

## RACE/ETHNICITY, CITIZEN SECURITY AND JUSTICE IN LATIN AMERICA AND THE CARIBBEAN: THE MARGINALIZATION OF RACE/ETHNICITY DATA<sup>1</sup>

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*Despite the specific threats of crime and violence (CV) to the security of Afro-descendant and indigenous populations of Latin America and the Caribbean (LAC), race/ethnicity data are hardly collected by citizen security institutions in the region. Of specific interest is the criminal justice system where Afro-descendants in particular have a high representation as clients. Drawing examples from countries in LAC, notably Brazil, Colombia, and Trinidad and Tobago, this literature-based paper reviews the implications of crime, violence and justice for Afro-descendant and indigenous populations. It calls for the consistent collection of race/ethnicity data of offenders and victims of CV for the purpose of an informed policy and practice response to CV problems, which are known to affect the socioeconomically disadvantaged the most, particularly people of African descent.*

### Introduction

First, some understanding of what citizen security (CS) represents is important. As a concept, CS does not have a definition that is universally agreed upon. The key reason for this is that CS is interpreted and practiced in various ways by individual societies, and by multilateral and bilateral agencies with interest in CS (see Muggah and Aquirre, 2013). Thus, arriving at a standard definition of the concept has been problematic. As Ramos and Muggah (2014, p.1) have noted, "citizen security is a concept that is more easily described than defined." Different stakeholders have described CS rather than define it, and have done so in accordance with their individual missions. But, irrespective of how differing stakeholders have described CS, they tend to share a consensus on the overall mission of CS, which is to protect individual rights to safety in

private and public spheres of life. And in this consensual dedication to this CS mission, crime and violence (CV) are a principal security concern.

The general consensus across multilateral/bilateral agencies over the mission of CS and the emphasis on CV is exemplified in the agendas of three multilateral agencies – the Inter-American Commission on Human Rights (IACHR), Inter-American Development Bank (IDB), and the United Nations Development Programme (UNDP). In describing CS from a human rights framework, the IACHR (2009, p.7) states that “the concept of citizen security is the one that best lends itself to addressing the problems of CV from a human rights<sup>1</sup> perspective,” and in this context the “concept of security must place greater emphasis on activities to prevent and control the factors that generate violence and insecurity, rather than purely repressive or reactive behaviors to consummated acts.” Crime and violence<sup>2</sup> are central to the CS mission and work of the Inter-American Development Bank (IDB), as shown in its recognition of CS as “the right of all citizens to live free from all forms of violence and crime” (IDB, 2014a, p.3). Lastly, the UNDP’s work in parts of the world, with troubled justice and security systems, is guided by its view of CS as “a fundamental part of human security” (UNDP, 2013, no page number). Aligned with this statement are a variety of CS processes and aims that include the elimination of “threats of violence” and the improvement of “access to an effective justice system” (ibid).

Putting CS into practice in LAC has involved various CS initiatives, including those aimed at preventing and controlling CV. All have been approached under the auspices of a wide range of institutions – ranging from public and health agencies to criminal justice institutions. In differing but intersectional ways, CS institutions, including the criminal justice system provide services that can prevent or reduce CV, and are therefore an important part of the discourses and concerns about CV.

However, a major challenge that confronts CS institutions in LAC is that statistical data that are important for CS program evaluation, policy formulation and implementation are generally lacking. On the specific subject of CV, data are largely of poor quality (Inter-American Development Bank (IDB), 2014a), and a variety of factors account for this. For one, crime is largely

underreported to the criminal justice system in LAC, so that the region typically has a high level of unrecorded crimes. Explanations for underreporting have included feelings of insecurity. For example, crimes are not reported due to “lack of trust in the police and judicial systems, fear of reprisal, unequal access to justice, and worries of social stigma...” (IDB 2014a, p.2). Other impediments to improved data collection and analysis in criminal justice institutions in LAC have included politics. As the IDB (2014a, p.27) observed in its statement:

“The transparent and accurate dissemination of criminal statistics often conflicts with political motives, in particular because these data reflect the effectiveness of the police, justice, and penitentiary systems, and their interpretation might not serve the interests of these institutions.”

Data deficiency makes it difficult to determine appropriate policy and practice interventions or to assess their effectiveness when implemented, thus hampering efforts by governmental and non-governmental agencies to control and prevent CV in LAC (IDB, 2014a). For instance, in the Caribbean limited or lack of data to measure program effectiveness can make it difficult to assess the CS benefits of CV prevention initiatives such as community cohesion enhancement, rehabilitation of at-risk youths and criminal justice system reforms (Caribbean Development Bank (CDB), 2012).

Threats that data paucity pose to effective CV prevention measures, including an effective criminal justice system in LAC (see IDB, 2014b) are more pronounced when it is difficult to assess their impact on the target populations, i.e., those who are most at risk, who are typically the poorest sections of society, and who are made of substantial proportions of Afro-descendants and indigenous people. Afro-descendant and indigenous populations are the most socioeconomically and politically marginalized racial/ethnic groups (UNDP, 2010), and are the most vulnerable to CV victimization. Yet, disaggregated race/ethnicity data on their security are dearth. The situations of marginalization and vulnerability apply even in countries where Afro-descendant and indigenous groups are in the majority (for example, in Bolivia and Guatemala for Indigenous people; in Jamaica for people of African descent). However, as part of the data problems that have haunted

CS institutions in LAC is the lack of disaggregated race/ethnicity data in key CS institutions.

With the assistance of multilateral agencies such as the IDB and World Bank, there are countries in LAC that have, in varying degrees, started showing differentiated race/ethnicity variable in official data, for example in national censuses, public policy sectors or in household surveys. Some countries are more advanced than others in race/ethnicity data collection. For example, in comparison to the rest of Latin America, Brazil has implemented strategies for collecting disaggregated race/ethnicity data in some CS sectors, such as national census and health. This may not be surprising given that it has the largest Afro-descendant population in LAC. Other examples are Colombia, and Trinidad and Tobago (TT) which, similar to Brazil, collect disaggregated race/ethnicity data in their national census and in some other CS sectors, such as health (Colombia) and law enforcement/police (TT). Despite the move in some LAC countries toward disaggregated race/ethnicity data collection, the process has been slow. Further, in CS institutions where race/ethnicity data are collected, the quantity and quality of data have shown deficiencies, some of which involve problems with data reporting and data recording.

