Law in Police Culture:

A study on how interaction with legal institutions shapes the occupational culture of Brazil's Military Polices

Julia Maia Goldani

Oñati International Institute for Sociology of Law

University of the Basque Country

Thesis submitted in partial fulfillment of the requirements for the degree of:

Master of Arts in Sociology of Law

September 2020

Acknowledgements

First, I gratefully acknowledge the University of the Basque Country for granting me the scholarship that allowed me to dedicate myself exclusively to studying and researching during the past year. I would also like to thank IISL's staff and the population of Oñati for the warm welcome and support they gave me during my stay in the Basque Country.

Next, I am very recognizing of Professor Lucas Konzen for guiding me to this Master and of the subsequent academic orientation provided by all the professors who taught me here. In specific, I would like to thank Johannes Feest, for supervising and encouraging me during the elaboration of this thesis. I also feel it is important to acknowledge the valuable help I was given by Santiago Amietta in what concerns methodology and by Ana Paula Motta Costa, my criminology professor in Law School, in gaining access to the field.

Third, I would like to thank my parents and grandparents for consistently believing I could follow an academic career in the social sciences, even when the context in Brazil tries to tell me otherwise. Finally, I would like to thank my close friends for their support, most especially those who shared the joys and stresses of the Oñati experience with me. Elena, Jayme, Mariana, Natalia and Zilan: our conversations in the Residence Antia's "comfy room" are embedded throughout this thesis; you wrote it as much as I did.

Abstract

This master's thesis aims to explore, by means of an empirical study, the ways in which contact with law, legal institutions and legal actors acts as a molding factor for police culture in the context of Brazil's Military Polices. In doing this, it hopes to contribute both to general socio-legal debates on policing and to the specific discussions surrounding Brazil's security forces' difficulties in complying with rule of law standards. Taking academic critiques on classic conceptualizations of police culture as inspiration, I used concepts drawn from Pierre Bourdieu's and Erving Goffman's sociological theories to develop a theoretical framework considered fit for a contextualized analysis. The methodology was qualitative, combining five semi-structured interviews with observation of six video-conferenced criminal trials in which officers testified as witnesses. My analysis suggests that contact with the legal field structurally conditions the development of Brazil's police culture, although not always in the ways intended by law. Influence happens by means of officer's participation in juridical disputes, their concern with sanctions and their need of legal resources to navigate work routines in a better manner. Additionally, I argue that law is an important symbolic figure in the construction of the officers' occupational selves, and that contact with legal institutions engenders particular strategies of self-presentation, aimed at safeguarding both appearances and internal ideas about the profession. Further research is suggested to deepen the explanation of this complex set of relations.

Keywords: police culture, sociology of law, military polices of Brazil.

Resumo

Essa dissertação de mestrado objetiva explorar, por meio de um estudo empírico, os modos pelos quais o contato com o direito, as instituições jurídicas e os atores jurídicos atua para moldar a cultura policial no contexto das Polícias Militares do Brasil. Assim, espera contribuir tanto para os debates sócio-jurídicos gerais a respeito do policiamento quanto para as discussões específicas sobre a dificuldade das forças de segurança brasileiras em se adequar a padrões democráticos. Tomando críticas acadêmica a respeito das conceituações clássicas de cultura policial como inspiração, utilizou-se conceitos das teorias sociológicas de Pierre Bourdieu e Erving Goffman para desenvolver um referencial teórico considerado adequado para uma análise contextualizada. A metodologia foi qualitativa, combinando cinco entrevistas semiestruturadas com observação de cinco audiências criminais vídeo-conferenciadas em que policiais depuseram como testemunhas. A análise sugere que o contato com o campo jurídico condiciona estruturalmente o desenvolvimento da cultura policial brasileira, embora não necessariamente do jeito pretendido pelo direito. A influência ocorre por meio da participação dos policiais em debates jurídicos, da preocupação destes com sanções e da sua necessidade de recursos jurídicos para melhor navegar suas rotinas de trabalho. Ademais, argumenta-se que o direito é uma figura simbólica importante na construção das identidades ocupacionais policiais, e que o contato com suas instituições gera estratégias peculiares de apresentação pessoal, destinadas à conservação tanto de aparências quanto de ideias internas a respeito da profissão policial. Pesquisas adicionais são sugeridas como forma de aprofundar a explicação desse complexo conjunto de relações.

Palavras chave: cultura policial, sociologia do direito, polícias militares do Brasil.

Contents

Introduction

Both socio-legal and criminological literature have long acknowledged the existence of a gap between what law prescribes for police action and the reality of officers' daily work. This seems to be somewhat of an international consensus, with studies from distinct countries and social realities converging on the point (Loftus, 2010; Lima, 2013; Fassin, 2014; Kramer and Remster, 2018; amongst others). In this context, "police culture" has emerged as a concept referring to the self-regulation of the police institutions through informal norms internalized through police officers' professional socialization (Chan, 1996, p. 338).

There seems, however, to be a tendency – sometimes explicit, others implicit – towards simplification of how this professional culture functions in practice, with works suggesting that it essentially replaces law in guiding the police's behavior, and thus poses a major obstacle for top-down reforms (Chan, 1996, p. 339; Dixon, 1997, p. 9).

I first noticed this inclination during the research I conducted for my undergraduate thesis. In this work, I argued that there is a higher incidence of police stops based on suspicion in Brazilian slum zones, when compared to other city areas (Goldani, 2018). When revising literature on police selectivity, I found that many criminology scholars explained this phenomenon by invoking a police culture that almost ignored legal requirements for intervention, such as founded suspicion. In this formulation, officers were guided almost solely by internal values, stereotypes and routines based on professional expertise.

Even though it is well-established and convincingly argued that representations and praxis learned inside police institution influence officers' decisions and acts, assuming law was irrelevant in this process seemed problematic to me. This was especially so when considering other paradigms established within the scope of law and society studies. Anthropologists of law have long abandoned the idea of a "fixed" culture in favor of a more complex concept that allows for continuous construction, agency and juxtaposition of other

cultural systems – such as law – in a mixture that creates competing logics (Merry, 1998). Similarly, studies in legal pluralism have emphasized the importance of the interaction between different normative orders acting in a same social field, whether their existence is competitive or cooperative (Moore, 1973; Santos, 1977; Griffiths, 1986).

In the research outlined here, I also approach police culture as an informal system that develops inside corporations, guiding the police's behavior through unofficial rules. However, I propose to focus on the fact that this cultural system necessarily interacts with State law, as well as with its institutions and social structures. This is true not least because the official legal system provides the regulatory framework in which the police's activities unfold and because such actions can be later on subjected to judicial review.

Departing from this view, this explorative study questions how police culture relates to legal regulation and its institutions of enforcement. That is: considering that police work is always, to some degree, framed and evaluated by law, in which ways does it act to mold its occupational culture? In this research problem, law is to be analyzed in unity with the set of juridical institutions, actors and internal norms that are responsible for enacting legal authority and determining its social practices (Bourdieu, 1987, p. 816). This sociological understanding of law implies that the ways it impacts other systems are not always intended ones, with cultural arrangements formulating resistant adaptations (Merry, 1998).

The setting of the inquiry is Brazil and its Military Polices. In the last three decades or so, these corporations have attracted attention from both the academic community and international organizations for their trouble submitting to rule of law (see, for example, Human Rights Watch, 2019). Empirical research was conducted in two units[1], one in the state of Rio Grande do Sul and the other in the state of Santa Catarina.

[1] The Brazilian Military Polices, despite having the same general organizational culture and legal attributions, are organized as state-level institutions with relative local autonomy, as is explained in more detail later on.

In empirically delimitating my study, I adopt the standpoint that information gathered through deep analysis of policing in one location, although not generalizable, can be helpful in identifying patterns, mechanisms and logics that have general significance for police practices (Fassin, 2014, 2017). In this sense, answers to the research question are developed within a particular context, but with a view to contributing to general debates.

The ways police learn, understand and use law have been considered as topics in need of more sociological research (Dixon, 1997, p. 278), so that the choice of subject proves both suitable and pertinent in the overall context of socio-legal studies. Additionally, this research is also relevant in that it can contribute to understanding the long-standing issue of compliance with law and democratic standards in Brazilian military policing.

The thesis is organized in five chapters. To begin, a first one summarizes the main theoretical insights on police culture, starting with the authors that began defining the concept, then moving through criticisms and proposals of theoretical re-workings. Special focus is given to how contributions address law's role in police culture and policing practices. I also briefly detail some contemporary developments in the study of the topic, such as the inclusion of more international perspectives and the growth of police ethnographies.

Next, I present the theoretical framework proposed for this study. It draws on the critics elaborated by Janet Chan (1996) and David Dixon (1997) in relation to classic police culture studies. The resulting conceptual structure is based on Pierre Bourdieu's theorizations on the juridical field (1987) and on Erving Goffman's essays on ritualized interaction (1967). Through this frame, I propose to analyze law's influence on police occupational culture in two different dimensions: structural conditionings and symbolical influences.

A third chapter provides context for the empirical analysis by discussing the Brazilian Military Polices. In order to situate international readers, I start by explaining the structure of Brazil's public security forces and presenting general aspects of their

organizational and occupational culture. I then review the main academic works, national and international, that deal specifically with the Military Polices, their practices, and how they relate to the legal system of Brazil's contemporary democracy (post 1988[2]).

The fourth chapter details the empirical research design. In short, two qualitative research methods were used: semi-structured interviews with police officers and observation of police testimonials in criminal court hearings, both with small sample sizes. Besides discussing the methods used for data generation, I recount how I gained access to subjects and to the field, and explain adaptations imposed by the COVID-19 pandemic.

Albeit using the categories drawn from Bourdieu and Goffman to define my focuses, I left my framework relatively open and adopted strategies to avoid overgeneralization or forceful, inaccurate imagery (Becker, 1998). Coding thus involved categories drawn from the chosen conceptual frame as well as new ones that emerged during the analysis. This process was facilitated by use of the *NVivo 12* software for qualitative research analysis.

The final chapter depicts and discusses the empirical findings, also connecting them to other theorizations. I here develop my argument that law and legal institutions mold police culture in two ways. First, they create structural conditions for policing, which impact the development of its occupational culture, though not necessarily by rendering it compliant with legal standards. Second, law plays a significant role in the symbolic representations of police work cultivated by officers, and these agents also put in place specific ritualistic presentations of their selves when they are in contact with legal audiences and institutions. These structural and symbolic aspects overlap, indicating that a complex set of relations exists between law and police culture. In this sense, this pilot study consists in an initial effort to explore and understand such associations, not aiming to exhaust the subject.

[2] In 1988, a Federal Constitution by a democratically elected Congress was promulgated, marking an end to the transition phase that followed 21 years of military rule (1964-1985) and, thus, the start of Brazil's contemporary democracy. The Constitution of 1988 significantly altered the parameters for rule of law and human rights in the country, with consequences for scholars studying law enforcement.

Chapter 1

Main Theorizations on Police Culture

This chapter aims to introduce the field of study by means of a review of the literature on police culture, encompassing both original theorizations and critiques that have surfaced over the decades. The exposition does not pretend to exhaust all literature produced on the topic, but rather to go over central developments in order to situate the research. Contemporary tendencies such as the "re-invention of police ethnographies" (Fassin, 2017) and internationalization are also briefly discussed. For convenience, studies dealing specifically with Brazil have been left out; they will be discussed in Chapter 3. Emphasis is given to how each contribution addresses the ways in which police culture relates to law and what are the impacts of this interaction for the police's activities.

Such theme has been present since the first studies that crafted the concept of police culture by means of empirical observation of police officers at work. Amongst these is Jerome Skolnick's (1966a) work on the "policemen's working personality".

Skolnick proposes that a common cognitive axis develops in the professional category of police officers, which individual agents can more or less adhere to. The existence of this axis is due in part to the particular social situation police officers' find themselves in (Skolnick, 1966a, p. 264). The author structures police work as based on variables of authority and danger. He proposes these elements plant seeds of social isolation and alienation. Consequently, an unusually high occupational solidarity exists in police forces, leading individuals to find their social identity within their corporation.

Skolnick's work stresses that a central component in police occupational ethos is an identification with law enforcement, which he calls the element of "authority". This is also the root of the conservative mindsets that dominate the police. He notes that this coexists with the element of "danger", which characterizes police work as one of risk. The danger

element sets off an attitude of permanent suspicion in officers, frustrating the judicious application of their authority and their following of procedural regularity. Skolnick therefore emphasizes that there is a cognitive need for the officer to believe in the laws he is enforcing, but also that the presence of life-threatening situations makes his use of authority more prone to self-defense than to calm judgments, creating a paradox (1966a, p. 375).

The author further argues that particular conceptions of order and legality develop inside the police as a result of the tensions associated with the profession (Skolnick, 1966b, p. 18). Law prescribes prosecution of crimes while also regulating the acts of state officials and protecting individual liberties. As a consequence, it is often impossible to achieve the desired order in situations where individuals and police are not at a consensus about what is socially desirable. As police make direct use of law, they cannot simply ignore legality and focus on maintaining order. The solution found by police institutions is to commit to a rigid conception of order, strongly attached to obedience and uniformity, that places crime control as a central priority. Meanwhile, they play on the ambiguities that permeate the abstract definitions of legal standards and on the varying interpretation by courts to maintain themselves with legality (Ibid., p. 22). For this, Skolnick considers officers to relate to law more in terms of craftsmen or skilled workers than as full legal actors.

Egon Bittner (1967), on the other hand, argues that a large part of the police's work refers to "peacekeeping", rather than to law enforcement and crime control. While the latter two categories of policing are subjected to judicial review, peacekeeping involves a series of tasks that do not result in prosecution, and, thus, cannot be supervised by courts. Peacekeeping takes place mostly in poor city areas and includes activities such as verbally reprehending minor offenders, arbitrating quarrels or controlling crowds (Bittner, 1967, pp. 700–702). As direction from both executive and legislative branches of government is largely

absent when it comes to these tasks, police departments come to rely on occupational routines, experience and practice to guide their agents in their duties.

Bittner's empirical observations pointed that, in this context, law serves mainly as a potential resource for problem-solving on the streets – its authority can be invoked if useful, but police decisions to arrest or otherwise intervene are typically not based on reasons that would be deemed legally valid. Thus, while peacekeeping often adopts the outward appearance of law enforcement, in reality it is acted out in response to other considerations that arise from the particular social situation at hand (Ibid., p. 714). Furthermore, it's hard to draw a clear distinction between these situations and ones where actual crime control is in place, because the same police officer continuously exerts both tasks.

Peter K. Manning, in conceptualizing police occupational culture, focuses on the profession's mandate of performing efficient and apolitical crime control as the key point for understanding it. Considering this neutral and complete crime control to be an unmanageable task in practice, the author argues that most characteristics of police culture originate in officers' need to protect their mandate and their own self-esteem. This happens mostly by means of managing appearances. Police culture's lore and imageries therefore serve to transmit principles that can be transformed into strategies and tactics which guide the police officer on how to perform to his varied audiences: peers, superiors and colleagues.

Similarly to Skolnick, Manning recognizes law's influence on the police's interpretation of reality and its decisions to intervene. His work also highlights the paradoxes created by the need for discretion in police work and the exigencies of the rule of law (Manning, 1978, pp. 196–197). For him, however, the need to manage public appearances leads to the adoption of a modern bureaucratic ideal of efficiency that further complicates police officers' relationship with law. As police work starts to be evaluated in arrest and crime rates, rules are understood by cops as limiters for the efficiency they are pressured to

achieve. At the same time, they depend on judicial approval to guarantee that their work will be considered valid, so that they cannot simply ignore law (Manning, 1978, pp. 199–200).

In short, Manning's theory proposes that the demands of productivity in crime fighting can then be said to be behind the cultural solutions of bending rules (Dixon, 1997, p. 10). The author therefore sees the police officer as a "practitioner of the legal arts with crude tools and little formal training", who must learn on the streets and from more experienced colleagues how to balance his duties and appearances (Ibid., p.198).

Some occupational assumptions that constitute the basis for these "cultural solutions" to the police officer's dilemma are the need for permanent suspicion; the antipathy of the public towards cops; the characterization of crime-fighting as heroic mission; and the need of punishment and control to stop people from committing crimes (Manning, 1978, p. 195). Manning's typology also includes elements that speak to the police's perceptions of law: "experience is better than abstract rules", "the legal system is untrustworthy, cops are better at making judgments on guilt or innocence" and "policemen can better identify criminals". He also mentions notions that officers must appear respectable and effi cient, which may have consequences for their interaction with legal institutions.

The classic studies of Skolnick, Bittner and Manning have undergone critical re-evaluations since their original publications. Andrew Goldsmith (1990), for instance, argued that police culture should not be seen only as an impediment to effective regulation. For him, this traditional vision was based on a model of law enforcement that is too rational, conceptualizing deviation and norms in a negative light (Goldsmith, 1990, p. 92).

Goldsmith understands the police as a semi-autonomous social field (Moore, 1973), whose internal rules are preferred because they are perceived as grounded in experience, whereas external rules, such as law, appear abstract and remote (Goldsmith, 1990, pp. 94–96). Identification with the "mission" or "craft" of crime fighting further contributes to steer

the police away from formalism and legalism. The author therefore proposes that the cultural norms of policing could be seen as a potential resource for a more negotiated rulemaking process, which would include police officers and their expertise in the debate rather than deeming informal rules and practices as inappropriate. In this, he points out that internal rules, besides competing with official legislation, are already used to regulate "policy vacuums" in areas of police work ignored by regulation (Ibid., p. 96).

Janet Chan (1996), another relevant author, makes assessments similar to the ones formulated in the introduction of this thesis. She argues that the dominant formulation of police culture does not account for the creative aspects of culture; that it does not allow for any internal change or for recognition of internal variation; and that it ignores the role of agency. Chan's critic of police culture as a concept insulated from social, political, legal and organizational contexts is of special interest to us (Chan, 1996, p. 341).

The author proposes a reformulation that draws on Pierre Bourdieu's (1982) concepts of *field* and *habitus*. For her, the field of policing consists of structural relations between the police and the social groups they interact with, where law and discretion are symbolic resources to be made use of. The notion of habitu*s* as a set of systematic predispositions manifesting in the field's logic replaces that of police culture, allowing for a concept of an occupational knowledge that interacts with context (Chan, 1996, p. 344).

David Dixon, in a comprehensive study of theories of law in policing, opposes what he calls the "culturalist" approach to the alternative "legalist" and "structural" approaches. While Dixon's reservations towards the legalist approach (1997, pp. 2–3) will seem familiar to sociologists of law – the understanding of all discretion as deviance; legal changes as straightforward ways to solve problems –, he elaborates more unique criticisms of the culturalist model (1997, p. 9). The author considers culturalists made a key contribution in characterizing law as a resource used to achieve goals that are created within the police's

organizational culture. However, he criticizes the approach's general trend of neglecting legal rules as a material force that shapes the practices of policing. Law was instead placed in a marginal role, and its impact limited to the realm of ideas (Dixon, 1997, pp. 12–13).

In this sense, Dixon argues that the use of interactionism as framework did not allow for police culture studies to link their sociological observations of behavior to the deeper structures conditioning them (Ibid., p. 15). In this line, he praises works that use other theories to interpret the reality of police work, such as Chan's and Goldsmiths'.

