

The admission of bachelors of law in the Military Police of Rio Grande do Sul

Dani Rudnicki*

ABSTRACT

Since 1996, it is necessary for those aspiring to leadership positions in the Military Brigade of *Rio Grande do Sul*, Brazil, to have a Bachelor's degree in Law and Social Sciences. Thus, the military brigade is the first in the country to require a bachelor's degree from its training officers. Through focal groups with students and interviews with officers, soldiers, deputies and teachers involved with the new proposal, the article intends to comprehend the reality concerning the training of the military brigade's new officers, known as "*data venia*." The text examines the advantages and disadvantages of this requirement to join the corporation, the problems observed during the implementation of this model, the officers' opinions about the courses and the possibility of maintaining this requirement, as well as its consequences for the future of the Military Brigade.

Keywords: Sociology; sociology of violence; military police; officers' training; "*data venia*."

* PhD in Sociology / UFRGS, president of the *Movimento de Justiça e Direitos Humanos do Rio Grande do Sul* (Movement for Justice and Human Rights of *Rio Grande do Sul*), lawyer, professor of Criminal Law at *Centro Universitário Ritter dos Reis* – UniRitter (University Center Ritter dos Reis) <danirud@hotmail.com>.

Introduction

Data venia is the name given to the students who enter the Military Police of *Rio Grande do Sul* to become officers of the corporation. The Latin phrase refers to the fact that, since 1996 (after the State Law no. 10992 took effect), those who aspire to leadership positions in the Military Brigade need, necessarily, a bachelor's degree in Law and Social Sciences to be allowed to attend the *Academia de Polícia Militar – APM* (Military Police Academy). This innovation has produced a new profile of military officer, changes in the hierarchical structure, and many other changes.

The author had the opportunity to meet some of these new (then) future officers during the writing of the dissertation entitled “*A formação social de Oficiais da Polícia Militar: análise do caso da Academia da Brigada Militar do Rio Grande do Sul*” (the social formation of the Military Police officer: the case study of the Military Police academy of *Rio Grande do Sul*), which was written under the guidance of Prof. Dr. José Vicente Tavares dos Santos.

To this end, the author conducted two focus groups, involving nine students, within the dependencies of the APM (quotations in this work, with no indicated source, refer to statements obtained with these two groups), and an interview with one student outside the corporation's environment. There was also an interview with a Bachelor of Law, accepted to attend the training course, before classes had begun; and nineteen interviews with officers, soldiers, deputies and teachers involved with the new proposal. In addition, the author included data and information obtained during more than five years of work with military police officers who are also Law students, an experience that results from researches with the support of *Centro Universitário Ritter dos Reis – UniRitter* (University Center Ritter dos Reis), *Faculdade de Direito da Universidade Federal do Rio Grande do Sul – UFRGS* (the School of Law of the Federal University of *Rio Grande do Sul*), and *Fundação de Amparo à Pesquisa do Estado do Rio Grande do Sul – FAPERGS* (Research Foundation of the State of *Rio Grande do Sul*).

The *data venia* and their training

The *data venia* referred here are persons with roots in the countryside, who attended private universities: *Universidade de Passo Fundo – UPF* (University of *Passo Fundo*), *Pontifícia Universidade Católica do Rio Grande do Sul – PUCRS* (Pontifical Catholic University of *Rio Grande do Sul*), *Universidade da Região da Campanha – URCAMP* (University of Região Da Campanha), *Universidade Católica de Pelotas – UCPel* (Catholic University of Pelotas), *Universidade do Vale do Rio dos Sinos – Unisinos* (University of the Sinos Valley), *Instituto Cenecista de Ensino Superior de Santo Ângelo – IESA* (Cenecist Institute of High Education of Santo Ângelo). They are soldiers and sergeants of the Military Brigade, a civil police officer, a former temporary Army officer, lawyers and legal advisors, and a master in Criminal Sciences (“*But I am applying for a doctorate, I am interested in your job.*”^{*}).

Only 17 of the 26 who were admitted in the first class (2004) graduated. In the class of 2006, there should have been 50 members, but due to injunctions, they were 53 (there were more than 1,400 candidates; many accepted candidates withdrew during the first week and were eventually replaced). The reason given for the withdrawal was ignorance about the job:

^{*} Translator's note: all quotations in the text were freely translated from Portuguese.

There were people who thought the contest was to work as a lawyer for the Brigade; they did not know anything about the job. Today, the family is happy and they are happy themselves. They were approved in other contests, they are doing something else. But there are many who are still preparing for other contests. They are in other selections.

There was one student who was admitted in the first class (2004) and abandoned the course in its first week, even before entering. She declared:

Everyone tells me that the Brigade, at the beginning, is not very good, but with time it gets better. I am applying for the contest of the Federal Police, but there are many people who say that the wages of the Brigade are better. I was selected in the contest for the Prosecution Service and I am waiting for their call, superior advisor, earning two thousand. I am going, I want to be a federal police delegate. I will not say: "Oh, I want to be a military police officer." I do not have that thing, I prefer the Federal Police, any time. But I do not know anything about the work of any of them.

Before proceeding, it is worth to mention that the expression *data venia* can be translated as "with all due respect" or "with your permission," and it introduces an objection. It is a form of courtesy (or submission) that the lawyer uses, for example, to disagree with the sentence of a judge. It can also be used in the ironic sense, when someone does not want to disagree, but to completely reject a clumsy, absurd position or idea.