As indicated earlier, the criminal justice system illustrates various indications of data deficiency (see IDB, 2014a). Through its individual and collective functions in detecting, prosecuting, sentencing and correcting offenders, and making contacts with victims of crime, the criminal justice system assumes a fundamental role in the implementation of legislative measures to prevent and reduce CV. While high numbers of Afro-descendant and indigenous populations are known to have interactions with the criminal justice system as perpetrators and victims of CV (reference to the author's work, blinded for peer review purposes, 2010, 2012, 2015; IACHR, 2011), criminal justice institutions in LAC typically lack or have a poor quality of disaggregated race/ethnicity data. The reasons for this are largely found in the notion of racial democracy, discussed in the immediate section and sub-section below. Subsequently and respectively, the paper examines the implications of CV for race/ethnicity and criminal justice for race/ethnicity. It concludes with a call for the collection of disaggregated race/ethnicity data in CS and criminal justice.

### **The Neglect of Race/Ethnicity Data in the Midst of Racial Democracy**

The history of race and race relations in LAC is crucial to understanding why the race/ethnicity variable has been marginalized in CS data. This history started with the European conquest of indigenous peoples of LAC, the transportation of millions of Africans as slaves and the importation of Asians as indentured workers to LAC. This series of historical events in the political and economic landscapes of this region gave birth to the peoples of LAC, who have origins in four main racial groups – African, European of largely Spanish and Portuguese origins, indigenous (Indian) peoples with about 400 different groups, and Asians. It has since defined the region's race and class relations. Racial conflicts existed in historical LAC. In citing Gibson (2003), Clawson (2012, p.177) observes that "Intense and bitter hatreds often developed between them (i.e., Asians, my addition) and the Black creole populations, who came to view the East Indians as clannish, materialistic, and a threat to Afro-American political dominance." Racial disputes have persisted in contemporary times (Clawson, 2012) and have formed a part of conflict prevention initiatives carried out by multilateral agencies in LAC (UNDP, 2012).

Despite the variations in racial backgrounds, LAC has been known for its understanding of race/ethnicity through the lens of racial democracy. Centuries of racial intermixing (i.e., *mestizaje*) in Latin America have created a variety of racial mixtures linked to European, Indian, and African ancestries (see Ferreyra, 2015). On the foundation of this history has the concept of racial democracy stood (Seelke, 2008), and it is also a history that is relevant to the racial character of the Caribbean (see Henry et al., 2012).

For an illuminating account of the workings of racial democracy in LAC, I draw on Clawson's (2012) work. From the onset of colonial administration in LAC, a period during which White women were in short supply, most European men, according to Clawson (2012), mixed sexually with Black and/or Indians. With the arrival of Asians as indentured servants, the races of LAC – native peoples, Black Africans, Asians, and Europeans – were soon to encounter miscegenation, resulting in the subsequent growth in mixed races. Within the mixed races, there were differentials in

social classifications that ultimately determined one's location in the socioeconomic strata. The lighter the skin color and the more European-looking the other physical features (such as nose, hair and lips) of a person, the better socioeconomic opportunities s/he was accorded.

The variety of mixed races produced by a union of White and Black (referred to as *mulatto*), White and American Indian (referred to as *mestizo* in Spanish-speaking Latin America, and *mameluccos* or *caboclos* in Portuguese-speaking Latin America), Black and Brown (referred to as *zambos* or *pardos*), and a mixture of these races with each other have, according to Clawson (2012, p.178) "evolved in what was fast becoming the most racially heterogeneous of all the world's major culture regions." Overtime, because of the difficulties in reaching a consensus on how the numerous racial subcategories were to be classified and named, other classifiers such as religion, culture and lifestyle became popular markers of (racial) differences. These markers, implicitly underlined by race, signified a caste system in which Europeans, who lived a privileged lifestyle and who perceived themselves as superior and civilized, occupied the top position in the system. In the middle position, Clawson (*ibid.*, p.179) observes, is the *mestizo*, who biologically is "of mixed Spanish and Indian ancestry, but culturally, the term came to refer to a middle-class person who lived in a town or city, spoke Spanish, knew how to read and write, often acted as an economic intermediary, and purposely allowed one fingernail to grow long as the sign that he or she was avoiding the social degradation of manual labor." Despite attempts by the *mestizo* to publicly display a European lifestyle, "poverty forced the mestizos to rely mostly on an Indian diet and to live in small apartments or houses in the poorest sections, or barrios, of town."

In using the term "social races," Clawson (2012, p.179) informs how one's racial classification can be altered by virtue of a changed lifestyle, downwardly or upwardly, for example in the style of clothing, choice of food, residential area, type of housing, and language spoken. Normally, the change has tended to be upward rather than downward, and "this process of upward mobility is widely referred to as **whitening**, or **bleaching**, and has had both physical and cultural dimensions" (*ibid.*, p.180). An example of upward mobility is an Indian-to-*mestizo* transformation, a process

that has involved “physical whitening” through, for example, interracial breeding<sup>3</sup>, and “social whitening” through, for example, economic advancement and “‘marrying up,’ meaning being accepted into the social circles of a lighter-skinned spouse” (ibid.).

Contemporarily, the popular belief is that the centuries and years of physical and social whitening have Europeanized the racial composition of LAC, physically and culturally, so that despite the visibility of those who are dark-skinned, the notion of mixed races or miscegenation or a melting pot of races, and the supposed cultural and lifestyle enhancement, is popularized to undermine any claim of discrimination based on biological/physical differences. Racial democracy denounces the existence of racial discrimination, but instead links any traces of racial disparity in socio-economic or political conditions to class disparity. In Brazil, for example, the thinking, based on this ideology, is that the contemporary impoverishment of Afro-descendants is merely a continuation of their poverty status under slavery, and not a product of race-based discrimination (Skidmore, 1992; also see Harris, 2012). With the belief in “whitening,” a light-skinned non-White can attain upward social mobility. Also, a lower-class dark-skinned person can transition to White, upper-class circles (i.e., whitening) by virtue of acquiring wealth or through racial intermingling, that is, miscegenation.

### **The illusion of racial democracy, the dearth of race/ethnicity data, and implications for race/ethnic disadvantage**

For many countries in the Americas, notably in Latin America, race/ethnicity data have historically been opposed or discouraged. As indicated above, justifications for this approach are linked principally to the racial democracy concept. This concept and the associated belief of a melting pot of all races are deep-rooted in popular ideology in the region (IACHR, 2011). Despite the importance of race/ethnicity data, the racial democracy thesis, having engulfed the race thinking of countries in Latin America, has historically prevented disaggregation in data collection, and has inhibited or even prohibited race/ethnicity data collection, so that information on the race/ethnicity variable has been unavailable or sparse (IACHR, 2011; Seelke, 2008).