Dixon favors structural approaches: a "middle ground" where policing is seen as framed by law. Just as situational factors and occupational culture, legal considerations will become more or less important according to the circumstances of policing at hand: the kind of intervention, the types of rules being enforced (substantial or procedural) and the social and political context. These approaches therefore hold that a general theory is unlikely to be appropriate to explain law in policing (Dixon, 1997, p. 267).

The author notes that the police, much like lawyers, must translate facts into legal categories to do their work. While the police culture literature tends to stress that law is invoked *after* police intervention as a justification for it, Dixon proposes that this is something common in all activities that compose legal proceedings, and that the interpretative and re-interpretive work involved for the police just receives less attention than for other legal actors (Ibid., p. 270-273). This would imply that, even if some police practices are oriented by extra-legal criteria, legal rules are nevertheless affecting them.

Dixon's empirical findings that show that the police's technical knowledge of law varies according to ranks, individual dispositions and functional specialization. Knowledge also tends to become more abstract and commonsensical the furthest the proceedings are from the agents' work experience. At the individual level, general views on law were found

to be inconsistent with evaluations of specific areas of substantive and procedural regulation, “illustrating the complexity of attitudes to law” (Dixon, 1997, p. 277).

The last decade has seen resurge of qualitative fieldwork on the police, after a period in which experimental and quantitative criminological studies were preferred by the academic community. This is part of a larger trend of renewal of research interest in law enforcement, which encompasses different social sciences (Fassin, 2017, p. 7). In special, police ethnographies have recently seen a growth in numbers and in approaches.

Bethan Loftus (2010), noting the dependence of the police literature on outdated ethnographies, conducted fieldwork to test if the “core elements” of police culture survived the contemporary changes in the profession, such as the advent of community policing and intense public scrutiny. She concluded that continuity exists with the patterns and worldviews reported in classic studies. Individual officers continued to be frustrated by monotonous duties and to develop cynical sentiments towards the criminal justice system (Loftus, 2010, pp. 9–12). The notion that the courts failed to accurately punish offenders justified informal punishments, felt to be the police’s prerogative. Loftus attributes this constancy of police culture to the lack of change in the pressures and roles assigned to the police in democratic societies, which remain the same as described by Skolnick (Ibid, p. 16-17).

On the other hand, Didier Fassin (2017) has argued that emerging ethnographical practices have brought significant additions to what was described in the classic studies. According to his analysis, greater methodological reflection on subject-object relation, disciplinary varieties in the field, the involvement of scholars from different parts of the world and long-term immersion have generated original perspectives on policing.

Fassin himself has conducted a ethnography in a Paris police department (2014). He concluded that the police consciously choose to go ahead with illegal practices to guarantee the arrest and elucidation statistics demanded of them, relying on persons who were not likely

to make official complaints, as well as on the long time it would take a court to declare the act illegal (Fassin, 2014, p. 83). The violation of laws and procedures is thus implicitly promoted by hierarchical superiors, through a combination of pressure for results and granting of discretionary power (Lorenz, 2017, p. 26, interviewing Fassin).

The same author (Fassin, 2017) edited a volume on police ethnographies which, though strongly focused on methodology and ethics, helps bring visions from the Global South to the international debate, something that until recently was overlooked in criminal justice studies. The volume organized by William Garriot (2013) on anthropology of policing in practice serves a similar purpose of diversifying academic views on police culture.

Articles in these collections report finding core characteristics of police culture in less studied contexts. An example is officers' disappointment with the reality of policing and pressure to meet arrest numbers in Johannesburg, South Africa (Hornberger, 2017). Contributions, however, also point out specificities of policing in developing countries. For instance, Beatrice Jauregui's ethnography of the Uttar Pradesh police, in northern India, illustrates how its officers have to deal not only with the typical disillusionment, but also with poor job conditions and corruption. Bribing schemes become important sources of additional income for troopers, and the personal considerations of superiors shape daily work, institutional decisions and enactment of professional policies (Jauregui, 2017).

Jeffrey T. Martin (2013) describes how policing in contemporary Taiwan has more to do with maintaining parochial relationships with local elites than with bureaucratic law enforcement. The police's practical task is to "solve trouble" through informal mediation. When they cannot, they are expected to allow the community's political (and sometimes extralegal) institutions to decide how to intervene in the problem. Categories of crime or order are thus not taken to exist in isolation from the political dimension. Based on this, Martin proposes to rethink the concept of police culture: rather than an organizational

structure, he considers it to mean operations of linkage of disparate contexts, based on multiple normative principles, to the overall socio-cultural order (2013, p. 158).

Eric Hanstaad (2013) proposes a different theoretical reworking of police culture, using his studies in Bangkok, Thailand, as a basis. The author argues that the characteristics of the Royal Thai Police force are integrated to the broader cultural order of the country. In this sense, police culture is less about the police as an object of analysis than it is about the cultural context in which policing takes place. The influence is nevertheless not unidirectional, as police practices can also reshape the institutions and processes that created them through a "refracting effect" (Haanstad, 2013, p. 182).

Complementarily, Helene Maria Kyed argues that, in postcolonial countries, multiple cultural, historical and political logics inform the job of police. Studying police violence in Maputo, Mozambique, she cites as structural factors of influence: a long history of state brutality; a militarized logic of public security inherited from political conflicts; the lack of monopoly over socially sanctioned violence; and, finally, a deep mistrust of the legal system by a population who prefers immediate justice (Kyed, 2017, p. 128).

Likewise, in Brazil, even though many of the elements traditionally associated with police culture are present, their interaction with the country's socioeconomic and institutional reality is of great importance to understanding policing practices, as well as their relation to legality. In the next chapters, I propose a theoretical framework which I consider adequate for this nuanced discussion of Brazilian police culture, after which the opportunity will be taken to set the scene for the empirical study by discussing the works on the Brazilian Military Polices and what they can – or can't – tell us about how police culture relates to law.

Chapter 2

Theoretical Framework

This chapter presents the two theories informing the research of this thesis: Pierre Bourdieu's theory of fields (1982), particularly his characterization of the juridical field (1987), and Erving Goffman's theory of ritualized interactions (1967). These theoretical choices are strongly related to the critical contributions made by Dixon (1997).

As seen, Dixon (1997, pp. 12–15) considers the lack of a framework allowing for connections between what was observed and the macrostructure of society to be the main problem with the classic studies on police culture. Because of this, he argues, authors like Skolnick (1966b), Bittner (1967) and Manning (1978) tended to overlook the material impacts of law in policing, and only abstractly addressed how legal strains shape occupational ideas of police work and strategies for managing appearances. He then argues using comprehensive social theories to approach policing issues could solve this.

Janet Chan is one of his examples for affirming this. This author convincingly applies Bourdieu's social theory to provide for a study of police culture that takes into account the social elements and relations that structure the exercise of policing and, therefore, the development of the organization's occupational culture (Chan, 1996, pp. 343–344).

Chan's approach proves useful for analyzing law's material impacts in shaping police culture. On the other hand, it leaves aside the symbolic influence of law on officers' conceptions and perceptions of their work life, which was focus of the above-cited pioneer authors. I propose that Goffman's analysis of interpersonal interactions as rituals conveying social symbolism provides adequate complementation on this point.

Following in the sociological tradition of Émile Durkheim, Goffman focuses on the symbolic processes that unconsciously conform social life (Collins, 1994, p. 181) At the same time, his analysis interconnects symbolisms conveyed in everyday life with macro-

social logics (Ibid., p. 219). It thus provides an interactionist approach like the one premised by Skolnick, Bittner and Manning, but links it to larger tendencies. This answers to Dixon's concerns and establishes dialogue with Bourdieu's conceptual tools, which also aim to take into account both individual action and social conditioning (Bourdieu, 1982, p. 120).

A subsection of this chapter is dedicated to each author, introducing first the general points of their theories and then the concepts that interest this study, detailing how they help operationalize the research problem for empirical inquiry. At the end, an analytical model summarizes how the chosen concepts apply to the research problem.

Pierre Bourdieu's Sociology of the Juridical Field

Pierre Bourdieu explains law, its workings and its relations with laypeople through an analysis of what he calls the *juridical field*: the social field to which pertain the legal institutions and their actors (1987). To understand his views on law, we must therefore first look at what characterizes *social fields* as a category.

The Theory of Fields: Capital, Habitus and Social Struggles

A social field can be defined as a structure of social positions occupied by individual agents. Modern society is composed of many different social fields, each encapsulating a specific social universe. The field's general structure results from the interplay of power dynamics, personal relations, established rules that guide action and each agent's capacity to adapt. Such capacity is determined by the agent's *habitus* and *capital*.

Habitus refers to the set of unconsciously internalized dispositions that orient the agent's social practices and construct his or her representations of the social world. This happens by means of judgments and schematic classifications that come to form a harmonious "taste" and an equivalent "lifestyle". Habitus is therefore a formula that generates one's practices, while simultaneously creating principles for the evaluation of

other's social practices (Bourdieu, 1982, p. 162). Bourdieu considers that the dispositions of the habitus, along with the resulting tastes and lifestyles are connected to objective socioeconomic conditions. In this way, habitus tends to be an incorporated version of class: homogenous dispositions are created, by giving agents in the same conditions of life the same conditionings. These dispositions are then translated into practices and classificatory schemes that come to identify the social group as a whole.

This connection between habitus and socioeconomic conditions leads us to the other factor for interplay in a given social field: capital. This concept, for Bourdieu, is not limited to economic capital, but can also refer to acquisitions of social (networks of contacts and favors) or cultural (education, dress style, lexicon) assets. Capital can therefore vary both in structure - which of these varieties is predominant - and in volume.

To each structure and volume of capital there corresponds a spectrum of likely life trajectories within the social structure. A modal social trajectory is therefore also a part of class constitution. This explains the homogeneity of dispositions associated with a certain social position as a product of orienting individuals with similar capitals towards the same life trajectories. A choice of profession, for instance, although felt as a "vocation", is actually an anticipated adaption to the "destiny" predicted by the social class of origin (Bourdieu, 1982, p. 104). This also why groups such as socio-professional categories or corporations usually have more in common than what is explicitly demanded for participation. As members most likely have the same class origin, they feel drawn to each other by *habitus affinity*. There tend to be secondary properties that are shared between all individuals in the group – specific tastes and lifestyles, corresponding to their class and habitus. These characteristics that are often more important for defining inclusion to a group than official requirements, even though they are never formally announced (Ibid., p. 97-98).

In sum, agents from the same social group have the same internalized scheme of action and thought, resulting from the systematic transposition of particular conditions and their practical application in life. This culminates in an affinity of style and an unintentional harmony of practices. By incorporating material and immaterial conditions generated by the structure and volume of capital, habitus produces a transposable formula that can be applied universally, even outside the areas where conditions and dispositions were initially acquired and formulated. The set of an agent's practices, or of multiple similar agents' practices, are coherent because they are based on similar schemes of thought based on similar conditions of life. At the same time, they will have marked differences from those of agents in other social classes, becoming distinctive signs of conditions of existence (Ibid., p. 163).

Because each social field has its own logic, habitus and lifestyle are units that manifest in diverse practices, translating the same internalized principles and dispositions to the language of whatever field they take place in. Additionally, each field has specific objectives for which certain species of capital are needed, and rules about which properties and characteristics are considered valuable. This also acts to influence the relation that develops between a class and its practice in that particular field, according to the types and quantities of capital that are available to it (Bourdieu, 1982, pp. 106–107).

Therefore, the distribution of assets and practices between classes in a given context depends on a configuration of factors singular to that social field. This arrangement determines the more convenient form for a class's capital and habitus to manifest, which Bourdieu expresses in the formula *[(habitus) (capital)] + field = practice* (1982, p. 97). Through these means, macro-social relations of power influence the otherwise autonomous interplay and struggle within social fields. Simultaneoulsy, because habitus is both a "structured structure" and a "structuring structure", the set of practices and objective conditions in social field come to conform another type of habitus, associated to the particular

field and the groups of agents within it. The habitus of the field may be complementary to the class habitus of an individual or may clash with it; Bourdieu deemed this latter process *hysteresis* (1982, p. 103-104). As we will see next, although its constitution is not at all independent from class relations, the social space of legal institutions is one example of a field characterized by a very particular habitus of its own making.

The Juridical Field

The juridical field appears as one of the many social fields that make up society. Its specificity is that it compromises the universe of legal actors and institutions. The disputes of the juridical field are structured around the right to determine the meaning of law, while its internal rules determine limits for the strategies employed in this aim. The implication of this is that legal norms are a product of competitive struggles between different legal actors. This is why, for Bourdieu, it is impossible to analyze law without taking into account the social universe that surrounds it (1987, p. 816); a standpoint this study also adopts.

The struggles within the juridical field will determine the social practices of law and the way in which juridical authority is constituted. The "rules of the game" establish that the competition to determine law can only happen between authorized interpreters and within principled standards that differentiate interpretation from arbitrariness. This creates a division between juridical actors and laypeople, who lack the "credentials" to participate in the field. Even amongst the authorized interpreters – the theorists and practitioners of law – access to the kind of capital required for "winning" legal disputes varies. This "juridical capital" is composed of cultural capital, in the form of technical legal knowledge, and of social capital:

> The practical content of the law which emerges in the judgment is the product of a symbolic struggle between professionals possessing unequal skills and social influence. […] The juridical effect of the rule – its real *meaning* – can be discovered in the specific power relation between professionals. (Bourdieu, 1987, p. 827)

Despite all this, law must maintain the illusion of having foundations independent of power relations in order to be able convert its norms into accepted facts of universal applicability. It is because of this that the creation of this "juridical space" requires its separation from laypeople, or even from people who, though they are implicated in the field, are considered unable to adapt to its mental rules and technical-linguistic requirements. Exclusion happens, officially, through the lack of access to legal resources and titles; nevertheless, there is a language and an attitude that are characteristic of the field and that also provide an informal barrier for non-specialists (Ibid., pp. 828-829).

The attitudes associated with jurists are described as "ascetic and simultaneously aristocratic" and as a "internalized manifestation of the requirement of disengagement" (Bourdieu, 1987, p. 830). This "general attitude" also creates a basis for the convergence of individual attitudes; something that helps the field sustain itself even in the face of internal competition. It can thus be understood as a habitus associated with the field. Those who wish to enter the juridical social space must attune any preexisting dispositions to it.

This attitude also has the effect of distancing the legal representation of the conflict from its real-life counterpart. Stakes and personal interests are neutralized, and the dispute is elaborated as a rational, rule-bound debate between equal parties. Anyone who strays from this protocol by getting too involved is subject to reprehension from his or her peers.

The entry into the juridical field thus redefines many ordinary experiences, because it implies the tacit adoption of a mode of discussion and expression, as well as the assumption that anything can be solved "juridically", that is, according to the conventions of the field. Every situation must be fitted into the limited categories of the law, and a relatively "black or white" decision must be reached for it (Ibid., pp. 831-832). According to the author, this "neutralizing distancing" is necessary for legal solutions to be accepted by society as impartial and, in consequence, for legal ideology to maintain its binding power towards

laypeople. In other words, the symbolic effect of the law on people relies on protecting the appearance of the logical deductive nature of its norms.

Even jurists tend to believe in the logical nature of their work and hold it as a point of pride. The difference, however, is that jurists can interact with law. Their resources allow them to re-construct reality in legal language. In certain circumstances, they even grant them the potential to use official law to legitimize social rules and representations as they see fit. Those who do not have the status of actor in the juridical field, on the other hand, must follow what is established by "those who, thanks to their knowledge of formalization and proper judicial manners, are able to put the law on their side" (Bourdieu, 1987, p. 850). This is further complicated because detainers of this symbolic power often harbor affinity with political or economic elites due to class habitus. In consequence, choices in the legal realms usually benefit dominant classes, precisely because there is harmony between their worldviews and values and that of juridical actors (Ibid, p. 842).

A separate implication of this is that the legal profession is characterized by the monopoly it detains on enabling entry into the juridical field. If everyone was able to construct conflicts in legal form and elaborate legal arguments in the manner deemed appropriate by the field's rules, most juridical careers would cease to have any reason for existing (Bourdieu, 1987, p. 834). This makes the regulation of the legal profession important: its members' livelihoods depend on maintaining a closed market of legal services. This explains strategies of hampering access to legal qualifications.

Police Culture and Juridical Conditionings

In her adaptation of Bourdieu's theory of fields to studies of policing, Chan proposes that police culture be thought of as an occupational habitus – so, a set of coherent predispositions linked primarily to the socio-professional category rather than just to the

agents' class. This habitus is developed in the "social field of policing", triggered by and responsive to the field's structures, such as: the historical relations between groups, the legal powers conferred to the police and the distribution of material resources in the community (Chan, 1996, p. 344). Police culture therefore becomes more contextualized. On the other hand, officers assume a more active, creative role, because it is in their interaction with the structures that conform police work that cultural practices are born (Ibid, p. 339).

While Chan (1996)'s approach adopts only the general categories of Bourdieu's work, I here add elements drawn from Bourdieu's sociological analysis of the juridical field, so as to account for my concern with law as a structuring force for police culture.

Following her line of reasoning, I then propose to try to understand how law and its institutions shape police culture by looking at ways in which the structures of the juridical field (juridical capital; language and attitude; interpretative disputes) appear in the police's daily work. The advantage of this strategy is that it identifies the legal world with a set of observable conditionings of action. Identifying the presence of legal influence of this form in occupational praxis is much easier then inquiring about law as an abstract entity.

Some sub-questions thus are: do police officers use the technical and social resources that make up juridical capital? Do they in some degree adhere to the language and attitude of the juridical field? And, finally, are they able to participate in interpretative struggles to determine the social practices of law, or do they merely subject to legal orders as defined by other actors? Answers to these can help to see how law conditions the development of police culture, by submitting it to structural requirements for interacting with the juridical field.

Erving Goffman's Rituals of Interaction

Bourdieu recognizes that a big part of law's importance in social life stems from its symbolic power (1987, p. 838). But how to investigate what this translates to in police culture

in terms of officer's perceptions of themselves and their work or their strategies of appearances? Erving Goffman proposes that interpersonal encounters be read as *interaction rituals* in which symbols of social worth are exchanged in between participants. Through the use of his conceptual tools, law's symbolic influence on police culture can be rendered observable in police officer's contacts with legal institutions.

Lines, Faces, Deference and Demeanor

Goffman proposes that, when in social contact with others, people, intentionally or not, act out a *line* - "a pattern of verbal and nonverbal acts by which he expresses his view of the situation and through this his evaluation of the participants, especially himself". They also assume a *face*, which represents "the positive social value" that the person claims by means of the line he has taken in the encounter. The face is thus a symbolic image of the self in terms of approved social attributes (Goffman, 1967, pp. 5–6).

Throughout a social encounter, people will then engage in *face-work*. The term designates actions taken to guarantee consistency with the chosen face and counteract *incidents* - events with symbolic implications that threaten it (Ibid., p.12). Basic examples of face-work are the avoidance of certain encounters and topics, or the ritualized correction of incidents by acknowledging them and the offering of apologies.

Face-work is a habitual and standardized practice that people are not fully aware of. It is a condition rather than an objective of interpersonal interaction. Because of this tacit cooperation naturally arises in face-work. All participants in an encounter intuitively have the unconscious and shared objective of making the protection of face easier for everyone involved (Goffman, 1967, pp. 28–29). Amongst other things, this tacit agreement works because, in performing face-work, people are not only protecting the image they projected socially, but also the idea they internally make of themselves (Ibid, pp. 43-44). Goffman

considers that the development and safeguard of a positive self-image is fundamental for adjustment to a social position, so that "what the person will most protect, defend and invest in is an idea about himself" (1967, p. 43).

