High school complete/College incomplete	154	15.4
College complete	72	7.2

### Household Items

	Quantity									
	0	1	2	3	4	5	6	7	8	9
Bathrooms	3	640	278	50	18	10	1	0	0	0
Radios	54	503	261	108	44	13	8	2	3	4
Color TVs	44	497	324	91	32	10	2	0	0	0
Refrigerators	15	909	68	6	1	1	0	0	0	0
Freezers	678	307	12	3	0	0	0	0	0	0
Washing Machines	305	666	29	0	0	0	0	0	0	0
Vacuum Cleaners	711	278	9	2	0	0	0	0	0	0
VCRs	442	502	53	3	0	0	0	0	0	0
Automobiles	534	390	55	18	3	0	0	0	0	0
Servants	928	66	3	1	1	1	0	0	0	0

### Point System for Calculating SES Variable

#### **Household Items**

	Quantity				
	0	1	2	3	4 or more
Color TVs	0	2	3	4	5
Radios	0	1	2	3	4
Bathrooms	0	2	3	4	4
Automobiles	0	2	4	5	5
Servants	0	2	4	4	4
Vacuum Cleaners	0	1	1	1	1
Washing Machines	0	1	1	1	1
VCRs	0	2	2	2	2
Refrigerators	0	2	2	2	2
Freezers	0	1	1	1	1

**Head of Household Level of Education**

	<u>Points</u>
Illiterate/Elementary school incomplete	0
Elementary school completed/Jr. high school incomplete	1
Jr. high school complete/High school incomplete	2
High school complete/College incomplete	3
College complete	5

**Classification by Total Points**

<u>Original Label</u>	<u>Total Points</u>	<u>Label for Current Research</u>
A1	30-34	Upper Class
A2	25-29	Upper Middle Class
B1	21-24	Middle Class
B2	17-20	Middle Class
C	11-16	Lower Middle Class
D	6-10	Lower Class
E	0-5	Lower Class

**SES (collapsed categories used in current research)**

	<u>n</u>	<u>%</u>
Upper/Upper Middle/Middle Class	282	28.2
Lower Middle Class	413	41.3
Lower Class	305	30.5