For example, from the 19<sup>th</sup> century (with the exception of the first census of 1872, and the 1890 census) until the mid-20<sup>th</sup> century (in 1940), race was not recorded in the Brazilian national census. Until 1976, it was absent from household surveys in which data on income, employment, housing, health and so forth were chronicled (Skidmore, 1992). Another example: it was in 2005 that Colombia started collecting socio-demographic data, including ethnicity, in the national census; in 2006, ethnicity was included in Colombia's national records of deaths, and in 2008, it was identified in the public health records of morbidity-mortality incidents (see Urrea-Giraldo, 2012). From law enforcement through to the judiciary and the prison system, race/ethnicity data relating to CV are either not collected in the criminal justice system or perhaps not made available to the public, for example, Mexico (see Ferreyra, 2015), Argentina (Miguez, 2012), Cuba (Palombo, 2012), Jamaica (Henry et al., 2012; Dawkins et al, 2015) and the Virgin Islands (Georges-Abeyie, 2015). There are LAC countries where race/ethnicity data are fairly collected in some areas of the criminal justice system or/and for certain crimes (e.g. Trinidad and Tobago, Brazil and Colombia<sup>4</sup>). In such countries, race/ethnicity data are usually collected inconsistently.

In the midst of this data scarcity, the illusion that surrounds the racial democracy notion has tended to negate the long-standing reality that non-White racial/ethnic groups in LAC have occupied a disadvantaged position in various socioeconomic arenas. Disaggregated race/ethnicity data on various social issues, including interactions with the criminal justice system, may be lacking, or sketchy and unreliable for the most part. But the data that exist, such as findings from household surveys (often irregular) and information from anecdotal sources, throw some light on the plight of non-White racial/ethnic groups. Thus, some have claimed that the view that all are treated equal under a principle of racial democracy is merely a myth (see Harris, 2012; Alves and Alves, 2015). The skepticism about racial democracy is mirrored in Clawson's (2012, p.182) statement:

"The widespread physical mixing of the region's peoples and the opportunities for upward mobility afforded by the use of racial groupings based on culture and lifestyle have combined to create in Latin America and the Caribbean a very different



set of racial circumstances than what evolved in the United States. Whereas discriminatory laws and practices based on a person's physical appearance long existed in the United States, Latin America historically have rejected such behavior. In so doing they have often been quick to praise themselves for what they have viewed as their own progressive state of race relations, and they have been equally enthusiastic in criticizing race relations in the United States...we should in fairness, when discussing race relations in the Americas, ask ourselves if prejudice grounded on social race is any less evil, or its effect any less hurtful to its victims, than prejudice based on physical race. The answer, of course, is no. Unfortunately, Latin America today is afflicted every bit as much by social racial prejudice as the United States has been by physical racial prejudice."

It seems obvious, based on the intertwining of social class and physical features, that "social race" and "physical race" complement each other. Drawing on a range of literatures on Latin America (see, for example; Erlick, 2010) and the Caribbean (see, for example, Howard, 2007), Clawson (2012) refers to social, economic, political, and cultural disadvantages and negativities that apply when a person is of a darker skin color. Further, these societal displays of inferiority are not only internalized by Afro-descendants and Native/American Indians, but also, they influence how these groups view and define themselves against White and light-skinned populations. These latter groups make up the upper and middle classes as well as predominate in privileged positions across influential institutions.

In reference to Jamaica, Henry et al (2012, p.199) note how "skin bleaching to obtain a paler hue occurs among a few of the poorest and darkest" in a country where "Most of the wealthy tend to be of a lighter complexion...while the poor majority tends to be of a darker complexion." Such discomfort with a dark skin color is further exemplified in the tendency for certain non-White racial/ethnic groups to socially distance themselves from their own racial/ethnic identity groups (see Georges-Abeyie, 2010). Similarly, persons of mixed-race origin, as a result of social distance, are likely to self-identify with the White racial group (for more discussion on social distance, see Tatum, 2000).

Regardless of whether a person is classified by “social race” or “physical race” or both, the visibility of skin color (one of the most obvious markers of physical difference) cannot be mistaken even though there may be variations in racial or ethnic classifications across and within societies. On the premise of basic physical characteristics, countries in LAC can, at least in general, categorize its populations into racial groupings. Note the examples in Colombia, Trinidad and Tobago, Jamaica, and Brazil. Colombia is known to be a *mestizo* society with identifiable White, Black and *mulatto* populations (Clawson, 2012; Skidmore et al., 2014). Trinidad and Tobago’s racial or ethnic characteristics are a product of its colonial and slavery past. Its population is composed of mainly descendants of African slaves, descendants of South Asian indentured servants, and persons of mixed Indo-African heritage – normally known as “Douglas” (Johnson and Kochel, 2012). Jamaica’s history of slavery created a racial/ethnic mix that has allowed its inhabitants to create their own racial identity. However, a basic racial classification that aligns with class positions does exist in this order: White (upper), Brown (middle) and Black (lower) (see Henry et al., 2012). Although known as one of the most racially heterogeneous societies in the world, Brazil’s Black, White and *mestizo* groups are discernible in spite of the many years of miscegenation. Further, as a result of the prevalence of “social bleaching” over the years, the majority of the population class themselves as White (Clawson, 2012).

According to Skidmore et al (2014, p.296), Brazil has a population of nearly 200 million “and reflects a complex mosaic and mixture of people of African, European, Asian, and indigenous descent.” Due to its history as one of the biggest recipients of African slaves during the period of slave trade, Brazil has the largest population of people of African descent in the Americas, five times more than the U.S. Brazil has taken pride in viewing itself as being racially democratic, in light of its historical and contemporary racial-mixing to the level that a large proportion of the population, “at least one-half...has some African ancestry” (ibid., p.337). But, as elaborated in the immediate section below, the racial democracy thesis is shrouded in contradictions given the levels of crime, violence, inequity and marginalization among dark-skinned peoples in LAC. Note that despite the manifest claim of a

multiracial, racially democratic society, Brazil has a history of dragging along the racially prejudiced and discriminatory system upon which slavery and colonialism were structured. Up until the 1930s, Brazil based its European immigration policies on the ideology of White hegemony ((Bethencourt, 2012).

The belief in racial democracy in Brazil does not erase the apparent racial inequity in which blackness, slum and poverty are visibly synonymous (Skidmore et al., 2014). The lower-end location of people of dark-skin color in the socio-economic strata in Brazil and other countries in Latin America evidences this (ibid.). Similar to Brazil, several societies in Latin America, such as Colombia and Argentina, do not view their countries as racist. In Colombia, despite its claim that it is a racism-free society, the AWHRD<sup>5</sup> Project (2012, p.9) has observed that “the imagery of Black people in Colombian society continues to relegate them to a status of second-class citizenship.” Similar image extends to Colombia’s indigenous populations, who have also occupied a disadvantaged socio-economic position (Sieder and Sierra, 2010). In the Caribbean countries such as Trinidad and Tobago, and Jamaica, in spite of the disproportionate location of Afro-descendants in the most impoverished and high-crime urban areas, claims of racism can be quickly rebutted with socio-economic explanations that associate class, geographic location etc. with Afro-descendant disadvantage (Johnson and Kochel, 2012; Henry et al., 2012).