In direct spoken interaction, the significance of face is especially present. Nonverbal signs become potent conveyers of social worth and mutual evaluation, and incidents potentially threatening to face are always arising, requiring constant concern. Because of this, in every society, when physical communication arises as a possibility, a series of practices, conventions and procedural rules are put in place to protect the face of those involved. Organization of talk through rules leads these occasions to be pursued with ritual care, where face is the sacred object to be protected. Through automatic appeal to face, an individual knows how to conduct himself in the given situation, just by instinctively asking if each action will lead to a loss of social face for him or others (Ibid., pp. 33-36).

Regarding the rules of conduct guiding participants through these mundane interactions, Goffman's work discusses in more detail the ceremonial kind, which provides guidance related to expressions on participant's selves. Substantive rules, on the other hand, provide determinations related to content. In the author's words, ceremonial rules refer to "conventionalized means of communication by which the individual expresses his character or conveys his appreciation of the other participants in the situation" (Goffman, 1967, pp. 53–55). They are divided basically into *acts of deference* and *acts of demeanor*.

Deference is a component of ceremonial activity that symbolically conveys appreciation to a recipient. This appreciation can be directed to the recipient's self or, alternatively, to "something this recipient is taken as a symbol, extension or agent" (Goffman, 1967, p. 56). Deference is often related to authority, but it may also happen amongst equals and can have the objective of conveying trust or affection rather than respect. It can manifest in rituals of avoidance, where personal space of the interlocutor is respected

physically and in conversation (Ibid., pp. 65-65), or in rituals of presentation, where attestations of regard are made towards the recipient, such as through salutations (pp. 71-72). Demeanor, on the other hand, is the element of individual's ceremonial behavior that serves to communicate, through symbols, that he is a person of certain qualities, desirable or undesirable. Demeanor thus creates an image of the self that is destined for others, and it can signal whether the individual places value or not in himself (Ibid., p. 78).

Police Culture and Ritualistic Presentations of the Self

On a methodological note, Goffman states that, by piecing together the meanings of acts of deference performed towards a certain recipient, a study can arrive at the conception of that individual which others are obliged to maintain in his presence. Likewise, by observing and interpreting the ceremonial acts of demeanor that a person performs in the presence of others, it is possible to create an image of that individual in other's eyes.

With this in mind, I propose that analyzing rituals of deference, demeanor, and face-work between the police and legal actors – lawyers, prosecutors and judges – can complement this research on how law shapes police culture, helping understand how the police, as a group that shares a social face and a perception of the self (Goffman, 1967, p. 42), are impacted by the mandatory interactions they have with juridical institutions.

These occasions of interaction with the juridical field are therefore to be interpreted as ceremonial encounters, conveying meaning through symbolic acts and rules of conduct. In this way, they can reveal ways that law, mediated through interpersonal interaction with its actors, influences the police to adopt certain faces or lines – or, as Manning (1978) might put in, the strategies for managing the police's self-esteem and their public appearances.

Research Problem and Analytical Model

In social research, concepts are used to synthesize important ideas and render them empirically observable, providing coherence and focus to observations of reality (Bryman, 1989). I have tried to show how Bourdieu's and Goffman's concepts can be useful in answering the guiding question of this thesis: how law and its institutions mold police culture. A visual summarization of the relevant information is offered in Table 1.

Putting together the two analytical dimensions indicated below, I develop explorative answers to the research problem. For this, I adopt the concept of police culture as it appears in newer re-workings: a malleable system that guides policing practices and responds to varied external influences (Chan, 1996; Martin, 2013), amongst which is law (Goldsmith, 1990; Dixon, 1997). In its turn, the concept of law used encompasses prescriptive norms, but gives an important place to social practices enacted by legal institutions and actors (Bourdieu, 1987). Finally, law's influence on other sociocultural systems is thought of as complex, allowing not only for simple compliance, but also for creative adaptations and resistance, as illustrated in studies such as Sally Falk Moore's (1973) and Sally Engle Merry's (1998).

Table 1

Analytical Model

Analytical dimension	Concept	Empirical indicators
How law structurally conditions police culture	Juridical field	Technical and social resources Language and attitude Participation in interpretative struggles
How law symbolically influences police culture	Interaction rituals	Practices of face-work Acts of deference Acts of demeanor

Chapter 3

Setting the Scene: Brazil's Military Polices

This chapter introduces the reader to the Brazilian Military Polices. The plural form is used because each of the 27 states of the Brazilian Federative Union has an independent *Polícia Militar* (PM) (Military Police). As all of these corporations have the same attributions and general organizational culture, it is common practice for scholarship to analyze them as an ensemble rather than as separate units. I apply the same strategy for this contextualization. Also, rather than adopting a historical approach, I discuss the Military Polices as they appear in Brazil's present-day democracy, established in 1988. References to the institution's past are made only when needed to explain contemporary circumstances.

The first subsection explains the somewhat complicated structure of Brazil's public security forces, to situate the Military Polices in relation to the overall institutional framework. Special attention is conceded to the relations between the Military and Civilian Polices, as these two forces divide the responsibilities related to the persecution of regular criminal offenses. A second subsection then approaches organizational patterns and occupational cultural components that are common to both the Civilian and Military forces of Brazil's public security. Finally, in a third subsection, I review national and international literature dealing specifically with the Military Polices of Brazil, in what regards their practices, their organizational culture and their interaction with the legal system.

A Divided Police: the Institutional Separation of Brazil's Forces

Brazil's current Federal Constitution divides the country's public security institutions into six organs, listed as following: (i) the Federal Police (ii) the Federal Road Police (iii) the Federal Railway Police (iv) the Civilian Polices (v) the Military Polices and Military Fire Departments and (vi) the Penal Polices.

The first three forces are, as their names suggest, organized at the national level. The Federal Road Police and the Federal Railway Police are responsible for patrolling and inspecting their respective means of transportation. The Federal Police has more complex duties: besides patrolling borders, it is responsible for investigating federal crimes. Listing all federal offenses in Brazilian legislation escapes our purposes, but it can be said, in short, that crimes as classified as such when they relate to the Brazilian Federative Union's interests. Examples are crimes that victimize public companies and organizations, such as corruption, or infractions that threaten the integrity of the national borders, like international drug trafficking or contraband. The Penal Polices are security forces that gather correctional officers responsible the security of prison establishments around the country. They are quite numerous and exist at various levels – federal, state or district.

The Civilian Polices and the Military Polices are organized at state-level and are the corporations implicated in public security and persecution of common crime. They are therefore the Brazilian polices more akin to the common notion of what a police is, and also the ones that interest the most for this study. Although national legislation sets common grounds for their regulation, each federated state's government coordinates its own Military and Civilian security forces. The corporations therefore enjoy relative local autonomy and are institutionally independent from their counterparts in other states.

The distinction between the two polices is of central importance. The Civilian Police is charged with the criminal investigation of all non-federal and non-military offenses happening in its state's territory. The corresponding Military Police, on the other hand, is responsible for patrolling the streets, maintaining the public order and responding to incidents. The Military Fire Departments, although cited alongside the Military Polices in the constitution, have attributions related only to civil defense and protection.

The separation of investigative policing from street policing was inherited from Portugal, and has ever since been passed on from one constitution to another. In practice, it means that, in a majority of situations, the Military Police is the first to respond to a crime but must later turn over the case to the corresponding Civilian Police for investigation.

This division of the policing cycle has been considered one of the main problems of public security in Brazil. The two sets of corporations have distinct occupational cultures and often entertain competitive rather than cooperative relations with each other (Caldeira, 2013; Azevedo and Nascimento, 2016). For example, it is not uncommon for a Military Police to instate "rogue" criminal investigation departments or for a Civilian Police to organize tactical operations on the streets (Azevedo and Nascimento, 2016, p. 657).

Common Elements of Brazilian Military and Civilian Police Culture

Regarding police culture, the Civilian Polices of Brazil have been described as essentially bureaucratic institutions (Lima, 2013), caught in a subaltern, undervalued position in relation to the judiciary system (Azevedo and Nascimento, 2016, p. 659). Meanwhile, the Military Polices are characterized by a "warrior ethos", connected to the militarized nature of the institution (Sinhoretto and Lima, 2015). Despite this strong separation, common elements exist between the "two police cultures". Most of them are akin to the core elements listed by the international literature: cynicism, constant suspicion, social isolation, pessimism, conservatism and peer solidarity (Poncioni, 2014, p. 417).

Roberto Kant de Lima's (2013, p. 574) ethnographies reported that, as a result of the distance between prescriptions and practice, both corporations develop implicit norms, protocols, ethics and routines that guide professional praxis. The author also describes both police institutions as resentful of Brazil's model of public service, where actions are dictated in abstract format, and agents can then be blamed for both for error and for omission, even

though they lack the possibility of discretion. This leads to an aversion to accountability and to a dependence of personal loyalties for protection (Lima, 2013, pp. 560–562).

In this context, following protocols and orders is understood as a safeguard against punishment. Institutional emphasis is therefore put on obedience and hierarchy, rather than on autonomous decision-making abilities. However, this hierarchical component also creates hiatuses of communication and of accountability inside the forces, because different responsibilities and privileges apply to its different ranks (Ibid, pp. 563- 564).

In this sense, Civilian and Military police officers alike are divided into two professional groups or paths, which are unequal in terms of pay, training and disciplinary regimes. On one side are the careers for high-ranking positions: station chiefs and commissioned officers[3], respectively. Meanwhile, separate "entry doors" exist for the low-rank appointments that form the bulk of the forces. These are the investigators and registrars of the Civilian Police, and the police troopers[4] of the Military Police.

The logic of separation between the two careers of each force is so strong that a constable from lower ranks cannot access the higher positions unless he or she undergoes another tender process; the acquisition of professional expertise by itself is not enough. In the Military Polices, additional organizational discomfort exists because, starting in the late 1990s, corporations progressively started requiring that recruits applying for commissioned officers' positions have a Bachelor's Degree in Law upon admission (Rudnicki, 2008). For trooper positions, a high school diploma continues to suffice in most corporations.

[3] To avoid confusion with the gender-neutral terminology for police used throughout this study – "police officers"–, members of high-ranking positions of Brazil's Military Polices are always referred to as "*commissioned* officers". This is a means of differentiation that I chose considering it reflects their higher patent from troopers, even though these are also police officers.

[4] For the purposes of this study, I have here translated as "trooper" the Portuguese military expression *praças*, for which an absolute correspondence in English does not exist. In the Military Polices the *praças* do in fact serve as troopers; however, the expression is applied generally to low-ranking military men – in forces, those holding the patent of soldier, corporal, sergeant or sub-officer.

Military Police Culture and Rule of Law in Brazil

Keeping these common points in mind, this subsection takes a deeper look into the specificities that mark Brazil's Military Polices. When reviewing the academic production on these institutions, three topics of investigation stand out: their practices of discrimination, brutality and lethality; their institutional links to the former authoritarian regime; and their fraught relation with law. Each theme will be explored in detail and considered in their implications for the corporation's occupational culture.

Problematic Practices: Discrimination, Violence, Inefficiency

Most national and international literature produced on Brazil's Military Polices focuses either on their excessive use of force and lethal violence (Caldeira, 2013; Gonçalves, 2014; Willis, 2015) or on their practices of intimidation towards the urban poor living in the communities known as "favelas" (Penglase, 2013; Cecchetto, Muniz and Monteiro, 2018). Residents of these low-class neighborhoods are described as preferential targets of police suspicion and surveillance, subjected to arbitrary policing as a part of daily life. This has been found to be especially true for young, black men from the periphery of Brazil's large cities (Batista, 2003; Ramos and Musumeci, 2004; Penglase, 2013, pp. 32–33).

Many works also discuss intersections of these two tendencies; for instance, how implicit racism in the military police makes suspect shootings of blacks more likely (Lima, de Araujo and Poderoso, 2018) or how selective brutality and action have led to a mass killing and imprisonment of Brazil's black population (Sinhoretto and Lima, 2015).

Focusing on the social rather than the racial element of discrimination[5], Loïc Wacquant argues that Military Polices' routine practices create a "militarization of urban

[5] Despite his focus on the "penalization of poverty", Wacquant (2008, pp. 61-62) recognizes that this also strengthens ethno-racial hierarchy while hiding color discrimination as a factor, because Brazil's class structure is closely aligned with its race divisions.

marginality" (2008, p. 58) and a "climate of terror among the popular classes" (2003, p. 199), where residents of the *favelas* are treated an enemy population in a war zone. This aggravates feelings of fear and uncertainty already caused by the presence of organized crime.

This leads us to another central topic of study in what concerns Brazil's Military Polices: their inefficiency in bettering crime control and the reasons behind it. It has been argued that their violent and sometimes chaotic modus operandi tends to actually accentuate cycles of violence within poor communities, and that the police themselves have vested interest in the continuity of illegal markets in such city areas (Wacquant, 2008, p. 60; Penglase, 2013, pp. 41–42). Low salaries and poor job conditions easily lead military constables to corruption, which allows them to complement their income by accepting involvement with organized crime or working illegally in private security (Muniz and Proença Jr, 2007; Caldeira, 2013, pp. 108–109). This is a situation where the disorder of districts sustained by crime becomes an opportunity for profits and personal capital.

Whether this is the case or not, the documented fact is that the Military Polices tend to limit their activity to causing sudden and sometimes deadly impacts in the activities of favelas and similar areas, although never fundamentally changing their structures. This makes them co-managers of urban insecurity rather than maintainers of order or law enforcers (Penglase, 2013; Cecchetto, Muniz and Monteiro, 2018).

Brutality, social and racial discrimination, as well as corruption and inefficiency, therefore seem to be well-documented aspects of the Military Police's practices in Brazil. But how does this relate to its occupational culture? The topic appears incidentally in the studies, although it is not often their main focus. For example, when discussing violence and arbitrariness, Jacqueline Sinhoretto and Renato Sérgio de Lima (2015, p. 127) state that efforts to teach recruits about human rights and procedural fairness are hindered by institutional codes tied to a militarized "warrior ethos" that portrays the police as heroes

charged with defending society by taking the lekad in fighting crime. This element can also be perceived in the police's characterization of favelas through warfare metaphors (Penglase, 2013, p. 38); a discourse which serves to separate their tough-on-crime activities in poorer areas from those in the rest of the city.

Authoritarian Heritages

An important point to be considered when examining the Military Polices is that these are institutions imported from a dictatorial period (1964-1985). This implies that their organizational culture was crafted in a context that placed the police as defenders of the State's interest, not of citizen's rights (Sinhoretto and Lima, 2015, p. 132).

There seems to be an institutional difficulty on the part of the Military Polices in overcoming their repressive logic of action and assimilating tasks of assistance to communities or transparent work. Resistance to such models has led, for instance, to the failure of community policing initiatives in favelas (Azevedo and Nascimento, 2016, p. 660). Also, the continuity of the same structures despite the regime change to democracy had implications for the relations between citizens and police, impacting trust and cooperation on both sides (Pinheiro, 1997; Caldeira, 2013; Azevedo and Nascimento, 2016).

Despite some efforts at democracy-oriented institutional reform, mainly aimed at changes in training curriculums, conservative aspects of military police culture continue to be perpetuated through professional socialization (Poncioni, 2014) as well as through specific practices like the sadistic hazing of freshmen recruits (de Albuquerque and Paes-Machado, 2004). Rituals as such help shape police identity according to "informal and alternative curriculums", and are tolerated (even coordinated) by commanders as a way of reinforcing group spirit, transmitting real knowledge about the practice of policing and perpetuating both organizational and occupational culture (Ibid., p. 182).

Although overlooked by reform projects, unofficial perpetuation practices often undermine their efforts. Even recruits trained in a "new perspective" must operate inside fundamentally anti-democratic institutions, creating a mismatch between the education they received and their actual work life (Azevedo, 2016). Proposed but yet unexplored solutions have been to integrate legal and humanistic approaches to more practical subjects, avoiding presenting them as competitors to police work (Muniz, 2008, p. 139) or to provide for a continuous qualification that goes beyond initial training (Azevedo, 2016, p. 13).

The absence of deeper reforms in the public security sector after the dictatorship also creates obstacles for public accountability of the PM (Azevedo, 2016; Azevedo and Nascimento, 2016). For example, military courts try all crimes committed by police with the exception of intentional murder of a civilian. Analysts and official bodies have recommended de-militarization measures, but they have been repeatedly put on hold. Notably, Brazil's National Truth Commission[6] related the levels of police brutality in the country to the fact that the current security corporations were organized by the dictatorial regime. The Commission officially recommended that the links between the police and the Army be severed, and that regular courts begin to try all cases of police brutality (Comissão Nacional da Verdade, 2014). As of today, the recommendations remain unattended to.

Much as described by Kyed (2017) in Maputo, the societal counterparts to the PM's institutional history also have an important role to play in its culture. As Jacqueline Muniz (2008) states, discretion and selection are, to some degree, always present in police work. To make their decisions, officers use not only legal and technical notions, but also political and contextual determinants in which citizens play a role (Muniz, 2008). The Brazilian police's

[6] A National Truth Commission was established in Brazil in 2011 with the goal of investigating human rights violations that took place during the countrys military dictatorship, which had ended almost three decades through a negotiated transition that left little room for the persecution of perpetrators. In the end of its three-year mandate, the Commission presented a report of its findings and 29 recommendations for transitional justice, amongst which 8 were directed at the functioning of Brazil's police corporation.

modus operandi is thus developed empirically and adjusted by social expectations, legality and real life circumstances (Muniz and Silva, 2010, p. 458).

Specifically, popular sentiment regarding what policing should be like has been identified as an important factor. Different studies have noted how Brazil's history of suppression of civilian rights has led to support for a violent police and rejection of human rights discourse. This is true even amongst the lower classes most often victimized by the security forces (Wacquant, 2003, p. 200; Caldeira, 2013, p. 98).

While police are held to be "tough on workers" and thus feared, they are understood to be "soft on criminals", because police officers are seen as corrupt and involved in crime themselves. The justice system, meanwhile, is considered biased and untrustworthy. This creates a context of fear and vulnerability where immediate vengeance by use of deadly force, rather than the respect of suspects' rights, is identified as justice (Caldeira, 2013, pp. 112–114). It is a paradoxical relation where citizens distrust the police at the same time as they long for tougher policing in their neighborhoods (Penglase, 2013, p. 36).

Law in Military Policing

Besides being disregarded by citizens as unreliable and acknowledged to influence the police's practices at least in some measure, where does law fit in this picture? A part of the literature highlights that its main role is in the failure to adequately regulate policing after re-democratization (Muniz and Silva, 2010; Azevedo and Nascimento, 2016). The current police mandate has thus been described as a "blank check", accompanied by fragile mechanisms of supervision and a tendency of super-estimating the police's capacity for problem solving (Muniz and Silva, 2010, p. 469). The combination is argued to leave too much to improvisation on the streets, increasing the role of occupational culture in guiding actions and pushing agents to search for solutions outside the rule of law.

Some scholars have alternatively considered that the militarism and the autonomy that characterize Brazilian policing are reflections of organizational choices made by the country's criminal justice system itself. Rather than being in contradiction with this standard of policing, the Judiciary complies with it by leaving the Military Police to resolve violent conflicts and define which cases make it to trial, without giving it the appropriate institutional support. This has the effect of indirectly legitimating violent and arbitrary actions on the frontlines of social control (Sinhoretto, Bueno and Lima, 2015).

