

Security claims and collective feelings in Uruguay

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Abstract

Uruguayan society has had a gradual improvement in living conditions compared to the 1990s, while also creating new forms of differentiation and inequalities. The problems related to urban poor communities remain, principally in relation to the future of young people, unemployment, gender violence and the differences created with the installation of new social policies. Social dynamics in Uruguay have changed dramatically in view of the new social policies. These policies have changed the social reality of the country, without being strong enough to transform the parameters of inequality in redistribution or to influence the decline of indicators of social violence and crime. In this context it is necessary to pay attention to collective feelings, fears and institutional violence. The feeling of insecurity anchors in the dynamics that structure the perception of reality through processes that do not have to do strictly with the existing violence. Indeed, it is in the safest countries where the feeling of insecurity is stronger. In the case of Uruguay, the feeling of insecurity is related to a set of voices that react with the rhetoric and policies of penal populism. In this way, the new security laws that endorse practices of institutional violence and punitivist policies setting a backlash with the slow progress made in the country in the period 2005-2019, result from the success and triumph of this policy of fear.

Keywords: fear, institutional violence, security, social inequalities.

Uruguay today

Uruguayan society has had a gradual improvement in living conditions compared to the 1990s, while also creating new forms of differentiation and inequalities. The problems related to urban poor communities remain, principally in relation to the future of young people, unemployment, gender violence and the differences created with the installation of new social policies (Arroyo et al., 2012; Merklen; Filardo, 2019).

In addition, social dynamics in Uruguay have changed dramatically in view of the new social policies. The National Social Assistance Plan (PANES) was a transitional policy of the Ministry of Social Development conducted between the years 2005 and 2007, which provided citizens in conditions of extreme poverty with monetary transfers and a set of programmes. At the end of this contingency plan, in December 2007, the Government of Uruguay approved an equity plan, a long-term policy aimed at settling a set of inequalities. These policies have changed the social reality of the country, without being strong enough to transform the parameters of inequality in redistribution or to influence the decline of indicators of social violence and crime.

Furthermore, in Uruguay, new laws have been approved resulting from a confluence between the movements of young people and women and policies driven throughout the three periods of progressive government. Some of these laws focus on social protection, others on the expansion of rights, especially sexual and reproductive rights: The Sexual and Reproductive Health Act (2008), the decriminalisation of abortion (2012), equal marriage (2013), the legalisation of cannabis production (2014), the gender-based violence against Women Act (2018) and the Transgender Act (2018) (Arroyo et al., 2012).

In this context it is necessary to pay attention to collective feelings and fears. Sometimes, countries that present relatively low levels of violence have strong feelings of insecurity (Castell, 2006). It is the case in Uruguay, since for 36% of Uruguayans, crime is the main problem while in Venezuela violence is the most important problem for 47% of the population (Corporación Latinobarómetro, 2013). The feeling of insecurity anchors in the dynamics that structure the perception of reality through processes that do not have to do strictly with the existing violence (Kessler, 2009). Indeed, it is in the safest countries where the feeling of insecurity is stronger. In the case of Uruguay, the feeling of insecurity seems to be explained by the remembrance of an integrated and peaceful country where the increase in violence strongly affects sensitivities (Bayce, 2010).

Security Claims

For two decades violence has been a structural problem and the associated inequality increases it. Thus, a set of voices react with the rhetoric and policies of penal populism. The term penal or punitive populism designates practices aimed at promoting mass incarceration and crueler sentences with electoral support, based on the fear spread in the media and the stimulation of the most primitive emotions.

The constitutional amendment “Vivir sin miedo” (“Living without fear”) proposed by Senator Jorge Larrañaga is part of this reactive current, expressing the belief that these measures would lead to the reduction of crime and social violence. This amendment was submitted to the citizen’s consideration in a referendum that took place on October 27, 2019. The initiative, which needed to obtain more than 50% of the valid votes to be approved, won the support of 46.3% of the voters. The percentage of the electorate that supported it has not been insignificant.