Thus, it is used pejoratively by police officers trained in the previous model, called *Curso de Formação de Oficiais – CFO* (officers training course). With an average duration of four years, its key requirement for admission was the completion of high school. The expression *data venia* is used to stigmatize officers "forged" by the new proposal, the *Curso Superior de Polícia Militar – CSPM* (Military Police Superior Course).

Thus, many officers who joined when they were 17, 18 years old, as it happens in other Brazilian military polices, do not accept the new model, which was imposed by the Complementary State Law No. 10992 of August 18, 1997 (Article 2, paragraph 1). It provides:

It establishes the career of college-level military state servers, organized by the Quadro de Oficiais de Estado Maior – QOEM (cadre of officers) and the Quadro de Oficiais Especialistas em Saúde – a QOES (cadre of health expert officers).

Paragraph 1 – The career of the cadre of officers, mentioned in the 'caput' of this article, consists of the ranks of Captain, Major, Lieutenant Colonel and Colonel.

Article 3 of the same law adds:

The admission in the QOEM, in the rank of Captain, is determined by an act of the Governor of the State, after the completion of the specific training, through the approval in the Military Police Superior Course.

Paragraph 1 – The admission in the Military Police Superior Course is determined by public contest of tests and titles with the requirement of a degree in Law and Social Sciences.

Paragraph 2 - The candidates selected in the public contest mentioned in the previous paragraph, while attending the Military Police Superior

Course, whose term will not exceed two years, are to be considered student-officers.

Thus, the primary requirement is a bachelor's degree in Law and Social Sciences, and the admission occurs on equal terms for men and women (the positions are not limited by sex), with no restrictions related to the existence of dependents. The only restriction to the admission is age, and those over 29 years old can join only if they are already members of the Corporation (in accordance with the State Constitution, Article 46, section 2; and the Law No. 12307/2005, Article 2, sole paragraph). This situation marks a profound change in the training process of the Military Brigade officers, as well as in the recruitment and selection processes.

Previously, the students joined “*at the height of their youth,*” as indicated by this statement of a captain:

Look, I remember many aspects, both positive and negative aspects. First, I will tell you about the negative aspects. What may be the main negative aspect is the fact that you leave a part of your youth there, the four years that you spend there, devoted to the course, there are vacancies, but it requires exclusive dedication, and it is long-lasting, there are morning and afternoon classes, and sometimes there is night service. Then, the next day, you are sleepy, asleep, but you have to be strong, to have moral strength, to follow the course with all of its activities, and to present a satisfactory performance. So, it is really exhausting in this sense.

And a former commander of the Corporation, Gerson Pereira (2006: 31 and 38), whose father was an officer, was admitted in the CFO on February 5, 1970, for a five-year course in boarding regime reports:

The teaching model used at the school, based on the concept of “Skinner” (stimulus-response), was compatible with the discourse of some hierarchical superiors, such as “if you do not trot, you get off the road;” “here, there are only three things you can say: yes sir, no sir, I want to leave;” “we are no better nor worse than anyone else, we are different.” These statements run over any opposing thought; besides, why think otherwise?

Regarding the training of police leaders, it is worth to mention that there are several possibilities. It does not matter which one is chosen, but it is important to take into account the relevance of the activity, which requires as much study as any other. Therefore, a repetitive teaching, with no concern for the construction of new knowledge, can not be accepted. From then came the idea of the requirement of a college degree for police officers, which serves to increase their degree of abstraction.

From the point of view of Bittner (2003: 180), the admission of police officers with a college degree is an impulse for the police to work with a higher level of complexity, sophistication and responsibility; it also serves to produce a resistance to the mechanic discipline and the incompatible works, due to its simplicity, with the required qualifications, and, as a result, these servers will demand recognition of their professional status, training and developments, which will provide new possibilities for the thinking of the police.

The issue of the relationship between police and college training allowed the University of Montreal, Canada¹, to prepare a memorial to be sent to the Committee on Institutions of the National Assembly as a result of the discussions on Bill 86 of February 2000, about police education. In this document, the University proposed to develop the studies on three aspects: 1) means of police training, 2) the role of the universities in the training and development of police officers, and 3) the academic status of a future “National Police Academy.”²

Goldstein (2003: 350) recognizes the importance of the issue and, consequently, devotes one chapter of his important work (*“Policing a free society”*) to it. The author points out that the trouble to find police officers with higher education in the U.S. is due to: first, the agents’ prejudice against those they called “college cops;” and second, the fact that the possible candidates shared with other people the perspective of a “stupid cop” stereotype, and did not want to work for the police force (Goldstein, 2003: 350) (a similar situation occurs in England and is described by Reiner (2004: 101).

Surprisingly, this discussion in *Rio Grande do Sul* dates back to 1974, when the *Conselho de Ensino da Academia de Polícia Militar* (Military Police Academy Board of Education) published a pamphlet discussing the “Bases to improve the level of higher education” in the course for the training of officers. The pamphlet questioned what did the Military Brigade want: an officer who completed his training in the Academy, or in an institution of higher education and the APM?

At that time, three possibilities were suggested: 1) to make the CFO equivalent to university degree; 2) to seek recognition of the *Ministério da Educação* – MEC (Ministry of Education); and 3) to establish a partnership with an institution of higher education. The APM Board of Education determined that the first proposal was the best, and later it would look for number two. The work does not reveal the reasons for this choice; it only states that all advantages and disadvantages of the three possibilities were analyzed (APM, 1974, 10).

The discussion came to an end, and the chosen model was unanimous until the 1990s, when the issue of wages was the cause of further discussions.