### **Crime and Violence in LAC: Implications for Race/Ethnicity**

According to the UNDP (2013), CV are core to the issue of citizen security. It states: “Violence and crime directly harm the rights that are at the core of human development: life itself and the physical and material integrity of people” (ibid, p.v). Multilateral organizations such as the IDB and the United Nations have identified LAC as one of the world’s most violent regions. While some progress in social, economic and political development in the region has been made, the problem of violence and crime continues to haunt LAC. There are claims among the region’s citizenry that “crime and violence limit their opportunities and rights to live a life free from fear and threats” (ibid, p.1). At some periods, the state of violence in this region was compared to war-ravaged countries in Africa (Hakim and Covington, 2011). Murder rates have historically been high.

Based on the 2010 study of global murders by the United Nations Office on Drugs and Drug Control (UNODC, 2011), this region has the highest average rate of murder by population. Average homicide rates in LAC at the time were markedly above the average rate of homicide globally, which in 2010 stood at 6.9 per 100,000 population; the rates for the Caribbean and South America were 16.9 and 20.0 respectively (UNODC, 2011). In 2012, with average rates ranging from 16 to over 25 per 100,000 population, the Caribbean, Central America and South America exceeded the global average rate of 6.2 per 100,000 population (UNODC, 2013). These homicide rates qualify as reaching pandemic levels, defined by the World Health Organization as homicide rates exceeding 10 homicides per 100,000 population (see IDB, 2014a).

Latin America specifically has been identified as the highest homicide region in the world, with murder being the most pervasive cause of death in countries such as Brazil, Colombia, El Salvador, Honduras, Mexico and Venezuela (UNDP, 2012; Urrea-Giraldo, 2012; Inter-American Dialogue, 2012; UNODC, 2013, UNDP, 2013; Ramos and Muggah, 2014). In the Caribbean, there are high levels of violent crimes overall. Despite acknowledging this fact, the Caribbean Development Bank (CDB) (2012) identifies variations across societies, with some, particularly the English-speaking countries, recording higher levels than others. At a rate ranging from 30-62 murder incidents per 100,000 population, Trinidad and Tobago (TT), Jamaica, Nevis and St. Kitts, have been showing extremely high homicide rates since 2002 (*ibid.*; also see UNODC, 2011, 2013).

In LAC overall, murder rates are higher in areas with higher rates of youth violence, higher numbers of men aged 15-34, and a high representation of households headed by women (Inter-American Dialogue, 2012). Typically, the perpetration of CV assumes the same demographics shown in CV victimization. For example, perpetrators and victims of homicide in LAC are typically young males aged 15-29, are most likely to be unemployed, low-income, or poor, have limited education, and resident in socio-economically disadvantaged high-crime urban neighborhoods and city outskirts where most of the murders occur (Inter-American Dialogue, 2012; also see UNDP, 2013; Berkman, 2007)<sup>6</sup>.

Correlations exist between these demographic factors – age, gender and locality – and known causal factors of violent homicide, some of which are interrelated. For example, gang violence, a notable cause of homicide, is also associated with drug trafficking or dealing and vice versa. In associating males aged 15–29 with high homicide risks, the UNODC (2013, pp-28-30) states:

...the homicide rate for male victims aged 15-29 in South America and Central America is more than four times the global average rate for that age group, which may be due to higher levels of gang-related homicide in the Americas than in other regions....”

Youth gangs and the associated violence are ubiquitous in LAC, and the connections between violent crimes and gang activities pose a major problem in societies where these relationships are pervasive. As already indicated, drug trafficking/dealing is a major contributor to homicide in Latin America. Homicide is not only concentrated in drug trafficking areas but also increases with an increase in drug trafficking in an area. In the Caribbean, violent crime is linked to international crime, with a noteworthy example being drug trafficking (see Dawkins et al, 2015; Rampersad, 2015; Ferreyra, 2015). Caribbean involvement in drug trafficking influences gang violence among other ills (UNDP, 2012; also see Bowling, 2010/2012), even in countries that used to be considered relatively safe. For example, Trinidad and Tobago was considered safe up until the 1990s, during and after which there was a sudden increase in the murder rate, mostly associated with firearms. Other violent crimes such as kidnapping have become prevalent in Trinidad and Tobago, and are a worry for the citizenry (Bowling, 2010/2012; Johnson and Kochel, 2012).

There are also correlations between the aforementioned demographic factors and race. Based on the geographical locations of CV victimization in LAC, and the class, age and gender of known victims in the region, people of African descent and indigenous populations are the most likely racial/ethnic groups to be victimized by CV. The perpetration by, and victimization of, people of African descent in the vicious cycle of CV, including drug trafficking and gang activities, in parts of LAC are documented (see Dawkins et al, 2015; Rampersad, 2015; Harris,

2012; Johnson and Kochel, 2012; Henry et al., 2012; Urrea-Giraldo, 2012). Specific evidence of racial differentials in murder victimization in countries such as Brazil, Colombia, and Jamaica shows the higher susceptibility to homicide among Afro-descendants aged 15–34 relative to their White counterparts (Inter-American Dialogue, 2012; also see reference to the author's work, blinded for peer review purposes, 2012).

Afro-descendants often reside in localities that are characterized by indices of social disorganization (see Park and Burgess, 1925), exemplified in rampant unemployment in the formal sector, lack or limited access to basic amenities, substandard housing coupled with overcrowding, poor quality of education, illiteracy, unskilled labor, child mortality, and high rates of homicide. These features are illustrated in the favelas, home to a substantial proportion of Afro-descendants in Brazil (Harris, 2012; Wheeler, 2014; Alves and Alves, 2015), in the garrison communities of Jamaica (Henry et al., 2012; Dawkins et al., 2015), in urban 'hot spots' of Trinidad and Tobago (Rampersad, 2015; Ryan et al., 2013), and in Afro-descendant and indigenous localities of Colombia and Mexico (Urrea-Giraldo, 2012; Ferreyra, 2015, 2012<sup>7</sup>)

In an extensive account of the situation of people of African descent in the Americas, the IACHR (2011) recognizes them as a disenfranchised, marginalized and socially excluded racial group, even in societies where they constitute the majority population, such as in many Caribbean countries. Thirty percent of the population in the Americas are Afro-descendant. Yet, they are one of the most impoverished groups in the Americas (*ibid.*). Afro-descendants experience structural discrimination, and Afro-descendant women are particularly disadvantaged as they suffer multiple discriminations in key institutions because of their race, gender and class. The IACHR (*ibid.*, p.17) uses the phrase "racialized geographies" to define the high concentration of Afro-descendants in certain areas that are the "poorest...and with the highest housing deficit, almost inaccessible, with improper means of transportation, and suffers a greater exposure to crime and violence." These areas "usually hold a subordinate position in public policies." (*ibid.*, p.16). Other instances of structural discrimination are evidenced in "access to housing, loans, quality health care and education, life expectancy and nutrition rate, and

the difficulties in using public facilities, or accessing certain places of recreation," higher rate of unemployment in comparison to the national population, lack of social security benefits, concentration in the "lowest positions in the job hierarchy," particularly in low-paid, substandard jobs in the informal economy (ibid., pp.17-18).

