DEMOCRACY "AT RISK"?: GOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS, "AT RISK' YOUTH AND PROGRAMMING IN JUIZ DE FORA, BRAZIL

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This dissertation examines the notion of "risk" utilized by youth-oriented non-governmental (NGO) and governmental (GO) organizations in Juiz de Fora, MG - Brazil. I argue that the Child and Adolescent Act of 1990 (ECA), a piece of democratic legislation concerned with the rights of youth, has restructured the activities that organizations provide around socio-educative, rights-based initiatives as well as caused a shift in organizational focus away from the previous category of "street youth" toward an emphasis on "at risk" youth. In doing so, however, I argue that ECA has subsequently institutionalized the notion of "risk" and despite the new "democratic" approach to child and adolescent advocacy embedded in ECA's interpretation at the local level are lingering views of youth as both the referents of the nation-state and as "in danger" or "dangerous."

Based on 12 months of ethnographic research with six organizations in Juiz de Fora, I describe how these entities utilize ECA in their outreach, the kinds of activities they engage in and how these activities are connected to the "rights-based" approach ECA promotes. I analyze from the perspective of NGO and GO staff *and* the youth they serve the notion of "risk" and discuss how this concept is perceived differently by each. I situate the local context of programming in Juiz de Fora within larger debates in Brazil over issues of formal education, citizenry, social

exclusion and democracy. I present the perspectives of youth to highlight these debates and give voice to this increasingly frustrated population.

Finally, I examine the implications these discussions have for democracy at large in Brazil as well as the notion of "cidadania invertida" (inverted citizenship) as a means of asserting social inclusion. I examine the need for more family-oriented programs and educational reform in Brazil. I discuss the connection of this work to childhood social theory and point to the importance of engaging youth in ethnographic research. I conclude with a discussion of both the theoretical and policy implications of this work.

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To Paul and my family,

For all your support, love and cheer

And to Betty Overcash and Carol McAllister,

In loving memory

PREFACE

Acknowledgements. They say it takes a village to raise a child, I believe it takes villages upon villages to make an anthropologist. First, to those in Brazil: My utmost gratitude and thanks goes to Dr. Rachael Stephaich for opening up the doors to her family and organization in Brazil; I am forever in your debt. I am also deeply grateful to the director of ProJuventude and my dear friend, Claudia Stumpf, for her time, energy, honesty and vast expanse of knowledge and expertise. *O Luta!* To ProJuventude staff Helanie Abrantes and Christine Zampa Ferreira Brugiolo for all their hard work helping me navigate Juiz de Fora, conquer the finer subtleties of Portuguese and for eating and loving everything I baked. Finally, ProJuventude secretary Aurimar Alencar showed me companionship, never ceased to make me laugh and always helped me out in a jam.

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Kathy thanks for putting up with me, for answering my eight million questions, for fixing the mimeograph copier (which never failed to jam, run out of toner or have some other unexplained issue when I was using it), and for your support, sweetness and kindness. I will miss you ladies!

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Editorial notes on linguistic notation in the dissertation. For the sake of consistency and simplicity, quotations and words provided in Portuguese are noted in *italics* followed by translations in parenthesis [ex: *tia* (aunt)], with the exception of proper names of geographical locations in Brazil. For Portuguese words that appear more than once throughout the dissertation, they are italicized and translations included only the first time each appears. All other quotations or words in Portuguese are translated directly from the original and displayed in normal font.

0.0 INTRODUCTION

0.1 STATEMENT OF THE PROBLEM: ECA AND "AT RISK" YOUTH

> There is a growing consciousness of children at risk. But… there is also a growing sense of children themselves as the risk – and thus of some children as people out of place and excess populations to be eliminated, while others must be controlled, reshaped, and harnessed to changing social ends. Hence, the centrality of children, both as symbolic figures and as objects of contested forms of socialization in the contemporary politics of culture (Stephens 1995:13)

In July of 1990, just a few short years after re-democratization, Brazil ratified into its constitution what was – and still is in many ways – considered a highly progressive piece of youth oriented legislation for the country. The Estatuto da Criança e do Adolescente, or Children and Adolescent's Act (henceforth ECA), began a new era for young Brazilians; after a century of youth oriented policy that was characterized by highly punitive and paternalistic tactics, and that criminalized impoverished youth and violated their basic humans rights, ECA recast national policies for youth in terms of democratic rights and socio-educative initiatives for young people in vulnerable situations. At its core, the vision of ECA was to "rescue" the citizenry of children and adolescents in Brazil by providing an integrated system of protective measures, particularly for those young people deemed to be socially vulnerable (Espíndula and Santos 2004).

Since its inception, ECA undeniably has had an impact on the way in which child and adolescent advocacy is conceptualized in the Brazilian context. Centering legislation and policy on the need to protect youth and their rights in order to guarantee them a future place in Brazilian society, ECA has re-envisioned for Brazil the notion of childhood. As de Oliveira Lemos (2001) argues, ECA has, in effect, functioned as an "instrument of social pedagogy" in Brazil. She states,

> The idea that young people had rights changed the way they were seen and the mode by which adults understood them… [the legislation] generated profound debates and intense social mobilization: the government, organizations of civil society, businesses, individuals and the mass media were engaged in a discussion over the implementation of the law. The political agenda of the country became engrossed in it… [in that way] the statue raised the level of awareness of society over the priority that should be given to the cause of childhood and youth…. By considering the condition of citizenry for children and adolescents… the statute functioned as an important instrument of social pedagogy. It taught society that those who are developing ought to receive absolute priority and integrated protection… (de Oliveira Lemos 2001:4-5).

Thus, ECA has marked significant advances in Brazil not only in terms of the proliferation of democratic rights in the country, but also how young people and their specific needs for social protection are viewed.

In doing so, ECA has fundamentally restructured how the state interacts with young people, causing an increase in numbers of new organizations and institutions aimed at guaranteeing children and adolescents their rights and implementing socio-educative methods for youth deemed "at risk." In this dissertation I seek to understand how the rhetoric of rights and "risk" inherent in ECA has been translated at the local level and adopted by non-governmental (NGO) and governmental organizations (GO) that provide youth oriented programming, causing shifts in organizational focus and a restructuring of the activities organizations provide for youth around guaranteeing of rights. I argue that despite ECA's progressive democratic vision of children and adolescents, the legislation is tied to historical constructions of an idealized vision

of childhood which not only imbues youth with certain characteristics but also defines what a proper childhood "naturally" needs. Furthermore, I argue that when examined closely, the rights outlined by ECA are a reflection of that vision of childhood. In this way, ECA through its focus on vulnerable populations and the legalization of rights for youth, not only institutionalizes the notion of "risk," but also defines risk vis-à-vis the violation of rights.

Additionally, I argue that embedded in the changes in youth policy in Brazil and the rhetoric of "risk" that surrounds them are lingering past perceptions about childhood that posit youth as the referents of the nation-state and ultimately dichotomize young people as either "in danger" or "dangerous." The rhetoric of "save the child, save the nation," implicit in ECA and the vision of childhood as "at risk" have also been translated into the local context and find expression as NGOs and GOs shift their gaze from a focus on the once popular "street youth" category to that of "at risk" youth. However, rather than representing a focus on a different population, this change reflects an ideological shift influenced by organizations' desires to align with the principles of ECA and distance themselves from the past punitive and controversial approaches taken towards young people in Brazil. In doing so though, the familiar contrasting categories of childhood – those who cannot be saved or are outside of childhood (i.e. "dangerous") and those who are "at risk" but have a childhood left to save (i.e. "in danger") – are re-envisioned symbolically under the categories of "street" vs. "at risk" youth.

At the same time, however, this dissertation draws on theoretical suppositions that posit young people as active social agents and that place young people and their opinions at the center of research agendas (Amit-Talai and Wuff 1995; Archard 1993; de Mause 1974; Franklin 1986; James 1993; James, et al. 1998; Mead 1928; Montgomery 2009; Panter-Brick 1998; Panter-Brick and Smith 2000). It therefore also seeks to understand who are the "at risk" youth engaged in

NGO/GO programming and how they conceptualize and view "risk." I argue that youth engaged in organizational programming in Brazil have distinct perceptions about how to define "risk." Not only do they have their own notions about what puts them "at risk" and who is "at risk," but they also often do not categorize themselves as such. Rather, as I will argue, youth define "risk" in ways that reflect their need for social support and viable opportunities for financial and educational advancement as well as how these issues impact their capacity to not become disillusioned and give up on their futures.

Finally I argue that youth perspectives on "risk," particularly as they pertain to educational opportunities, form part of a larger social commentary in which young people measure their opinions of Brazil as a democratic state. I argue that in their dialogue on education from the context of "risk," youth express their anxieties not only over their own capacity for social inclusion (as expressed through citizenry and rights) in Brazilian society, but also over the ability of Brazil as a nation to resolve the issues that continue to exclude certain groups from full participation in the society. In this way, the perspectives of youth concerning difficulties obtaining education form a deep social critique that at once relates back to their status as "at risk" while at the same time relays the fears and anxieties youth feel towards their prospects for the future. Furthermore, it is within this context that the disillusionment of youth comes into sharp focus and the space for social inclusion through education is highlighted. I conclude with a discussion of the way in which some youth subvert the status quo by using their categorization as "at risk" as a means of asserting some forms of social inclusion and discuss the implications of this work.

0.2 OUTLINE OF THE DISSERTATION

This dissertation consists of seven chapters: Chapter One provides an overview of the theoretical antecedents within childhood studies that are relevant to the dissertation. First a review of the dominant theories on youth and childhood in philosophy, developmental psychology and sociology is given, paying particular attention to those aspects of theory which have led to the development of the Western universal and idealized notion of childhood, a notion that comprises the backbone of much of the policy thinking on youth today, including ECA, and that is intimately linked to modern categorizations of youth, such as "at risk". Next a review of the post modern critiques of childhood studies is given with an emphasis on those theories that posit youth as social actors engaged in a cognitive interpretation of their worlds. I argue that young people need to be understood not only in the context of their culture, but also as both as beings in their own right and human "becomings" engaged in the process of socialization (Montgomery 2009). The final section of this chapter deals with the major socio-economic and political changes that have occurred within the last three decades in Brazil. It concludes with an overview of the anthropological work related to childhood studies in Brazil in order to provide a contextual basis for understanding youth and childhood in the country today.

Chapter Two provides a description of the field site. A brief historical account of the city of Juiz de Fora is given with an emphasis on the changes it has undergone over the last century that have led to its current political, economic and social climate. A physical description of the city is given to help contextualize the environment in which the participating non-governmental and governmental organizations operate and the youth participants spend their daily lives. Finally a detailed account of the methodologies used and means of analysis are given.

Chapter Three examines the historical context of child policy and programming in Brazil at the national level. It traces the impact of the "child saving" movement on Brazil, highlighting both past ideological and policy approaches to youth in the country and paying particular attention to the legislative changes that eventually led to the development of ECA. I then provide a brief overview of the principles and rights outlined by ECA and show, through descriptions of organizations currently working in Juiz de Fora, how ECA has impacted organizational programming and re-structured the way in which NGO/GOs provide services to youth. Finally, I argue that despite the recent shift towards a "democratic" approach to childhood, the ideology of "save the child, save the nation" that characterized 20th century youth policy is still very much prevalent in the modern Brazilian context and is reflected in the dialogue of "rescuing citizenry" utilized by NGO and GO staff in the justification of their programming.

Chapter Four draws on constructions of childhood outlined in Chapter Three as "in danger" and "dangerous," beginning with an analysis of the rhetoric surrounding "street" and "at risk" youth. It then examines the recent shift in organizational focus from the former to the latter, arguing that rather than representing an actual change in population, this shift reflects a desire by organizations to distance themselves from past failed policies that criminalized youth. In doing so, these two categories of youth have been symbolically re-envisioned by organizations in terms that cast them (and the vision of childhood they represent) as either "dangerous" or "in danger." Furthermore, I argue that organizations' new focus on "at risk" youth is understood in terms of their desires to promote a more positively received ECA based approach, and that subsequently, "risk" is translated into the local context as the violation of rights. I conclude by

showing how the rights in ECA are constructed around idealized notions of childhood, what youth need and thus, what they are "at risk" for if their rights are violated.

Chapters Five and Six analyze the category of "risk" from the perspective of youth themselves. Chapter Five presents a quantitative survey of "risk" factors and behaviors to provide a basis for understanding the extent to which youth are actually "at risk" for the things that NGO/GO staff believe they are as well as examines what the youth in this study believe are "risk" factors. I argue that youth do not appear to be engaging in certain "risk" factors, as much as is believed, and that lingering perceptions of youth that are tied to the notion of "risk" and the "street" continue to influence how they and their behavior are perceived. I also argue that examining youth's fears and anxieties over the future, can begin to shed light on the way in which young people think about "risk" in the context of their daily lives.