At this time, seeking to equate the officer with the legal careers, especially with that of delegate, it became obvious that the officer needed a bachelor’s degree in Law as well.

Thus, a fourth model was created and adopted, a model already used in other countries, that of hiring “college cops,” which here became known as *data venia*. It was imposed that, after obtaining a degree in Law and Social Sciences, they have to attend classes in the Military Police Superior Course. But its implementation was difficult. The CSPM had its first class in 2004, five years after the approval of the law that established it:

I remember, the Law was accepted, but there was one aspect, within the Britto administration, when it was implemented, that he did not approve the contest. In 1998, there would be a new group, but the government did not authorize it, neither during the Olívio administration. They authorized it only in the last year, and I believe that they did it because the Government understood that it is better not to fight with the

¹ Available at <www.umontreal.ca/divers/police/police.html>. Accessed on 26 August, 2003.

² Available at <www.umontreal.ca/divers/police/police.html>. Accessed on 26 August, 2003.

Corporation, along with all the fights it was already fighting. [...] (Reserve Colonel).

The then General Commander wrote:

Do not think that it was easy; a work that began in 2001, was decided only in the closing date, the last day, 05 June 2002 [the reference is to the legal time to issue public notices in election years]. Extensive discussion, endless meetings, many comments, few solutions; it seemed like some people within the Secretaria de Justiça e Segurança (Justice and Public Security Department) did not want the course to happen [...] (Pereira, 2006: 86).

But the course authorized, the notice was released and a “Project for the Superior Course of the Military Police” was defined. Prepared by the Department of Education in 2004, the year of its effective implementation, it has no more than ten pages, which are distributed in six parts and a presentation.

Captain Braga (2006: 10), in a study conducted within the APM, states that to receive graduated students, rather than teenagers, was a major change, “[...] *an extraordinary change and a break with paradigms [...].*” But, analyzing the “Project,” she acknowledges that

[...] in the case of the CSPM, the proposal of the course does not have a well defined profile of the skills and expertise it wants, nor does it mention the need for the curriculum to be developed in an interdisciplinary and transdisciplinary approach, and that may have consequences for the relationship between theory and practice, as mentioned by the respondents. (Braga, 2006: 64)

Thus, with no theoretical project, the change did not happen properly. This is also the impression of the *data venia*:

It was not a matter of lack of preparation, there was a legislative change in 1997, and they did not bother to call anyone. Then, they issued the public notice. Two years after the contest, nothing had happened. Then, they called the class: “- Yeah, but what are we going to do with them? - Oh, I do not know.” “- Are we going to have field experiences or not?” This is a classic example. “- Are we going to have field instruction or not? - Oh, I do not know. We can not have it, because they would go away.”

The institution have always worked with 15, 16 years old kids, who studied four years, locked up, in the Tiradentes school, with no family commitments. They had, on average, 17, 18 years of age, and they were here full time, and there are things that you learn in the Academy that are not in the manuals; and now that reality is different, there is no way you can get a person with a fully formed personality – our average age now is 27, 28 years old – and try to instill the same values that you would with a boy of 15, 16 years old, you can not do that.

The *data venia* also complain of a lack of preparation when it comes to know the student. They say that the APM did not know their profile, and that it also did not know what kind of officer it intends to graduate.

The issue of field experience, to have it or not, represents the uncertainty about whether they want to abandon or not the old model, the CFO model, the fear of adopting “something less exhaustive.”

They realized that depending on who was in charge, a certain position would be considered right or wrong (a lesson that demonstrates the effectiveness of a hidden curriculum):

There is another thing, we do not have a place to eat. Here we do not have a cantina. We were allowed to eat here with this lady, under the trees; and then came this man [the new commander], now we eat badly, because they do not give us enough time to eat, they give us one hour, or one hour and a half to eat, brush teeth and digest, and then he comes in and says that we can not eat under the tree anymore. One day, I can release my subordinates; the next day, I do not have the power to release them anymore.

They have also mentioned the difference in the treatment given to the classes. The first had no more than a week of boarding regime; the third class had three months of overnight shifts, with the excuse that it was a larger group and that was only way to achieve integration between its components. The first class did not bother to write a monograph at the end of the course, the second is fighting because it does not want to do it, and the third lives in expectation of what will happen. They complain of the difficulty in the relationship with the veterans, since there are some who demand to be called “sir” by the “newbies” (which is right, because they are older and therefore they have hierarchical prerogatives), and those who do not do it (because they understand that they are all *data venia*, all graduates, all future officers).

It is worth to mention that, as a rule, before their admission in the Brigade, the *data venia* attended many courses and applied for many contests:

I am waiting for a call to conclude the contest for the Judiciary, and I have a dilemma, should I stay or should I go... [laughter from all present] No, the question is, I have appealed, in Brasilia, they may call me for the examination.

However, many of them demonstrate consistency in their choice of the area:

I have applied for three contests, all within the area of Public Security, I have applied to work as Civil Police Inspector, and delegate, both in the Civil Police and the Military Brigade.

I have applied for contests before, a long time ago, and then I decided that I like it here and chose to enlist in the Brigade, and there is the possibility of becoming a teacher. I already have a Master's degree, I can be a college professor, and I would be, if it was not for the course.

And they have affirmed their belief in the police officer:

I have applied for many contests, but none as competitive as that of the brigade, with the exception of the contest for notary, in which I was accepted, but the average was low. I always had a good impression of the Military Brigade and there was this thing of helping the community, all this idealism, to be useful to the community, so, I always liked this

part of the military, to combine the Law, the legal issues, with the military part.