Postures such as those that drive repressive actions like the ones of the “Vivir sin miedo” amendment are reasonably questioned by studies that show the inefficiency of the proposed solutions. Contrary to what those who advocate for these measures believe, the measures promoted increase the levels of social violence and fuel feelings of hatred and revenge (Domínguez, 2008; Mejía et al., 2014; Pavarini, 2006, Tavares dos Santos et al. 2020). One way to understand this approach is to consider that control institutions traditionally in charge of administering punishment can be a factor in the increase of violence. This forces us to show the numerous practices of the police apparatus that promote violence and the excessive use of firearms, especially in the most vulnerable territories of Montevideo. We will try to briefly outline those dynamics in which the actions of the police become lethal and intensify the conflict in the territories where an increase in the killings of impoverished youth exists.

The above description suggests that the proposed increase in repression of crime is installed in an institution that did not resolve its own violence and whose quality of work, in terms of police effectiveness, is still far from being optimal - at least, from a human rights perspective. Suggesting the creation of a new police force would mean that the incipient path of professionalization of police work and modernisation of its training will be dismantled; to resume the old vision according to which repression by the punitive apparatus should be strengthened.

The orientation towards a holistic protection model in Uruguay was first promoted in the context of the increase in the main indicators of insecurity² (Fraiman; Viscardi, 2013). The agenda was set as a result of the increase in all crime rates and, above all, of the rise in homicide rates from

² In 2018, the crimes clarified were 51.4% according to the Ministry of Interior (2019), Observatory data. 2018, HYPERLINK "<https://www.minterior.gub.uy/index.php/unicom/noticias/6615-delitos-observatorio-presento-los-datos->" Closed-of-2018

four to six to eight homicides per 100,000 inhabitants. Since then, practices that seek to improve police performance have been installed (PNUD, 2011; Vila, 2012; MIN, 2017).

Abusive policing and violence from discriminatory police officers persisted, targeting mostly adolescents and youth from neighbourhoods marked by high rates of violence and criminal activity. Those are neighbourhoods vulnerable to violence and pervaded by poverty. As a result of these practices, several actions motivated by anger and perceived police discrimination are also often unleashed. These collective processes are explained by feelings produced by the combination of poverty, stigma and struggle for survival in those neighbourhoods, where the state appeals more to police control and violence than to healthcare, education and transport services, housing, neighborhood organizations and work (Merklen; Filardo, 2019; Solís, 2019; Vales, 2018).

Facing problems such as unequal access to safety or the protection of the rights of the poorest and most vulnerable population requires improving police performance and capacities and transforming their daily practices. The interest in reforming police education was first introduced in the 1990s, together with the understanding that part of the institutional violence exerted by the police itself was endorsed in the paradigms that have historically underlain the police training model. However, the change has been slow-paced. The security management imperatives promote – or force – organisational changes (creation of special units, expansion of quotas for admission to the National Police School etc.) or the acquisition of weapons and technologies, rather than the transformation of police education (Frühling; Tulchin, 2005). The path to institutional transformation and change in training is, in this sense, still very fragile in the face of police work.

The programs of the Ministry of Interior give an account of the efforts to sustain the modernisation of an old institution at different levels: the management, training, work of the local police, increase in wages, purchase

of weapons, control over the use of fuels and vehicles, improvement of the police management system, among others (MIN, 2017). However, reality still shows great weaknesses and we are still far from being able to talk about a holistic security policy.

A glance at the “territories”

The country has seen increasing levels of social violence, whose structures and conformation modalities have varied (Mosteiro et al., 2016). Violence has increased since the 1990s in a way that shows a set of dualities. Violence – just like money – is unevenly distributed and the country's greatest relative security in the Latin American context does not benefit all of its inhabitants. If we map the neighbourhoods of the city of Montevideo according to two criteria, that of violence and that of poverty, we find that where material deprivation is greater, the greater the probability of a person being a victim of violence. Thus, another source of structural inequality is formed (Riella; Viscardi, 2002).