Similar to people of African descent, indigenous peoples experience structural disadvantage in LAC, particularly in Latin America where they have a relatively significant population. According to Sieder and Sierra (2010, p.10), indigenous populations "are amongst the poorest and most vulnerable sectors of Latin American society." Those resident in rural areas are most affected as they experience extreme conditions of impoverishment. Indigenous women are disproportionately affected by poverty and illiteracy, even in comparison to indigenous men. Their gender, race, and class (i.e., poverty) render them vulnerable to "triple discrimination" (Sieder and Sierra, 2010) as they share similar experiences of marginalization and violence as their Afro-descendant counterparts. Acts of violence against indigenous women have included domestic violence and other forms of violence that are associated with militarized state attack against organized crime and armed conflict, forced displacement and rape in order to effect a quick displacement (Sieder and Sierra, 2010; also see Dosch, 2012).

In general, inhabitants of poor, marginalized communities and areas in LAC typically experience social exclusion (Berkman, 2007). Where access to the range of legitimate economic, social, political opportunities and institutions that foster citizen security (CS) is lacking, many are likely to experience social exclusion. According to the Caribbean Development Bank (CDB) (2012), the social exclusion of the poor and in particular males, the high levels of unemployment and the widening of gaps between the "haves" and the "have nots" are indices of socioeconomic negatives that interact, among others, to produce arrays of violence particularly in association with the drug trade and youth gangs in the Caribbean. In Latin American countries such as Brazil, impoverished areas are associated with the use of the informal and illegitimate method of violent vigilantism, and a key ramification of this approach seems to be reflected in the high mortality rate among young males in those areas (Goldstein, 2013).

As an example, gang membership in Brazil is prevalent among young males in the favelas, whose limited access to legitimate economic opportunities and high representation in the low-paying informal economic sector (such as street selling) clear the path to economic instability and frustration. Joining a gang seemingly alleviates economic instability and the accompanying negative emotions. Despite the harsh sanctions, typically of a violent nature, that accompany disloyalty to the gang, young males in Brazil's socially excluded areas see gangs as a source of economic gain (Goldstein, 2013), and security.

The economic and social desperation among young people in LAC is also shown in the number of children who make the streets their home or place where they spend the most time. Across the globe, LAC has been known to have the highest level of street children (see Berkman, 2007). Their desperation to survive amount to engagement in a combination of legitimate activities (such as providing legitimate street services e.g. selling water on the streets) and illegitimate ones, such as drug dealing and theft. In time, the notion of legitimacy in the approach to work begins to wean in the minds of street children given that their proceeds from criminal activities are found to be more rewarding than work in the formal economy.

### **Crime, Violence and Justice: Is there Justice for Marginalized Racial/Ethnic Communities?**

National populations of countries in LAC are racially/ethnically diverse. Despite its crime control and prevention responsibility toward CV, race/ethnicity data, as indicated earlier are generally lacking in the criminal justice system. In law enforcement, race/ethnicity data relating to police relations with the public are non-existent, sparse or incomprehensive (see reference to the author's work, blinded for peer review purposes, 2012). With reference to the judiciary, in spite of its crucial responsibilities, including its sentencing practices and decisions, the race/ethnicity of those who go through this CS institution as clients is not recorded. African-descendants, for example, have a significant or the most presence in the inmate prison populations in parts of LAC (ibid.), however, race/ethnicity data relating to prison populations, judicial decisions



to imprison, other forms of corrections, offense types, the treatment and conditions of prison inmate, etc., are lacking, or sketchy.

Notwithstanding these data problems, criminal justice practices, particularly those of law enforcement have tended to generate negative public reactions, especially when such practices were perceived as oppressive, unjust, and discriminatory (*ibid.*). Police stop-and-search, arrests, and use of force or brutality are among law enforcement practices that have marred police–public relations, particularly in non-White communities. The judiciary in LAC is not immune to the kinds of allegations of discriminatory practices that have been levelled at the police. Typically, what is known about contemporary criminal justice and race relations in LAC has emerged from small-scale research studies, anecdotal information and media reports (*etc.*) (see Cano et al., 2010; Harris, 2012; Miguez, 2012; Palambo, 2012; Ferreyra-Orozco, 2012; Urea-Giraldo, 2012; Henry et al., 2012; Johnson and Kochel, 2012; Alves and Alves, 2015; Georges-Abeyie, 2015). While there is a general lack of hard data to support the often localized studies, findings from most call to mind the region’s history of authoritarian government and how that has shaped criminal justice practices.

Contemporary relations between the criminal justice institutions and the public cannot be separated from this history of militarized government regimes, marred by widespread conflict, violence, crime, state crimes, corrupt and unaccountable state institutions, a culture of impunity, and similar indices of totalitarian governance. Take Brazil and Colombia as examples. Brazil has struggled with political stability following a military regime that was succeeded by a democratic government in 1985 (Clawson, 2012). It has experienced various practices of authoritarianism found in a military regime, such as police oppression and violations of human rights (Leeds, 2013). In regard to Colombia, political turmoil was an integral part of its history. The succession of civil wars, the oppression and marginalization of the rural poor, the emergence of rural violence and the formation of guerrilla groups among the disgruntled rural peasants have left their legacies, as shown in the various forms of violence perpetrated by organized crime syndicates, by drug traffickers, in guerrilla warfare, and by military and paramilitary groups (Clawson, 2012).

Muggah and Aquirre (2013) recount the aggressive security and justice approaches of the 1990s and the early 21<sup>st</sup> century in Latin American countries. They involved harsh, militarized, zero-tolerance and punitive policing practices that ended up producing negative consequences. The negative outcomes have included the criminalization of vulnerable populations, police corruption and criminal impunity, violations of human rights including the rights of children, proliferation of gangs, vigilantism for the protection of residents in impoverished neighborhoods, high incarceration rates, prison overcrowding, and a vicious cycle of prison violence.