But, once in the classroom, these students become inquirers, they ask, demand, “ponder.” Consider, for example, a situation case of the third class, which intended to reduce the duration of the course. For that purpose, they spoke with a captain who said the two-year term referred to a legal term and, therefore, it would not be possible for the Brigade to change it. He was informed, then, that the Law No. 10992/97, article 3, paragraph 2 says only that the course lasts two years at most, and that it is possible for the Corporation to reduce it, if it wants to.

Such situations create conflicts and demonstrate that the Corporation is not prepared to deal with the new student-officers.

I believe the Brigade was not prepared to have a class with a background in Law and much older than the other officers, and it is not because we do not know the military regime, we fit in it, otherwise we would not have applied for it. The fact is that we do not accept everything they say. We will not disrespect our superiors, in any way, but there are certain things that do not convince us and that will never convince us.

Besides, they understand that they are different from the CFO officers of the previous model in their relationship with subordinates, the private soldiers.

Do you want to know what motivates me, personally, in the Brigade, what makes me want to stay in this institution? The privates. The recognition that our class gets from the privates – we deal with 300, 400 of them – is really impressive. You know, there are demonstrations of affection: “- I will get the vest for you, madam.” or “- Have you eaten, madam?,” it's amazing. The day I was on the hill: “- Do you want me to look for molasses or something like that, madam?” They said they had never been treated like they are treated by this class, the veteran privates have never seen this, and they are still in line.

The *data venia* complain that those who are already officers do not have respect for them. The most serious situation was the confrontation between the first class and a major, commander of the students' corps:

When our superiors learned of the disrespect shown to us [“Personal Injuries, many, our diploma, the guy stepped on it,” interrupts another student], it was because we had to do something about it; otherwise, they would not have seen what was happening to us [“And those who saw it, who were closer, did not say anything.” complains another colleague]. He [the commander of the student's corps] was the typical officer who came from the Tiradentes, but not even his CFO class could stand him. Of course we can not generalize isolated events, since there are very good officers who came with him.

But they are unanimous to say that they are not welcomed by everyone, that there are those who distrust their training:

The greatest problem, the basic factor, I think it is because we do in two years what they did in four. Then they went through that “newbie”

stage, which has a lot of hazing; those in the fourth year were already officers, and they had to suffer with it.

And a huge gap is perceived:

This is the problem, sometimes I see it in some officers, mostly the younger ones, because this lack of support, the command, those with more experience, who plan the future of the institution, they support us a lot, but that younger guy, who is immature, he criticizes us, because I am the guy who has just joined the Brigade and I have not done as much push-ups as he has, I have not gone to the hill, I have not worked overnight shifts. I will be a Captain next year, just like them, I will be “tusiando,”³ God forbid, he is far better than I am.

This is prejudicial, and we suffer with it, as it happened in November, when a captain – I can understand him, he has been in the Brigade for 15 years – said: “Look, I have nothing against your group, but you will be captains soon, at the end of the year, and you are being treated as Captain Aspirants.” Like it or not, he has 15 years of Brigade, he is not going to make any mistake that we may, some shooting, to get nervous or something, if you get nervous, you depend on the private... He has 15 years, he is angry because the Command treats him as a normal Captain; so, the veterans are discontent with the changing stage, they should not think like that. Most of them, at least, should not, because our class has never disrespected anyone, ever.

Fear, indeed, seems to be a delicate issue. Fear for the ability of the partner, since their lives may depend on his action during the “combat.”

A number, a large number of officers is against us because the policing activity, to be on the streets, uniformed, is the key activity of the Military Brigade; so, the problem is that the Corporation fears we will not perform this activity. But that is not true, any one can perform the key activity of the Corporation, but to perform it and more, or even more, which means dealing with law sessions, administrative procedures, polls, all within the law, all within the administrative rules.

Thus, they say that they have caused surprise when they showed interest in going to the units to conduct operational activities, even though they prefer administrative work:

And it is a surprise to the officers, especially those who have no contact with us, the fact that we want to perform practical activities. We want to. They thought we would leave here and go to internal affairs, something like that, that we would want that. I do not say that it is not so, actually it is, but we all have the conscience, the need to go to the street, to see how the work is done, to analyze it properly.

And in these activities, the impressions were confirmed: they were welcomed by the commanders and the troops, but not by the colleagues, the younger officers. “*They will always get you on the operational issue, they will say that you are weak and that you are not like them... They will have to shut up.*”

³ Verb used in the Military Police to mean the use of the second person singular verb conjugation, as the French verb “*tutoyer*.”

I think it will be like a jealous brother, that they will play the role of the jealous brother who is introduced to the family, he will be embarrassed, he will have to captivate them gradually, until he is strong enough to overcome you and show you that you are good and capable. He will have to captivate them.

Anyway, there is a feeling of revolt, because they think they are fulfilling their responsibilities, even more than is required, without recognition.

It was an unpleasant surprise to hear from an officer that we do not do our best, because we have not gone through what they have. So, it is very difficult to build bridges, to try to explain to the Military Brigade that we do our best, so much so that we are here, we work on average 13 to 14 hours a day, there are days when we do not have lunch, it is physical activity, intellectual activity, all, I think, for the institution, these 17 students are demonstrating that they really do their best, sometimes with difficulty, because we often disagree with what is happening, but we do our best anyway.

On the other hand, they have noticed the change of feelings that results from the contact with the class. If there is a prejudice, it ends when the officers begin to work with the group. They believe that humility overcomes mistrust.