The perception of insecurity is high³. At the same time, the reproduction of violence increases together with the presence of criminal and illegal networks (Jacottet, 2017) in the slums where the deaths of men – teenagers and young people – grow due to score-settling or revenge. Meanwhile, the confinement of young people and the impoverished population creates a worrying reality in a country where the tendency to deprive of freedom is very high (Castelli et al., 2019; Morás, 2016).

Few inquiries have been made about police violence before the proposed bill to amend the Constitution increasing penalties, creating a new body (the National Guard) and expanding the raids and police controls.

³According to data from the Ministry of Interior, in Montevideo the homicides went from 161 in 2017 to 223 in 2018. In the rural areas, the increase was greater: from 123 to 191. From year to year, the variation was 45.8% in the whole country. The same has happened with the rapines whose complaints went from 17,956 to 27,798 in the aforementioned period.

However, the evidence indicates that it exists and that it is a practice that feeds the horizon of illegalities and injustices that affects the Uruguayan society (Mosteiro et al., 2016). In fact, the evidence points above all to the silencing of violence, if not of the lethality of police violence, which paves the way to widespread legal insecurity (Barreira; Tavares dos Santos, 2016).

In Montevideo, to this day, the state's approaches to vulnerable territories occur primarily through the hard way: police operations systematically carried out in poor neighbourhoods and the nature of local police work or surveillance in "hotspots". Violence also increases as an outcome of some characteristics of police work and penal policy. In many cases, the impunity for the violence from the repressive state apparatus is common currency and the anger that it provokes enables the outrage that is expressed under forms of violent social protest. This has happened, for example, in cases such as those unleashed in 2016 due to the violence experienced in the Marconi neighbourhood (Viscardi, 2016).

The current economic, familiar and community dynamics of the slums throw many teenagers into the informal labour market and the illegal networks in which robbery, retail drug distribution and sexual exploitation are sources of income. Under these conditions, relationships strongly structured around crime and the use of violence are consolidated as an interchangeable asset by vulnerable adolescents (Fraiman; Viscardi, 2014). And it is right there that the government punishes vulnerable young people; police violence and deprivation of liberty and jail programs, are what most adolescents associate the law and its institutions with. Thus, the scenarios whose overall effect results in the increase of interpersonal violence, theft, homicide, femicide and rapine are consolidated.

The conservative turn that is legitimised in the matter of security to the point of achieving the path of electoral legitimisation to nail down the reformation of the constitution has been expressed unabashedly and daily in political and media disputes (Mallo; Viscardi; Barbero, 2013). Not so the

allegations of institutional violence suffered by the neediest and those who have no voice in the media. It has taken four decades so far to fight for truth and justice in relation to the crimes of the state in the dictatorship. How much longer will it take to be able to criticise the violent practices of a modern state against the most vulnerable? The horizon of social justice that must be defended today will suffer a severe setback if Senator Larrañaga's proposal is to be approved.

And that is the imprint of what it is proposed to be enthroned: the exercise of the punitive ability of a state that hardly realises the rights of the poorer. The tradition of the neoliberal state has naturalised that the victims of capitalism and this accumulative model are the ones touched by the punitive facet of the Law. Well, among several vulnerabilities, they suffer particularly from having no choice other than that of illegality or informality of work to obtain money. Above all, if they do not accept the low remuneration offered by the unequal opportunities to access decent work in a society that compensates them, at most, with a generously moralising discourse endorsed by the expansion of Adventist and Pentecostal churches precisely in those territories (Gatti, 2018; Guigou, 2020; Scuro, 2018).