In another line, Jacqueline Muniz and Domício Proença Jr. (2007) have discussed how the structural difficulties faced by Brazilian police officers drive them away from legal policy. As already noted, precarious labor conditions often lead the police to exchange their professional authority for financial gains; a process that has the side effect of entangling them in webs of favors inside and outside the corporation. This builds skepticism towards policy documents, as the immediate necessity of dealing with internal politics makes individuals shift their focus from official goals and norms (Muniz and Proença Jr, 2007, p. 169). Some of these hardships of the job relate to the military structure of the corporation, which impedes unionization or labor rights claims. This leads a majority of policemen to be favorable to de-militarization in broad terms (Lima, Bueno and Santos, 2014), even though they do not necessarily articulate the militarized police culture with the institutions failures to promote effective public security (Sinhoretto and Lima, 2015, pp. 133–134).

It is possible to draw a few conclusions from this ensemble of works. First, the occupational culture of Brazil's Military Polices combines characteristics typically associated with the police – skepticism towards law, conservatism, cynicism, heroics – with militarism, giving emphasis to combat as an operational logic. This authoritarian element has been maintained through professional socialization despite efforts to humanize the training of recruits. Second, as in other countries, legal notions are one amongst a set of elements

informing the police's occupational practices and conceptions, along with political and social considerations. However, in Brazil, the lack of policing regulation adapted to democratic reality has increased the role of professional culture in guiding officers – a reality considered by some analysts to be less an accident than an organizational choice of the criminal justice system. Finally, because legal standards that do exist enter into contradiction with the core components of military police culture, they end up not being followed in practice.

In this sense, research on Brazilian police is aligned with the international production, incorporating social, political, economical and organizational factors in the analysis of policing and police culture. This study hopes to contribute to the existing knowledge by looking at how law actively shapes police culture in Brazil, analyzing the impact legal requirements and institutions have on officers in the midst of these tensions. The next chapter proceeds to discuss the research design elaborated for this purpose.

Chapter 4

Research Design

This section discusses the methods used for this thesis and describes the research settings. Generally speaking, the methodology chosen to explore how law and institutions shape police culture in the context of Brazil's Military Polices was a multi-method qualitative study, combining semi-structured interviews with troopers and observation of criminal trials where they served as witnesses. Troopers, recapitulating, are low-rank constables in the Military Police, responsible for street policing and first responses to crimes. They are here distinguished from the PM's commissioned officers, who manage and command the forces.

Qualitative research gives emphasis to subjects' understandings; it sees social and organizational realities as actively constructed by their participants. Furthermore, the contextual analysis provided by such methods allows for the variables that interest the researcher to be seen in connection with other aspects of the organization (Bryman, 1989, pp. 114–117). These characteristics provide an epistemological approach aligned with my aims to analyze law's role in police culture without neglecting the larger social context.

The research took place in two corporations: the *Brigada Militar do Rio Grande do Sul* (BMRS) (Military Brigade of Rio Grande do Sul) and the *Polícia Militar de Santa Catarina* (PMSC) (Military Police of Santa Catarina). The final dataset consisted of five interview transcripts and of field notes taken during observation of six criminal trials. Small samples were preferred so as to allow for inductive, in depth analysis and detailed description. During initial stages, I also conducted an exploratory interview with a professor of police human rights training, which was used a subsidiary source of data.

People, through their perceptions, interactions, reasoning processes and experiences, therefore conform this study's data source (Mason, 2002, p. 56). The combination of

interviewing and observation as methods aimed to explore this knowledge from two different angles and to corroborate findings by using different sources of data (Ibid., p. 33). .

Despite having these initial guidelines, I also adhered to the idea that research design in qualitative methods is a characteristically dynamic, fluid and reflexive. Decision-making happens throughout the practice, in response to arising data and also to practical issues. The most important thing is therefore to keep any emerging choices in line with the overall methodological strategy and epistemological assumptions (Mason, 2002).

With this in mind, I planned to start out with interviews, where I would question troopers on how law is present in their work life, focusing on structural elements and relations that condition the exercise of policing (Chan, 1996). Moving to observation would then allow for the perception of aspects of the interaction between legality and occupational culture that are not consciously formulated or verbalized in conversational exchanges. Observations were also meant to be a "cross-check" of interview data, controlling for potential biases in the police troopers' accounts of how they relate to law.

During the process, however, the research design had to undergo several alterations in consequence of the COVID-19 pandemic. The most significant of these were related to the fieldwork component. As will be explained, observation was ultimately done with troopers from the PMSC rather than from the BMRS, which made the initially planned triangulation unfeasible and left only the first strategy of methods combination.

The following subsections of this chapter detail processes of access, sampling, data generation and analysis pertaining to each technique. The theoretical readings on Bourdieu (1987) and Goffman (1967) detailed in Chapter 2 provided conceptual tools that systematized the latter two phases, shaping my initial intuitions. Albeit assuming this influence, I adopted strategies to avoid overgeneralization or forceful adaption of social phenomena into inaccurate imagery, aiming to include peculiarities or "inconvenient facts" that arise in the

discussion (Becker, 1998). No previous hypotheses were developed, and I maintained my framework intentionally flexible, so that the limits of what could be found in data were not determined from the outset (Bryman, 1989, p. 116). For these reasons, I envision the nature of my research process as more inductive than deductive.

Interviewing the Military Police

For the interviewing part, I chose a semi-structured approach. This format is the most common for qualitative inquiry, which uses looser structures to minimally constrain the scope of responses. In structured interviews, questions are formulated to be specific and make answers comparable. Semi-structured formats, on the other hand, use more general questions and prompts, formulated in topics and themes (Bryman, 1989, p. 124; Mason, 2002, p. 62). The style is more informal, approaching a conversation rather than a question-and-answer dynamic, and allows for departure from protocol if interesting themes emerge.

Semi-structured interviews are, however, also different from unstructured ones[7]: the researcher defines a list of themes to be approached and thus controls the interaction to some extent. In my case, a rough list of topics to be discussed with each interviewee was drawn from the conceptual framework based on Bourdieu (1987) and Goffman (1967).

This choice of interview type reflects the perspective that knowledge is situational, so that it is necessary to give respondents the opportunity to elicit their perceptions or experiences in the fullest way possible. This fits the research problem at hand, which involves ascertaining the police's occupational reasoning about law through reference to lived situations and events. Finally, the choice of qualitative interviewing also reflects the view that a social explanation of law in police culture should be based on nuanced accounts

[7] Regarding this difference between semi-structured and unstructured methods, Jennifer Mason (2002) convincingly argues that gathering qualitative data in a wholly unstructured and unfocused way is not feasible in research.

rather than broad patterns (Mason, 2002, p. 65), so as to avoid the oversights that Dixon (1997) takes issue with in his review of the existing literature.

Access and Sampling

My initial idea was to reach interviewees through the police corporation, asking them to refer in between 5 and 8 commissioned officers or troopers, who were available and willing to contribute. This would constitute a generic form of purposive sampling, informed by my research goals (Bryman, 2012, p. 422). The sample size was chosen according to an evaluation of what was feasible in the time I had for data generation and analysis.

Therefore, in early April 2020, I contacted the Military Police institution of the federated state where I reside: the BMRS. Fellow academics working with criminal justice research had suggested that I attempt contact through the *Departamento de Ensino* (DE/BMRS), (Education Department), and, more specifically, the *Academia de Polícia Militar* (APM), (Military Police Academy), the organism where the training of both trooper and commissioned officer recruits, as well as specialization courses, takes place.

The APM was said to be more open to research initiatives because it has, in the past, developed partnerships with local universities for teaching purposes. Nevertheless, my formal attempts of access – phone calls, written requests by email – were not successful.

This is a common situation with criminal justice institutions (Babbie and Maxfield, 2009, pp. 207–210); and polices, especially, are known to be very closed organizations. The restrictions brought about by the COVID-19 pandemic seemed, however to make the task even harder: buildings were closed, phones went mostly unanswered and no one replied to emails. This led me to switch strategies and look for people of my acquaintance that could help find potential subjects. Bryman (1989, p. 134) notes that this personal contact approach to access in organizational research is not only acceptable, but advisable.

The first opportunity to come up was of interviewing a historian specialized in providing human rights training to police officers. This was not someone with a background in law, but a social activist in the themes of rights and justice who was invited to teach in a human rights police training program and pursued specialization in the area. The course, called *Jornadas Formativas de Direitos Humano* (Formative Workshops in Human Rights), was developed by Worker's Party governments first at the state-level of Rio Grande do Sul, in 2003, then in a nation-wide format sponsored by the *Secretaria Nacional de Segurança Pública* (SENASP) (National Secretariat for Public Security), from 2004-2008.

My interviewee was involved both in the pilot version and in national one. He taught classes to police forces in cities throughout the country, using a historical approach to discuss human rights. Although I had established that my data source would be subjects participating directly in military police corporations – i.e., police troopers or commissioned officers –, I decided to conduct an exploratory interview with this professor, in hopes of learning more about the subject matter and potential ways to gain access.

Important things came up in this exploratory interview. First, it greatly contributed to my learning on how to develop a better rapport with the police, something I would later use for other interviews. Prompted by me to describe his experiences in teaching human rights to the police, my interlocutor detailed how he and fellow teachers bypassed initial hostilities and established dialogue with their students:

> They think they are daily attacked by the people they call "from human rights". Is it a prejudiced vision? Of course it is. But it departs from a reality. The left never treated these people as human beings. The left always treated these people as guard dogs of the capital. And they can't see themselves that way, because they have wives, they have children, they have husbands. You see? (…) In truth, there was prejudice on both sides. And our job at the time was to try to end this prejudice, right. So we made all this effort, although we were from a more progressive ideology, and that was clear, we were there because we supported them, we wanted them to work correctly, right, we wanted them to keep working, we wanted the police to continue acting, right. And this was a change in discourse on the part of the left.

Next, as we discussed differences between the two types of police positions in the Military Polices, I was able to decide that my study should focus on troopers, rather than on commissioned officers. The latter, I learned, increasingly took on bureaucratic duties and did little to no street work, approaching a "management cop culture". My research interest was more in normative/social orientations for street policing, which is also the concern of most scholarship dealing with police culture (Dixon, 1997, p. 10).

Finally, I learned that, in the trooper ranks, where recruits are admitted with a high school education, studying for a law degree after joining the corporation had become a common practice. In my interviewee's words:

> Nowadays, in the soldiery of the PM, almost 100% of them have a university degree. Nowadays. And law is the course that they most choose (…) Nowadays, the corporals, the sergeants, the lieutenants, even the soldiers[8], they are all taking Law, because they want to become officers. Or they want to tender for the Civilian Police.

In this sense, it's important to remember that, to join military officer ranks, recruits must detain a Bachelor's Degree in Law – a now-generalized trend in military corporations that was started precisely by the BMRS (Rudnicki, 2008). As the careers are separated, even after receiving the diploma, a trooper would need to re-tender for a military officer position.

Having learned all this, I decided to look for interviewees in my own former Law School. A conversation with a previous professor put me in contact with a recently Law graduate who worked as a military police trooper, in the *Batalhão de Operações Especiais* (BOPE) (Special Operations Battalion) of the BMRS. After agreeing to an interview with me, my contact also referred me to four other police friends, currently or recently stationed in the BOPE and willing to participate in the research.

The BOPE is as an elite squad trained to intervene in situations where deeper tactical knowledge is required, such as hostage crises, bank robberies or bomb threats (BMRS, 2020).

[8] Soldiers, sergeants and first lieutenants are the ranks in the trooper category of the BMRS's police force, Capitan, major, lieutenant-coronel and coronel are the ranks in the officer category.

Although based in Porto Alegre, the battalion can be deployed to any part of Rio Grande do Sul if its services are deemed necessary. Its members are police troopers who receive additional training in the form of a tactical operations course. This course can be taken just after the regular recruit training or at a later point in one's police career. In any case, stationing at the BOPE does not constitute a permanent situation: my interviewees had all had previous assignments as regular troopers. Additionally, two had gone back to more mundane police work after a while in the specialized battalion and another reported having moved back and forth between the BOPE and other placements.

I was therefore able to ask my interviewees about general police experiences, despite the potential skewing impacts of having drawn my sample from this very particular battalion. Additionally, four of the subjects had Law degrees, of which only one had acquired the title before joining the BMRS force; the other three had done so while working as police troopers. A fifth interviewee was enrolled in Law School at the time when we talked. As mentioned previously and reiterated in four out of five of these interviews, studying law has become a common practice amongst the BMRS's police troopers; however it is still important to consider this factor in the evaluation of the selected sample. Respondents were all male and in ranged from 24 to 37 years old.

In terms of technique, this constitutes a snowball sample, characterized by the identification of a single subject that is then asked to refer more like himself. This variety of purposive sampling is useful for opportunistically capitalizing on available sources in contexts where researchers are facing indifference or opposition to their study (Bryman, 2012, p. 424), which seemed to be my case. Babbie and Maxfield (2009, p. 165) discuss how this sampling method, combined with the use of informants, is commonly applied to interview-based or fieldwork studies in criminal justice topics, as subjects of interest are

otherwise hard to reach. While the authors speak more specifically of research into deviant subcultures, their argument can be extended to the study of police culture.

Interview Conduction

Due to social distancing, interviews were conducted through videoconference, which had the notable impact of making nonverbal cues and body language harder to interpret, besides connection problems eventually interrupting the flow of the conversation.

My interactions with the troopers lasted in between fifteen and 40 minutes, with an average of about 30 minutes. I tried at first to avoid legal jargon, but soon realized it was not an issue: the subjects were somewhat used to it. On the other hand, it *was* necessary for me to think about ways to "translate" my discussion themes into plausible questions.

In this sense, I first used the conceptual framework developed in Chapter 2 to create a basic protocol for my interviews, to be adapted whenever convenient. This left me with a list of six topics to be explored in every interview. Four of these were based on Bourdieu (1987)'s sociology of law – interpretative struggles, technical knowledge, social capital and juridical language/attitude – and an additional two – deference and demeanor – were based on Goffman's work on interpersonal interactions (1967).

I focused on Bourdieu's concepts at this stage because I considered respondents were more likely to identify and formulate answers about the concrete conditions created by law for their professional activities. As Goffman himself states (1967, p. 28), symbolic influences on presentations of their selves are not something people process consciously. I thus left Goffman's categories to be explored in the observation phase, anticipating that subjects' behavior would be more telling in this regard than any verbal manifestations. I nevertheless included two broad questions about deference and demeanor rituals when in

contact with legal institutions and hoped trooper's ritualistic representations of their social selves would also manifest along the interaction as we discussed other matters.

I did not establish a specific order for these themes to be approached: I usually started by asking an ample question about what was law's role in policing and then tried to fit the topics in the conversation as naturally as possible. This generally worked well and allowed me to cover the basic themes in all interviews. I didn't notice a marked difference between topics in which interviewees felt more comfortable and topics in which they tended to recoil; whether the respondent expanded or was succinct in his answers seemed to be a matter of his general attitude towards the experience that manifested throughout the interview.

I attempted to always propose questions relating my themes to real-life situations of police work. So, rather than inquiring abstractly about deference/demeanor, interpretative disputes or technical knowledge, I would ask, respectively, if the police troopers thought they needed to act differently when in presence of a legal actor; if they felt that the prosecutor's, lawyer's or their own opinion mattered in defining what crime had happened; if they had had some sort of legal training and if they found it of use on the streets. For some concepts – juridical language and attitude, social resources in terms of relations – I was able to question them more directly. The direction in which troopers developed their answers varied in each interview, and I improvised follow up questions and prompts accordingly.

I also made a few choices of conduction style based on the strategies to overcome prejudice that my exploratory interviewee had described from his experience in teaching human rights to the police. Our conversation had made me aware of the hostility constables associated with "human rights talk", and, from personal experience with Brazilian conservatism, I knew that social research into law and policing was likely to be linked to this kind of activism. So, after briefly explaining what my project was about, I would offer respondents a standardized assurance that it was not my intent to denounce police work in

any way. I also let them know I was interested in developing the criminological debate around the police's relation to legality in a more nuanced way than most scholars did, and that this included giving the troopers themselves a voice in academia.

Additionally, during the interviews, I reacted in ways attuned to what subjects were expressing – I would empathize with their complaints, show indignation when I sensed this was what they were aiming for, and laugh if they made jokes. Some potential implications of this style of conduction are discussed in more detail in the ethics section.

Observing Criminal Hearings in the Midst of Legal Lockdown

The idea of combining interviews with observation relates to my standpoint that people's interactions and behavior are central to comprehending the social world, and that knowledge on these aspects cannot be fully articulated in verbal report of situations. Observing the dynamics in an everyday setting can therefore reveal a complementary dimension of the studied context, presenting data that was not available in other ways (Mason, 2002, pp. 85–86). Adopting a multi-method strategy also adequately reflects the notion that rounded, multidimensional data is needed to explain the complex set of interactions between police culture and law.

I envision the type of observation I conducted as non-participant, because it consisted of intermittently watching procedures and did not involve immersion in the setting (Bryman, 1989, p. 118). Nevertheless, many practitioners of observation question how far it is possible to just observe and not have some kind of influence on the situation, or at least a feeling of what the setting is like that also constitutes meaningful knowledge about it (Mason, 2002, p. 92). These possibilities should be taken into account here as well.

Choice of Setting and Access

The setting I chose for the observation – criminal court hearings with police troopers serving as witnesses – was taken to be a site of operation of the wider relation between police culture and law. Hearings are the occasions in which Brazilian military troopers[9] most often come in contact with legal institutions and actors. Because they are responsible for direct interventions on incidents of suspected or blatant street crime (conducting stop-and-frisks, searches, apprehensions, arrests and so on), their testimony on how facts played out is frequently a key part of the accusation's argument. My perspective was that the analysis of the taken-for-granted rules of interaction, behaviors and practices in these occasions could help to discern aspects of the larger theme of my interest (Mason, 2002, p. 89).

Hearings seemed especially useful for this because they constitute a moment of police "storytelling". Even under the influence of formal settings, narratives of how facts took place manifest a perspective of reality and reveal aspects of occupational culture, even if they don't correspond to factual truth (Van Hulst, 2013, p. 625). Troopers' behavior in these circumstances could potentially express something that the interviews had not.

Another factor in choosing criminal hearings as a setting was their practical accessibility. With the exception of sensitive cases, court hearings in Brazil are public. As mentioned, Law students commonly watch these hearings as a part of their course requirements, so that the court staff is habituated to receiving them without previous request. The permission of the presiding judge is demanded and given in the moment the session begins. Therefore, access would, in theory, be easy.

In practice, the COVID-19 pandemic once again complicated things. The observation was planned to take place in Porto Alegre and involve troopers from the BMRS.

[9] Besides the logic correlation between working on the street, intervening on situations of crime and therefore being able to testify about them, it was also reported to me in a couple interviews that officer ranks very rarely went to court hearings. "The maximum you will se is a lieutenant", as one interviewee told me.

The city's central courthouse has 17 criminal courts, each holding hearings several times a week. The premises were, however, closed in March 2020 due to social distancing measures, and remained inoperative throughout April. By May, urgent hearings started to happen again, but only authorized personnel were allowed to access the building. I formally contacted criminal courts requesting to watch these hearings, either in person or remotely, but failed to receive satisfactory responses. I also made several attempts to access audiovisual recordings of previous hearings, knowing that such registers are usually included in case files. However, no answer was provided for these requests either.