The officers, they do not know us, they work with us, they imagine they are going to face 17 arrogant people, and there was a Captain who said, in so many words, at the end of the semester, that he was suspicious at first, but he was really surprised by our class, and that he was happy with it.

Those who never got used to the idea say: “You will never be like us.” And the student-officers answer:

I could not agree more, of course I will never be like them, before I joined, I attended high school, I did the vestibular [college entrance exam], I attended college for five years, and I applied for a public contest. And then I came here. Sure, I will never be like them, we will never be equals.

And with this difference, they present an idea of what they mean for the new Police.

It is that former view of the Police, a repressive police, focused on the defense of the State, and the policeman had to be a big guy, truculent, with a gun in his belt; today it is different, the police is focused on the society, the community. The policeman has to use his head and a good equipment much more than a large arm and a brain with the size of a blackberry, it is no use, really, he must know how to get involved with the community, to look for what the community wants.

The difficulty seems to be in the fact that many young officers, trained by the CFO, still think of the police as it was before, the old, truculent police. They do not realize that this change comes from the command, that this is no longer possible, that after the redemocratization process, the promulgation of the 1988 Constitution, it can not continue like this. The admission of officers with a degree in Law implies, in

addition the claim for equal pay, the recognition of the constitutional rights of citizens and the view that the police serve the individual, not the State. Therefore, it can not be expected from the *data venia* something that he did not study, something he does not intend to do.

Many officers who criticize us are the boys who attended Tiradentes, left Tiradentes, and never had a job. This, unfortunately, even though right now it has faded a little, is a children's obsession. I am against it, with such an obsession, they leave the Tiradentes and go directly to the CFO, the guy comes here to get kicked: in the 1st year he is a "newbie," and he gets kicked by those of the 4th year, the 3rd year, and the 2nd year. The only thing he wants to do, one year after another, is to kick someone else, to feed the obsession. And where does he go to kick someone else? On the streets, he will kick the civilian, he is going to take it out on the civilian, all of his frustrations. I came to a conclusion, in the short time I am here, it is the hierarchy of boots, as we call it, which means that the reprehension comes from above, you spend the whole day getting kicked by your superior, then you kick the lieutenant, the lieutenant kicks the sergeant, the sergeant kicks the soldier, and the soldier, on the streets, with a head this size, kicks, kicks the civilian "- Stay right there, keep quiet, open your legs, son of a bitch! What the hell!"

But it is recognized that there is a support for a change in the attitude of the policemen in the new standards:

We have a teacher who spoke very well, a very operational officer, he knows a lot about practices. He said that we are not the ones who are changing the police; it is the police that have already changed. We had a legal education, we have studied what can be done and what can not, and I think this is extremely important here, when you are learning how to become a police officer, you have to put it in context, because you can not apply the full extent of the law to everything, there is no way to do it. [...] No one is here to defend criminals, to stand still, to make no use of the power the law gives you, quite the contrary, we will, with the consent of the law, apply it and shape it in accordance with the case.

Thus, there is a conviction among the members of this class: "We will be less 'truculent'. It is no use saying no." And they ask, on behalf of this training and discernment, for a comprehension of the police activity, for knowledge of how the police work, and for more power of discretion, to provide better and more effective action.

This wish for change has another reason behind it, or rather, in the opinion of the student-officers, it has a reason to survive: in their point of view, the qualification represents not only a possibility to achieve equal pay with a delegate, but also to be prepared for a possible extinction of the Military Police. Hence the change and the wish, on the part of the Corporation, to perform the complete Police cycle:

I do not know if in a few years from now there will be Military Polices, because only Brazil, and another country in Africa, have military police, ostensive Police, and judicial police working apart. And due to this movement to terminate, to unify the Police forces, in my humble opinion, I think the Military Police will not last more than 20 years; if

the Military Police will not last more than 20 years, I do not know what will become of us .

As regards the need for a degree in Law, the opinions are divided. While there are those who maintain that it facilitates the function of an officer, and they mention the fact that many officers already intended to graduate in Law; there are other sciences, such as Administration, Sociology and Physical Education, that should also be considered to allow admission into the cadre of the Military Brigade. As a matter of fact, any course, provided that the applicant was graduated should: *“But the Brigade officer must have a degree, whether it be in Law or something else.”*

Among the *data venia*, there are also complaints about the institution: *“The Military Brigade is a great institution. Yes, it is; but it is an institution with outdated concepts. It is totally outdated.”*

Regarding the precarious nature of the institution and the way it is maintained, it is nonsense, because the two parameters are completely opposite. First, it was an advanced step, an attitude envied by the Military Polices of the other states, so that, at least ten states have requested information to verify the possibility of implementing such a reality. The Brigade took a huge step forward when it changed the way of selecting officers, graduates of law, an evolution. On the other hand, it is also a regression, because the institution fails to invest in basic conceptions such as wages, maintenance, including working equipment, weapons, vehicles, personal protective equipment.

Thus, they understand that, today, the police work because of its human material, men and women who wish to work. *“The military policeman draws water from stone.”* There are soldiers who know other activities (plumbing, gardening) and they do it for the Brigade, without getting paid for the function deviation. *“They spend their days here; they have no time to leave.”*

The institution does not collapse because of the man, the military policeman, the tradition of maintenance, to have to do, to accomplish the mission, the task, anyway. You must think of something, find a way, the mission has to be accomplished anyway; it does not matter if you have the material, or if it is scarce. It is this conception that is shaped in all the training courses.