That is why police violence must be discussed and analysed and that professionalisation is the axis of a policy in which the idea of crime prevention is of capital importance in order to fight against the prevailing social "punitivism". The measures proposed in the framework of the "Vivir sin miedo" constitutional amendment proved that many does not accept that institutional violence must be eradicated from the social control system: from the police and from the judicial system. If we analyse the dynamics of punishment and confinement as an expression of the punitive tendencies of a society (Zaffaroni et al., 2015), the case of Uruguay is very significant: it exhibits the highest rates of juvenile detention in Latin America. With 16 adolescents in custody per 100,000 inhabitants, it is closely followed by Brazil with 10 adolescents in custody per 100,000 inhabitants (Morás, 2016). Why

do increase confinement measures when their increase is not accompanied by a decrease in social violence? (Castelli et al., 2019; Carrión; Gottsbacher, 2020).

Police violence and the lack of access to justice are still in the dark because of the importance that is given to violence, as well as the paraphernalia of Government in poor neighbourhoods. Calling out on institutional violence might help improve the police practices and consolidate democratic processes, in order to continue providing citizens with much needed protection. The “easy trigger” dynamics that the amendment would end up legitimising will feed into the reactive spiral experienced/faced by vulnerable communities. Paradoxically, what happens day-to-day is that the overexposure of the poor to violence increases the legitimization of the use of a firm hand in those municipalities. Those who reject the illegal and criminal networks that they live with -who are also victims of them- and who have become increasingly dependent on the arrival of Pentecostal and activist churches. Police operations, such as “Mirador”, are directed towards the security of the victims of these networks. This constant media exposure hides the feedback that occurs due to the violent actions of the government and contributes to the illusion that punishment reduces violence, “disciplines the wild and leaves the house in order”.

The legitimization of the hard hand exerted by the police also produces the effect of weakening the protective action of the state. Many times, in these vulnerable territories, health, education, transportation, cultural services are also weakened or withdrawn (Vales, 2018). Therefore, the communities are even more devoid of resources, prisoners of the opposition and disputes and the dynamics provided to resolve them.

The Change of Sensibilities

During the second decade of the twenty-first century, the number of Pentecostal churches increased in the most atheist country in Latin America

and evangelicals began to emerge in politics. This growth occurs within the most conservative factions of the right-wing parties. Security, the recovery of a moral discourse on the family and the defence of nationalism, are the main flags of these “new” voices of Uruguayan politics (Guigou, 2020; Scuro, 2018) One of the most important pastors of these churches in Uruguay, argues that “Uruguay is obviously a more agnostic and materialistic country” than its neighbours Argentina or Brazil, but that “people are tired of so much rationalism and begin to make another quest for the spiritual” (La Red 21, 2013).

In a context of ascension of the extreme right in the region, a common factor appears to be linked to the defence of traditional roles in the gender division of labour and to the criticism of “gender ideology” as the will of the left or progressive governments to impose their destructive visions of the family using, particularly, the educational and cultural device of the state. In Uruguay, the public, secular and free school system was built at the end of the XIX century, following especially the French school tradition and a Republican project that was intended to be democratic, civilised and modern (Romano, 2013). Uruguay was known, until the middle of the twentieth century, as “the Switzerland of Latin America” and felt more European than Latin American. Its republican and democratic culture and education constituted an exceptional model in the continent, and at the beginning of the nineteenth century the main struggle of the state was to install a secular culture against that of the Catholic Church, the main religion recognised in the country (Barrán, 1988).

On the other hand, in this country that considers itself to be one of the safest and most peaceful of the continent, the problems of insecurity, fear and crime occupy the centre of the political agenda (Paternain; Sanseviero, 2008). The increase in violence, social fragmentation and polarisation of living conditions in large cities and the urban crime circuits, in Latin America and Uruguay, are reinforcing the internal struggles among

the inhabitants of poor neighbourhoods through the moralisation and separation of “good neighbours” – often owners and workers – from “criminals” (Guemureman, 2015; Mosteiro et al., 2016). The complex relation between violence, social exclusion, law and security forces is fundamental to understand the new cultural dynamics of social violence in big cities (Body-Gendrot, 1998) marked by a radicalisation of speeches and practices. To date, the objective is still to achieve new hegemony on security and to include the idea of protection while coherently linking organisational and institutional practices to a reformatory programme of the State. Moreover, there has been a lack of transformation of the State and its institutional practices and violence: violence in the education system, in the centres for the rehabilitation and protection of children and young people, in the justice system, in the penitentiary system and in the police, mainly (Morás, 2016; Viscardi, 2011).