Then, in late May 2020, I found a sponsor (Babbie and Maxfield, 2009, p. 207): a friend working as a clerk for a criminal judge in a smaller county located some 4 hours from Porto Alegre, in the neighboring state of Santa Catarina. The judge in question had moved all her urgent hearings to an online platform created by the Judiciary. The application generated "virtual courtrooms", which judges, prosecutors and lawyers could join from computers at home. Witnesses joined in the moment of their testimony from their phones and computers, or in some cases, if they did not have the necessary equipment or an Internet connection, from a conference room in the city courthouse. Finally, as the cases deemed urgent were precisely those in which the accused were serving preventive imprisonment, defendants joined from conference rooms set up in the local prisons.

With the intermediation of my sponsor, I got consent from the judge to join the virtual courtroom to watch hearings that had military police troopers listed as witnesses as long as my participation did not interfere with the logistics. This was evaluated to be the case for trials that involved a high number of witnesses. In those, there would be too many people joining and exiting the videoconference throughout the proceedings, and my watching could worsen the connection or create confusion. I also agreed to not cite names, specific cases or other circumstances that could compromise confidentiality in my work.

Importantly, the police troopers participating in these hearings were not from the BMRS like the ones I interviewed, but from Santa Catarina's equivalent, the PMSC. So, an important consequence of this change in plans was that the research became a multi-sited study, with involvement in two different organizations (Bryman, 1989, p. 132). As both are units of the same of military corporations, finding and developing common themes is easier than for more diverse combinations. However, conclusions do run the risk of losing in contextualization and faithfulness to the subjects' perspective (Ibid., p. 133).

Throughout June 2020, I sat in on six sessions of court hearings, each pertaining to a different criminal trial. These sessions ranged from 40 minutes of duration to three hours, the average being of about one hour and 30 minutes. In the first three instances, the court session corresponded to the full trial. For the next two trials, a part of the proceedings was transferred to another date, in the first case due to time limitations on that day and in the second because the accusation witnesses had not attended. Finally, in the last trial I observed, one of the two troopers listed as witnesses had already testified in a previous session.

An identification was created for me on the platform, indicating my name and that I was a student. I received link invitations to the videoconferences by email, and once I entered them, my identification would appear, first on a pop-up signaling my entrance and then on the participant list. The troopers attending these six trials were all male, with one exception in Hearing 4, where a female police trooper served as one of the witnesses to the fact. Recording of any kind was not authorized, so I took extensive field notes during each hearing. In the beginning, I planned to center my attention on the police troopers' testimonies, but soon realized I could learn more from watching the full proceedings and making comparisons between "regular" witnesses and police troopers.

Observation Practices

The virtual courtroom looked and functioned like a *Skype* conference between numerous people, and this digitalization seemed to reduce the formal feeling of court proceedings. An intern of the court coordinated the entry and exit of witnesses, but there was often difficulty in making sure they were properly connected, listening and with their own audio functioning. The legal professionals themselves sometimes had trouble with the equipment and had to exit and come back in. These "technical issues" frequently caused delays in the trials, with lapses of time in which participants would repeatedly ask each other "can you hear me? I can't here anyone" and so on. There was a sense of doing whatever was needed to make the hearing happen, even if this involved creative solutions like video-calling the witness on a phone and holding it up to the camera.

Adopting the standpoint that accounts of settings cannot be full or neutral, always assuming some kind of selective perspective (Mason, 2002, p. 90), I opted from the start to use my conceptual framework to "direct my gaze" in this unusual setting. That is, as the framing of observations around certain themes would ultimately be inevitable, I considered it best to clearly presume my interests and be critically aware of the biases they may cause (Ibid., p. 98). The idea was nevertheless that the concepts and indicators would provide a flexible prescription rather than rigid pre-conceptions.

Just as in interviews the focus was mostly on Bourdieu's indicators relating to the juridical field (1987), for observations I drew mainly on Goffman (1967). This is because, with this method, I meant to access the symbolic dimension of law's influence on the police, especially in terms of how it affects their collective management of appearances and self-esteem (Manning, 1978). Goffman's developments on potentially-collective faces (1967, p. 5) seemed more useful here than Bourdieu's comparable concept of habitus (1982). Although both categories refer to similar aspects, habitus speaks of posture or tone in terms of

immaterial resources unconsciously used in order to achieve individual aims within a particular field's logic (Bourdieu, 1982, p. 233), rather than as symbolic presentations of the self and its social worth developing in interpersonal interaction.

I therefore looked out for indicators of face-work in talk, behavior and interaction, as well as for rules of conduct regarding rituals of deference and maintenance of demeanor (dress, manners, appearance). Meanwhile, I also tried to remain attentive to situations of interpretive disputes that might arise, as well as to the use of juridical language, attitude and resources (Bourdieu, 1987) and how it connected to the interactions rituals I was seeing. Additionally, I found myself instinctively making comparisons and connections about what I was seeing and information that had been recounted in interviews.

To simplify the understanding of the ensemble of methods, a visual summarization is offered in Table 2. It includes the techniques of data generation used, the sources, the police corporation they referred to, and the quantity of events analyzed for each method.

Table 2

Summary of Methods and Sources

Method	Source	Corporation	N=
Interviews	Police troopers	BMRS	5
Observation	Criminal court hearings	PMSC	6

On Ethics and Research Conduct

When discussing ethical issues in qualitative research, Jennifer Mason notes that "some of these can be anticipated in advance, but just as you will find yourself making intellectual and practical decisions on the spot, so too you will from time to time need to

make hasty moral judgments" (2002, p. 79). This proved extremely true during my data generation procedures. Although I had prepared to deal with basic issues such as confidentiality and consent, the manner in which these matters presented themselves in practice was not as straightforward as premised on ethics codes.

A first ethical discussion that arose related to my style of interview conduction. As I described, I started off the interactions by trying to show respondents that I was not looking to judge them, as my exploratory interviewee had done in his workshops. With this, I sought to establish a rapport with my research subjects, but I do not consider that I deceived them on my views or research purposes, which would demand rigorous and careful justification (Babbie and Maxfield, 2009, p. 33). Rather, I hold that it was the particular nature of my research puzzle that allowed me to present the project as collaborative with the police without compromising my critical view of the situation or my honesty.

As described, my stance also involved agreeing with police troopers' views on the discussed subjects rather than challenging them. Again, this had the goal of dissipating potential hostilities in relation to social researchers. This does not mean that I imposed any preconceptions about their opinions on the interaction; at least two interviewees expressed very critical views on the Military Polices. On the other hand, my conduct may have suggested a bond of trust that impacted what subjects were willing to tell me (Mason, 2002, p 80). I tried to minimize potential ethical problems arising from this in two ways. First, by making sure I had informed oral consent to use their responses in an academic thesis[10]. Next, by cautioning interviewees that they did not have to answer something they felt uncomfortable with. I took it as a good sign that on some occasions, my subjects explicitly said to me that they did not want to give their opinion on certain issues.

[10] There are important limits to how adequately qualitative research participants can be informed of everything informed consent involves, especially due to unfamiliarity with techniques and principles of analysis, or academic use and reproduction of data (Mason, 2002, pp. 81–82). However, it is my opinion that the interviewees sufficiently understood what they were consenting to: that I use the information conveyed for the elaboration of an academic research for my Masters thesis, the topic of which I also explained to them, briefly.

Another relevant ethical issue that came up was protection of identity. In the first interviews, respondents asked me directly about this, telling me "police often get into trouble for saying too much". Strict anonymity was not feasible, as it would involve ensuring that even I would not be able to link data to my interviewees. Confidentiality, on the other hand, refers to ensuring that *the public* cannot associate information in the research to the person giving it, by removing names and other personal information (Babbie and Maxfield, 2009, p. 32). It is usually undertaken as standard ethical conduct, but in this case, given the specific concerns raised, it also seemed an important assurance that no harm be done participants, and thus merited special attention on my part (Ibid., p. 27).

Therefore, in what became incorporated to later interviews as a standard beginning, I assured respondents that I did not plan on identifying them in any way. I did not ask for full names or any other personal information; first names were removed from interview records and replaced by sequential numbers, which I used when quoting excerpts in my analysis. Secondary anonymization was not necessary: I noticed interviewees themselves avoided naming places, units, people or details that would make described situations identifiable. On the other hand, the internal mobility of the BMRS and the high number of troopers with Law degrees served as a contextual assurance that indirect identification through the sample's characteristics would not limit the confidentiality I promised.

In the observational phase of my research, the particular circumstances of my setting made it so that most of the ethical concerns commonly associated with fieldwork – regarding, for instance, relationships with subjects – were not relevant. However, an ethical issue that did manifest was the one related to gathering the consent of everyone involved.

In most observational settings, it is difficult, for practical reasons, to gain informed consent from all participants (Mason, 2002, p. 101). In my case, access was negotiated only with the judge. This situation seems less problematic when we consider that this is how

observation of Brazilian juridical hearings happens in normal contexts: students are allowed by the presiding judge to enter the courtroom, and, unless the other parties protest, that is the only consent needed. This is because proceedings as such are defined as public acts by law – in fact, in physical hearings, asking for the judge's authorization to enter the courtroom is more a matter of respect for his figure than of granting access.

Given these circumstances, I did not feel it was necessary to take further cautions such as asking for written or individualized consent. The lack of physical presence may have made participants less aware of my attendance; however, as mentioned, I had an identification that appeared whenever I entered the videoconference, so that my presence was by no means covert. On the other hand, this login identified me as a student rather than a researcher. This description was not chosen by me but by the court staff themselves, probably due to what they more habituated to see in terms of onlookers for hearings. It could nevertheless be potentially misleading about what exactly I was doing there.

Whether it made a difference to the parties if I was a student reporting hearings as a class requirement or a researcher analyzing them for a project is hard to ascertain: both involve observation and interpretation of the people present. The situation points, however, to the difficulties in controlling the role you assume once you enter a setting, even if in a passive position (Mason, 2002, p. 93). It was not feasible for me to make my role as researcher clear to everyone in each virtual trial; and one could argue I thus inadvertently took on the role of an undergraduate law student in the eyes of some.

A final ethically ambiguous situation that arose was that, due to the exceptional situation created by the COVID-19 pandemic, attorneys, especially designated public defenders, often did not have a chance to talk with the imprisoned defendants before the hearings. They therefore used the virtual courtroom to have a strategic chat before proceedings began, or right before interrogation. The judge and prosecutor would leave the

videoconference at these times and communicate by instant messaging with the attorney so as to know when to return. Not having this means of contact with them, I could not as easily leave and know when to come back. I alternatively decided to keep the audio muted during the duration of these conservations, and only turn it back on when the return of other participants signaled the private moment between lawyer and client was over. No visual elements perceived in such exchanges were counted as data; and I tried to pay only enough attention so as to realize that the formal proceedings had started or resumed.

From Raw Data to Findings: the Analysis Process

A final step of qualitative research design and practice is analysis, which involves deciding how to transform data into findings. I started my analytical process by transcribing my audio-recorded interviews in *Microsoft Word* files, so as to render the information textual and easier to access. Similarly, I typed up the written field notes I had taken during observations, which included both raw descriptive accounts of what had happened in each hearing and the impressions and interpretations I had developed in that moment.

I then proceeded to thematically code these materials, using the qualitative research software *NVivo* to facilitate the process. The program allows users to identify themes as they go through their data and then aids the process of retrieval and synthesis by creating tools that group together all sequences of data with references to the same theme. Called “nodes”, these exploration instruments can then be related amongst each other through the creation of associations or hierarchical divisions, such as “child nodes” and “father nodes”.

After uploading all my files into one unified *NVivo* project, I therefore studied my materials and created nodes to group together data excerpts that were thematically related. This coding phase mixed deductive and inductive procedures: my standpoint was inductive, but, because I used a theoretical framework during data generation, initial forms of

organization and tentative conceptualization were clear from the beginning (Bryman, 1989, p. 138). In this sense, some nodes corresponded directly to the concepts that I had chosen to base my techniques on, such as "interpretative disputes", "technical resources", "representations of the self" and "face-work". They therefore constituted deductively created codes. Additionally, however, new themes that I hadn't directly asked about or looked for also appeared in the data and thus came to form inductively created codes. Instances are "sanctions", "protocols", "undervalued legal work" and "public service".

The next phase was to reexamine the nodes I had created and refine the analysis. This involved different processes in each case. Some nodes were divided into sub-nodes; others were aggregated into a single, more comprehensive thematic category. In other instances, I moved content from one node to another after reconsidering excerpts' issue-specific pertinence. My aim in all of this was for all the data connected to one particular code to form a coherent, thematic set. By the time I felt this was sufficiently the case, I had six father (main) nodes. I then drew tentative conclusions from the "final cut" of excerpts in each node, established relations in between the separate themes and connected my findings with categories taken from the revised literature. *NVivo*'s tools for visually representing the project through conceptual maps aided this step. In the following chapter, I attempt to synthesize my findings and their relations, presenting the exploratory conclusions of this analysis. Each of my final thematic nodes corresponds to a subsection of the chapter.

Chapter 5

Law in Brazil's Military Police Culture

This chapter presents the results of the research, to be read as suggestive conclusions derived from an exploratory study, rather than definitive interpretations. Their exposition is divided in two sections, representing my two analytical dimensions. First, I argue that contact with law – always considered here alongside the set of institutions, actors and struggles that form the legal world – affects the development of police culture by means of structural influences. Next, I discuss the corresponding symbolic aspects of law's impact in police culture. Each section is further divided into thematic subsections, where pertinent data is depicted along with theoretical and reflexive discussions.

Structural aspects

Continuing to use Chan's (1996) model as a basis, I suggest that legal norms, combined with the logics of social interplay functioning inside the juridical field – which Bourdieu (1987) considers analytically inseparable from law itself – create structural conditionings for policing, which act to shape officer's occupational dispositions. Their effects, however, are not always intended ones. Being subjected to legal structures does not imply that a cultural system adheres to law's prescriptive standards, but rather that it adapts in response to the situational requirements (Moore, 1973; Merry, 1998); in this case, through corporate tactics. Police culture therefore can be said to develop as officers interact with the legal elements of their work life: a formulation that has the advantage of granting these agents an active, interpretive role in their cultural process (Chan, 1996, p. 339).

I identified three ways in which this materializes: troopers' participation in juridical disputes, concern with protocols and sanctions, and, related to the first two points, their need for technical legal knowledge in order to adequately navigate their work.

Participation in Disputes

Military police troopers routinely take part in disputes around application of legal concepts, as well as in debates concerning facts under court appreciation. In neither case their participation aims to determine the meaning of law, which distinguishes these occasions from the juridical field's interpretative struggles (Bourdieu, 1987, p. 817). Participation in them imposes constraints and incentives on the development of police culture.

Disputes about application of legal figures arise with hierarchical superiors and with officers from the Civilian Police. They are thus internal to the police structures, and outcomes have consequences for troopers' careers. Notably, they can be punished for mishandling a case if a superior considers they made the wrong interpretation of the crime taking place:

> *Interviewee 1:* (…) the understanding of which crime happened is going be the commissioned officer's, your superior's. That's the one that's going to go in the report. So sometimes you go there and you say, "this is what happened", and the officer says "no, my understanding is that that's not it… this is just a passerby, he's just annoying people, we don't need to open a procedure". And then you can even be punished for handling the situation in the wrong manner, right, because there's a lot of ways to handle a situation. But in reality, you handled it in the correct manner. The trooper is the one who has the first encounter. So, yes, there are a lot of conflicts, and it's complicated, because we can even be punished.
> *Me:* So these conflicts that we see, for example, in a courthouse, they also happen at the police station? Where one thinks it's that crime and the other one thinks that it's another crime…
> *Interviewee 1:* Not even at the police station, that happens already in the barracks[11]. Because that's the thing, the Military Police [street unit] has the first encounter with the situation and it has to decide the possible destinations of the report. But then the commissioned officer can demerit the interpretation that was given. And then we have a heavy responsibility, with the possibility of being punished.

> *Interviewee 5:* (…) sometimes we have that kind of situation more in the police station [than in court], right. Sometimes we take the report to the police station, thinking that the legal framing is one thing and the station chief, since he's the one responsible, changes it. And in that case, yes, you have animosity. In that case… you get an ugly face, like "but I brought him in for drug trafficking", and the station chief says "no, you only have a suspicion…" and then it's the station chief's decision, right (…) In the courthouse, because of the huge demand, it's hard for you to spend more than ten minutes, for example, with the judge (…) So there you don't have that a lot,

[11] In Brazil, police station (*delegacia*, in Portuguese) refers to the offices of the Civilian Police. The headquarters of Military Police units are known as barracks (*quarte*l), following the military tradition and nomenclature of this force.

> the kind of discussion where the trooper asks or challenges "ah, but I said it was trafficking, and you, sir, disqualified it, or changed it to another crime". In police stations yes, with station chiefs normally you have some animosity.

The last quote shows that, when it comes to debates in court, there is less room for troopers to intervene in juridical debates. In fact, as became clear later on, when testifying in court, police troopers are required to stick to facts, minimizing any personal interpretat999ion of events. This marks their exclusion from the juridical field per se, because the right to interpret law in precisely what defines participation in it (Bourdieu, 1987). This is paradoxical when we consider the above information that their choice of action implies legal interpretation of the facts taking place. Additionally, as Roberto Kant de Lima points out, Brazilian policing activity involves translating social facts into juridical language for reports, therefore entailing implicit processes of interpretation and neutralization of context (2013, p. 558).

The reach of this limitation was expressed in Hearing 4. A tipoff from an anonymous source led a trooper to arrest two men on drug trafficking charges. The defense attorney questioned how far the information of itself allowed for this act if the trooper's own deductions, however small, were eliminated from the equation:

> (…) Trooper 2 says that his informant saw the defendants moving the drug, and that his military police unit then confirmed the identity of the defendants based on their physical descriptions (two shirtless men). Then, while performing the stop-and-frisk, he "diagnosed" who was selling and who was negotiating, based on what was found with each arrestee and on the information he had from his collaborator. The defense attorney made a lot of pressure relating to this tipoff and what was the relationship it established between the defendants and the drug: "did the collaborator actually say it was *those* men who were trafficking?" Trooper 2 says it was implicit, because he [the informant] gave the coordinates to the place where the men were later found. The defense attorney insisted on the objective content of the information: "yes or no, officer?"

Pressure for objectivity was observed as coming particularly from defense attorneys, likely because they often depended on a raw account of facts to weave their defensive strategy. Another example was Hearing 6, where another case of drug trafficking was being

tried. The substances were argued by the prosecution to be destined to a local prison, along with other items prohibited to inmates, such as cellphones. The defense attorney repudiated a trooper for judgments based on "deduction" and insisted on thorough details:

> (…) The attorney asks another uncomfortable question: "the destination of this drug, was it deducted?" The trooper says they had general information about it (…) The attorney points out a contradiction between the narratives of the two troopers working on the case, because the first one [who had testified another day] said the defendant was not at home when the unit arrived. Trooper says that he "thinks" he is sure that the defendant was in the house when they arrived. The attorney then replies that "thinks" doesn't give any certainty and asks if the Trooper may be mistaken, to which he answered no.