However, despite all the criticism, the student-officers believe that they do their best and they expect that their complaints to the researcher will serve not only as a relief, but as information for scientific work, for a future resolution of the issues – they hope the report will be taken into consideration by the Corporation.

They embody the idea of “policeman in soul,” they believe in the institution in which they work:

I like the brigade, I think it is a great institution, I have no doubt about it, I do not let anyone speak ill of the Brigade, I am talking about it, commenting on it, because it is a research, you are doing a study, we are telling you what the reality is, but, on the streets, I do not let anyone speak ill of the institution and neither do I do it; and although we have problems, of course we have them, we do not have to expose them to the outside world. No institution does it, so, we must preserve our

institution, we have problems, yes we have; we have to solve them, and we are fighting for it, it is up to us, it is a great institution.

As for the course, the students realize that it is not militarized, even though they are very careful about their personal presentation and the implementation of a “mental torture” in the form of cleaning work: *“There is a lot to clean up, we have to clean up the area, and the only thing we do not do is cri-cri...”* One student admits that he does not intend to continue in the Brigade, he has applied for another public contest, and declares: *“I think it is a waste of time, you can not study there, and if you have a free time, they will give you cleaning work to do.”*

Today, the group will be released at six o'clock [p.m.], it is an exception, there are days when we stay here up to 10 at night, to return the next day at six o'clock in the morning. The workload is too hard; so, our group, which started with 26, is down to 17 now.

Thus, they began to complain over misuse of time, allowing the appearance of a claim to reduce the duration of the course.

Here in the Brigade, we always hear “- The delegates are much smarter than us, they are always ahead of us, equal pay and whatever.” But there, at least that is what I see, the delegates I know, they allow you to study, they do not lock you up. Here, it is an offense if a subordinate studies and, perhaps, knows more than his superior. The superior has the last word. He does not listen to his subordinates.

They also complain of the rehearsals for the graduation ceremony, which are repetitive. *“They think we do not understand it, it would suffice to say what everyone has to do, but it takes two weeks to train something that could be explained and rehearsed in the morning to present in the afternoon. We rehearse and rehearse more. This is a waste of time.”*

The *data venia* have also calculated the number of hours per week they are at the disposition of the Corporation: 62 hours on average, not including services. Based on this calculation, they complain of unpaid overtime. In addition, the Academy has 16 subjects in the first semester, 18 in the second, 17 in the third, and 11 in the fourth; a number they consider exaggerated, especially when compared with the Universities, which usually have from five to seven subjects per semester.

The Academy is completely different from the University; here the technical part is taken into consideration. The whole emotional, psychological aspect, the pressure on the student-officer is too great, he has a workload of five class-hours in the morning, five class-hours in the afternoon, and if he has service then it is 24 hours. You are always there; there is absolutely no time to study. So, there are many texts, texts on Law, which I have never read.

One student affirms that he sees the CSPM as the same old CFO, except for a reduction in the workload and the elimination of some subjects that had already been seen at the University. His impression is that there was no disconnection from the previous model and from the officer who came from that course. This impression also appears in the statement of another student:

What we have learned from our instructors, who are the officers that have more contact with us, is that the requirements to be an officer, in the previous model, were much more related to discipline, how to take orders, and physical strength. So, today, when they ask us to perform a hard physical activity, for example, we are congratulated, while the intellectual requirements, which I think are much more important to perform any activity, are left behind.

The opinions about the instructors, all of them are Military Brigade officers, with academic degrees and expertise, at least, range from explosive disgust: *“The officers are too stupid, too slow,”* to a recognition, proposed by the same student: *“But there are good officers, people who know what they are talking about, who propose interesting things. It is just like the college, there are good and bad teachers. [...] The Corporation has excellent instructors, excellent professionals.”*

They are not afraid, they teach the class with confidence, calm, and we made questions, we made a lot of questions. And they answer them and no question is left unanswered, I do not have anything bad to say about it, on the contrary.

However, there are those who are less than impressive, who want to teach for the R\$ 27 per class (*“There is an industry of class-hours, all officers want to teach”*). And they always repeat: *“When I was in the CFO...,”* they just tell stories.

One officer boasted, in class, that he is paid R\$ 7,000, and predicted that they, too, would have such income. One student recalls this fact and complains that, in addition to the waste of time, they had to hear such limited ideas. *“He thinks this is great, he does not know that anyone with a high school diploma earns the same in the Judiciary.”*

The *data venia* complain about the income. And they also complain that they serve as cheap-labor, under-utilized, almost humiliated. They mentioned their participation in the meeting of The International Association of Chiefs of Police – IACP, in Porto Alegre, 2004:

[...] I was approved in the contest for delegate; two other colleagues were approved too. We are not delegates now due to six, seven positions. We were working at the door in the IACP meeting. We saw colleagues who trained with us, who did the oral test with us, watching lectures, improving their qualifications, while I was there, at the door, with the most beautiful costumes of the Brigade, to hand over their questions to the lecturers. Oh, please, it is difficult for me to accept that I am not a delegate due to six, seven positions.

But the more complicated issue in which they are involved is related to the remuneration of the Military Brigade, far below that of judges, prosecutors and even non-graduated members of the staff of the Judiciary and the Public Ministry:

My God in Heaven! I was selected in a public contest to be an advisor of the Public Ministry; they may call me, to earn four thousand. Here I receive R\$ 1,800, the responsibility of an officer of the Brigade is immense, if compared to that of an advisor of the Public Ministry. I am going to receive twice the pay and I will not have to work in the night shift, I will not risk my life, I will not have to answer to inquiries, I will

not be responsible for a company. This is not fair to the military policeman, to all of them, not just the officers, but everyone.