Chapter Six qualitatively explores youth perspectives on the meaning "risk." I argue that for youth who are engaged in "at risk" programming, "risk" is understood in terms of a constellation of factors that have more to do with their need for socio-economic support and opportunities than it does a violation of their rights or "risk" factors. Thus, rather than viewing themselves as "at risk" for certain behaviors or problems, youth view "risk" as what happens to young people when their families fail to provide them with an *educação*, or upbringing, and their government fails to provide them with viable opportunities for education and work. I argue that for the youth in this work, "risk" is defined as disillusionment that occurs when they are faced with forms of social exclusion; disillusionment that ultimately leads to their "giving up" on their futures and engaging in "risky" behaviors. I then examine youth perspectives on education in Brazil in order to show how their views on formal education not only form part of their understanding of "risk," but also are tied to a broader social commentary about the way in which

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youth perceive their options for inclusion in their society and express their anxieties over the country's capacity to deal with the issues that cause them to be "at risk."

Chapter Seven concludes the dissertation. I begin with a discussion of the notion of "inverted citizenship" as it pertains to this context. I argue that despite the forms of social *exclusion* that define "risk" for youth and the constraints on their capacity for participation that youth feel, some are able to negotiate forms of *inclusion* which are constituted under the context of vulnerability. Rather than resisting the "at risk" label and the associations of childhood (and young people) implied by it, certain youth instead navigate the parameters of this identity by using the label as a means of gaining access to previously barred resources. In this way, they subvert the categorization of "risk" by turning it into – in their minds – a form of citizenry.

I then turn to a discussion of the need for continued efforts to improve secondary education in Brazil as a way to recapture youth who have become disaffected and explore the broader implications this work has for studies on youth as a measure of policy and politics. Drawing parallels between Henry Giroux's (2009) work on "at risk" youth and the culture of "disposability" in the United States, I argue that the perspective youth present in this study must been viewed as a reflection of the larger social reality in which they reside. At the same time, however, the functioning of that social reality can and must be measured against what youth have to say about it. Through such an analysis, we can begin to understand how young people's inclusion in social research provides insights into the areas of social inequality, exclusion and policy in such a way that reveals the tensions inherent in those systems, the matrix of cultural meaning in which they are embedded, and areas for resolution.

1.0   CHAPTER ONE: THE THEORETICAL AND CONTEXTUAL BASIS

> In 1909 the Swedish reformer Ellen Key claimed that the 20th century would be the 'century of the child…' Looking back a hundred years, she has in many ways been proven right… Childhood studies has coalesced into a wide-ranging and significant area, which… has called for the categories of 'child,' 'childhood,' or 'children' to be critically examined and rethought. Anthropologists have made a significant contribution to this debate, especially in their insistence on the importance of cultural difference and cultural relativism. They have shown consistently that the idea of a universal child is an impossible fiction and that children's lives are influenced as strongly by their culture as by their biology (Montgomery 2009:1).

1.1   CHILDHOOD: CONSTRUCTING THE MODERN CONSTRUCT

This chapter traces the development of theoretical perspectives within the social sciences on youth, paying particular attention to the ideas that have ultimately helped to shape the modern idealistic Western understanding of childhood that continues to inform youth oriented policy throughout the world, including ECA. Furthermore, it addresses the post-modern critique within the social sciences of the "nature" of childhood and provides an overview of the current constructionist perspective that has gained currency in anthropological studies of youth. Finally, it contextualizes the work by examining current political, social and economic conditions in which arguably many youth in Brazil live and some of the changes the country has undergone over the last 30 years. It concludes with an overview of anthropological perspectives on childhood as they relate to the Brazilian context.

A note needs to be made here concerning the age of the population addressed in this study and the issue of childhood. This work deals with young people between the ages of 12 and 17; some would argue that the notion of childhood is not relevant and the issues addressed here should be contextualized in terms of adolescence, rather than childhood. However, as I shall show in subsequent chapters, the ways in which NGO/GO staff members speak about the youth involved with their organizations and in which youth policy in Brazil is designed are embedded in cultural perceptions of childhood, not adolescence. In other words the theoretical underpinnings of this work reflect the dialogue of my informants and the context in which their opinions are formed and therefore are couched in their terms. Furthermore, because childhood should be understood in its various cultural contexts, age cannot be automatically assumed as a referential point of analysis for differential aspects of the period of time generally known as "youth;" thus, age too is a culturally defined construct. Finally, the difficulty in presenting this kind of analysis points to the continued need for the development of theoretical perspectives that address the complex and varied cultural perceptions towards young people.

1.1.1   The "birth" of the child: the 1700s

In the past, anthropological investigation of the lives of young people has comprised a small, mostly marginalized area of study within the discipline (Hirschfeld 2002; Montgomery 2009; Panter-Brick 2002). The "child," not held as a serious or reliable source of ethnographic data, was largely relegated to side anecdotes and margins of fieldwork. Up until about the mid-1990s only a handful of anthropological texts focused on children and adolescents as primary informants (e.g. Bluebond-Langner 1978; Hecht 1998; Mead 1928; Schwartzman 1978; Sutton-Smith 1959; Whiting 1963). However, childhood has recently become a growing area of

concern within anthropology as well as a multitude of other social science disciplines, reflected in the increasing number of research agendas, edited volumes, interdisciplinary conferences and programs dedicated to the topic (Caputo 1995; dos Santos 2002; Drybread 2008; Hansen 2008; Hirschfeld 2002; LeVine and New 2008; Montgomery 2009; Robinson 2005; Schwartzman 2001; Toren 1993; Unite 2006; Veloso 2003). As Jenks states,

> over the past two decades there has been somewhat of an explosion of interest in children and childhood within academic circles. The range of phenomena denoted through the concept of childhood have awakened the interest of sociologists, political scientists, anthropologists, historians, cultural geographers, socio-legal theorists and lawyers, social workers, social policy theorists, literary theorists, philosophers, and media and communication theorists… childhood has become transformed into a metaphor for relating to much that is intangible in contemporary existence… [it] becomes an analytic playground for addressing human rights, social stratification, risk, mortality and even the breakdown of political systems (2005:1).

Today not only are young people seen as viable sources of ethnographic information, but childhood has become a lens through which social scientists examine an array of socio-cultural and political issues. The view, therefore, that childhood is not a legitimate field within the realm of anthropology must be dismissed. As Montgomery states,

> children and childhood are now generally recognized as being worthy subjects of study, and it is no longer possible to agree with those who make the claim that children are not taken seriously in anthropology or that those who study children are not taken seriously as anthropologists (2009:5).

Early theoretical approaches to understanding youth and childhood come, however, not from anthropology, but from the fields of philosophy, developmental psychology and sociology. These disciplines have an extensive and deep history of theoretical studies in childhood from which much of anthropology's past and current research with young people has drawn. In particular, philosophers John Locke (1924) and Jean-Jacques Rousseau (Archard 1993; James, et al. 1998) were fundamental in the construction of the modern perceptions of childhood, and their influence can still be felt in the way in which views on youth are constructed, particularly within

the realm of policy. Rousseau argued that young people are born innately virtuous and innocent and, in order to maintain their innate moral qualities, they should be kept apart from the adult world (Archard 1993; Cunningham 2005; James 1998). Locke, on the other hand, believed that young people were born a blank slate – a kind of *tabula rasa* – and were vulnerable to the influences of a depraved society; they, therefore, needed protection from the immoral aspects of the adult realm (Archard 1993; James, et al. 1998; Locke 1924). Both philosophers believed that children and adolescents needed the *right* environment and *proper* supervision in order to learn how to become moral adults. Adults therefore had a duty to ensure that youth received the "training" or "socialization" they needed in order to properly develop.

Locke's and Rousseau's ideas helped to solidify the notion that childhood was a universal, natural phase experienced similarly by young people everywhere, a belief that is still reflected in modern practices concerning youth (Cunningham 2005; James and James 2004; James, et al. 1998). They also helped to justify the proliferation of schools, nurseries, and orphanages during the 19th century and arguably, other later institutions such as non-governmental and governmental organizations that are involved with youth today (Archard 1993; James, et al. 1998; Jenks 2005; Locke 1924). Furthermore, it is here that we begin to see the construction of the dichotomous view of young people as at once "in danger" and "dangerous" that will not only motivate the "child saving" movement of post-Industrialist policy makers during the 19th and 20th centuries[1], but that will also form the backbone of much of the modern rhetoric of youth and "risk.[2]"

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[1] See Chapter Three

[2] See Chapter Four

1.1.2 Romanticism

In the mid to late 18th century, Locke's and Rousseau's ideas would find new meaning in the artistic movement of Romanticism. During the Romantic period, popular visions of youth became embedded with idealized notions of beauty, truth and virtuousness, and it is at this time that we begin to see the glimmerings of the idea of childhood as needing to be "rescued" or "saved" (Cunningham 2005; de Mause 1974). In particular, William Wordsworth believed that young people needed to be protected so they could experience all the sensory, emotional and natural feelings inherent in childhood (Cunningham 2005). Like Locke, Wordsworth believed that young people were born a blank slate; unlike Locke, he believed that rather than imprinting adulthood upon young people, childhood was a period to be maintained; it was seen not as a training ground for adult life, but rather adult life was seen as the slow descent away from the pureness of childhood (Cunningham 2005; de Mause 1974). Childhood was the ideal period of life and therefore, society should strive to preserve as adults the qualities presumed inherent in the child. As Cunningham states,

> Romanticism sought to recover for childhood a freedom of imagination which utilitarianism would have quashed… The romantics in this way set out an ideal of childhood in which it was transformed from being a preparatory phase in the making of an adult to being the spring which should nourish the whole life. If adults do not keep the child in them alive, they will become dried up and embittered (2005:67-68).

In this way Wordsworth's ideas helped not only to establish the notion of an "ideal" or "proper" kind of childhood (i.e. one in which young people should possess certain traits), but also the notion of needing to "rescue" childhood for childhood's sake (Cunningham 2005). Future happiness and success hinged upon one's childhood; if an individual did not have a childhood possessing the right kinds of qualities (i.e. innocence, happiness and protection), then that childhood needed to be "saved" – not only for the sake of individual, but for all of adult kind

(Cunningham 2005; de Mause 1974). Thus, "romanticism embedded in the European and American mind a sense of the importance of childhood, a belief that childhood should be happy, and a hope that the qualities of childhood, if they could be persevered in adulthood, might help redeem the adult world" (Cunningham 2005:77-78).

1.1.3 Freud and Piaget: late 1800s/early 1900s

In the 20th century, childhood studies took a developmental psychology approach mainly attributed to the psychiatrist Sigmund Freud. Freud's theory of development, while dedicated to an account of human maturation as a natural process, focused more on a concern with childhood as the representation of adult pasts, than on young people as future adults (Freud 1961; James, et al. 1998). Influenced by 19th century studies of psychological pathology prevalent in medicine at the time, Freud believed that adulthood was a reflection and culmination of the experiences of childhood. Aberrant adult behavior could be explained or blamed on the experiences one had when she was young and more importantly on parents for their lack of proper psychological socialization (Freud 1961; James, et al. 1998). As James, et al. state,

> …through his account of elements of personality, stages of development and complexes are revealed the childhood building blocks which sustain the architecture of an adult psycho-pathology… as a resource for accounts of the deviant, the criminal and the abnormal throughout late modernity this as developed into an equation of parent-child relationships, transforming the child into the unconscious itself (1998:20).

Furthermore, Freud argued that successful adult growth came through mastery of the three elements of the psyche inherent in each individual: the id, or the unconscious and repressed drives and desires; the ego, or the conscious dealings with external reality; and the super-ego, or the semi-conscious monitor or internal moral judge (Freud 1961). Children, who were naturally irrational, needed to learn to regulate the super-ego and control the id and ego – their adult

success depended on it. As James, et al. state, the supremacy of the super-ego "…regulates the presentations of the self and integrates the child into the world of adult conduct" (1998:20).

In keeping with the developmental psychological model, Jean Piaget (1972) also argued that children were naturally irrational and that childhood was a universal, biological phenomenon comprised of fixed hierarchical and temporal stages of development (Archard 1993; James and James 2004; James, et al. 1998; Jenks 2005). Influenced by evolutionary models, Piaget theorized that children slowly evolved from one stage of development to the next; the first stage, the infantile stage, is characterized as the lowest, most incompetent and irrational phase. During each stage youth experience predetermined mental and cognitive challenges which allow them to move forward to the next stage (James and James 2004; James, et al. 1998; Piaget 1972.) The natural and inevitable conclusion of these stages is adulthood, or rather a condition of high rationality and mental competence (Archard 1993; James and James 2004; James, et al. 1998; Piaget 1972; Prout and James 1997). As Archard states,

> Childhood [in the developmental model] is seen principally as a stage on the road to adulthood, which has a normative status… This development is an inevitable and invariant process driven by a biologically rooted structure which the child inherits… Adulthood [on the other hand] is not a stage. It is the culmination and goal of development, and thus what brings to an end the sequence of stages (1993:35-36).

Childhood, therefore, is separate from and almost antithetical to adulthood and is a natural, self-propelled process.