I propose that the norms for the functioning of these two kinds of disputes act as molding factors for police occupational culture. To start, there is a need to preoccupy oneself with them when working on the street. By anticipating lawyer's use of procedural law principles and rules in their defense strategy, troopers learn to prepare for future reviews of their actions, by documenting their acts and following procedures so as to be protected from probing. As parts of interviews exemplify, this especially so in "courthouse debates", where officers read their original testimonies to be ready to sustain their version of facts. Long time lapses between facts and trials pose an additional challenge:

> *Interviewee 3:* (…) I feel better…not going into facts, [not] oscillating in hearings. Because, at that point, I've already told the story. I wrote a testimony [in the police report], I signed a testimony. It's written there who the culprit is. "Oh, are you sure…". No, I'm not sure. I'm not sure because I attend to 20, 30 situations like that in the same day. So what's written there… that's what remains, in my opinion. On my part.
> *Me:* So you trust the work you did in the moment in which the facts took place.
> *Interviewee 3:* But that's the best work. Because that's the moment in which you have everything [in your head]… the whole story, all the acts, with the people. So you can't change that (inaudible) because of the defense's lawyer, because of the prosecution or of the judge. Because he wants you to, or because he's pressuring you to.

> *Interviewee 4:* (…) the thing is like this: I performed an act, I documented that act, and then I have to go through various stages justifying what I did and justifying why I did it, when the fact is that that has already been documented. You see? (…) And then they try to create situations, traps a lot of times, to… well you know, to mess you up, or make you give away the game. It's annoying for us. It's very annoying.

> *Interviewee 5:* (…) We go there, as we say, ready, right. They load you with questions. Uh, as is their right, obviously, right, they make a difference for the proceedings. When I started out, I used to also - I mean before I studied, before I went to University - I used to think "darn, you come here for them to inspect you like you're lying". Now I understand that there's a need for you to repeat your version, exactly because you have the defense attorney there, to question you, to exert the prisoner's right. So I'm chill about that. There're still some colleagues of mine who don't like it, saying like "today the prosecutor asked 15 questions". And I always say "man, if he's not sure, it's better that he asks you 15, 20, 30 questions" (…) But it's still something that is a lot; they ask you a lot of questions. A lot. The bad part is that, just making a parenthesis here, is that sometimes it takes a long time [for the trial to happen] you know, because of the high demand. So sometimes you go to present a report of something that happened two years ago. So like, that gets complicated for that part, because we have to look at the report. I'm not going to remember everything. And when I look at the report I end up saying almost the same thing – a detail that I could have forgotten [to write], I'm not going to be able to transmit that, you understand? So that's something that could still get better, get the hearing closer [to the facts]. Because you force it, like, me, when I'm going to the courthouse I assume that I'm going to read the report as I go. What I wrote two years ago (...)

Interviewees 1 and 2 also emphasized how the long time between facts and trials, perceived as resulting from organization problems in the Brazilian Judiciary, required them to read their reports to remember facts properly. While the first two reproduced quotes portray these disputes in a negative light, as moments where undue pressure is exerted on trooper, Interviewee 5's shows a more positive understanding of debates' role in the system. In another part of our conversation, talking about how public defenders have recently shown better preparations for questioning, the same respondent added:

> (…) I think it's good because that makes the police also prepare a lot more as well. Increasingly leave the reports better presented, better written, instead of written without care. So all of that, it seems like… I think that it's a wheel: when one improves; it takes the other ones along. A cop doesn't like to get there and have the defender ask him a question you can't answer, or that you answer and then the judge asks why you didn't write that down. So, as you accompany proceedings, you worry more about that, "no, I have to leave all the details of the intervention here, so when I go there, I know them and the proceedings will work out better for everyone".

Interviewee 5 associated pondered outlooks such as his with deeper comprehension of law through studying. However, even though the other respondents also studied or were studying Law, all but him shared a negative view of the courthouse debate experience. This characterization of judicial review may be a manifestation of the aversion to public

accountability that scholarship has described as a resistant part of the PM's occupational culture (Azevedo, 2016; Azevedo and Nascimento, 2016). Interviewee 5 nevertheless showed optimism that progressive, open-minded views are spreading through the forces.

Talking about court debates also made troopers' perceptions of legal actors come up. Interviewee 2 stated, "the judge ends up following the law", adding afterwards that, during the debates, the judge is impartial, but he wouldn't know what to say about "later on". Interviewee 4 admitted to having personal criticism towards "the flaws of the Judiciary" which he would rather not discuss. Both manifested that attorneys antagonized the police during proceedings. Such behavior was partially excused because "it's a question of strategy of the lawyer, to try to subvert the situation" and "he's just doing his job; but it's annoying for us". The prosecution, conversely, was understood to side with the police.

These descriptions echo core elements described in police culture, such as skepticism with the justice system and cynicism (Loftus, 2010). In this sense, the experience of participating in juridical disputes and all it entails, such as the reiteration of differences in institutional status between police and legal actors, may contribute to conform, or at least reaffirm, occupational conceptions that integrate the values of the military polices.

Sanctions and Protocols

The potential of being sanctioned appeared as a central way in which law molds Brazilian police culture, through creation of tactics to avoid it. Transmitting knowledge on how to steer clear of sanctions was reported by interviewees to be the main objective of the formal and informal legal training given to recruits once entering the corporations.

Sanctions can be of two kinds: penal – established after trial by military courts – or administrative – established after disciplinary procedures internal to the corporation, legally obliged to take place when there is suspicion of misconduct. In my interactions, I found

troopers to be very aware of the possibility of being legally punished. The theme came up in almost all interviews when I asked about law in police work. Some examples:

> *Interviewee 3:* Law is a part of it, right. You have to be on the good side of the law, because if you don't follow it, you're going to have a lot of trouble (…).

> *Interviewee 4:* Absolutely everyone thinks about it, thinks about the regulations. Because nobody wants to… nobody wants to extrapolate, nobody wants to overstep their boundaries, nobody wants to… So, for you to render a public service, you don't want to compromise yourself, you understand? You're not going to want to expose your public career, you're not going to want to put yourself at risk, be it administratively or criminally, uh, because of, I don't know, some guy who stole a car steppe, for example. I'm going to throw my public career away because I'm exceeding myself during the arrest of a guy who stole a margarine jar, like… (laughs)? It's absurd.

Furthermore, it became apparent that troopers developed a modus operandi based on protocols, so as to protect individual officers from accountability and/or punishment, just as described by Lima in his ethnographies (2013). As explained by Interviewee 1:

> Look, what we've noticed in the courts lately is that it's actually been pretty chill. Because cops have a lot of procedures and protocols – they have little autonomy, so that the judges don't really go beyond the obvious questions. And it's also because of this [the protocols] that he [the judge] is always going to get the same answers. Because it's like this: for instance, they ask us about a situation of approaching [a suspect] in a car, and then we say that a colleague disembarked [from the police car], approached the individual and collected his stuff. Then they ask: why is it always so-and-so who does the stop-and-frisks. Because that's the procedure. So there's not a lot to do, the officer is sort of protected in that situation.

Protocols are thus seen as protection: by claiming to have strictly followed them during an intervention, one avoids potential sanctions. In hearings, troopers' narration of their intervention mirrored this procedural strategy: they focused on the actions taken during the situation and described them using verbal tenses that, in Portuguese, give the story a neutral, impersonal feeling. An example taken form my field notes from Hearing 1 reads:

> (…) Trooper 1 said they received a radio call and then waited by the road to visualize the "masculine with equivalent description" in the motorcycle, then proceeded to follow him, which eventually turned into a pursuit. After being threatened by a gun, they used a non-lethal weapon to knock down the motorcycle and proceed to the approach.

Protocols are also used as defenses against intensive questioning by legal actors. In this sense, troopers often dedicated a lot of time during their testimonies to detailing the procedures applying to the situation and indicating that they were duly followed. This was particularly clear in Hearings 3 and 4, in which the police's intervention was based on anonymous information and there was additional pressure to verify procedural fairness:

> *Field Notes – Hearing 3:* (…) The prosecutor details the situation and asks "what he could tell us about it". Trooper says that they received information of a drug transaction and went to wait at the site. They confirmed there was a gathering and that it dispersed after seeing the police car. They then ran and caught the defendant. They performed a stop-and-frisk and pronounced his arrest (…) the prosecution asked if it's normal to get this kind of tipoff from the intelligence agents. Trooper explained how intelligence through anonymous reports works: there's a call, then a check with an undercover police car and, if there's evidence that the information holds, the PM is called. The attorney asks how much time went by between the tipoff and the approach (half an hour) and if the intelligence agent was on site (yes) (…). Asked, he [Trooper] said the intelligence agent had no physical contact with the accused because it's always uniformed cops who have to do the police intervention and the security measures on site.

> *Field Notes – Hearing 4:* (…) Asked, Trooper 1 explained the workings of receiving calls with information and transferring tips to units: PMs don't have any contact with people calling to give information (called collaborators), the callers talk with temporary agents who then report to PMs at the barracks, who then talk to street units (…) Trooper 2 gave a detailed description of the geographical site of the stop-and-frisk motivated by the tipoff. He detailed the procedures of the stop and personal search, act by act, order given by order given. There was a search of the site and the use of dogs when human search was not able to locate the drugs. They thought they would not find the drugs, until the complementation of the information arrived, as referred by Trooper 1 (…)

Here, the troopers cite their knowledge of and adherence to corporation protocol (for receiving information and conducting a stop-and-frisk) as a way to legitimate their action. This connects to the need of documenting all acts, as Interviewee 4 says:

> (…) if you're not strictly clear, if you're not crystal clear with all your attitudes and you don't document absolutely all your acts leading up to the arrest, you're going to end up creating an administrative problem for yourself and setting free a guy who ultimately committed a crime. A guy who should be in jail, right. Because of a procedure.

This notion that any act would necessarily be done according to protocol and documented is further discussed later in the "public service face and line" topic. In any case,

an additional burden appears here: besides not potentially compromising one's career, not being careful about regulations can ruin the conviction of culprits who are actually guilty.

In parallel, there is a sentiment that constant care with avoiding punishments reduces the police's autonomy - sometimes dangerously so. One interviewee said that legal issues stiffen the police, and another narrated that a colleague died because of such zealousness:

> *Interviewee 2:* (…) I feel there are a lot of shortcomings, you see, sometimes… in what concerns our…the legal issues. We don't have so enough mechanisms that allow us to act in an efficient manner. They make us rigid, I think even in terms of a military institution, a military police.

> *Interviewee 4:* (…) so, he, recognized this car, these people, you know, that he had been investigating. And he decided to go approach them on his own, you see (…) what happened, the whole time: he was more worried about the aspects that could harm him administratively you understand, than with his safety in that situation. And that's a very fine line. And his worry, in that particular situation, in which he was more worried about an administrative sanction than about his own safety as a cop, as someone who's working on the street, it resulted in his death. Because he didn't take certain precautions, or he didn't act as aggressively as was necessary for that situation. And he ended up being shot in that situation, you understand. It was a situation… a specific situation, that demanded a more aggressive behavior, a more incisive behavior, you see. And his fear of… of getting into trouble, as we could put it, resulted in his death (…) you're on the line, you understand. If you… if you extrapolate, you answer because you extrapolated and if, if you do less you will answer for omission, you understand. And you have to walk exactly on this line, and it's complicated, because we're human beings, we're not machines, you understand. You're acting in atypical situations, stressful situations, where you're not sleeping, a lot of times you're not eating properly. It's a lot of pressure, your life is at stake. And you have a split second to make a decision and stay on the line (…)

As Interviewee 4 puts it, troopers have a difficult task in "walking the line" established by the ensemble of legal rules and law-inspired internal regulations. A rise in accusations of misconduct and police violence (seen by this respondent as linked to defense strategies) has led investigations to become a constant element of the police job: "for me to do my job, I have to simultaneously answer to justice".

The concerns of being accused of inappropriate or illegal actions – and, especially, of unjustified brutality – that form the backbone for all such procedures were observed clearly in Hearing 1. In this session, troopers took extra care in justifying their use of rubber bullets

to knock the defendant from a motorcycle. Besides clarifying the non-lethal nature of the ammunition, both of the officers testifying emphasized that they only fired after being threatened by the accused, who pointed a gun at their car. The defendant later denied this, stating “he knows that whoever points a gun at a PM, they’re gonna kill him”. The truth of what had happened was, as is natural in trials, not possible for me to establish.

In short, judging from my material, the looming possibility of individual punishment is very present in the occupational culture of Brazil’s Military Polices. Troopers mentioned many things that they could be punished for in their work routines, from not showing up at court proceedings to inadequately conducting an incident in terms of protocol.

This, along with the comment on how complaints of police brutality have increased, may signal greater judicial and public oversight of Brazilian public security forces. To once again quote Lima (2013, p. 560), complications arise because Brazil’s bureaucracy is based on abstractly formulated obligations and repression of deviations through punishments. Lack of space for personal discretion inhibits proper accountability and normalization, at the same time as it encourages collective aversion to such processes. As officers are always at risk of being blamed for actions they took to avoid omission, they empathize with punished colleagues, perceived as victims of unfair circumstances (Lima, 2013, pp. 562–565).

This confers certain reasonability to the negative sentiments of my respondents. troopers are the category most affected by this system of sanctions, because they are the lower ranks of the forcers and because it tends to ignore the hierarchy at work inside the police (Ibid, p. 563). Considering these problems, it has been suggested that it may be best to accept that some degree of discretion is a part of police work even in democratic contexts (Muniz, 2008). In this sense, making sure officers’ choices are qualified ones and that individual agents can held accountable for their options could be more reasonable than trying

to eliminate police discretion completely, assuming it is the root cause of all arbitrariness and abuse.

Legal Resources

Due to the circumstances explored in the two previous topics, troopers have come to understand that legal knowledge is an important tool for them to do their job. This is complicated because the training in law they receive as recruits is very basic, and a Law degree is not an official requirement for their low-rank position in the forces:

> *Interviewee 3:* Ah, the course itself [legal training in the BMRS] is a just a basic course. But studying Law, it makes you aware of… trouble. It gives you another vision, you know how to talk, you know how to present the facts… these issues of presenting reports [in court], I deal with them differently because I'm a Bachelor [in Law]… I know what I'm talking about. Basically that's it.

> *Interviewee 4:* It's exactly because of this kind of pressure, of this kind of charge, that we're increasingly demanded to have a more technical posture, you understand? Nowadays it [the police] is not a place for an ignorant person, there's no more place for… for someone who, you know, who's like… "Ah, afterwards I'll see what happens and whatever". No, no. You have to prepare yourself. You have to be technical. You have to know what you're doing.

Interviewee 4's quote leaves open what is the nature of the "technical posture" demanded for the contemporary police job – if purely legal or specific to policing. In any case, as previously established, "knowing what you are doing" in police work does depend on certain legal tools, such as interpreting the crime considered to have taken place and anticipating the "charges" and "trouble" that can be generated by the intervention.

Troopers perceive the legal training provided by the corporation as insufficient to inform the on-spot decisions they have to make, keep them safe from sanctions and prevent their work from being nullified by judicial review. As Interviewee 1 comments, "you've got someone with a High School degree, who may or not have University studies, having to make the decision, with the possibility of being punished. It's complicated". This leads many of them to search for further knowledge by learning in practice and also by studying:

> *Interviewee 2:* I see it like this… and it's very relative, right. Because you've got cops who worry about the situation that's going to happen after the crime, after all the… the accusation, the proceedings in themselves, the condemnation… and there are cops that kind of think their job is over at that point. Sometimes they forget that, in a lot of cases if you don't respect, uh, some aspects of the law, [your acts] end up being nullified, right… so your work has gone down the drain. There're cops who don't have the sensibility to see that. I would tell you it's about half and half, ultimately. There're cops who worry about it and others who don't.
> *Me:* Yes. And this would in some way be related to being more familiar with law, or do you think it's also maybe more of a personal question?
> *Interviewee 2:* I think yes. It's a question… of legal matters, I think, but also… that's very subjective if you think about it, right, very subjective. I wouldn't know, I couldn't give you an exact answer on that.

> *Interviewee 4:* The thing is, whether you have a Law degree or not, you will be held responsible for what you are doing. So you push yourself, you understand? You push yourself to search for a little more.

Related to this, Interviewee 5 notes that, in his 14 years as a cop, he has seen an increase in the level of legal knowledge that the corporations demand from troopers:

> (…) it's been getting better, that demand for officers to be better prepared, exactly because of this moment in which he has to apply the law in the concrete situation. Because even though the station chief is the police authority that officiates the arrest or not, we can't go around collecting everyone we find and taking them to the station according to whatever we think, so… we're the ones that have the first contact with the situation, so that's a part of our job right there. And it's been improving a lot. I feel when I started out it [legal knowledge] was a lesser concern, like "we'll se what happens in the moment", classic militarism. But from then to now the military institutions have perfected themselves, demanded a better preparation from their personnel, because this affects the population directly right, so you should render a better service right there.

The same respondent later manifested a belief that, because of the way police institutions are evolving, soon even police troopers will be required to be Bachelors in Law. Assuming a more optimistic tone than the others, he also spoke of how studying in law qualifies police work, saying he uses his legal knowledge when dealing with citizens.

The lack of sufficient legal training as a mandatory part of the curriculum leaves troopers to find solutions on their own. As Muniz and Silva (2010) note, this kind of autonomy can become confused with super-estimation of individual capacities and push officers to rely too much on informal occupational knowledge, as Interviewee 4 expresses:

> The thing is that it's like this, look: a lot of times, people end up learning after their training, in practice, as problems start to appear. Then you're confronted with a problem, you don't have the possibility of, let's say, stepping away from it. You have an obligation to act, you have a duty to act, you have an obligation to solve that, and ... from there, from the moment in which that problem pops up, if you don't know how to solve it, you're going to have to search for a solution on your own. You're going to ask someone [for help], you're going to search for information. Anyway, you're going to have to take that problem apart.

Another point in which legal resources seem to come in handy to military police troopers is in their contact with legal institutions. In this sense, Interviewee 1 said judges, attorneys and prosecutors "measure" from a cop's posture and speech if he has a technical understanding of the situation or not, and this will change the way he or she is questioned. Similarly, Interviewee 3 says legal knowledge leads to better presenting cases in hearings, conveying that the cop knows what he is doing and giving a sensation of truth telling.

Additionally, although the corporations don't grant institutional privileges to troopers with a Law degree, they are more respected by peers, seen as able to help by newcomers and receive greater recognition from the commissioned officers, sometimes even being offered interesting internal opportunities. Interviewee 3 added that legal studies left him better prepared to discuss with civilian police station chiefs and commissioned officers.

On understanding juridical language and legal acts, the same respondent argued that additional studies don't make a difference, because jurists are aware troopers may not be "from their world" and simplify language accordingly. Interviewee 5 complements that:

> (…) even without schooling, I mean, university studies, for example, they [troopers without Law degrees] manage to have an understanding. Sometimes they can't connect one thing to the other. Uh, like I told you, for instance, when we talked about the hearings. In their head they still mostly go with that [idea] I told you about "oh, but I already testified at the station, I'm going to have to…" So that part of the proceedings right, in what concerns the fundamental rights of the accused… it's still hard [for them], in the context, to analyze the whole context (…) But the terminology, the juridical terms, nowadays, with the developments and the conversations, they can already understand better.

Generally speaking, legal studies, albeit not essential or required, help troopers to handle the juridical aspects of their work life. They also have the positive side effect of harnessing a certain respect from other professionals they are in contact with.