I like the Military Brigade, I attended the Centro de Preparação de Oficiais da Reserva – CPOR (training center for reserve officers) in 1995, there is no need to pay what they pay to the judiciary, if they respected the Captain, with R\$ 4,000 a month, I would rather stay in the Military Brigade [...]

This situation is more complicated when the student does not serve in the Brigade (because soldiers and sergeants who attend the CFO keep their wages). This is the case of a student who closed his law firm and came with his family to live in the metropolitan area, with only a scholarship for income during the period of training.

If my wife did not work, I would not be able to feed my family. I do not know how I survive, I do not write down my expenses, because if I did I would collapse, and yet, I am in the mood to talk about it... We receive a scholarship here, something like R\$ 850, so, for someone who is single and lives in the barracks, it is all right, he can have leisure activities; we spend a lot of money in photocopies, R\$ 60, 70 in photocopies every month.

Thus, they do not worry about or condemn a colleague who has left the Brigade because he was selected to work as City Attorney (“*In the first place, it must be said.*”), to earn R\$ 5,000. He had no choice, they say, the same happened to another colleague:

I will tell you about the case of the girl who left, she worked in the Public Ministry, she liked it here, but when she realized how much she would earn, it was not about maintaining her standard of living, she would not survive with the expenses she had, not with the salary she would receive, then she said: “I can not stay,” she was extremely sad when she left, it was a pity.

These withdrawals contribute to the student-officers’ distrust, and allows some of them to say that they are not interested in the Brigade, only in their careers. But they retort, based on stories they heard in class:

The problem is that some things are very personal. We have an instructor who said: “I, Guilherme, graduated in law, I am against you. You are not policemen; you are not in the Brigade.” But the day before he had told us his story: “- Oh, I graduated in law in such a place and then I started studying for the Public Ministry. I have applied to four contests for the Public Ministry and I was not selected. [After becoming an officer] I was invited to work with a judge of the Military Court and I have been there for last ten years.” Then, the other day, he says: “- You are not in the Brigade; I am, because I have been in the CFO and I to the hill.” This sort of nonsense is unacceptable.

How many officers have already left the Brigade to be a judge or a prosecutor? Too many, all of them from the CFO. And we have to mention a small detail, which is the personal goal of the individual. It is not as if every policeman who was admitted thought or dreamed of becoming an officer in the Military Brigade. What everyone is looking for is the stability, that much I know. Besides, we know that there are

officers who apply for other contests, and they ask us “What are you doing here?,” because the institution is much devalued, especially in the field of education.

One of the good memories of the CSPM students is related to the group. The military (or quasi-military) institutions and academies form an esprit de corps (one student used to complain about the long period of boarding at the start of the third group, but he admitted that it created a strong bond among the students).

We have certainly grown a sense of group. We lost, in the first and second week, three, four colleagues, who could not adapt, but since then we have formed a group, and just recently, we have lost a colleague and it was very sad, it was like losing a family member.

But this group is not without pitfalls, because the formation of “cliques” can occur even in a class with only 17 students. The division was due to the fact that 90% of the class disliked the commander of the students’ corps and 10% worshiped him (this percentage was indicated by one of the students). *“I think there are too many different views. But I believe we will be prepared to defend ourselves when we leave here.”*

Two years from now I will certainly like to say that I come from this class. It does not matter if you made a few mistakes, or if you do not like John Doe or John Smith, our class was like that. But after you leave, when you return, you give them all a hug. The students will always defend the class, from the outside world, but not among themselves.

Regarding the reconciliation with the more distant officers of the APM, and the direct contact with the student-officers, which occurs (or should occur), at *Clube Farrapos*, for example, there are different understandings.

I was in of the administration of Clube Farrapos, the graduates from last year, as students, were already working with us. We have the Comenda dos Queijos e Vinhos (cheeses and wines festival), when we invite couples to participate in the organization of the event, and an officer of the Academy invites the student-officers to participate with their girlfriends, wives, all perfectly integrated. Today, it is already a reality; the class had no problems of integration (Lieutenant Colonel).

The students do not agree with the Lieutenant Colonel:

Every time we go to Clube Farrapos, somehow, we have to work. We can not sit down and have a beer and smoke a cigarette. We can not talk to the officers, we go there to work in the reception, and once we had to pay to enter, and then we had to work in the reception.

Conclusion

The history of the *data venia* within the Military Brigade is just beginning, it is taking shape. They experience sorrow, joy and apprehension in their daily lives. They claim to have the strength to overcome the difficulties and to grow along with the Corporation. They have managed to overcome the uncertainties. The first of which was

the approval (or not) of the model. It was approved. For the group, whose training started in 2004, there was no assurance that it would continue for long. But it did.

However, there are those who dislike the model. A study group has already met to suggest changes in the training of the Brigade officers. The idea came from the general commander of the Corporation, who wanted the APM course to be simultaneous with the legal training, in an agreement with a Law school, so that the classes of both courses would take place in opposite shifts.

The intention was to have, once more, 17, 18 years old young adults in the Academy, and no more lawyers. But the idea did not prosper, because the State Law No. 10992/96 is clear: the applicant must have a bachelor's degree.

And there are other military police forces increasingly interested in the model. But, on the basis of foreign experience, it is still early to say if they will succeed⁴, if the new standards will be incorporated.