Violence, particularly in socially disadvantaged communities, is itself a valuable commodity that is used to facilitate and reinforce one's own security in an environment where conventional justice is lacking or minimal (for example, Jamaica, see Henry et al., 2012; Trinidad and Tobago, see Johnson and Kochel, 2012; Brazil, see Goldstein, 2013, Harris, 2012, Caldeira, 2001; in Colombia, for vigilante justice carried out by individuals or in a group/gang context, see Moser and McIlwaine, 2000). Crime and violence pose challenges for the criminal justice system, particularly law enforcement and prisons. In reference to Jamaica and Trinidad and Tobago, the CDB (2012, p.2) notes that "gangs reportedly account for more than 60% of the homicides..." There are hardly arrests and convictions for violent homicides and other serious offenses, so that these crimes are committed with impunity, furthering victimization risks mainly among the vulnerable, whose access to justice in the criminal justice system is limited or even non-existent (also see Ryan et al., 2013 with reference to Trinidad and Tobago).

In Latin America, Brazil, in the context of the favelas, provides good illustrations of state and criminal justice response (or lack of) to communities where CV pose the greatest threat. In the favelas, home to mostly people of African descent, drug trafficking activities, military police, militias, and death squads have been known to collide in violent conflicts, resulting in thousands of deaths over the years. In her study of Rio de Janeiro's favelas, Wheeler (2014, p.86) notes that "over 39,000 people have been killed in the war between drug trafficking groups, the military police and parastatal death squads since 2007, with a further 35,000 people disappeared in the same period." Similar to the favelas in Rio, other

favelas in Brazil are CV-ridden, unattractive to state intervention, but open to militia illegitimate authority and control, and where the rule of the game is violence and fear.

Favelas residents are socially excluded from the mainstream and the state, and this barrier, which has been in existence for years, has paved way for the infiltration of vigilante groups/militias. Through the use of a mixture of non-violent and violent approaches, militias have granted themselves legitimacy in communities that are unfamiliar with appropriate government power and legitimacy (see Harris, 2012). Typically, government intervention in the favelas is one of repression and violence, including murder, perpetrated by the state police against favela residents. A notable example of how the Brazilian government has tackled the visibility of its poor is extermination, as illustrated in law enforcement massacres of street children and peasant squatters in the 1990s (Skidmore et al., 2014). Police violations of the human rights of marginalized communities in Brazil's big cities, particularly those situated in the favelas, seem normal (Leeds, 2014).

Against this background of a corrupt and oppressive police system, for many favela residents, the militia has legitimacy. It is a kind of legitimacy that the militia has gained through a variety of public security initiatives, such as a clampdown on open drug sales and violence, even if they were achieved through the use of violence or enforced in exchange for extortion of residents. Under these situations where favela residents are reliant on militia legitimacy, the authority of the state in the favelas is weakened. While this lack of access to state justice does raise questions about the feeling of citizenship among favela residents, given that the granting of legitimate rights comes from the state, their sense of citizenship is further worn when favela communication with the state is mediated by the militia (see Wheeler, 2014).

Violence by state and paramilitary groups has been a fundamental part of Latin America's control approach towards its citizenry, and in many cases amounting to violations of human and legal rights. Take as a noteworthy example, violent abuse and discrimination towards indigenous women and people by "state actors" and "non-state actors" (see Sieder and Sierra, 2010). State actors have been known to perpetrate state-sanctioned violence, including violent deaths, to suppress by indigenous people and

women who protest for their collective rights, such as land and territorial rights (as has been the case in Colombia). Non-state actors are formed of paramilitaries and private armies known for their use of violence to enforce the displacement of indigenous and Afro-descendant populations from their lands. In Colombia, for example, threats of death, murder, intimidation, kidnapping, torture and related forms of physical abuse have been meted out to Afro-descendant women who have led campaigns and human rights movements against forced displacement, internal armed conflicts and other forms of violence against the Afro-descendant population (AWHRD Project, 2012).

It is particularly disturbing when violence is perpetrated by the police and extrajudicial forces, who are charged with the responsibility of protecting citizens (Berkman 2007; Risso, 2014). It may not be surprising therefore that there is a general public mistrust and lack of confidence in the police in Latin America (see Berkman, 2007). Across LAC, such public attitude towards the police is common, particularly among people of African descent, who are vulnerable to police racial profiling, indiscriminate policing and arrests (IACHR, 2011; reference to the author's work, blinded for peer review purposes, 2012). Reasons for the distrust have also included police engagement in brutality, criminality, collusion with criminals, and corruption (see reference to the author's work, blinded for peer review purposes, 2012). One of the serious ramifications of this type of police–public relations is crime underreporting by citizens, associated in part to fear of reprisal (IDB, 2014b).

The lack of trust in LAC criminal justice system also applies to the judiciary. This CS sector has its own operational failings, which lower public confidence in the administration of justice, most likely among the socially excluded whose interests and concerns are less likely to be served by the judicial system (see Beckman, 2007; reference to the author's work, blinded for peer review purposes, 2012). Among the most affected by the cycle of poverty and the lack of access to justice in LAC, are the indigenous and Afro-descendant populations. Sieder and Sierra (2010) refer to how socioeconomic deprivation and poverty bear negative consequences on indigenous women's access to statutory justice. Notwithstanding the minimal improvements in indigenous access to state justice,

indigenous women in rural areas continued to experience obstacles in this area. These have included long distance travel, unfamiliarity with the justice system, legal representation and other justice system costs, language barrier (as many indigenous peoples, and in particular women, are monolingual), and racial discrimination by justice system officials, including judicial discriminatory attitudes toward indigenous women who were rape victims. With illiteracy and poverty, access to or comprehension of information relating to rights and justice limits their awareness of their rights within and beyond the domestic domain.

Among Afro-descendants, there is victim distrust of the police and judiciary, fear of retaliation, financial constraints related to cost of an attorney and case processing through the judicial system, limited knowledge of their rights, a disproportionate susceptibility to harsh sentences, imprisonment, and institutional violence (IACHR, 2011; reference to the author's work, blinded for peer review purposes, 2012). Afro-descendant women experience multiple discrimination in the judicial system where language barriers and non-comprehension of the judicial process intersect with poverty to preclude their access to justice and where they encounter "institutional violence" by "judicial authorities" (IACHR, 2011).

Further, judicial decisions have implications for prison population growth and prison overcrowding, both of which are serious problems in LAC prison systems, and are more likely to be experienced by people of African descent in particular, given their high-levels of representation as clients of the prison establishment. For example, increased numbers of pretrial detentions are known to contribute significantly to an increase in levels of prison overcrowding. In recent years, while prison reforms have led to a reduction in the numbers of pretrial detention in some countries such as Brazil, Colombia, Chile, Nicaragua and Peru (Inter-American Dialogue, 2012), prison overcrowding has in general plagued the LAC penitentiary system due, notably, to the excessive utilization of pretrial custody in judicial decisions.