At the level of public opinion, the need to raise a discourse of insecurity addressed to the whole society is another major challenge. Two decades ago, the dissemination of data on crime and violence became an issue in political life and the media (Barbero; Viscardi, 2012; Mattelly; Mouhanna, 2007). Today it renews its forms with the reduction of political debate to security issues through the management of social networks and streaming as a mode of communication, while creating the problems of “fake news” (González, 2019; Pavía, 2019).

As well as in France, the growing recovery of religions in the poorest neighbourhoods slums goes in the sense of increasing radicalization of speeches and practices (Kepel, 1987; Mandon, 2016; Roy, 2008). The difference lies in the religious history of each of these countries. This recuperation is not in relation to a potential social and political change because these religions go towards a movement that accentuates social control and backwards to a project of society in opposition to the acquired rights and freedoms of the last few years (Bastian, 2007).

Unequal Violence

The control focused on the poor, police violence and stigmatisation is not exclusive to Uruguay. They are, on the contrary, as Latin American as the fragmentation of our territories and the situations in which the use of violence and firearms are difficult to clarify. It is clear that when one thinks of "the streets", there is no allusion to the reality of the poor neighbourhoods in Montevideo, which are commonly mentioned when referring to (territorial) "interventions" in regards to social policies. In those neighbourhoods, structural violence is not showcased so as to make a call for solidarity, but as a way to stigmatize violence (Arteaga, 2005; Bayón, 2015). As a consequence, the reports of conflict, violence, and the neighbours' reactions encourage the naturalization of violence in poor neighbourhoods, as a result of their living conditions and moral options. How to reiterate, in this media panoply, that it is the poor youth who suffer most of the interpersonal and criminal violence and that this includes those that are the responsibility of the state and its institutions? (Auyero; Berti, 2013). Adolescents and young people are the greatest victims of economic and lack of social protection, of domestic violence and of mistreatment in institutions (Arroyo et al., 2012). The search for respect and recognition takes a turn which can have an effect on the solidarity, which is already scarce, causing an increase on the demand for punitive measures which are meant to calm people's hatred and quench their thirst for revenge, measures which sometimes lead them to take the law into their own hands.

The working people try to disassociate themselves from those who break the law. These people, as well as being victims of poverty, are also victims of a society that sees violence as both news and spectacle that lives on due to the high rating levels. People's reactions, which encourage violent images and videos being put on air — that are available because of the vigilance technologies in public spaces — maintain the belief that those who

participate in criminal activity are mostly the young and poor (Arteaga, 2005). And that they are the only ones to blame, because they do it willingly. For this reason, it is understandable that police officers think that they are making justice by pursuing them. And this certainty point to the emotions caused by the images. For police abuse or institutional violence or state violence (Cruz, 2010), there are very few cameras available. The hyper-reduction of the reality of the problem of "increasing crime and violence" generates a partial view even if the violence suffered by poor young people because of the police is as real as those of homicides caused by settling of scores (Cano, Rojido, 2016).

What literature has placed as a remarkable feature, that is to say that the poor (young men) of the urban peripheries are the most vulnerable to physical violence, constant vigilance and territorial control, obtains great credibility for the Uruguayan reality. Indeed, this investigation reveals that there is a significant amount of daily police interventions on adolescents and young people, especially on public roads. In addition, a significant percentage of them are frequently intervened, which reaffirms the idea of targeting. (Mosteiro et al., 2016, p. 76)

The Importance of Prevention

To what scenario could this increase in penalties lead?