By the mid 1900s, therefore, the idealized modern Western notion of childhood had come into full formation. Childhood, in this view, is seen as a universal, biological phase in which certain inherent characteristics of young people, such as innocence, purity and happiness, should be maintained. Young people, therefore, are seen as fundamentally different from adults in their cognitive capacity, their biological development and their social functioning (Archard 1993; Franklin 1986; James, et al. 1998; Mason 2005; Panter-Brick 1998). In this way, young people

cannot and should not be entrusted with the roles and responsibilities of adulthood and therefore, they should be protected and separated from the "dangers" of adult spaces (e.g. work) and properly taken care of by responsible adults in places more suited to a young person's disposition, such as school or home (Archard 1993; James and James 2004; James, et al. 1998; Mason 2005). Youth, therefore, should be allowed to be "children" and their childhoods must possess certain natural qualities considered to be "proper." If not, their childhood needs to be saved before it is "too late" and they become "dangerous," pathological members of society (Archard 1993; Franklin 1986; Hecht 1998; James, et al. 1998; Mason 2005; Panter-Brick 1998).

Despite the over half a century of theoretical studies of youth since, this is the understanding of childhood (and youth) that remains the dominant paradigm in Western society; one that, as many have argued, has been imported into other areas of the world, including Brazil. Furthermore, this paradigm continues to inform and find expression in much policy on youth, including international legislation such as the United Nations Convention on Rights of the Child (Montgomery 2009). As Prout and James state,

> A key concept in the dominant framework surrounding the study of children and childhood has been development and three themes predominate in relation to it: 'rationality,' 'naturalness,' and 'universality'. These have structured a mode of thought which stretches far beyond the disciplinary boundaries of psychology, influencing not only sociological approaches to child study but the socio-political context of childhood itself (1997:59).

Thus, the pre-1950s developmental psychological view of childhood has permeated many different contexts regarding children and adolescents, and as I will show, it continues to be not only embedded in much of the way that perceptions about youth and "risk" are formed in Brazil, but also finds expression in the policies and rights outlined by ECA.

1.2 THE SOCIOLOGICAL CHILD: THE BEGINNINGS OF THE MODERN CRITIQUE

The modern critique of psychological studies of childhood has its roots in early anthropological studies of youth. Led by Margaret Mead, Ruth Benedict and Edward Sapir, the Culture and Personality camp within anthropology sought to understand how a child becomes a "cultural being" and "what impact early childhood experiences had on adult personality, as well as on the collective of society" (Montgomery 2009: 24). Mead (1928; 2001), in particular, writing against Freud, argued that childhood was anything but universal and that young people needed to be studied in their own right. However, Mead's ideas would not really gain ground until the 1950s, when childhood studies began to move away from the developmental psychology perspective and towards a more sociological understanding of children and adolescents.

1.2.1 Parsons and Whiting

In 1951, Talcott Parsons wrote *The Social System,* in which he argued that socialization, or the way in which "social actors routinely develop the social norms that inform their day-to-day conduct from the deeply embedded cultural sentiments at the very heart of the social system" (Jenks 2005: 15), could explain how individuals, particularly young people, learned to conform to social norms. He argued that the most stable and enduring of learned elements of an individual's personality were those "value-orientation" patterns "laid down" during childhood by their society (Parsons 1951). Furthermore, it is through the successful socialization of children and adolescents that society is able to reproduce itself. The socialization model, therefore, emphasizes the need for reproduction of the social order and the role that young people play in

this process (Denzin 1977; Elkin and Handel 1991; Jenks 2005; Parsons 1951). As James, Jenks, and Prout state,

> Theories of social order, social stability and social integration depend on a uniform and predictable standard of action from participating members. In this sense, sociological theorizing begins with a formally established concept of society and works back to the necessary inculcation of its rules into the consciousnesses of its potential participants. These are always children and, within what here we call transitional theorizing about the child, the process of inculcation is referred to as socialization. The direction of influence is apparent: the society shapes the individual (1998:23).

Similarly, anthropologists John Whiting and Irvin Child (1953) argued that it is interpersonal relationships, rather than any succession of developmental stages, that are fundamental in the development of personality. In particular, Whiting, et al. (1963) and Whiting and Child (1953) used cross cultural research to explain broader patterns of human behavior and how they related to childhood experiences. Whiting, et al. (1963) attempted to apply the Freudian stages of psychosexual development (oral, anal and phallic) to existing anthropological data and found that they were not necessarily universal stages experienced at the same time, or in the same way, in every culture. Instead, they argued that "behavior systems" could be identified that correlated to various aspects of socialization, such as when socialization began or how intense it was (Montgomery 2009; Whiting, et al. 1963).

The sociological model of childhood, therefore, tried to understand the ways in which an exact correspondence can be found between a person, her personality and society (James, et al. 1998). Young people's intentionality is ultimately limited by the number of choices made available in society; their personalities are determined by the structure of society, rather than through the exercise of any kind of agency (James, et al. 1998). In order to achieve the full status of adulthood, they must go through a chronological and incremental series of stages (James, et al. 1998; Jenks 2005; Prout and James 1997). Sociologists, however, unlike

developmental psychologists, view these phases as sociologically determined, as opposed to biologically. Thus, in contrast to the psychological models outlined by Piaget and Freud, the socialization model places emphasis on what society naturally demands of young people, rather than what they naturally are (James, et al. 1998). One of the more important outcomes of the 1950s socialization models was that childhood was no longer seen by many as a "natural" or "universal" experience. As Montgomery states, the work of John Whiting and others is highly influential in that it has proved, as Mead first argued, "that there is nothing natural, or universal, about the ways in which young children act and that their lives are defined as much by their culture and environment as by biology" (2009:28).

1.2.2 Ariès and the "birth" of the modern child

In the 1970s further theoretical changes in how childhood was viewed came when French historian Philippe Ariès published his work *Centuries of Childhood* (1973). Ariès' work was the first to present a general history of the development of childhood perspectives, and in it he argued that "childhood" is a recent sociological phenomenon that developed during the 17th century. Ariès (1973) argues that prior to this there appears to be no awareness of the distinct nature of childhood that would have distinguished young people from adults. Evidence, he states, lies in pre-17th century paintings in which young people are depicted as small adults, historical records that clearly give no indication that youth warranted any kind of special protection, and other artifacts that show no signs of a clear separation between the worlds of adults and young people (Ariès 1973). Conversely, Ariès (1973) argues that one can find a clear distinction between adults and young people in modern society. Youth in the modern world dress differently than adults, play different games, and occupy different spaces. Modern society,

therefore, has an awareness of the particularities of childhood and of characteristics that distinguish adults from their young counterparts. Thus, childhood as a concept is a modern and recent phenomenon (Ariès 1973; James 1998; Prout 2005; Prout and James 1997).

Ariès, however, has been criticized for the ambiguity of his evidence, the chronology of his thesis and his implicit moral assumption that the modern concept of childhood is right in that it comprehends the correct nature of young people and thus leads to the proper moral behavior towards them (Pollock 1983). Furthermore, Archard argues that Ariès suffered from what he calls *presentism*, or rather, a "predisposition to interpret the past in the light of present day attitudes, assumptions and concerns" (1993: 22). In other words, critics of Ariès' work have argued that it was not that past cultures lacked *a* concept of childhood; rather they lacked *our* concept of childhood (Archard 1993; Pollock 1983). Ariès' work, nonetheless, remains influential and was fundamental for the development of the study of childhood; it not only opened the door for a deeper inquiry into a more diverse understanding of the socio-cultural context of young people's lives, but also paved the way for other criticisms of both early developmental psychology and at the time, newly emerging sociological theories.

1.2.3   Other critiques

Other criticisms of psychological and sociological models have centered on the way in which they represent young people. First, some have argued that both models seem to use an evolutionary schematic much like the ones used to explain the supposed "irrationality" of different native cultures at the turn of the century, one that ultimately positions youth as the exotic "other" in contrast to adults (Archard 1993; Prout and James 1997). As Jenks states,

Just as the early 'evolutionist' anthropologist, a self-styled civilized person simply 'knew the savage to be different to himself… so we also, as rational adults, recognize the child as different, less developed and in need of explanation. Both of these positions proceed from a pre-established but tacit ontological theory, a theory of what makes up the being of the other, be it savage or child (2005:4).

Young people are not only somehow fundamentally different from adults, but they are also in some ways "foreign" to adults, and therefore their behaviors need justification and explanation. Since adult behavior is inherently rational, young people's behavior, therefore, *necessarily* has to be irrational in order for the model to make sense.

Second, others have argued that the notion of a "universal" childhood precludes an understanding of how that "childhood" has changed over time (James and James 2004; Jenks 2005). As James and James state, an important material fact about young people is that

…eventually, all children do grow up and, in doing so, leave their 'childhood' behind them. In this sense 'childhood' is… a constant structural feature of all societies… However… although all today's adults have been, and remember having been, children and will thus have some of experiences in common, the 'childhood' of the current generation of children will undoubtedly be different from that remembered by their parents… ['childhood's'] temporal location in generational history means that its character… changes over time, shaped by changes in laws, policies, discourses and social practices (2004:20).

A good illustration of this is the way in which concepts of 'age' have been differently used in Western societies throughout time to delineate structural boundaries between youth and adults (James and James 2004; Jenks 2005). For example, prior to the mid-19th century in England, young people were educated only periodically, if at all. At the close of the 19th century, however, with the onset of industrialization, a number of educational acts were put into place in England that stipulated that children between the ages of five and 10 must attend school (James and James 2004). Yet, as James and James state,

Such separatist policies were not confined to education… the later 19th century and early 20th century positively bristled with all kinds of reforms designed to protect children,

measures that consolidated childhood as a distinctive structural social space in English society, to be populated by a distinctive group of people… the overarching reach of such institutional processes to define and separate children as a group apart emphasizes the hegemonic control that concepts of 'childhood'… exercise over children's experiences… these processes are therefore also some of the cultural determinants that are central to a cultural politics of childhood, processes which largely work to oppose childhood to… adulthood – in other words, children are what adults are not (2004:21).

Thus, any discussion of childhood needs to account for the way in which it has changed as a concept through time, as well as the way in which this process is culturally constructed.

Third, building on these arguments, others have asserted that if childhood is understood differently across cultures (i.e. there exists a multiplicity of childhoods) and childhood(s) through time has (have) changed, then the view of young people as irrational cannot be a universal perspective, nor can it be held to be a biological truth (Amit-Talai and Wuff 1995; James 1998; James and James 2004; Jenks 2005; Montgomery 2009; Panter-Brick 1998; Prout 2005; Prout and James 1997; Schwartzman 2001). In other words, the presumption that children and adolescents are naturally "irrational" found in both the psychological and sociological models precludes the variety of perspectives that is found worldwide about the cognitive and logical capacities of youth (Archard 1993; James 1998; James and James 2004; Jenks 2005; Prout and James 1997; Schwartzman 2001). As James and James (2004) have argued, adult cognitive competence is a peculiarly Western concept, based on Western principles of logic. Young people in other parts of the world are not subjected to this logic, nor are adults presumed to be somehow "more" logical. Thus, presenting youth as naturally "irrational" overlooks the way in which young people are capable of rational thought as well as the different perspectives that exist concerning logic and childhood (James and James 2004).

1.3   CHILDHOOD: CONTEMPORARY THEORY

1.3.1   Post 1970s theory

Since the 1970s, then, childhood studies have predominantly concerned themselves with attempting to understand the reality of youth's lived experiences, while deconstructing the previous interpretations of childhood. Within the newly emerging constructionist paradigm (James and James 2004; Schwartzman 2001), young people are no longer viewed as the *tabula rasa* upon which adult culture is written, nor is their development seen simply as biologically pre-determined. Rather, within the new framework of childhood studies, young people must be viewed as active social participants who are involved in cognitive shaping of their social worlds, and childhood must been placed in context with a recognition of its diversity (James and James 2004; Schwartzman 2001). As Allison James argues,

> Once the universalizing developmental framework surrounding childhood was challenged, the status of children's accounts, and their right to be taken account of, could no longer be questioned through reference to their supposed lack of cognitive ability. The social circumstances of children had to be acknowledged (1998:54).

As a result, a number of works have arisen that explore children's and adolescents' perspectives on an array of different social issues as well as to deconstruct the prevailing discourses surrounding young people, the universality of their positions in society, their needs, and their rights. Buhler-Niederberger (2003), Levine (1998), and Woodhead (1997) have all argued against the idealistic Western childhood and deconstructed the rhetoric of children's and adolescents' "universal needs." Woodhead in particular has stated that the "needs" of young people "…are at the heart of contemporary public concern, part of the everyday vocabulary of countless numbers of social welfare workers and teachers, policy-makers and parents" (1997:67).

The idea of "needs," he argues, is shorthand for the requirements of childhood, that beneath the apparent simplicity and directness of 'needs' statements (that are linked to policy) is an implicit empirical and evaluative claim about childhood (Woodhead 1997). He states, "when policy recommendations and professional advice are expressed in terms of children's need, they give an impression of universal objectivity…" (Woodhead 1997:74-75), yet these claims are caught up in a much larger web of politics and fundamentally tied to personal and cultural values about the nature of young people and childhood. Similarly, Buhler-Niederberger states,

> Behind current strategic events, with their party political moves, one can discern a constant interest in social order. Policies related to children have been embedded in such interests from their very beginnings… they are still immersed in this same framework, as current decisions abundantly demonstrate… The argument from the natural needs of children removes both the public order interest and the question of the influence of traditional structures from serious discussion. In this way, the concept of the needy child proves an effective instrument for policies that are predominantly conservative (2003:89-90).