Prison overcrowding has created an unstable environment conducive to inmate violence, human rights violations, and ineffective prison management and delivery of rehabilitative services, among others (IDB, 2014a). Security is in jeopardy in LAC

prisons where the threats and actuality of violence, perpetrated by prison guards and by inmates, have been known to leave inmates, made up of significant numbers of Afro-descendants, feeling more insecure in prison than on the outside (see IACHR, 2011; Seelke, 2008). Rehabilitation is not a favored philosophy of corrections. Instead, "Violence, human rights abuses, criminal networks and high levels of recidivism commonly characterize prisons." (UNDP, 2013, p.11). Berkman (2007, p.19) alluded to the implications of the "lack of adequate prisons and rehabilitative programs in many Latin American countries" for recidivism and involvement in serious crimes among young people, who have been imprisoned for minor infractions and have been housed with adults and experienced criminals. The greater risks of crime, violence, arrests, imprisonment and recidivism among young males, and in particular, young Black males in parts of the Caribbean is documented (see reference to the author's work, blinded for peer review purposes, 2012; Ryan et al, 2013; Rampersad, 2015).

In sum, criminal justice effectiveness is eroded when citizens lack trust and confidence in the systems that are supposed to protect them against CV, due to corruption, violations of human rights, high levels of impunity and so forth (Hakim and Covington, 2011). The burdens of a failed criminal justice system are felt most by the impoverished. As Hakim and Covington (2011, p.2) have argued, "Crime and violence place the largest burden on the poor, who lack the resource either to protect themselves or readily recover from losses they suffer." In addition, their lack of access to legitimate systems of security is a contributory factor to violence:

"...the weaknesses and failures on the part of judicial systems and security forces in much of Latin America has left many in socially excluded communities in a complex situation. Either residents accept the lack of justice and security and suffer at the mercy of those who step forward, or they take matters into their own hands. Residents of socially excluded communities are well aware of the lack of options available to them and the consequences of lacking the money to pay off corrupt police and judges, the influence to avoid extortion, or the confidence to decline the invitation to join a gang....As state institutions fail to provide security and justice, others – such as violent

community leaders, gangs, or corrupt police – may step in to mete out alternative forms of justice and revenge” (Berkman, 2007, p.5).

### **Conclusion: The Need to Collect Race/Ethnic Data for Criminal Justice and Citizen Security**

Before reemphasizing the importance of taking race/ethnicity data collection seriously, it is worthwhile to acknowledge known criticisms against racial classifications, especially in regard to the accuracy of racial identification. Key criticisms have alluded to the diversity that exists within racial groups (and even ethnic groups), and the inconsistency in the methods used to collect race/ethnic data, for example, through self-identification and/or through visual categorization by the recording agent (IACHR, 2011, p.9). In a claim that distinct races do not exist, Yinger (1994, p.19) argues that “we cannot accept the widespread belief that there are a few clearly distinct and nearly immutable races. Change and intermixture are continuous.” Others have claimed that race is simply a social construct based on how we define ourselves individually or as a group, and how others define us (see Georges-Abeyie, 2010). By way of self-identification, one can identify with a race (e.g. White) that is different from that which is assigned by another (e.g. Asian). Even a person of mixed Black and White heritage may choose to identify as Black or as White.

As already rehearsed in detail earlier, the many years of ignorance and silence on the concept of race/ethnicity in discourse, policy and practice in LAC, and in particular Latin America, had much to do with the region’s romantic ideology of racial harmony from which, as perceived, racial discrimination, segregation and confrontation are simply non-existent. From the perspective of racial democracy, the quality of any race/ethnicity data is highly questionable in that race/ethnic identity is self-determinant, so that how one classifies himself/herself (for example, a Black person identifying as *mestizo*, or a light-skinned person identifying as White) is not necessarily premised on phenotype. Rather, it is “influenced by class position, geographic location, societal associations of blackness, the existence (or lack) of collective identities among people of color, and state policies.” (Seelke, 2008, p.3).

Considering the complexities in attaining consistency in racial classifications, the accuracy of racial/ethnic identification is worth treating with caution. Likewise, any race-based statistical data ought to be treated with caution in interpreting their use for whatever purpose. In the criminal justice system, these problems have implications for data analyses, for instance, in terms of measuring race/ethnicity against crime rates and against public interactions with the various criminal justice processes and agencies.

However, in spite of the need for careful data interpretation, disaggregated race/ethnicity data are beneficial in informing and making positive social, economic and political policy changes (UNDP, 2010). Many countries in the Americas, notably those in LAC, have only recently recognized Afro-descendants as a racial group in censuses and demographic surveys (IACHR, 2011). Others are behind in this effort. Countries such as Brazil and Colombia have shown relative interest in disaggregated race/ethnicity data collection, at least in some areas (e.g., census, household surveys, some sectors of corrections), and these countries have also adopted policy and practice measures to improve the situation of marginalized racial/ethnic groups. Brazil and Colombia, for example, have introduced programs aimed at reducing socioeconomic and political marginalization and inequity, such as the use of a quota system or affirmative action to attract Afro-descendant representation in political and socioeconomic institutions (*ibid*; also see Skidmore et al., 2014). Both countries give legal recognition to the Afro-descendant entitlement to land rights (UNDP, 2010; also see Harris, 2012; Skidmore et al., 2014).

While such citizen security (CS) policy efforts in LAC aim to have positive implications for the prevention or reduction of CV, and invariably, reduced offender/victim contacts with the criminal justice system, their usefulness is impaired by the general lack of rigorous research and evaluation into the effectiveness of CS initiatives, so that knowledge in this spectrum is scant (see, for example, Ramos and Muggah, 2014; Pousadela, 2014). Particularly, in the absence of systematic and consistent disaggregated race/ethnicity data, it is difficult to measure and evaluate the effectiveness of CS policies and practices in addressing CV in the Afro-descendant population and among other marginalized groups.



In the area of criminal justice, disaggregated race/ethnicity data are non-existent or are incomprehensive or sketchy across countries in LAC. In any society with diverse racial populations of Whites and non-Whites, any race/ethnicity data would have invaluable potentials for the criminal justice system. This is particularly true for those western and non-western countries whose criminal justice systems have a record of allegations of unjust or discriminatory treatment of non-Whites, particularly people of African descent (see reference to the author's work, blinded for peer review purposes, 2010). In some countries such as the U.S., the topic of race/ethnicity and criminal justice is more pronounced seemingly because the race/ethnicity variable is officially recognized and documented, for example in official government and non-government records and publications, and through continuous research studies, including government-sponsored ones. In contrast, there are countries where the topic, including allegations of strained relations between non-Whites and the criminal justice system, is typically grounded on anecdotal evidence, occasional surveys and small-scale research studies with little or no official race/ethnicity data support. In effect, hard evidence of race/ethnicity influences on criminal justice issues and concerns are limited or absent. This is a typical scenario in countries in LAC.