The homicides that result from interpersonal conflicts or criminal action are not, unlike those caused by wars or political conflicts, an episodic phenomenon that can end with the defeat of the contestants or with a peace treaty, but a problem deeply rooted in social structure and social dynamics. (Cano, Rojido, 2017, p. 10)

Illegal networks cannot be beaten with night raids: the drug selling points that exist are part of a wider network that also controls the power, the market and the state institutions (of justice and social control). Crime escapes the state at many levels: by subterfuges in the neighbourhood and by the globalisation of the crime. And because of corruption too.

The selectivity of the police operations of recent years shows that the crime that the police target is especially that of the poor. Therefore, it will not be effective until it manages to devote itself with equal devotion to all crimes, with special focus on that of the powerful due to their impact on the weakest.

Escaping this penal policy implies accepting a holistic logic. A research that investigated the relationship between social policies and violence coincides in the need of emphasising the relationship between social policies and social insurance, urban planning and low levels of violence (Body-Gendrot, 1998). An example of this can be found in the econometric study carried out by Psalama (2008) in ten Latin American countries, including Uruguay, besides Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Peru, Paraguay and Venezuela, aimed at explaining the evolution of homicides. The study produced significant findings. In the first place, that the growing urbanisation is a cause of violence due to the lack of control. Likewise, that the increase in economic growth translates into a slight decrease in homicides, while the increase in the rate of secondary schooling causes its decline.

When the effectiveness of the repressive system increases, the homicide rate decreases significantly. It should be highlighted, however, that the effectiveness of the repressive system cannot be confused with greater repression. Indeed, this effectiveness is measured by comparing the percentage of solved homicides cases to the total homicides. The effectiveness of the repressive system is therefore linked to the quality of the institutions. If they are weak, the increase in repression leads to an increase in violence. (Psalama, 2008, p. 90)

Proposals such as that of the Constitutional amendment bill, now approved, would consolidate a political doctrine prone to the establishment of a “legal” war and a state of permanent exception that would affect especially poor neighbourhoods. Uruguay has been going through a process

of institutional and legal transformations with advances and setbacks that have not been fully consolidated in citizen security policies. The unequal policy of crime fighting, the high rates of incarcerated population, the excessive application of prison sentences and police controls and violence over the poorest neighbourhoods bear witness to this. Certainly, what underlies these practices will triumph and be consolidated with the Constitutional amendment, without reducing violence.

The task of dismantling the practices of the former police and judicial apparatus has been one of the unfinished tasks of the progressive governments in matters of security, in Uruguay and in the region, showing the failures of the left-wing parties (Tavares dos Santos et al., 2019). Without the understanding that entrenched punitive and repressive practices are part of the problem, there is no possibility of changing to another security policy. That is why it is essential to understand the sources of the conservative trend established in common sense regarding the effectiveness of certain mechanisms of repression and the use of violence by the police as a mechanism to reduce crime (Paternain, 2014).

But this trend must be considered along with the growing legitimacy of claims for women's rights, mobilisations for sexual and reproductive rights, social activism of young people and various groups that raised their voices for a democratic conception of security, one which supports the respect for human rights and diversity. A battle is then fought for security, the result of which will end the third government of "Frente Amplio".

Part of the penal populism proposes measures or modifications from the perspective of the victim's pain or its community's pain. Because of this, people's responses are usually motivated by vengeance. Likewise, the fear, sometimes real and sometimes promoted by the media, leads to a scenario prone to atonement and punishment, and the relation between prevention, social policies, alternative measures, community police and the decrease of

violence are unclear. The social and prevention policies deeply rooted in the traumatic experiences of violence and fear cannot be discussed in public debate. A security policy cannot be thought as a reflection of the hatred, vengeance or fear that is created by violence and crime. Nonetheless, it is upon those feelings, that policies are directed to systematically denounced individuals: offenders. The restrictive nomination, that divides the population into citizens and offenders, influences the increase of the social division, without considering the causes that lead to crime. Thus, abandoning the intentions to prevent crime and violence, and diluting the social and political accountability.

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