Others such as Scheper-Hughes and Sargent (1998) and Stephens (1995) have debated the implications of universal sets of rights for children and adolescents. Scheper-Hughes and Sargent have argued that it is impossible to establish a universal set of rights for youth when "the notion of 'the child' is so dependent on local meanings and practices" (1998:8). They point to the "moralizing rhetoric of opposing child labor… [which, fails] to acknowledge the conflict between local labor practices, including child labor, and the demands of the global economy for competitive prices" (1998:8). In other words, from an anthropological standpoint a universal set of rights for young people fundamentally ignores the local context and daily struggle in which they live. Thus, any discussion of rights must recognize that the problem inherent in talk of rights, *any* rights, is that "it makes political morality the result of unconditional moral imperative rather than the result of political discourse, reflection, and compromise" (Scheper-Hughes and Sargent 1998:8).

On the other hand, as Stephens has argued,

> Despite the important criticisms that can be made of universal children's rights discourses, there are certainly situations where legally binding international agreements can be seen to be in the children's and, more broadly, in society's best interests. This is most clear in situations where children are in immediate physical danger, for example, as objects of official genocidal policies, torture, and imprisonment (1995:40).

Anthropologists, therefore, can no longer ignore the fact that most local societies and cultures are indeed influenced today by what goes on outside of their borders (Stephens 1995). Consideration, therefore, also needs to be given to the way global forces are incorporated, translated, and interpreted at the local level (Stephens 1995).

Another important discussion on rights involves the entitlement of young people to be considered political beings. Traditionally children and adolescents have been viewed as "…apolitical – in that they have no political rights of citizenship – [and their]… interests have been assumed to be, unproblematically, congruent with those of their family" (James and James 2004:30). Robert Coles (1986), in his work *The Political Lives of Children,* was one of the first to challenge this idea by showing how youth are often deeply affected by changing political contexts. In this work, Coles analyzes how young people actively form political opinions apart from those of their families and how the negative impacts of politics often shape their world views and experiences (Coles 1986; Stephens 1995). As Scheper-Hughes and Sargent state, the fact that young people have political views at all has come "as a great revelation to many adults" (1998:2). Thus, young people's opinions of politics need to be given consideration.

Similarly, James and James (2004) have argued that, by artificially fixing through law a chronological identity (e.g. at 18 we earn the right to vote, at 21 the right to drink) for adults, we are simultaneously setting up criteria by which children and adolescents are viewed as *kinds* of people different from adults, ultimately denying them full social personhood status and

citizenship. Likewise, Franklin (1986) argued that the paternalism inherent behind voting laws is not sufficient grounds on which to deny young people political rights and that in doing so, we are denying them their right to citizenship. Furthermore, Archard (1993) has shown that there is no evidence that children and adolescents do not have the cognitive abilities to make political decisions and that the competence required of a voter is not beyond the reach of their capabilities; therefore, young people should be given some measure by which to govern themselves.

Others have also argued that there is no good reason to exclude young people from the political process of developing social welfare programs in their name. As Qvortrup (1997) argues, children and adolescents, in terms of statistical and social accounting, are often overlooked or lumped in with their parent's situation and consequently are represented by institutions and interests other than their own. He states, "if we seriously mean to improve life conditions for children we must, as a minimum precondition, establish reporting systems in which they are heard themselves" (Qvortrup 1997:101). Similarly, Mason has argued that "the conceptualization of children as lesser than adults has legitimized the adult-child relations where adults are considered to have a 'natural' right to impose authority on children" (2005:95), which excludes young people's points of view from the child-protection policy process. Furthermore, as Boyden (1997) asserts, universal welfare policies that ignore the perspectives of young people only serve to isolate them further from their families and communities, thereby increasing their socio-economic disadvantage.

Finally, in order to fully incorporate agency into social science models and theories of childhood, the social positioning of children and adolescents must be taken into account and along with it a discussion of structure and agency needs to occur (Hecht 1998; James, et al. 1998;

Scheper-Hughes and Sargent 1998). As James, Jenks, and Prout (1998) argue, the dichotomy between agency and structure is imperative in many ways to the theorizing of childhood. In fact, "most questions raised about children's competencies, rights, responsibilities and needs have been located in the space between these poles" (1998:202). As Giddens (1979) has suggested, a false dichotomy exists between structure and agency, and rather than viewing these two phenomena as fundamentally opposed, they should be taken as mutually existing within the same moment. Thus, it is "people's ongoing activity and creativity as that which, over time, reproduces society… and which therefore accounts for both change in, as well as the persistence of, social structures" (James and James 2004:39). This same idea can be applied to the ways in which childhood is viewed. James and James state,

> …the 'ongoing nature of social action as central to the constitution of society is an important insight because… it allows us to consider both change *and* continuity as central features in the social construction and reconstruction of childhood. It also allows us to see this as potentially achieved through both the intentional and unintentional actions and interactions of children… [it accounts] for the many diversities in children's experiences and the discontinuities that fracture the notion of a unitary 'childhood' (2004:40).

In order to fully understand how young people view their world, we must examine not only the foregrounding of their agency and the role they play in shaping their worlds, but also their position as social actors and the structural differences in how childhood is constituted (Stephens 1995).

It is my contention that all of these issues are apparent in the dialogue surrounding "at risk" youth in Brazil. Inherent within the discourse of ECA are notions about how "childhood" should be lived and the things that are necessary to provide young people with the "proper" kind of upbringing. The rhetoric of universal "needs" has helped to construct what rights young people have according to ECA. Furthermore, through the construction of a universal set of rights for youth in Brazil, ECA subsequently defines and institutionalizes the notion of "risk" around

those needs. At the same time, the rights outlined in ECA conversely influence and reinforce perceptions of what young people "need" and subsequently what they are "at risk" for by helping to construct the kinds of socio-educative measures and programs that are available to youth. Thus, the discourse of "needs" at once influences and is influenced by the discourse on rights and "risk" in Brazil. I will return to a more detailed discussion of the entanglement of "risk" and rights in Chapter Four.

Additionally, by constitutionally acknowledging rights that are separate from adults and that are special for children and adolescents, ECA subtly reinforces the notion that young people are indeed "apolitical" recipients of adult designed protection. I do not want to imply here that young people do not in some cases warrant certain forms of state protection; rather what I am arguing is that inherent in legislation that delineates special rights for children and adolescents (particularly without their input) are notions about who young people are and about their presumed inability to form opinions, participate in the political process or otherwise engage in developing policies that will affect them. In other words, ECA defines youth as particular *kinds* of citizens afforded *certain* rights, but with limited to no right to participation. In this way, youth are denied a voice in the political and policy processes, and their agency as both social and political beings is ignored. It is with this understanding then that the perspectives of youth concerning "risk," rights and democracy in Brazil come into sharp focus and their opinions and beliefs should be examined.

This work, therefore, seeks to place the youth engaged in this project at the center of the research question and to understand the issues raised here in their terms. However, I do not want to convey the notion that I am "speaking" for the youth in this study; youth participation in research does not necessarily imply accurate representation any more than it would for adults.

My role is to present, interpret, and analyze data, not to make claims to any sort of authorship over my informants. Rather, what I want to show is that by engaging youth in ethnographic research we can begin to shed light on the different way in which young people process, interpret and make sense of the world and show how the understanding we gain from their perspectives can add layers of meaning to the kinds of social, economic and political issues anthropologists, and arguably other social scientists, study.

At the same time, I agree as Montgomery (2009) has stated, that the social science corrective to previous assumptions held about childhood, particularly those notions that deny youth agency, must not go so far as to ignore the processes by which young people develop and are influenced by their societies. She states,

> Anthropologists specializing in children have tended to reject the notion that they are human becomings, arguing that they should be seen in their own terms and not as incomplete or incompetent adults. They have emphasized the importance of children's experiences here and now, rather than seeing children as being of interest for what they will become. As such they have rejected other studies which have looked at socialization or seen children as anything other than possessors of a valuable, complete culture. Ideally, however, an anthropology of childhood should see children as both beings and becomings (Montgomery 2009:9).

Thus, by examining the subject matter from both the perspective of the youth *and* that of the adult community that works with them, I am attempting to do precisely what Montgomery has argued for: to analyze youth both as beings in their own right *and* beings in the process of becoming. This work, therefore, weighs the adult perspectives on youth and "risk" portrayed in this study equally with those of "at risk" youth themselves. Through such a two-fold analysis, we can begin to see the ways in which youth can be and are influenced in their perceptions through socialization. Furthermore, this kind of research schema affords us a mechanism for measuring social change. Comparing youth perspectives to those of adults, therefore, allows us to see clearly areas of social tension that exist in "dealing" with youth in precarious situations,

and the ways in which we can mediate such relationships and allow for a more youth centered approach to understanding the socio-economic issues that affect young people.

1.4   THE BRAZILIAN CONTEXT

If the social experience of childhood, as has been argued, is a context, and the individualized realities of children and adolescents need to be explored within their particular cultural milieu, what exactly, then, is the context of childhood in Brazil and how did it arise? In particular, what are the "social relations" (Hecht 1998) in Brazil that form the political, economic and socio-cultural backdrop against which the youth in this study live? A description of the local context will been given in Chapter Two; the remainder of this chapter provides an overview of some of the major socio-economic and political changes that have occurred at the national level in Brazil over the last 30 years in order to provide a background for the context in which my informants, both young and adult, form their opinions on risk, ECA and the other issues addressed in this study. It concludes with a discussion of the application of childhood theories to the Brazilian context within anthropology and the contribution that this work makes to that body of literature.

Arguably, changes in recent years in Brazil have not occurred overnight; the ones discussed below are interrelated and the result of a long historical process in Brazil. However, for the sake of space and clarity, they have been divided into categories relevant to the dissertation. Those categories are democracy, economy, poverty and inequality, labor and the structure of the family, education, and urbanization, infrastructure and crime.

1.4.1 Transition to democracy

Brazil's *abertura* (democratic opening) is perhaps the most important change that has occurred within the last couple of decades. The country underwent its first democratic experiment between 1945 and 1964 (Fausto 1990). However, by 1964 Brazil entered into a long, harsh period of authoritarian control, one which would endure for over twenty years (de Castro and de Carvalho 2003; Luna and Klein 2006). In the early 1980s, as a result of changing worldwide political climates and a series of nationwide oppositions both within the government and in civil society, a democratic government was given another chance, and to date Brazil remains a democratic state (Luna and Klein 2006). Since the late 1980s three presidents have been democratically elected in Brazil; most recently, *Partido dos Trabalhadores* (the Worker's Party, henceforth PT) founder Luiz Inácio Lula da Silva (popularly known as Lula) was elected to his second term (de Castro and de Carvalho 2003; Fausto 1990; Luna and Klein 2006).

The election of Lula has been particularly important both politically and socially. At the time of his election the PT was perhaps the most modern and ideologically charged national party in the nation; his election, therefore, represented a break from previous conservative national political trends (Flynn 2006; Luna and Klein 2006). Furthermore, Lula's election was important in that it

> …represented a major breakthrough in national politics… Lula was the first modern Brazilian president without a formal secondary or university title. His language and style were a reflection of his origin as a northeastern migrant to São Paulo… (Luna and Klein 2006:34).

Thus, Lula's election not only signified a shift in political thinking in the country, but also represented "new possibilities for the construction of a more pluralistic democratic order that may aspire to overcome social injustice at the local level" (de Castro and de Carvalho 2003:486).

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Democracy has brought about significant changes to Brazil both in terms of the advancement of social and political rights in the country, as well as state social responsibility and action (Luna and Klein 2006). In particular, without the democratic opening in Brazil, the implementation of ECA and other similar policies and the proliferation of organizations, policies and programs for children and adolescents examined in this work would not have been possible. Furthermore, as I will discuss in Chapter Three, even though there are still problems inherent in ECA and current policies dedicated to youth in Brazil, the return to democracy has arguably restructured for the better the ways in which the state intervenes with young people deemed vulnerable. The abertura, then, has ushered in considerable social change for children and adolescents in Brazil.

Despite these achievements, however, the transition back to democracy has not been easy, nor without problems (Ames 2002; de Castro and de Carvalho 2003; Flynn 2005; Hunter and Power 2007; Luna and Klein 2006). The country continues to struggle with issues that present barriers to democratic practice, such as corruption; since Lula's election, his government has been plagued with a number of scandals that have damaged his reputation and presidency (de Castro and de Carvalho 2003; Flynn 2005; Hunter and Power 2007; Prada 2010; The Economist 2010). In fact, corruption continues to be very much present in Brazilian politics at all levels of the government[3] (Canache and Allison 2005; Luna and Klein 2006; Seligson 2008). Studies show that not only does Brazil continue to rank relatively highly in terms of the level of existing corruption, especially at the municipal level (Canache 2005; Seligson 2008), but also that corruption remains a negative influence over public opinion of democracy as a form of government (Seligson 2008). Consequently, Brazil continues to rank relatively low (as

[3] See Chapter Two

compared to other Latin American nations) in terms of popular support for democracy (Seligson 2008). As I will argue in chapter six, concerns over corruption and the impact that it has in young people's minds over their capacity for socio-economic advancement are certainly reflected in the perspectives of youth on "risk" and forms the backdrop against which they understand issues related to "risk."