Nonetheless, there are reasons for optimism, the *data venia* are seen with expectation, and they are multiplying. The third group is graduating, and there are more and more bachelors applying for this contest.

However, they still need to adapt to the existing model of the Brigade, as indicated by a colonel of the reserve, because they are still a minority. Thus, they will have to struggle against the prejudices, as it happened (and it still happens) with the female officers. A captain recalls that, when she joined the troop, she did not have any problems with it. She joined as a lieutenant, with a college degree, in one of three groups composed solely of women, and she believes that this experience was the basis for what is now the Military Brigade's course of officers.

[...] we were used as guinea pigs, and it worked [...] Two years is long enough to learn the technical disciplines whose emphasis is on the police; the Law, the military police techniques of approach and handling of weapons, and human relationship, which was something that we already had.

There is an assessment of the Brigade regarding the *data venia*, but the document is not available to researchers. An officer mentioned its existence, and he also said that the results were promising. It evaluates the first months of operation of the first graduating class, all classified in Porto Alegre, working along with the Police Command, and they showed good results.

The *data venia* have become a reality. But it is worth to mention that the prejudice against them is not an exception. It already existed when women were first admitted in the Corporation, and the term *data venia* was already in use even before the 1996 State Law was implemented. It served to stigmatize the policemen who attended "civilian" universities. It was used to designate the intellectual, the non-operational, the non-policeman, as opposed to the "combatants" (the classic, traditional concept of the man who enforces the law, who is tough, fearless, strong, and truculent when necessary, pragmatic, with no theoretical or legal concerns).

To conclude, this analysis identifies aspects of the training the *data venia* receive at the Academy. The lack of definitions on how the CSPM should work is often associated with the high turnover of commanders. The first class had, in two years of

⁴ Goldstein, in diverse combinations and with varied intensity, categorizes the arguments in support of higher education for the police as: (1) those that claim the police should draw their personnel from individuals who attend college whether or not it can be clearly demonstrated that a college education is of value for policing; and (2) those that contend, more specifically, that the college experience will produce a better police officer. (Goldstein, 2003: 353)

study, four different commanders, thereby eliminating the prospect of the existence of any teaching proposal. Braga (2006: 51) adds that, to improve this situation, it is necessary to formulate a political-pedagogical project, similar to that of the college-level courses (Braga, 2006: 63 and 66).

Thus, even though there are comments and criticism, it is worth to mention that it was a huge step for the Brigade to have adopted the CSPM with the requirement of a bachelor's degree in Law to be a career officer in the Corporation. However, it must assume that, if it is looking for college-level professionals, it is because it plans to have officers trained to reflect on it, to criticize it, in its positive and negative aspects, a staff trained not to obey, but for a thoughtful, independent performance.

The Brigade must be prepared. It must be ready to accept the criticism, since the *data venia* want to think, to claim, to criticize, to change what they deem necessary. In the end of 2006, they decided to have a meeting, those who had already graduated and the current students of the CSPM, all the *data venia* met to dinner. There were approximately 60, 70, even more, in a restaurant in Porto Alegre. It was a simple social fact, but "*The CFO commented on it, they all commented on the fact,*" recalls one of the *data venia*, who was at the meeting.

And they report the impression that the prejudice conceals a dispute between the CFO and the CSPM graduates. And that the dispute is just beginning. They reveal that the young officers, trained in the CFO model, discriminate them. And they wait for the effective consolidation of the CSPM, a quantitative increase in the number of *data venias*, to be able to defend a new model of Police, with new values, new approaches. To conclude, they say: "*In Rio de Janeiro, there were the 17 of the Fort, now there are the 17 of the Military Brigade.*"

Bibliographical references

APM – Academia de Polícia Militar (RS). Conselho de Ensino. **Bases da elevação ao nível de curso superior**. Porto Alegre, 1974.

BITTNER, Egon. **Aspectos do trabalho policial**. São Paulo: Editora da USP, 2003.

BRAGA, Simone Kilian. **Projeto do Curso Superior de Polícia Militar: o perfil, habilidades e competências**. 2006. 84 p. Monografia de Conclusão de Curso (Curso Avançado de Administração Policial Militar). Academia de Polícia Militar, Porto Alegre.

GOLDSTEIN, Herman. **Policiando uma sociedade livre**. São Paulo: Editora da Universidade de São Paulo, 2003.

PEREIRA, Gerson Nunes. **Segurança pública a em debate**. Porto Alegre: Gráfica Calábria, 2006.

REINER, Robert. **A política da polícia**. São Paulo: Editora da Universidade de São Paulo, 2004.

RUDNICKI, Dani. **A formação social de oficiais da Polícia Militar: análise do caso da Academia da Brigada Militar do Rio Grande do Sul**. Tese de doutorado. Porto Alegre, 2007. Universidade Federal do Rio Grande do Sul. Programa de Pós-Graduação em Sociologia.

RUDNICKI, Dani; ZAIDAN, Fatten eid. **Os Direitos Humanos na Brigada Militar.** Relatório de bolsa de Iniciação Científica da Fundação de Amparo à Pesquisa do Rio Grande do Sul. Porto Alegre, abr. 2003/fev. 2004. 15 p. (Processo FAPERGS nº 2511198).

SANTOS, José Vicente Tavares dos. **Dominación y control social:** los dilemas del trabajo de policía. *Palestra*, Buenos Aires, Pré-ALAS de sociologia del trabajo, 2002.

Translated by Marcelo Otto Severo

Translation from **Sociologias**, Porto Alegre, n.20, p. 108-137, July/Dec. 2008.