Countries that have systematically collected race/ethnicity data in the criminal justice system, have reasoned that the data can be a useful tool for assessing challenges and advances in race relations within this institution. Lessons can be learned from the U.S. and the United Kingdom (UK), particularly the latter with a relatively detailed race/ethnic classification. Both countries have a history of race/ethnicity data collection, and such data have at least kept race/ethnicity at the center of criminal justice policy matters, particularly in the areas of policing and incarceration. In the U.S., racial groups were at one time categorized into two: white and nonwhite. Today, alongside the five major racial groups, established by the Office of Management and Budget (OMB) for use in national censuses and by all federal agencies, there is recognition that there are mixed races even though the exact biological or otherwise composition of the mixed races are unknown.

In reference to the UK, Cole's (2010) assessment of this country's

racial classification is insightful. Following its 2001 census, the UK developed a 16+1<sup>8</sup> racial/ethnic classification system, which breaks down each of its main racial groups – Asian, Black, Chinese or other, White, and mixed heritage group – into a number of ethnic groups. For example, the Asian group differentiates between Bangladeshis, Indians, Pakistanis, and other Asian; and the Black group between Black Caribbean and Black African (see reference to the author's work, blinded for peer review purposes and Ejiogu, 2012). According to Cole (2010, p.26), "it would seem that the attempt to make a clear distinction between racial/ethnic groups will be endless until all the world's ethnic groups are listed separately! However, these developments cannot be underestimated. They represent recognition of the diversity that exists within perceived main racial groups..." The purpose of ethnic grouping in the UK is made clear by the Office of National Statistics (2012, p.2) in its statement:

"The 1991 Census first introduced a question on ethnic group to enable private and public organisations to monitor equal opportunities/anti-discrimination policies and to plan for the future through resource allocation and provision of services."

Further, the following statement by the then Commission of Racial Equality<sup>9</sup> (2000, p.15), although in reference to schools in England and Wales, captures the essence of race/ethnicity data collection for ethnic monitoring of equity and fairness in any institution:

"Ethnic monitoring involves collecting data on people according to their ethnic group and using the information to compare groups with one another and with the average of all the ethnic groups studied. The data can be used to assess whether people from each ethnic group are being provided for equally and fairly. The data can also be used to help identify ethnic groups which have specific needs that are not being met. It is important to collect ethnic data on a regular basis and to examine and compare the data for any patterns or trends. This is especially important when only a small number of people from a particular ethnic group are involved. If analysis of the monitoring data reveals a particular pattern for that ethnic group, and the pattern persists over a period of time, this would

suggest that there is an issue which needs to be addressed...It is essential to analyse the ethnic monitoring data collected and to explain any differences, patterns or trends that emerge. The analysis should inform appropriate policy and planning processes, and be used to review and evaluate the effectiveness of all policies, procedures, projects and strategies. It should be used to help set racial equality targets and to monitor and evaluate progress towards meeting them. The analysis should also be used when making decisions about the allocation of resources...."

Ethnic monitoring in the British criminal justice system started at least in the 1970s with an in-house aggregated ethnicity data collection by the Metropolitan Police Service, followed by the formal introduction of ethnic monitoring structures in the prison system, probation service and the police force in the 1980s and 1990s (see FitzGerald and Sibbitt, 1997). Under Section 95 of the Criminal Justice Act 1991<sup>10</sup> and Section 306 of the Criminal Procedure (Scotland) Act 1995, ethnic monitoring in the criminal justice system was legislated to avoid discrimination against individuals on the basis of race, sex or for other inappropriate bases (see Cole, 2010; Riley et al., 2009; FitzGerald and Sibbitt, 1997). The formalization of ethnic monitoring in the criminal justice system, particularly within the police force, was triggered by the need for hard evidence to weigh in on the controversial debates of race, crime and allegations of racism within the system (see FitzGerald and Sibbitt, 1997).

Overall, a key support for a consistent gathering of hard ethnicity data across government institutions in England and Wales was based on the claim that such data would help in tracing discrimination and assess the effectiveness of policies to address discrimination and disadvantage among populations most at risk (ibid). The same purpose and vision of ethnic monitoring found in the UK would benefit criminal justice institutions in LAC and other institutions that deal with CV in the region. With consistent racial/ethnic monitoring in LAC, racial/ethnic differences in the perpetration and victimization of CV, and racial/ethnic gaps or inequalities (among others) in the availability and delivery of initiatives to prevent or reduce CV, can be identified, especially among disenfranchised populations. Disaggregated race/ethnicity

data are important for assessing and addressing socioeconomic shortcomings in not only the criminal justice system but also in other institutions – such as health, education, housing, and employment – in which Afro-descendants are one of the most affected, and in which discrimination may be a determining factor (Inter-American Commission on Human Rights (IACHR), 2011). As the UNDP (2010, p.3) states, disaggregated data collection is a useful tool that would “help identify those that are most marginalized.”

### *Notes*

- 1 Human rights range from all rights to personal security from CV to the rights to protection from CS institutions against CV.
- 2 Crime and violence are two conceptually unlike terms that are however used in conjunction with each other in light of their common alliance with citizen insecurity. But worth noting is that not all crime are violent and not all violent behaviors are criminal (see IDB, 2014 a).
- 3 This process witnessed the dwindling of Black and Indian populations. The shrinking of the Black population was also caused by the impact of social Darwinist ideologies of the 19th and early 20th centuries on immigration controls. On the strength of social Darwinism, Black immigration into parts of Latin America was banned whilst White immigration was encouraged (Clawson, 2012).
- 4 In Colombia and Brazil, the focus is on violent crimes, notably, homicide.
- 5 Afro-descendant Women Human Rights Defenders.
- 6 However, in the Caribbean and Central American countries such as Jamaica, El Salvador and Honduras, males aged 30–34 have a higher homicide rate (and higher risk) than other age groups, including the 15–29, which only surpasses the 30– 34 group in the number of homicide victims (UNODC, 2013).
- 7 In the 2012 publication, the author is named Ferreyra-Orozco.
- 8 The +1 classification refers to those whose race/ethnicity is not stated. The racial/ethnic group categories increased from 16 to 18 in the 2011 census (Office of National Statistics, 2012).
- 9 Dissolved in 2007 and replaced by the Equality and Human Rights Commission.
- 10 For England and Wales.

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