1.4.2   Economy, Poverty, and Inequality

Brazil's economic sector has also undergone significant changes in the last 30 years. The petroleum shocks of the 1970s ushered in a state of economic recession that hit world economies hard, and Brazil was no exception (de Castro and de Carvalho 2003; Luna and Klein 2006). The 1980s, often referred to as Brazil's "lost decade," "broke a long cycle of rapid growth that the country had experienced in the first seventy years of the century" (Luna and Klein 2006:61). By the mid 1980s the economy had become so terrible that the country was forced to sign an International Monetary Fund (IMF) agreement to monitor its economic operations (Luna and Klein 2006). In 1986, the government introduced the Plan Cruzado, a monetary reform that attempted to reduce inflation through a series of price freezes, (de Castro and de Carvalho 2003). As Luna and Klein state,

> The plan was an immediate success. Inflation was reduced dramatically, and there was strong popular support for the freezing of prices… Like other plans of this type that were introduced in Brazil, there was a rapid expansion in demand, with the growth of production and employment. The abrupt fall in inflation had a very positive effect on increasing income and consumption of the poorer classes who were always less able to protect themselves from the effects of inflation… (2006:56).

Before the year was out, however, there was a break in the price freezes and the country returned to its condition of deficit and high inflation (Luna and Klein 2006).

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As Brazil entered the 1990s, it would continue to experience many of the same problems that occurred during 1980s, albeit not as severely. The Real Plan, introduced by President Itamar Franco, decreased inflation and cut taxes in the country through the implementation of a series of fiscal measurements, a new currency and the "opening" of the Brazilian economy to international competition (de Castro and de Carvalho 2003; Luna and Klein 2006). Yet the plan was not enough to completely stabilize the Brazilian economy, which was highly susceptible to international conditions. These fluctuations led to increased downsizing and demands for workers with greater qualifications and subsequently an increase in workers in the informal sector and unemployment, which continued to grow, along with foreign debt, through the 1990s and into the 2000s (Luna and Klein 2006).

During the 1980s and 1990s, Brazil experienced a staggering increase in economic disparities and poverty (Hecht 1998; Luna and Klein 2006; Mickelson 2000). As Brazil entered the 2000s, an estimated 35 percent of the population lived in impoverished conditions (Mickelson 2000). By 2001,

> the top 10% of the population controlled 50% of the wealth and the bottom 50% accounted for just 12% of all salaried income… [as compared to Canada where] the top 10% of the population accounted for only a quarter of the national wealth and the poorest 50% for 28% 210 (Luna and Klein 2006:209)

By the mid-to-late 2000s, however, Brazil's economy had gained momentum, and within the last several years the country has seen great advances in economic growth and decreases in economic disparities (Hunter and Power 2007; The Economist 2008; The Economist 2009a; The Economist 2009b). Thanks to the success of programs like *bolsa família* (family grant)[4] and increases in the

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[4] Bolsa família is a governmental welfare program that provides a living stipend to poor families in exchange for their children attending school and getting vaccinated. For more on this issue, see Fenwick 2009.

minimum wage, Brazil has managed significant decreases in the percentage of Brazilians living below the poverty line (Beghin 2008; Hunter and Power 2007; ILO 2008). Furthermore, Brazil's economy appears to have been fairly resilient in the face of the most recent global economic crisis (The Economist 2009a; Prada 2010; OECD 2009).

However, some experts caution that, despite Brazil's resilience, the current worldwide economic downturn has not left the country completely unscathed and express concerns over the sustainability of the country's current economic growth, its capacity to continue leveling economic inequalities and its ability to improve the quality of life of many Brazilian (Prada 2010; OECD 2009; World Bank 2010). Despite advances, Brazil's economic growth is still limited by some of the lingering issues it faced in the 1980s and 1990s, including high tax rates, cost of credit, corruption, poor infrastructure, and rigid labor markets to name a few (OECD 2009; World Bank 2010). Furthermore, a decrease in income disparity does not necessarily mean a leveling of inequality; while Brazil's achievements in this area should be applauded, "… inequality remain[s] at relatively high levels for a middle income country" (World Bank 2010). Currently, according to the World Bank (2010), 22 percent of Brazil's population remains below the poverty line. Thirty four percent of Brazilians continue to earn less than the minimum wage, which, despite the incremental increases it has undergone, remains (due to cost of living increases) insufficient for many Brazilians (DISSE 2010; ILO 2008). A majority of the population (nearly 53 percent) earns too little to afford all basic necessities (ILO 2008; Otsuki and Arce 2007). Regional disparities, particularly in rural areas and the northern and northeastern parts of the country, continue to exist, and the nearly 24 million Brazilians living in semi-arid parts of the country experience higher rates of poverty than the national average (ILO 2008; Otsuki and Arce 2007; Pinheiro, et al. 2008).

While Brazil's economic outlook is promising, only time will tell if the country can sustain its current economic, and Brazil still has work to do in terms of leveling inequality and raising quality of life standards for many Brazilians[5]. This is, perhaps, no more true than with young people. Research in Brazil suggests that poverty disproportionately affects those below the age of 18 (IPEA 2008). Young people suffer greater discrepancies and inequalities in terms of resources and health due to poverty than adults. They have less access to food, water, and other basic necessities, and they struggle more with issues such as lack of health care and higher rates of disease and illness (IPEA 2008). I would argue that the persistence of poverty and other social inequalities, as well as the struggle for economic opportunities and upward mobility in Brazil, are clearly reflected in the way in which the youth in this study perceive their experiences. Furthermore, as I will show, these issues inform their opinions not only on the notion of "risk," but also form the basis against which they couch their discussions of social inclusion and democracy in Brazil.

1.4.3 Labor force

Another major change Brazil has undergone is related to the feminization of its labor force and the structure of the Brazilian family (Luna and Klein 2006; Pinheiro, et al. 2009; SEDLAC 2009). Increasing social inequalities during the 1980s and 1990s and changing social currents making women's entrance into the workplace more acceptable in Brazilian society have led to an influx of women in the job market (Luna and Klein 2006). Furthermore, the 1988 legalization of

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[5] The United Nations Human Development Report which measures population well being and quality of life, ranked Brazil in 2009 at 0.813 or 75th out of 182 countries. While this is relatively high overall, it is low compared regionally to other countries such as Argentina (49th), Chile (44th), and Venezuela (58th).

divorce within the constitution, increasing secularization of the family and declining rates of official marriage have contributed to Brazil's becoming a "matrifocal" society, or rather one in which families are structured around single-parent female heads of household (Luna and Klein 2006). Today, 40 percent of all households in Brazil are monoparental female headed (Pagés and Piras 2010).

As the structure of the family has changed and more women have headed into the job market, children and adolescents have been increasingly relied on to help supplement the family income (Cunningham, et al. 2008; Luna and Klein 2006; Hecht 1998; Mickelson 2000; Raffaelli, et al. 2001; Raffaelli and Larson 1999; Rizzini and Barker 2002; Scheper-Hughes 1992; Scheper-Hughes and Hoffman 1998). It is within this context that young people become breadwinners for the family. As Mickelson states,

> The 1980 debt crisis was devastating to the poor and working classes… Many in the middle and working classes hold several jobs. Families with multiple wage earners in the formal sector still struggle to maintain a modest lifestyle. Those o outside the formal economy are forced to work odd jobs in the informal economy. Children become essential wage earners in this economic context (2000:22-23).

Today, despite the fact that it is illegal under the provisions of ECA (1990) for youth below the age of 18 to work without being engaged in certain kinds of socio-educative programs,[6] many youth continue to engage in both the formal and informal economies in order to help supply extra income to their families. In fact, one of the criticisms of ECA has been exactly that; through denying youth the opportunity to work, poorer families are losing much needed income. In other words, the policies of ECA do not necessarily reflect the reality of the young people it aims to protect (de Almeida Dias 2007). I will return in subsequent chapters to a discussion of the

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[6] See chapter three

problems with ECA and the way in which the lack of opportunities for youth to work, earn money and gain experiences in the job market is reflected in their statements on "risk."

1.4.4   Education

Formal education is another area that has undergone significant change in Brazil in the last several decades (Campos 2007; IBGE 2009; Luna and Klein 2006; Pinheiro, et al. 2008). While the country has seen an overall increase in the rates of young people enrolled in and completing primary education (IBGE 2009), this increase has been accompanied by a decrease in overall quality of public education, particularly in some of Brazil's poor and rural areas, and a proliferation of private schooling for the rich (Brazil Institute 2007; IBGE 2009; Luna and Klein 2006; Weinberg and Pereira 2008). This is exacerbated by uneven expenditures on education that have tended to favor free universities over public schooling, with the largest deficits in secondary education (Brazil Institute 2007; Luna and Klein 2006; World Bank 2010). Furthermore, Brazil continues to struggle with issues of retention and enrollment in secondary education, with disparities greatest among the poor, with only 30 percent enrolled in higher education, versus 70 percent for the middle to upper class (Brazil Institute 2007; IBGE 2009). Despite recent investments in education[7], delivery and quality of education remain inconsistent throughout the country (Brazil Institute 2007; IBGE 2009; UNESCO 2010), and many of the more impoverished regions are without the kinds of resources they need to provide a competitive education (IBGE 2009). As Beghin states,

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[7] See Chapter Seven

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Brazil ranks far behind other nations in terms of learning in various knowledge areas… the average scores of Brazilian students in 2006 place the country in the 53rd position in mathematics, in the 52nd position in sciences and in the 48th position in reading in a ranking involving 57 countries. Apart from having had the lowest scores among all these countries, the majority of Brazilian students reached, at most, the lowest learning level in these disciplines (2008:2-3).

I will deal more extensively with education in Chapters Six and Seven; however, it suffices to say that issues surrounding quality of education also inform youth perspectives on "risk" and in many ways are used by the young people in this study as a measure of social inclusion and the capacity of Brazil as a democratic state to resolve issues of inequity.

1.4.5   Urbanization, Infrastructure and Crime

Finally, other important changes have occurred in terms of urbanization, infrastructure and crime. The urbanization of Brazil, while not unique in that almost every country in the world shifted from rural to urban during the 20th century, is particularly problematic in that it has occurred so rapidly (Fausto 1990; Luna and Klein 2006); as Luna and Klein state,

Although urban migration was a constant theme in Brazilian history, the process became far more rapid in the second half of the twentieth century. As late as 1960, the majority of the national population still resided in the rural areas. But, by 1970, over half of the population was finally listed as urban… it is estimated that in the twenty years from 1960 to 1980 some twenty-seven million rural Brazilians migrated to the cities (2006:170).

This shift in demographics has tended to favor Brazil's southern and central cities; by the 1980s, Brasília, São Paulo, Belo Horizonte, and Rio de Janeiro had each doubled its population (Luna and Klein 2006). By the end of the 1990s, nearly 80 percent of the national population lived in an area listed as urban by the Brazilian census (Luna and Klein 2006; Mickelson 2000). Today, although urbanization rates have slowed, migration continues and is now predominately focused on the areas surrounding cities (Luna and Klein 2006).

As a result of the sustained period of mass urbanization and the economic problems discussed above, many Brazilian cities have developed issues in terms of neighborhood and housing infrastructure (Caldeira 2000; Luna and Klein 2006; Scheper-Hughes 1992). The proliferation of *favelas* (slums) that occurred predominately during the last half of the 20th century is a direct result of rapid urbanization (Luna and Klein 2006). In the mid-1990s the economic infrastructure for housing projects in Brazil collapsed and left the country with a severe shortage in housing, little to no credit for new development and the construction of favelas on illegally seized lands (Luna and Klein 2006). These settlements were originally thought to be temporary, but by the turn of the century it had become apparent that they were a permanent fixture on the urban landscape. Today, favelas are present in nearly every urban center in Brazil.

Although efforts have been made to improve the living conditions in these areas, they are nonetheless still precarious places; they often have very few facilities and little to no infrastructure; the houses are self-constructed, built out of poor and inappropriate materials, and constructed on unstable or improper land, on mountainsides or the peripheries of cities; conditions are generally unsanitary, and problems with disease, especially from poor water quality, are rampant; finally, overcrowding and crime are endemic (Arias 2004; Goldstein 2003; Luna and Klein 2006; Scheper-Hughes 1992). As Luna and Klein state, favelas have created governability problems for many of Brazil's city centers, "… causing a severe crisis in urban infrastructure as the horizontal spread of the cities continues unabated and going well beyond the currently available urban resources" (2006:230-231).

Related to increasing urbanization and the development of favelas in Brazil is the problem of increasing crime. Rates for crimes that include homicide, drug trafficking, crimes

against property, and domestic violence, as well as rates of incarceration have risen steadily since the 1990s (Caldeira 2000; IPEA 2007; Luna and Klein 2006; Waiselfisz 2004). Studies have shown, however, that crime in Brazil takes on a particularly young face. Between 1993 and 2002, homicides rates increased in general by 62 percent in Brazil. Of that, the rate of homicide among youth between the ages of 15 to 24 increased nearly 89 percent, comprising nearly 40 percent of all homicides (Waiselfisz 2004; IPEA 2007). At the same time youth are the dominant perpetrators of crime in Brazil; nearly 35 percent of all homicides are committed by youth ages 15 to 24, and over 40 percent of *all* crimes are committed by young males in the same age range (IPEA 2007).