However, having a diploma in Law, sustaining the correct attitude or approaching the reasoning and the language of jurists does not change the role officers play in institutions or in debates: they are still, for all purposes, police troopers, and not juridical actors. A trooper's participation in legal interpretation continues, therefore, to not be considered possible. Extra-officially, however, officers have definitional power over situations on the streets, because they can identify crimes or suspects and because their of facts tend to be taken as true unless hard evidence disproves it (Bittner, 1973, reviewing Feest and Lautmann, 1971)[12].

As anticipated in the exploratory interview, troopers also speak of acquiring a Law degree as a possibility of professional ascendancy. Interestingly, rather than careers as lawyers or magistrates, respondents showed interested in tendering for the higher-rank police jobs, that require legal studies. These are also better paid positions – commissioned ranks in the PM, officers in the federal police or varied positions in the civilian police forces.

These findings can be related to a loss of distinctiveness of Law degrees. Bourdieu (1982, p. 123-127) described similar processes France of his time, noting that, when this happens, access to the social and professional positions once guaranteed by a diploma becomes dependent on possibilities of mobilizing other capitals.

In the case of Brazil, legal diplomas used to signal belonging to a political elite, but inflation of degrees led to the reduction of their symbolic power (Engelmann, 1999). Members of affected careers therefore develop strategies to safeguard privileges and reproduce them within their social groups (Bourdieu, 1982, p. 134).

[12] The referenced work was written in German and no translations were available. As I do not speak German, I used the English-language book review by Egon Bittner. Information conveyed in this digest was then complemented by personal communication with Johannes Feest.

Public tenders for bureaucratic careers were one of the mechanisms put in place to organize recruiting after the proliferation of Bachelors in Law in Brazil (Engelmann, 1999, p. 97). Although based on meritocracy, such processes are also an example of economic capital being reconverted, in the manner described by Bourdieu (1982, p. 129). Because preparation is costly and competition is intense, classic juridical careers – prosecutor, judge or public defender – are most often still reserved for the elites.

In this context, the rigid exclusion of police officers from the juridical space, even when they are graduated in Law, may be an expression of social struggles for distinctive positions and maintenance of monopoly. The argument is strengthened when we consider that Brazil's police troopers are, in their majority, from racial minorities and underprivileged backgrounds (Sinhoretto and Lima, 2015, pp. 129-131).

Symbolic aspects

Besides creating structural constraints, contact with law also plays an important role in officer's professional conceptions and strategies of appearance (Skolnick, 1966; Manning, 1978). I propose to think of this as a way that law and its institutions influence what Goffman (1967) would call the development of the police's social selves, lines and faces.

Implicit in this author's analysis is the division of the self into, on one side, an image that is put together for a given social situation and, on the other, an "entity" who mandates the positioning of this image (Goffman, 1967, p. 31). This "internal self" not only coordinates what faces and lines will be assumed in each interaction, but also works to protect the person's own self-image (Ibid, pp. 43-44). In the case of police culture, I argue that legality is an important figure in the internal ideas sustained about trooper's "occupational self". On the other hand, it also generates specific ritualistic practices that aim to preserve the category's

social value during interactions with juridical institutions; notably by acting out a bureaucratic line and performing varied forms of face-works when in legal settings.

Occupational Self-Image

The daily contact police have with law shapes how they, as a group with a common symbolic face (Goffman, 1967, p. 42) think of themselves and their work. Some of my data touched on these relations. First, mirroring what Skolnick (1966) and Manning (1978) described, I found subjects nurtured a sense of opposition between themselves and legal institutions. My exploratory interviewee had already hinted at this:

> (…) In the case of the Military Police, the commissioned officers have a clearer view on that point. That the police exists to guarantee rights. The soldiery, from the sergeants down, right, that was harder. It was a more reticent group, a group that had a harder time, also because it's a group that is on the streets right, it's a group that risks their life everyday and sees that the guys from the Brazilian Bar Association, from human rights movements, apparently they're against them. That's the feeling they have.

The professor also told me differences in pay and status make troopers see judges, prosecutors and even station chiefs as "blue bloods". Similarly, troopers told me they were closer to the "world of facts" than jurists, who inhabit "another world":

> *Me*: And how is that moment where you talk to people, the station chief, the judge. Do you think it's a fluid communication, or there is some hostility, disrespect?
> *Interviewee 3*: No. The thing is it depends on the judge or on the occasion, on the station chief… because the station chiefs, seriously, there're from another world. The judge is from another world, another reality. So they live in this reality that is completely different from that of normal people… of the cops. It's completely different for them. They know the fact exists, but they don't see the facts (…) I know judges, I have a prosecutor friend, they live in another reality. In the end… they know the facts happen, but they happened, that's it. They simply get a paper narrating the events. I see the events. So do the normal people living in the slums. They see the events.

Being in the "world of facts" would therefore make police more connected to civilians' troubles, especially those of poor communities who deal with crime in their everyday life. Another evidence of this point was seen Hearing 4, where I observed Trooper 2

proudly speak of his connection to a community, mentioning that he got feedback from locals after arrests, "saying that the local drug dealers were desperate". It is of note that this trooper openly assumed the position of a hero in his narrative, which was not the prevailing line in the hearings I observed – a point discussed later on. As Trooper 2 put it, "my job is to fight these street dealers, we see the fear of the community, we get feedback, they say 'it's great you guys are here'". Interviewee 4 expressed the reasoning behind this:

> The thing is… I'm telling you this as a cop, right. We see… naturally, we see a situation, it's not just about "oh, I have a duty to act right there", you understand? So the guys, they truly embrace the cause, you understand? You come across a situation, you don't agree with that, it's illegal, anyway, then you… you're going to do something about that, you want to see, you want to see that arrest be upheld later on, you understand? I don't know, you caught a guy who killed, who raped, who's trafficking, anyway, there're thousands of situations we go through… we see a lot of uh, very atypical stuff, in our daily routine. So then you want… you expect… you expect from the system, you expect from the Judiciary organization that they take your work and carry it on, you understand? And then sometimes that doesn't happen, there are, I don't know, uh, relativization of sentences, sometimes because of an issue like, I don't know, overcrowding of prisons, anyway, thousands of factors (…)

In a slightly more optimistic tone, Interviewee 2 said law in itself is an ally of the police; it's the Judiciary system that is broken. He manifested a personal belief that "following the rules of the game" was necessary to make things better. Admitting that perhaps not all officers shared his opinion, he told me at least everyone in his battalion did and acted accordingly, "with transparency and legality". This suggests troopers don't think their separation from legal actors allows them to ignore law. When I asked a question about law being different in practice than in the books, Interviewee 3 similarly said that "the law is there and it's the only one; the rest is the rest". This reflects Skolnick's description of officers needing to believe the law they are enforcing (1966a; 1966b).

Interviewee 1 had a distinctive – and perhaps more frank – view. He stated many troopers know a lot about law, even those who don't have degrees. The way they use this knowledge is, however, impossible to understand from "the outside", because going astray from legality at times is necessary for doing the job. In this sense, Interviewee 1 referred the

existence of a professional expertise – not intuition, or stereotypical notions – that complements legal guidance, operationalizing judgments on the street. This is something all respondents agreed upon, although each used different names for this knowledge.

Following this line, I would argue troopers represent policing a type of legal work in its own right, but one that is not recognized as such by society. Although closer to real life, it is put in detriment of the legal work done by interpreters, in "the other world". Respondents' various expressions on how they felt part of law, but not valued accordingly, strengthen this idea. Most clearly, Interviewee 1 says, speaking of the structure for police work:

> The trooper thinks he's a part of law in quite a special way, let's say, but without recognition (…) the commissioned officers don't have the same vision, because they don't participate as much. Commissioned officers aren't on the streets. Some of them even participate a little more, but ultimately, the commissioned officer is not going to write the report. So he doesn't want to know. And then sometimes that's the guy who has to have studies in Law, you understand?

Interviewee 1 additionally argued there is no interest in legally qualifying troopers; the subsequent hierarchical situation limits them to acting "robot-like". Other interviewees spoke of feeling de-stimulated by contact with legal institutions. Albeit understanding the role of debates in hearings for due process, they described these as negative experience in which lawyers "always try to mischaracterize police intervention" (Interviewee 4). This leads to questioning the validity of a police career, because "even if you sacrifice yourself, sometimes giving your own life, society doesn't recognize you" (Interviewee 2). Interviewee 5 did not agree, but stated discomfort comes from being an authority on the street and having the position inverted when facing prosecutors, defenders and judges.

The paradoxical relation of felt proximity to law yet marked distance from juridical actors is also perceptible in the relation troopers had with proceedings. Compared to other witnesses, troopers were more familiar with the situation, less avid to talk and better at grasping what was going on. Lay witnesses seemed adrenalized to participate in a criminal trial, while defendants often needed explanations about terminology. Furthermore, being

repeat performers in court hearings, troopers rarely became nervous or timid as lay participators did: their reaction upon pressure was rather one of irritation.

Despite the fact that troopers seemed as at ease with the proceedings as legal actors, analysis of deference in hearings reaffirms inequality in power positions,. In Hearing 4, when questionings became tense because of perceived deviation from objectivity, a show of deference from one of the troopers (Trooper 2) seemed to ensure the re-establishment the internal hierarchy and social equilibrium, saving face for those present (Goffman, 1967):

> (…) The lawyer asked about the plot of land where the drugs were found not having fences and therefore being accessible to other parties, aiming to unlink the drugs from his clients. Again, Trooper 2 gave evasive answers, speaking about the difficulty of findings the drug because it was very well hidden. The attorney insisted on an objective answer and the interaction became conflicted. He eventually got his confirmation that the plot of land was open to outsiders, accompanied by a "yes, sir".

All of this can be argued to speak to how troopers are in an inferior social position to juridical actors, not enjoying the same status, pay, authority or recognition. They perceive this, and feel it contrasts with the important work they do in terms of real, factual law enforcement. As discussed in the previous topic, getting a Law degree appeases – but does not change – the situation by preparing them for interaction with law.

This representation of the occupational self as unjustly treated by "the system" has implications for occupational culture, relating to elements such as social isolation and internal solidarity (Skolnick, 1966a), as well as frustration with duties (Loftus. 2010). It also provides an example of how Goffman's symbolism can connect to social stratification (Collins, 1994, p. 220): troopers' occupational selves are responsive to the objective, material conditions created by the relational position of the professional category (Bourdieu, 1982).

Public Service as a Face and Interaction Line

Whenever speaking of direct interactions with legality, I observed a majority of troopers tended to position themselves as public servants. This somewhat contrasted with the

more heroic elements present in the self-characterizations explored above. I argue that this relates to the management of appearances for different audiences, which Manning (1978) argues to be a driving force for the shaping of police culture and lore. Coherently with author's ideas, I found trooper's strategy of presentation to the juridical world different from the one they use to create occupational self-esteem and to relate to the civilian public.

During interviews, respondents would often answer about their participation in hearings by making allusions to their "public service" "public careers" and "public duties". Another interesting point was the employment of the term "transparency" – often used in Brazil as a positive element to describe honest, adequately functioning public institutions and procedures. This can be interpreted as the assumption of a particular social face, through which the individuals outwardly present their selves and seek to claim positive value for these (Goffman, 1967). In this case, the sought social value seems to relate to bureaucratic professionalism, as was also proposed by Manning (1978, p. 199):

> *Interviewee 3:* (…) I've been a cop for almost 15 years. Everything is a phase; in life everything is a phase. So I know I worked on the streets for 10 years, now I've been here on the inside for 4 years, soon I'll be back on the streets, or soon I'll go somewhere else. So I don't have to feel bothered. I used to be bothered before, when I was younger. I got angry. But not now. I come here, I do my job correctly and then I go somewhere else. I don't have this thing of being on the street, nor do other cops think they have to have that sort of thing… this is just my job. Another one.
> *Me*: And if you have to go tell the judge the story some 30 times a month, that's also a part of the job?
> *Interviewee 3*: Well the point is, like I've told you already, I've already drafted [the testimony]. So I don't get there… I look up at the judge and I say, "hey judge, it's in the records, it's in the investigation, it's in the official testimony, you can stay on that one forever, I signed it". So…(inaudible) I don't go into details, because those are the facts. There's no going against that. They shouldn't question that. It has public faith.

Interviewee 3's quote highlights that the police have public faith; that is, they detain a public function. Simultaneously, the respondent characterizes this public work as "just a job" – one that must be dutifully and without personal feelings about the service.

I observed that this seemed to constitute a line commonly assumed by troopers in hearings, in the sense of an attitudinal pattern expressing their view of the situation and their

place in it, connecting to the image of the self that is presented in terms of face (Goffman, 1967, pp. 5–6). In this case, line attached to trooper's "public service face" manifested in a disinterested approach to instances of judicial review. Troopers avoided all signs of personal involvement in the situation or in the events that transpired during the police intervention. Interviewee 4 described this as a "cold posture, a serious posture, a professional posture", and argued it's not so different from the one they adopt when interacting with citizens on the streets. This signals the line discussed here may be assumed in other situations as well, although the scope of my research does not allow for affirmations in this regard.

An interesting case of this particular posture appeared in Hearing 1. The defendant, who was an addict and nearly suicidal at the time of his crime, recounted being counseled by one of the troopers upon his arrest, describing the officer as being "a tormentor, but a father figure". Although this suggests a significant exchange between the officer and his arrestee, the trooper in question did not make any mention of this when recounting the situation.

In addition, court narratives gave the impression that troopers never went beyond the scope of their attributions in a given situation. In every patrol or police intervention, a clear division of tasks seems to exist between the participating police officers. When retelling the story during legal questionings, troopers avoid discussing any elements not related to the role they were assigned to in that instance of police work. As Interviewees 2 and 3 explained to me, there role in court is only to make clear what was their participation and what they saw. This showed in Hearing 2, where a testifying trooper mentioned many times that he could not report on details because he was only the driver of the police car and participated little. The testimony of the only trooper participating in Hearing 3 also illustrates this:

> (…) Trooper reported that the male was detained by the private security company of a closed neighborhood, whose agents then called the police. There was another male with them. The troopers talked to the defendant, who admitted to stealing the bicycle. He didn't remember if he knew the defendant from somewhere else and didn't give any details about the other individual, who wasn't found in any case. He said any additional information should be asked to the private security guards themselves.

What I am calling a "public service interaction line" also connects to the importance of documentation, already alluded to and resumed in Interviewee 3's affirmation that "what's written in the police report's testimony is what remains". Police registry has public faith, so that recording all acts in an intervention gives the story a presumption of truth. Sticking to official registry was also commonly evoked as a defense in court sessions. In Hearing 6, for example, the testifying trooper stated, after tough questioning that "it's what was written in the station report". Interviewee 4 complements, speaking of troopers' versions of events:

> (…) It's not about trust, necessarily, right. You're talking about a public asset that has public faith. You understand? So, starting from the moment in which you document what you're doing, the discussion should start from the presupposition that it's veridical. So like… what you're asking me, it's the same thing as, I don't know, you go and (inaudible) the bailiff, in a court order, when he goes to execute a court order… a court order that says to him "okay, you go there and you apprehend this stuff, you have to, uh, notify some person", anyway, whatever the situation is, then you take his order and you say this " no, I think that's wrong (inaudible), I think…" (…)

Similarly, in another excerpt from Hearing 4, one of the troopers testifying (Trooper 3) was irritated at the suggestion that something could have been found with the defendants besides what was listed on the report, replying: "I didn't find anything, otherwise I would have followed the procedure". This interaction line thus connects to the following of protocols, as protection is derived from them precisely due to the principles of Brazilian public service (Lima, 2013). Altogether, this set of practices could surface as a ritualistic presentation of the self that also protects trooper's internal occupational image, counteracting a perceived lack of recognition with a professional persona.

Face-work in Legal Settings

This last section of my findings explores police officer's face-work in legal settings; that is, the practices through which they seek to maintain a consistent image in the encounter, preserving their faces and thus also protecting their own ideas about themselves (Goffman,

1967, p. 12). Systematizing such observations proved harder than initially thought, first because legal formalities implied loss of spontaneity, and second because of the limits posed by my short-time online observation format. For these reasons, these results are written, even more so than was the case of previous ones, as hypotheses rather than conclusions.

From interviews, I learned that the atmosphere at court hearings feels intimidating to troopers at the beginning of their careers. Although they participate as witnesses, the moment of a hearing can feel like an evaluation of one's personal work. As Interviewee 1 says:

> (…) Especially with the younger cops… that thing in the hearings, the prosecutor talks and talks, starts inquiring… Some even feel intimidated to be there. So what happens is that they usually go ask questions to the more experienced police officers. So we even have a situation where it's the younger ones that usually go to the hearings[13], to learn, learn to present the report and also learn how to position themselves in front of the judge.

Affirming that troopers must learn how to "position themselves" signals recognition of the need to develop face-work abilities for these occasions. In this sense, Interviewee 4 explains that the posture they assume in hearings is not a response to the legal formalities – which "don't make any difference" – but of the uncomfortable circumstance of "sitting in a chair and anyone being able to point a finger at you and question absolutely anything".

This seems to imply a symbolic side that accompanies the material reasons for troopers' manner of narrating events in court – while they stick to objective accounts, official registries and protocol terms to avoid reprehensions or sanctions, they also, perhaps unconsciously, do it to protect their occupational self-image and face, defensively avoiding situations that could discredit their representations (Goffman, 1967, p. 15-16). Straying from documentation and procedures, for instance, would damage their outward image of public servants, and being publicly probed on not remaining objective could disrupt their internal notions of doing serious legal work on the streets. In Hearing 4, Trooper 2's evasive

[13] During observations, I gathered not all troopers involved in a situation have to give their testimony in the resulting criminal trial. In Hearing 6, for example, the sole trooper to testify referred that they were a group of 5 on the occasion, of which only one other had testified. One can therefore assume that what Interviewee 1 meant was that, amongst participants in an intervention, the newer officers are the ones sent to give testimony in court.

responses to questions that pressured for objectivity, transcribed earlier in this chapter, could be read as defensive towards potential compromising of his chosen heroic face.

In parallel, as Interviewee 3 told me, rituals of deference are also required during interaction with law and its actors, so as to "address people according to the position that they have". Troopers must thus verbalize their respect for the credentials and the status held by the legal participants, performing what Goffman calls presentational deference rituals (1967, p. 71). Besides this, the respondent said the most important rule is to convey certainty, both in one's account of fact and in their general posture.

In hearings, I observed that troopers did not go beyond the basic shows of presentational deference rituals – initial salutations, then use of treatment pronouns ("sir", "doctor[14]") when they wished to convey respect, but not throughout the entire exchange. They maintained a calm, distant demeanor and limited responses to the scope of what was asked. There was only one occasion in which a trooper testified in uniform; all others attended hearings in casual clothing. This could be simply a consequence of the online format; on the other hand, it could derive from their non-sensibility to the formal aspect of proceedings or, alternatively, a detachment from the face they assume on the street.

An exception to answering only what was asked was Trooper 2, from Hearing 4. As mentioned, this trooper sought to emphasize his link to the community, and gave many details about the intervention without being directly questioned about them. He also conveyed a felt connection with the prosecutor, forgoing the use of treatment pronouns. A tentative explanation would be that this relates to the more crime fighting representation of policing he seemed to nurture. This would give sense both to feeling close to the prosecution and to his giving a detailed account of his relation with a community under threat.

[14] In Brazil, due to cultural constructions dating from colonial times, legal professionals are referred to as "doctors", much like medical professionals.