Youth on youth crime is also a major problem in Brazil. *Bondes* (gangs) involved in drug trafficking are an attractive alternative to the perceived lack of viable opportunities for income (Dowdney 2003; Ramos 2009). Gang activity is typically centered in the favelas, and members exert a fair amount of control over the inhabitants of their "host" neighborhood. As such, crime can be endemic in these neighborhoods, and it is not uncommon for wars to break out between competing neighborhoods, making life for those who live there volatile (Dowdney 2003; Hargis and He 2009; Ramos 2009). It is within this context that the majority of the youth in this study live. Most come from poorer neighborhoods, which lack infrastructure, are overcrowded and are subject to gang violence and other problems. As I will argue, the instability of their day-to-day living environment, the conflict and turmoil that are often inflicted upon them because of violence – gang related or not – and the changes in the Brazilian urban environment are reflected in young people's anxieties about the future and are representative of their understanding of "risk."

1.5   CONCLUSIONS: BRAZILIAN APARTHEID IN THE 21ST CENTURY

Tobias Hecht (1998), in his pivotal work on street youth in Brazil, wrote that it is "evident that there are many ways of being a child in Brazil… just as there are competing ways of viewing childhood… [and] competing ways of seeing children" (1998:73-74). At the time of Hecht's writing, he argued that two dominant competing paradigms of childhood existed in Brazil: that of the "nurturing" childhood (of the poor), in which youth are expected to function, at least on economic terms, much like adults, and the "nurtured" childhood (of the rich), in which young people are able to live the ideal Western vision of childhood, protected and innocent. Similarly, Goldstein has argued that "…childhood in Brazil is a privilege of the rich and is practically nonexistent for the poor" (1998:389), whereas Scheper-Hughes and Hoffman have asserted that childhood for the vast majority of poor young people in Brazil is "a period of adversity to be survived and gotten over as quickly as possible" (1998:393).   They argue that Brazil, like all other Latin American nations, has a culture based on social exclusion and that youth (in particular poor youth) are just one manifestation, one representation of what they call "Brazilian apartheid" (Scheper-Hughes and Hoffman 1998). Brazil's population of impoverished youth

> …is emblematic of a larger crisis in Brazil: that of a failed economic development model
> and the cumulative 'trickle up' of scarce material resources that have relegated vast
> segments of the Brazilian population to misery. From this arises the specter of the
> homeless and abandoned…child as a blemish on the urban landscape and a reminder that
> all is not well… The social embarrassment caused by the visible presence of seemingly
> abandoned children contributes to the strong impulse to segregate, repress, exclude, and
> even 'eliminate'… [them] all together (Scheper-Hughes and Hoffman 1998:353).

I would argue that despite the fact that much has changed over the last 15 years or so since these authors' work, much also still remains the same in Brazil. Young people in Brazil, particularly those from disadvantaged socio-economic backgrounds like the ones presented in this work, continue to struggle for social inclusion, and their interpretations of their day-to-day

existence are informed by the same issues of corruption, social inequality, crime, violence and education addressed above. Furthermore, I would argue that the current socio-political context has not only has helped to shape the way in which childhood is understood in Brazil, including how it is related to (and defined in some cases by) other concepts such as "risk," the "street," and "rights," but also that it influences the way in which those working with youth in Brazil conceptualize and understand the population with which they work. In other words, Hecht's assumptions about youth and childhood in Brazil hold true; as I will show, there have been and continue to be contesting visions of youth and childhood in Brazil, and those visions find translation in both the design and implementation of ECA. I now turn to a description of the local context of Juiz de Fora and a consideration of methodological concerns for this study.

2.0   THE RESEARCH SETTING AND METHODOLOGICAL CONCERNS

2.1   PRELIMINARY RESEARCH AND SELECTION OF THE FIELD SITE

My understanding of the way in which non-governmental and governmental organizations serve "at risk" youth has been informed by two preliminary field seasons in the summers of 2004 and 2006 in Rio de Janeiro and São Paulo, Brazil, followed by 12 months of fieldwork in Juiz de Fora, Brazil, as well as several years of volunteer work with the organization *ProJuventude* in Pittsburgh. During the preliminary field seasons in Rio de Janeiro and São Paulo, I studied Portuguese, conducted literature searches for pertinent materials, and began to make contacts with relevant organizations.   I also volunteered at various non-profits and governmental entities that work with youth, met with and discussed my research agenda with their employees, and reviewed their outreach, organizational and educational materials.

Juiz de Fora was selected as the field site for a number of reasons. First, with a population of around 500,000 people and located in a valley in the mountainous Zona da Mata Mineira region of the state of Minas Gerais, Juiz de Fora presented a much more manageable and accessible research area. Compared with the larger cities of Rio de Janeiro and São Paulo, Juiz de Fora's smaller population and geography allowed me to explore a much larger sample of organizations. Additionally, because of their proximity and familiarity with each other, most organizations had ongoing working relationships and a much greater level of organizational

transparency and cooperation[8]. This made entrée into these organizations relatively easy and also allowed me to engage in cross organizational activities from time to time.

Second, my association with ProJuventude facilitated access to supporting entities and other pertinent players in the youth service network in Juiz de Fora. Because of the organization's longstanding relationship with the community and the well respected reputation of the agency's co-director (and eventually a key informant and friend), Claudia Stumpf, who had spent many years working with the municipal social services, I was able to explore a wide variety of child and adolescent oriented services, not just those that provided direct outreach to youth. I had access to the governing entities, politicians and law makers, juvenile courts, educational system, municipal councils, social services and other accessory agencies that make up the network of child and adolescent services in the city.

Finally, Juiz de Fora is centrally located between three of Brazil's most influential cities, Belo Horizonte, São Paulo and Rio de Janeiro. This proximity provided me with access to additional academic resources, including mentorship and material resources at the *Pontifícia Universidade Católica do Rio de Janeiro* (PUC). It also gave me opportunities to attend regional meetings and conferences, both academically and social service oriented, that helped to supplement my knowledge of the kinds of activities and organizations that exist in the southeastern region of Brazil, as well as trends in youth policy and legislation.

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[8] This is not to say that in Juiz de Fora, there were no difficulties in terms of entrée or politicking among organizations. Of course these issues existed; however, the size of the city and its particular history made it a much more manageable and open environment in which to conduct research.

2.2   JUIZ DE FORA

The city of Juiz de Fora (see Figure 1) is located in the southeastern part of the state of Minas Gerais in southeastern Brazil. Nestled in a valley in the Zona da Mata Mineira (see Figure 2), a lush mountainous region bordering the state of Rio de Janeiro, Juiz de Fora historically has been and continues to be one of the most important city centers in Minas Gerais, known not only for its industry, but also for cultural, social and religious progressiveness. The city has experienced many changes throughout the course of its roughly 150 year history and today occupies a unique place in the Brazilian urban landscape. While a detailed description of Juiz de Fora's history is not necessary here, several key changes need to be addressed in order to understand the modern day context of the city, and subsequently the environment in which the organizations examined in this work operate and the conditions in which the youth represented here live. This section, therefore, aims to give a brief historical overview of Juiz de Fora in order to highlight some of the economic and socio-cultural changes that have helped to shape it.

Figure 1: Map of Minas Gerais (Viagemdeferias.com 2010)

Figure 2: Map of Zona da Mata (MinasGerais.net 2010)

2.2.1 Early development and regional stagnation

Juiz de Fora had somewhat less than auspicious beginnings; the city began as a small camp settlement along the *caminho novo*[9]. By the turn of the 19th century, however, Juiz de Fora had become the largest and most important city in the state of Minas Gerais (Rocha 2008; UFJF 2010). At the time a regional leader in the production of various food goods including sugar, beans, dairy and beef, the area was particularly known for its coffee production; by the late 1800s coffee was the city's economic mainstay and accounted for three percent of overall national production (Rocha 2008). By 1914, Juiz de Fora was also a leader in industrial development, boasting not only South America's first hydroelectric plant, but also the nickname "Manchester Mineira"[10] due to the 160 industries that had taken root in the city (Rocha 2008). Additionally, Juiz de Fora had earned a reputation for being cosmopolitan; the city was an important cultural and educational center, characterized by its immigrant Italian, German and Lebanese populations, a progressive attitude and tolerance towards religious diversity, nationally recognized (even today) educational institutions, such as *Colégio Granbery*, the origins of many artists and poets well known throughout the country, and the third oldest museum in Brazil, *Museu Mariano Procópio* (de Oliveira 1994; Rocha 2008; UFJF 2010)[11].

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[9] "Caminho novo" refers to a road developed during the Colonial Period in that facilitated the transportation of gold and diamonds from the interior of the state of Minas Gerais to the port of Rio de Janeiro, see Rocha 2008.

[10] The term "Manchester Mineira" was used to compare the city to that of the prosperity of Manchester, England at the time. Factories in Juiz de Fora were modeled after Manchester's, with red framed doors and windows, whistles and operators and many can still be found in the city today, now repurposed for bars, restaurants, commerce and other industry, see Rocha 2008.

[11] The city was also given the nickname "Atenas Mineira," meaning "The Athens of Minas" due to the vast artistic and cultural production coming from the area, see Rocha 2008.

By the mid 1930s, however, Juiz de Fora began to experience an economic downturn as changes in the state of Minas Gerais, Brazil in general, and across the globe began to occur. First, as markets worldwide crashed in the late 1920s and coffee prices began to drop, coffee producers in the Juiz de Fora region found themselves in dire straits, and many plantations were either forced to burn their surplus production to survive or completely abandon production all together (Rocha 2008). At the same that time coffee prices began to drop, changes in national and global coffee tastes, as well as political changes in Brazil, subsequently moved coffee production southwestward to the developing São Paulo area, where ecological conditions favored the production of coffee that met new taste preferences (de Oliveira 1994; Fausto 1990). Attempts were made to switch reliance on coffee production to cattle herding in the region, with little to no effect, and consequently a rural exodus began (Rocha 2008).

Second, a national trend shifting the country's economic drive to the state of São Paulo fundamentally reordered the geographical space of national economic investment and therefore moved resources out of the Zona da Mata Mineira and into other regions of Brazil (Rocha 2008)[12]. The construction of the nation's new capital, Brasília, beginning in the 1950s officially moved resources into the *triângulo mineiro*[13] and away from the southeastern region, which included Juiz de Fora and the nation's former capital of Rio de Janeiro. With labor and capital moving out of the area, so too went textile, furniture and other industries that had called Juiz de Fora home; the once thriving nationally and regionally important city became suddenly marginal

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[12] For a more detailed discussion of the economic and political changes that lead to this restructuring, see Fausto 1999

[13] "Triângulo mineiro" refers to a region in the western part of the state of Minas Gerais that is today one of the richest in the state due in part to its proximity to the nation's capital and agricultural production, see de Oliveira 1994.

in terms of industrialization and the economic expansion of the state of Minas Gerais (de Oliveira 1994; UFJF 2010). Left with only the service industry as its major source of economic generation Juiz de Fora quickly fell into economic stagnation, where it stayed until around the 1970s (Rocha 2008).

Economic stagnation was accompanied by social and cultural changes as well. As the city became less economically attractive, the city began drawing in fewer foreign immigrants and bringing instead more rural migrants into the city seeking refuge from the failing agricultural industry (Rocha 2008; UFJF 2010). The new migrants brought more conservative social and religious influences to Juiz de Fora, and it began to experience a rise in Catholicism and a decline in the progressiveness that had once made Juiz de Fora a thriving cultural and artistic, as well as tolerant, community. At the same time, Brazil was experiencing political changes; starting with the Vargas Regime in 1930, the country transitioned from a dictatorship to a democracy and back to a dictatorship in 1964 (Fausto 1999). The political instability of the nation was reflected in Juiz de Fora, and the city began to experience a more politically conservative period, backing away from some of its previous social and political progressiveness (Rocha 2008).

2.2.2 Economic renewal

By the late 1950s the city had grown in population but was still struggling to keep its fragile service-based economy alive (de Oliveira 1994). To Juiz de Fora's much needed benefit, the first new signs of life began to show when then President Juscelino Kubitscheck de Oliveira sanctioned the creation of a federal university in the city. Established in 1960, the *Universidade Federal de Juiz de Fora* (UFJF) began to attract thousands of students to the area and helped to

boost the struggling service oriented economy (UFJF 2010). Another boost to the city came in the late 1960s, when national attention was once again brought to Juiz de Fora by the Brazilian military junta, which focused on the city and region as an important military center, an impact that can still be felt today (Rocha 2008). Once again the city began attracting industrial companies and new commerce; major steel and engineering companies began to relocate to the area, and some of the textile and furniture industries previously located there returned (de Oliveira 1994; Rocha 2008). By the mid 1990s Juiz de Fora had attracted the likes of international companies such as Mercedes Benz, and today the city is once again one of the major economic centers of the state of Minas Gerais (Prefeitura de Juiz de Fora 2009).

2.2.3   Social renewal

Along with the influx of students and new economic growth during the 1970s came social changes. The 1970s in Brazil was a period of social and political unrest; as the country moved towards its current re-democratization, social movements, often led by students, began to form in the city (Rocha 2008; UFJF 2010). It was during this time that the city began to recover some of its cultural and artistic fervor, fueled for the most part by the changing national political climate and local student movements. By the early 1980s UFJF had aided in the opening of several important cultural centers and museums in the area, including the *Museu de Arte Moderna Murilo Mendes*, named after one of Brazil's most beloved poets (UFJF 2010). Today the city once again has a thriving cultural community and touts itself as the home to several important

literary and cultural festivals as well as international events such as the *Festival International de Música Brasileira Colonial e Música Antiga* and *Miss Gay Brasil*[14].

Also by the early 1980s, as a result of the social service program at UFJF and the forward thinking student population, the city had already begun to reclaim some of its social progressiveness (Rocha 2008). By 1980 many of the social services, outreach organizations and community programs that are still present today had been established, some of them having survived the dictatorships (de Oliveira 1994). In 1983, as the abertura began, Juiz de Fora established its first *Conselho Comunitário Municipal* (Municipal Community Council)*,* an open forum council designed to give community leaders participatory space within the government to express their concerns and needs. Today there are 33 thematically organized councils, including the *Conselho Municipal dos Direitos da Criança* e *do Adolescente* (Municipal Council for Child and Adolescent Rights, henceforth CMDCA) established in 1992, which is composed of delegates from both NGOs and GOs and registers and monitors all organizations working with youth in the city; and the *Conselho Municipal da Juventude* (Municipal Council for Youth, henceforth CMJ) established in 2000, which provides important services for children and adolescents (de Castro 2004). The city was one of the first in the region to implement ECA and as such has developed an intricate network of community support for youth, instituted both by the municipal government and private non-profit entities (de Castro 2004).

Juiz de Fora has also become known in youth advocacy circles as a national leader for its social service network for children and adolescents. I was often told by my informants who

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[14] The "Festival International de Música Brasileira Colonial e Música Antiga" is music festival in which musicians from all over the world come to participate in concerts highlighting colonial music from Brazil and beyond. "Miss Gay Brasil" happens to be Latin America's largest drag queen pageant and is a testament to the renewed liberalism and tolerance the city is undergoing.

worked for the non-governmental and governmental organizations I studied that Juiz de Fora was considered a model how to implement ECA. The organizations that I worked with would periodically receive visitors from other parts of the county, staff sent by their organizations to observe the programs offered for youth in the city. Furthermore, the members of the CMDCA were often invited to speak at regional conferences in Belo Horizonte and Rio de Janeiro. Thus, the city had a good reputation for the organizational work that was done there and the services it provided to children and adolescents.

2.2.4   Consequences of change in Juiz de Fora

While Juiz de Fora has begun to recover from its long period of stagnation, the changes it has gone through – from boom, to bust, to rebirth – have left their mark on the city. First, restructuring of the city's demographic composition and population growth have led to both strains on Juiz de Fora's barely recovered economy and increased social tension. In 1970, Juiz de Fora had an estimated population of 239,000 with about eight percent of the population living in rural areas outside the city (Rocha 2008). Today, the population is estimated at around 520,000 with less than one percent living in rural areas (CPS 2009; Rocha 2008). As stated above the coffee production bust in the 1930s caused many people living in rural areas of the region to migrate into the urban center of Juiz de Fora in search of jobs. Even though the rural areas outside of the city continue to produce sugar, beans, rice and other agricultural products, the regional economy surrounding Juiz de Fora no longer relies on food production as a predominant source of income (CPS 2009; Rocha 2008). The resurgence of industry jobs and the declining importance of agriculture have, therefore, continued to lure rural migrants from other parts of Minas Gerais and the neighboring states of São Paulo and Rio de Janeiro.

Population growth in Juiz de Fora is, however, not due to rural migrants alone. Not only does Juiz de Fora continue to be an attractive location for students from outside the region due to the reputation of UFJF, the affordable cost of living and the lively cultural, artistic and academic vibe of the city, but it has also become a refuge for both rich and poor attempting to flee deteriorating conditions of cities such as São Paulo, Belo Horizonte and Rio de Janeiro (CPS 2009). White collar, middle class and working class groups looking to escape the violence, overcrowding and expensive living conditions of Brazil's major cities have started moving into Juiz de Fora for what is perceived as a safer, economically advantageous and calmer environment. While no reliable statistics are available showing the percentage of population growth due to influx from urban areas, the presence of these populations is obvious in the city. Many of the people with whom I worked (both young and adult) had moved to Juiz de Fora from São Paulo or Rio de Janeiro. Almost every day I was confronted on the street with a mix of *carioca* and *paulista* accents. This influx of people from both rural and urban areas outside the city has put a strain on the city's resources as it is challenged to provide jobs, social assistance and other services for its continually growing population (Rocha 2008).

Accompanying the economic challenges of a growing city are the increasing social tensions over the perceived "threat" to Juiz de Fora's security that incoming outsiders represent. In general, Juiz de Fora is perceived as a "safe" city, a notion that is not completely unwarranted. I say "perceived" because I do not want to give the impression that there is no crime or violence; however, compared to many of the cities in Brazil I had lived in or visited (both big and small), Juiz de Fora did in fact offer a level of security that one does not find even in cities of a similar size in Brazil. It was not uncommon to see people walking around at all hours of the night coming home from the movies, a bar or club, or someone alone taking her dog out for walk or

going for a jog in the appealing cool evening air. As accustomed to Rio de Janeiro as I was, it took me by surprise at first that people in Juiz de Fora did not seem to feel the need to take a taxi everywhere at night or to avoid certain areas like parks or *praças* (plazas).

One could certainly argue that this sense of security was perhaps something only felt in the "nicer" neighborhoods behind gated communities and apartment complexes, but that would be untrue[15]. As I came to know the city, I found that not only were there few truly "gated" neighborhoods, houses or apartment complexes but also that many people – rich, middle class and poor – considered the city to be *tranqüilo* (calm); often times many of my friends and informants expressed to me that this sense of security was one of the unique and special things about the city. Juiz de Fora was big enough to have all the amenities of a "real" city, yet it came without the high crime found in other parts of Brazil[16]. Yet, there was also the perception that this security would not last long, threatened by the influx of "outsiders" and growth the city had experienced. Many people with whom I spoke believed that if the city continued to grow it would deteriorate just like Rio de Janeiro or São Paulo[17]. To many, this was no more evident than in the number of "peripheral" neighborhoods that had begun to develop in and around the city; even though favelas were nothing new to Juiz de Fora, the development of new ones around

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[15] For a discussion on crime and gated communities in Brazil, see Caldeira 2000.

[16] This is not to say that the city did not have crime or problems in terms of violence, but just to say that the overall impression and sentiment of many Juiz de Fora residents was that the city was safe in comparison to many other places in Brazil.

[17] There is little information available on crime rates in Juiz de Fora, see CSP 2009. It is inconclusive as to whether or not crime is actually increasing. However, I believe that whether or not it is, the perceived threat is real and plays a role in helping to construct the social dynamics of the city. For a discussion on the relationship between perceived crime risk and crime in Brazil, see Villarreal and Bráulio, 2006.

the city seemed to spur the notion that outsiders were creeping in and slowly threatening safety in the city.

Thus, security had become a point of contention in Juiz de Fora, for both native *juizdeforanos* and transplanted cariocas and paulistas alike. While anyone who has studied Brazil knows how important security is to Brazilian society, I often got the sense that there was an invisible scale, delicately, if not precariously, balanced over the city when people discussed the issue with me, the tension held in place by the at once overwhelming desire to grow the city economically and socially, while trying to retain Juiz de Fora's relative peace and tranquility. To illustrate, many of my youth informants born in Juiz de Fora often lamented the bondes from Rio that had begun to set up camp in their neighborhoods and cause problems; conversely, their carioca counterparts living in the same neighborhood would rejoice at the calm streets and the *lack* of gang activity in comparison to what they were used to. Gang activity or not, these transplanted youth commented to me on more than one occasion that they had difficulty making new friends due to the *distância* (standoffishness) of their *mineiro* neighbors who held them in distrust and blamed them for the perceived increase in violence in their neighborhoods.

Finally, adding to the economic and social tension of the region is the unfortunate and ugly truth of political corruption in Brazil. As discussed in Chapter One, Brazil continues to struggle with political corruption, particularly at the municipal level. Juiz de Fora, despite its best efforts, has been no exception. In fact, no more than one month after I settled into the city, the mayor at the time, Alberto Bejani, was arrested for stealing city funds (nearly one million Brazilian *reais* was found in cash in his home) (Globo 2008). He was also accused of taking bribes from local bus companies in exchange for authorizing an increase in bus fares over the course of a three year period (Globo 2008). His arrest and subsequent imprisonment created a

wave of public outrage and protestations across the city (see Figures 3 and 4). The impact was

felt not just in terms of public outcry, but also in terms of the disruption it caused in practically

every sector of the municipal government, disruption that trickled down into the very

governmental and non-governmental organizations with which I had come to work.

Figure 3: Sign at protest: "Out (with) Bejani! Impeachment!" Photo Credit: Penelope Morrison
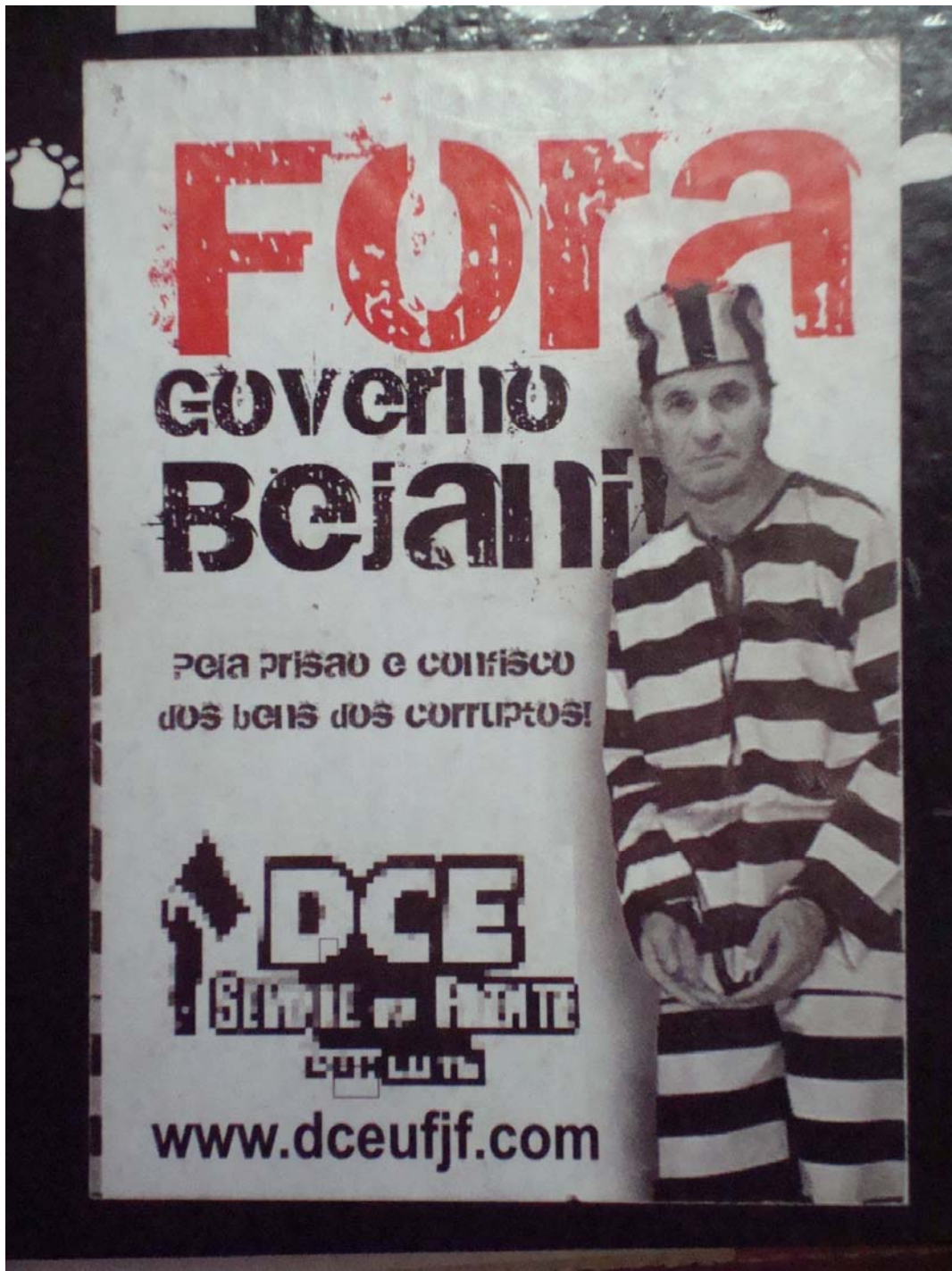
Figure 4: Sticker found on city building: "Out (with the) Bejani Government!" Photo Credit: Penelope Morrison

Thus, just as I was getting started and making myself known to people who worked in youth oriented organizations around town and in supplementary governmental positions, I found myself confronted with the fact that within a matter of days after Bejani's arrest, nearly everyone who had worked under his governance was promptly excused from their positions. The interim mayor, in an attempt to distance himself as far as possible from Bejani, swept the municipal government clean from top to bottom. The impact was chaos as people shifted in and out of positions; the governmental programs that I eventually made my way into a second time felt the strain as staff from both the programs and their governing bodies changed hands. The non-governmental sector was equally shaken due to the ties that it had established with the municipality and the financial difficulty that Bejani's thievery would eventually cause them[18]. The upheaval would be felt one more time later in the year as the interim mayor was replaced by a new(ly re-elected) mayor, who would once again clean house.