Comparatively, lay participators showed more gumption in their accounts, presented colorful descriptions of events and made more elaborate shows of deference. In Hearing 1, a defendant referred to all jurists present as “your honor” – a markedly more deferential treatment pronoun, which he commented not knowing if he was using correctly – and asked them to help him in his life. In Hearing 2, another defendant addressed the judge as “honorable lady” and used exquisite forms of Portuguese when giving his account.

Although juridical actors did not seem required to show presentational deference towards troopers, an incident in Hearing 4 suggested that lack of minimum cordiality was not well tolerated. When an attorney proceeded directly to a question without greeting Trooper 3, he ironically replied with “well, good afternoon, doctor”. From that point on, Trooper 3 assumed a very impatient demeanor. The lawyer, consequently, was clearly embarrassed and went easier on the questions than he had done with Trooper 2.

A first possibility is that this reaction could be related to the lawyer's earlier probing of Trooper 2, who was a workmate of Trooper 3. Trooper 3’s reply could therefore constitute an effort to compromise the lawyer's face and thus contribute to saving his colleague's after a potentially demoralizing exchange. On the other hand, assuming impatient or irritated demeanors when being questioned by the defense seemed to be a general trend.

Of course, this could simply result from the fact that, due to procedural interests, defense attorneys were observed to pressure troopers much more than the prosecution. In Hearing 6, for instance, the deposing trooper, questioned by the prosecution, admitted he concluded the apprehended drugs were destined for a local prison based on professional expertise on what certain forms of packing – wrapping of small portions in condoms – expressed. Differently from the defense, no reprehensions ensued about this being deduction. Simultaneously, however, the fact that interactions with the defense are tenser may relate in

some way, casual or consequential, to the less favorable ideas of lawyers found in Brazilian police culture and expressed in transcripts of interviews reproduced earlier on.

It is of note that, in addition to all my respondents being male, only one female trooper participated as a witness in the set of trials I watched. No significant differences in demeanor, deference or face-work were observed on this occasion; it can perhaps be said that she was more pondered in reactions. Further gendered analysis of police culture and law, although not possible here, could provide an interesting addition to knowledge.

Synthesis of findings

I have suggested that law molds police culture in two different ways. First, it creates structural conditionings for its development, as Chan (1996), using Bourdieu's (1982) sociology, has elsewhere suggested happens in regard to political and social factors that create a material context for policing. In the case of law, I identified instances of influence in officers' routine participation in juridical disputes, in their possibility of suffering sanctions and in their need of legal knowledge so as to deal with the first two aspects. These lead to a series of responses on the part of police occupational culture, many of which consist in adaptations or circumventions rather than in actual compliance with legal standards

Second, law plays a symbolic role in police culture. I used concepts drawn from Goffman (1967) to explore this aspect. I thus discussed ways in which relations with law are important in shaping of police officer's occupational self-image. Besides this, I proposed that, during contact with legal institutions, troopers adopt a particular line of interaction, where they position themselves as bureaucratic professionals, and employ tactics of face-work to protect both their internal image of the profession and the outward representation of it.

As became apparent, structural and symbolic aspects often overlap. For instance, care with sanctions and protocols is linked to the projected image of policing as a bureaucratic,

impersonal public service. Similarly, the disputes troopers engage in, besides forming their representations of judges, prosecutors and lawyers, are also moments of ritual interaction that contribute to the construction of their internal self-image in relation to these other agents.

Findings also connect amongst each other in many ways, as I tried to show wherever pertinent. Notably, the contemporary need for technical legal resources in policing seems to be a keystone of relations: stemming from structural interactions with law, it has important consequences for the self-image of officers and for how they present their collective self to juridical audiences. Furthermore, because it leads troopers to pursue legal studies, this element generates paradoxical developments concerning officers with Law degrees and subsequent strategies of preserving monopoly over the juridical field (Engelmann, 1999).

Each of the aspects pointed out has a range of possible consequences for police occupational culture, only some of which were suggested and discussed here. Additionally, as I hope the depiction of data illustrates, I found important nuances of opinion and behavior in relation to law existed at the individual level, similar to what was reported by Dixon (1997, p. 277) in his empirical studies on officer's understanding of law in policing.

Contemporary discussions of law's relation to culture adopt the standpoint that internal diversity and creative aspects coexist with general patterns (Merry, 1998); the same can be said about the more contextual reformulations for the concept of police culture (Chan, 1996, p. 340). However, exploring reasons for these variations would allow for a more comprehensive theoretical formulation on law and police culture. Connections could be established with factors such as gender, age, race and social context, so to account for the multiple socializations that mold individual's dispositions and actions in contemporary times, influencing the development of a diversified habitus (Lahire, 2002). In sum, further research is needed to deepen the analysis on this very complex set of socio-legal relations.

Final Remarks

This thesis aimed to understand in which ways law and its institutions interact with and impact police occupational culture, understood as an informal system of rules that develops guides the officers' behavior through unofficial rules and principles. This research question was to be explored in an empirical study delimitated to Brazil's Military Polices, but with a view to contributing more generally to the debates in the field of police studies.

A non-systematic review of the relevant literature showed that the concepts of police culture developed in classic studies, such as those of Bittner (1963), Skolnick (1966), and Manning (1978), have undergone various reformulations in the decades that followed their publication. More recently, the rises in number of policing studies in non-English speaking countries and the diversification of methods have also contributed new insights.

Drawing on criticisms elaborated by Dixon (1997) and Chan (1996) on the cited classic studies on police culture, I attempted to elaborate a theoretical framework that would allow for consideration of material impacts of law in police culture and for an understanding of its symbolic influence (in modeling occupational ideas or strategies of appearance, for instance) that considered the larger social context. For this purpose, I used concepts drawn from Pierre Bourdieu's theory of fields (1982) and his characterization of the juridical field (1987), as well as from Erving Goffman's theory of ritualized interactions (1967).

To contextualize the empirical discussion, I briefly discussed the structure of Brazil's different police forces. I outlined how Civilian and Military Polices, which divide attributions related to public security, share characteristics such as a strict hierarchical division and a focus on obedience and aversion to accountability. As in other countries, legal notions compete with political and social considerations to inform this police's practice. In the particular case of the Military Polices, however, the lack of regulation adapted to democratic

reality increases the role of the professional culture in guiding agents. This is particularly complicated because this corporation's culture combines core elements of police culture with authoritarianism, resulting in a series of problematic and discriminatory practices.

I then set out to analyze the impact law has on military police officers' occupational ideas and practices in the midst of these tensions. The methodology for this was qualitative, and significant changes from its original design ensued from the COVID-19 pandemic. In the end, it combined five semi-structured interviews with observation of six virtual criminal trials in which police served as witnesses. In both techniques, the focus was on police troopers: the low-rank officers who do the majority of street work. Interviews took place with a snowball sample drawn from the *Brigada Militar do Rio Grande do Sul* (BMRS), while the hearings observed involved officers from the *Polícia Militar de Santa Catarina* (PMSC).

After analysis and thematic coding of the generated data, I suggested that law structurally conditions police culture by means of officer's participation in juridical disputes, possibilities of legal or administrative sanctioning and need of legal knowledge to navigate the first two situations. This is a process of influence that leads both to wanted responses – such as care to avoid incurring in legally punishable behavior – and unintended ones – such as the creation of corporate tactics to strategically circumvent judicial review.

Additionally, law also plays a symbolic role in police culture, participating in the development of officers' occupational self-image and their ritualistic presentation of their profession. Specifically, I found that when in contact with legal institutions or actors, the military police troopers adopted certain strategies of appearance, through assumptions of interaction lines and face-work tactics related to bureaucratic professionalism.

My findings relate to classic police culture studies and their newer reformulations, also resonating with studies by key Brazilian police scholars, such as Azevedo (2016), Lima (2013) and Muniz (2008). This thesis was, however, conceived of as an exploratory study,

and its results should be treated carefully, as tentative explanations for the research problem rather than definitive conclusions about it. Besides producing some interesting empirical data, I hope it has also help to suggest further questions to be pursued in relation to law's role in police culture and how it plays out in the specific context of Brazil's Military Polices.

References

de Albuquerque, C. L. and Paes-Machado, E. (2004) 'The hazing machine: The shaping of brazilian military police recruits', *Policing and Society*, 14(2), pp. 175–192.

Azevedo, R. G. de (2016) 'Elementos para a modernização das polícias no Brasil', *Revista Brasileira de Segurança Pública*. São Paulo, 10(Suplemento Especial), pp. 8–20.

Azevedo, R. G. de and Nascimento, A. A. do (2016) 'Desafios da reforma das polícias no Brasil: permanência autoritária e perspectivas de mudança', *Civitas - Revista de Ciências Sociais*. Porto Alegre, 16(4), pp. 653–672.

Babbie, E. R. and Maxfield, M. G. (2009) *Basics of Research Methods for Criminal Justice and Criminology*. 2nd edn. Belmont: Wadsworth Cenage Learning.

Batista, V. M. (2003) *Difíceis Ganhos Fáceis - Drogas e Juventude Pobre no Rio de Janeiro*. 2nd edn. Rio de Janeiro: Renavan.

Becker, H. S. (1998) *Tricks of the Trade: How to Think About Your Research While You're Doing it*. 1st edn. The University of Chicago Press.

Bittner, E. (1967) 'The Police on Skid-Row: A Study of Peace Keeping', *American Sociological Review*, 32(5), pp. 699–715.

Bittner, E. (1973) 'Review of Die Polizei: Soziologische Studien und Forschungsberichte by Johannes Feest and Rudiger Lautmann (Ed.), 1971.', *American Journal of Sociology*, 79(1), pp. 221–224.

BMRS (2020) *Sobre o BOPE*, *Site da Brigada Militar do Rio Grande do Sul*. Available at: https://www.brigadamilitar.rs.gov.br/sobre-o-bope [Accessed: 21 August 2020].

Bourdieu, P. (1982) *La distinction: critique sociale du jugement*. Paris: Les Editions de Minuit.

Bourdieu, P. (1987) 'The Force of Law: Toward a Sociology of the Juridical Field', *The Hastings Law Journal*, 38, pp. 805–853.

Bryman, A. (1989) *Research Methods and Organization Studies*, *Contemporary Social Research: 20*. Reprint. London: Routledge, 2005.

Bryman, A. (2012) *Social Research Methods*. 4th edn. Oxford University Press.

Caldeira, T. P. R. (2013) 'The Paradox of Police Violence in Democratic Brazil', in Garriot, W. (ed.) *Policing and Contemporary Governance: The Anthropology of Police in Practice*. New York: Palgrave Macmillan, pp. 97–124.

Cecchetto, F., Muniz, J. de O. and Monteiro, R. de A. (2018) '"BASTA TÁ DO LADO" – a construção social do envolvido com o crime', *Caderno CRH*. Salvador, 31(82), pp. 99–116.

Chan, J. (1996) 'Changing police culture', in Newburn, T. (ed.) *Policing: Key Readings*. Devon: Willian Publishing, 2005, pp. 338–361.

Collins, R. (1994) *Four Sociological Traditions*. 2nd edn. New York: Oxford University Press USA.

Dixon, D. (1997) *Law in Policing: Legal regulation and police practices*. Oxford: Clarendon Press.

Engelmann, F. (1999) 'A Formação da Elite Jurídica no Rio Grande do Sul: notas para uma Pesquisa', *Revista da Faculdade de Direito*. Porto Alegre, (17).

Fassin, D. (2014) 'Pouvoir discrétionaire et politiques securitaire: le cheque en gris de l'État à la police', *Actes de la Recherche en Sciences Sociales*. Paris, 201–202, pp. 72–86.

Fassin, D. (2017) 'Etnographying the Police', in Fassin, D. (ed.) *Writing the world of policing: the difference ethnography makes*. University of Chicago Press, pp. 6–27.

Goffman, E. (1967) *Interaction Ritual: Essays in face-to-face behavior*. Reprint. New Brunswick, NJ: Transaction Publishing, 2005.

Goldani, J. M. (2018) *Tráfico de drogas e territórios criminalizados em Porto Alegre : uma análise da geografia jurídica das abordagens por atitude suspeita*. Thesis (Undergraduate). Universidade Federal do Rio Grande do Sul. Available at: https://lume.ufrgs.br/handle/10183/190018?show=full.

Goldsmith, A. (1990) 'Taking Police Culture Seriously: Police Discretion and the Limits of Law', *Policing and Society*, 1(2), pp. 91–114.

Gonçalves, V. C. (2014) *Tortura e cultura policial no Brasil contemporâneo*. Rio de Janeiro: Lumen Juris.

Griffiths, J. (1986) 'What is legal pluralism', *Journal of Legal Pluralism*, 18(24), pp. 1–55.

Haanstad, E. J. (2013) 'Thai Police in Refractive Cultural Practice', in Garriot, W. (ed.) *Policing and Contemporary Governance: The Anthropology of Police in Practice*. New York: Palgrave Macmillan, pp. 181–205.

Hornberger, J. (2017) 'Complicity: Becoming the Police (South Africa)', in Fassin, D. (ed.) *Writing the world of policing: the difference ethnography makes*. University of Chicago Press, pp. 49–69.

Van Hulst, M. (2013) 'Storytelling at the police station', *British Journal of Criminology*, 53(4), pp. 624–642.

Human Rights Watch (2019) *World Report*. Available at: https://www.hrw.org/world-report/2019/country-chapters/brazil#4368e7.

Jauregui, B. (2017) 'Intimacy: Personal Policing, Ethnographic Kinship and Critical Empathy (India)', in Fassin, D. (ed.) *Writing the world of policing: the difference ethnography makes*. University of Chicago Press, pp. 70–101.

Kramer, R. and Remster, B. (2018) 'Stop, Frisk, and Assault? Racial Disparities in Police Use of Force During Investigatory Stops', *Law & Society Review*, 52(4), pp. 961–993.

Kyed, H. M. (2017) ‘Predicament: Interpreting Police Violence (Mozambique)’, in Fassin, D. (ed.) *Writing the world of policing: the difference ethnography makes*. University of Chicago Press, pp. 125–151.

Lahire, B. (2002) *Homem plural*. Petrópolis: Editora Vozes. doi: 10.1017/CBO9781107415324.004.

Lima, M. E. O., de Araujo, C. L. and Poderoso, E. S. (2018) ‘The Decision to Shoot Black Suspects in Brazil: The Police Officer’s Dilemma’, *Race and Social Problems*, 10(2), pp. 101–112.

Lima, R. K. de (2013) ‘Entre as leis e as normas: éticas corporativas e práticas profissionais na segurança pública e na Justiça Criminal’, *Dilemas: Revista de Estudos de Conflito e Controle Social.* Rio de Janeiro, 6(4), pp. 549–580.

Lima, R. S. de, Bueno, S. and Santos, T. (2014) *Opinião dos Policiais Brasileiros sobre Reformas e Modernização da Segurança Pública*. Available at: https://forumseguranca.org.br/publicacoes_posts/opiniao-dos-policiais-brasileiros-sobre-reformas-e-modernizacao-da-seguranca-publica/.

Loftus, B. (2010) ‘Police occupational culture: Classic themes, altered times’, *Policing and Society*, 20(1), pp. 1–20.

Lorenz, M. (2017) ‘La policía como objeto de estudio: Entrevista con Didier Fassin’, *Nueva Sociedad*. Buenos Aires, (268), pp. 23–32.

Manning, P. K. (1978) ‘The police: mandate, strategies and appearances’, in Newburn, T. (ed.) *Policing: Key Readings*. Devon: Willian Publishing, 2005, pp. 191–213.

Martin, J. T. (2013) ‘Police as Linking Principle: Rethinking Police Culture in Contemporary Taiwain’, in Garriot, W. (ed.) *Policing and Contemporary Governance: The Anthropology of Police in Practice*. New York: Palgrave Macmillan, pp. 157–179.

Mason, J. (2002) *Qualitative Researching*. London: Sage Publications.

Merry, S. E. (1998) ‘Law , Culture and Cultural Appropriation’, *Yale Journal of Law and the Humanities*, 10(2), pp. 575–603.

Moore, S. F. (1973) ‘Law and Social Change : the Semi-Autonomous Social Field as an Appropriate Subject of Study’, *Law & Society Review*, 7(4), pp. 719–746.

Muniz, J. de O. (2008) ‘Discricionariedade policial e a aplicação seletiva da lei na democracia’, *Revista Ultima Ratio*. Rio de Janeiro, 2(2), pp. 97–122.

Muniz, J. de O. and Proença Jr, D. (2007) ‘Muita politicagem, pouca política os problemas da polícia são’, *Estudos Avançados*. São Paulo, 21(61), pp. 159–172.

Muniz, J. de O. and Silva, W. F. Da (2010) ‘Mandato policial na prática: tomando decisões nas ruas de João Pessoa’, *Caderno CRH*. Salvador, 23(60), pp. 449–473.

Penglase, B. (2013) ‘Invading the Favela: Echoes of Police Practices among Brazil’s Urban Poor’, in Garriot, W. (ed.) *Policing and Contemporary Governance: The Anthropology of*

Police in Practice. New York: Palgrave Macmillan, pp. 31–51.

Pinheiro, P. S. (1997) 'Violência, crime e sistemas policiais em países de novas democracias', *Tempo social*. São Paulo, 9(1), pp. 43–52.

Poncioni, P. (2014) 'Identidade Profissional Policial', in Azevedo, R. G. de, De Lima, R. S., and Ratton, J. L. (eds) *Crime, Polícia e Justiça no Brasil*. 1st edn. São Paulo.

Ramos, S. and Musumeci, L. (2004) 'Elemento suspeito: abordagem policial e discriminação na cidade do Rio de Janeiro', *Centro de Estudos de Segurança e Cidadania – Boletim de Segurança e Cidadania*. Rio de Janeiro: Civilizaçao Brasileira, 3(8).

Rudnicki, D. (2008) 'O ingresso de bacharéis em direito na Polícia Militar gaúcha', *Sociologias*. Porto Alegre, (20), pp. 108–137.

Santos, B. de S. (1977) 'The law of the oppressed: the construction and reproduction of legality in Pasargada', *Law & Society Review*, 12(1), pp. 5–126.

Sinhoretto, J., Bueno, S. and Lima, R. S. de (2015) 'The management of life and public safety in Brazil', *Sociedade e Estado*. Brasília, 30(1), pp. 123–144.

Sinhoretto, J. and Lima, R. S. de (2015) 'Narrativa autoritária e pressões democráticas na segurança pública e no controle do crime', *Revista Semestral do Departamento e do Programa de Pós-Graduação em Sociologia da UFSCar*. São Carlos, SP, 5(1), pp. 119–141.

Skolnick, J. H. (1966a) 'A sketch of the policeman's "working personality"', in Newburn, T. (ed.) *Policing: Key Readings*. Devon: Willian Publishing, 2005, pp. 264–277.

Skolnick, J. H. (1966b) 'Justice without trial', in Weisburd, D., Uchida, C., and Green, L. (eds) *Police innovation and control of the police*. New York: Springer, 1993, pp. 13–31.

Wacquant, L. (2003) 'Toward a Dictatorship Over the Poor?: Notes on the Penalization of Poverty in Brazil', *Punishment & Society*, 5(2), pp. 197–205.

Wacquant, L. (2008) 'The militarization of urban marginality: Lessons from the Brazilian metropolis', *International Political Sociology*, 2(1), pp. 56–74.

Willis, G. D. (2015) *The Killing Consensus: Police, Organized Crime and the Regulation of Life and Death in Urban Brazil*. Berkeley: University of California Press.