This, therefore, is the environment in which I found myself when I arrived in Juiz de Fora in January of 2008. I found a city truly in a state of transition, having undergone many changes in the last several decades and still trying to reinvent itself, socio-culturally, economically and politically. And so too this was the context in which I found many of the NGOs and GOs and their programs – struggling to accommodate population growth and new strains on already scarce resources, coping financially with an economic environment that was, at best, staying afloat and still recovering from years of stagnation, trying to make sense of increasing social tensions, and reeling from political upheaval. It is also in this context that I found my youth

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[18] Many non-governmental organizations in Juiz de Fora receive monies from the municipality to pay for certain expenses. With changing personnel and such upheaval in the municipal government, I witnessed many NGOs struggling throughout the year to obtain the resources that the city had promised them.

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informants and to which I later began to attribute some of their frustrations and anxieties about Brazil, a point to which I will return to in Chapters Five and Six.

2.3   A BRIEF PHYSICAL DESCRIPTION

The majority of Juiz de Fora (see Figure 5) lies in a valley and is divided by two major roads – *Avenida Barão do Rio Branco* (henceforth, Ave. Rio Branco) and *Avenida Independência* – that form a cross through the city, effectively dividing it into four sections: north, south, east, west, with the main commerce area, or *o Centro*, in the middle (see Figure 6). An enormous bus way divides the lanes of Ave. Rio Branco and runs the length of the city.   Nearly every city bus passes through the Centro on its route, making access to the majority of the region easy for most of Juiz de Fora's inhabitants. The hub of city life exists within walking distance around the Centro along Ave. Rio Branco and Ave. Independência. This is where many of the city's important social, economic and political entities are housed, including Halfeld Park (the central plaza and park), the Municipal Assembly and the city's famed *calçadão* (pedestrian commerce area). The calçadão is intersected by *Rua Halfeld*, its principal street and is where a majority of the city's merchants, bars and restaurants, governmental offices, banks, cinemas, the Municipal Theater and other important commerce reside. On the outskirts of the calçadão, near the intersection of Ave. Independência and the city's third most important thoroughfare *Ave. Getúlio Vargas*, lies a retired factory building that now houses many of the city's youth oriented governmental programs.

Figure 5: Juiz de Fora. Photo Credit: Penelope Morrison
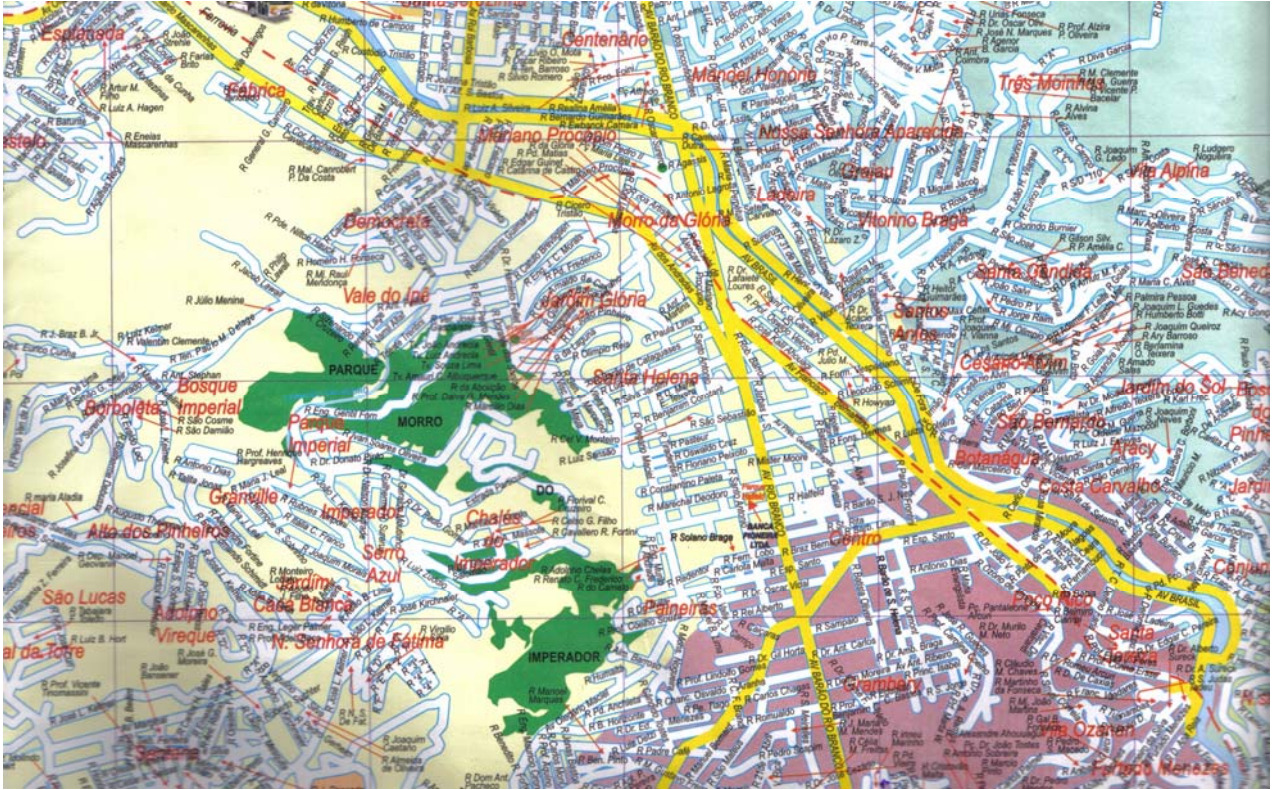
Figure 6: Map of O Centro, Juiz de Fora. (maps.google.com 2010)

The north, south, east and west sections of the city inside the greater valley region are comprised mostly of mixed class residential neighborhoods, with smaller pockets of commercial activity. Outside the valley lie three other regions that make up the greater Juiz de Fora municipality; these are not necessarily "poor" or marginalized areas, although many could be classified as this, but simply suburbs that developed around the city due to limited space within the valley and proximity to steel mills and other industries where their inhabitants work. Some of these neighborhoods are up to an hour bus ride away from the Centro; some are difficult to access due to the poor road conditions or infrequent bus lines; some go by two names or were divided into sub-neighborhoods; some changed names or simply were unnamed. This sometimes presented a problem when I ventured out looking for a program, as many of the city's NGOs were located outside the Centro.

My apartment was located on the main thoroughfare of Ave. Rio Branco, in a middle

class neighborhood called *Alto dos Passos*. Over the course of my year in Brazil, this locality

would prove fortuitous for many reasons. Not only was the apartment centrally located with all

necessities nearby and affordable, but it was also within walking distance or a quick bus ride of

many of the NGOs/GOs I was to work with (complete with a bus stop right outside my door). It

was also located around the corner from one of the busier praças where often times my youth

informants tended to congregate. This gave me ample opportunity to build rapport with and

engage youth in contexts outside the confines of an organization. Furthermore, it also allowed

me to observe youth interactions with one another in a more casual setting.

2.4   DATA COLLECTION AND METHODS

2.4.1   Primary Data

During my 12 months in Juiz de Fora, I worked closely with and conducted research at six local

organizations that worked directly with "at risk" youth: three organizations classified as non-

governmental – *Guarda Mirim, Instituto Jesus* and *Aldeias SOS* – and three classified as

governmental – *PROMAD*, *Segundo Tempo* (run by *Instituto Cidadania*), and *Casa Aberta*.

These organizations were selected with the help of my host entity, ProJuventude, based on

several factors: first, a demonstrated willingness to engage in the research process and ability to

support my entry into their organization as a volunteer; second, the presence of a regularly

attending group of youth between the ages of 12 to 17 with whom I could work; and third,

relative organizational sustainability (i.e. they were not going to close during the research year)

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and a somewhat documented history for pre – and post – ECA comparison. A more detailed description of the organizations with which I worked will be given in Chapter Three.

Because the research question deals with the implementation and influence of ECA and the way in which rights-based programming for "at risk" youth is employed at the local level by organizations, I felt it was imperative to give equal weight and examination to both non-governmental and governmental entities. Particularly, I wanted to see if there was a difference in how organizations conceptualized programming, how they thought about the population they worked with, how they utilized the concepts of rights as laid out in ECA and whether or not governmental organizations gave more weight to these issues. Furthermore, I wanted to compare how each organization functioned on a day-to-day basis and whether affiliation with the municipality provided an advantage in terms of resources for organizations; thus I selected three NGOs and three GOs to work with.

However, as I began to work closely with the organizations in Juiz de Fora, I realized that from a practical standpoint, NGOs and GOs could be treated as essentially the same in the analysis and thus, despite my initial intentions to separate the two, the organizations presented in this study are analyzed together. This is due to the fact that what constitutes a "non-governmental" as opposed to "governmental" organization in Juiz de Fora (and I suspect elsewhere in Brazil) is not so simple. First, since the CMDCA regulates both governmental and non-governmental organizations, there is a lot of interaction between these entities in terms of combined efforts, regardless of the relationship to the state. This often blurs the lines as NGOs and GOs form alliances, partnerships and other intercommunity efforts. Second, NGOs often rely on government support for their programs; thus while their administration may not be based in a government office, they often receive small grants, loans and other forms of financial

support from the government which may or may not dictate how they operate. Similarly, GOs often rely on public *and* private support of their activities; thus, while they are structurally an extension of the government and administered by government officials, they often do not receive 100 percent of their financial support from government funds and consequently must rely on private donations to function.

At the organizational level, then, my work varied; I conducted participant observation at staff meetings and workshops, reviewed socio-educative and other organizational materials, and engaged in routine activities with staff, such as with lesson planning and activity preparation. I also participated in whatever daily activities for youth the organizations provided, such as street outreach, socio-educative classes, lectures, sports and other leisure activities. Occasionally, I was asked to teach a class in arts and crafts, lead a group discussion with youth, or chaperone groups of youth to a cultural event, lecture or other activity in the city. Through this work, I got to know organizational staff and eventually selected personnel for more in-depth semi-structured interviewing. In total, I conducted over 60 interviews with 30 staff members, as well as spent hours informally engaging staff in research related discussions. I tried to give equal weight to various levels of seniority within each organization, interviewing volunteer and paid staff, as well as individuals in administration and executive positions. I also strove to include equal numbers of both male and female employees, although this was at times difficult due to the fact that the overwhelming majority of organization employees are female.

It was through these organizations that I developed rapport with and got to know a group of about 20 youth informants between the ages of 12 and 17, who became an integral and vital part of my study. Initially, five youth from each organization were randomly selected for participation, giving equal representation to both young males and females. Due, however, to

retention issues in some organizational programs, by the end of the study only 15 of the original youth selected remained. Additional youth were recruited as needed to maintain a minimum pool of 20 informants. From there, snowball sampling was used to engage other youth, friends my informants had in the organizations, to participate in additional interviewing, focus groups and other activities.

I conducted 45 semi-structured interviews with over 20 youth informants, as well as had the opportunity to conduct several focus groups with youth who participated in the organizations I frequented. Additionally, as with my adult informants, my participation at the organizations afforded me hours of informal conversations with my young friends. Furthermore, when possible I conducted participant observation outside of the organizations with youth. I say "when possible" because participant observation outside of the organizations was often problematic for safety, ethical and logistical reasons; thus much of the observation with my youth informants had to be conducted in the context of the organization.

However, instances presented themselves when I was able to interact with youth outside of the organizational walls. For example, I often ran into my young friends on the street or in praças around the city (like the one in my neighborhood), and I began to frequent the areas where I knew they would be. On occasions like this, I would simply "hang out" and talk with them, or be drawn into a game of some sort. Other times I would see them at events that I attended or around town at a café or store where they might work; additionally I would sometimes be invited to eat a snack with them between organizational activities, or to the occasional *baile funk* (funk

dance) or *rave* (rave)[19], other organizations they attended, their church, *abrigo* (orphanage), schools, and sometimes, but rarely, into their homes.

In addition to conducting semi-structured interviews and participant observation with my youth informants, I designed and implemented a quantitative survey for youth frequenting organizations in the city (both ones I worked with regularly with and others not necessarily primary participating entities but that I visited). The survey was distributed to 450 youth and designed to supplement the data being collected from interviews with youth and organizational staff. It consisted of questions assessing different aspects of risk among youth respondents, paying particular attention to risk behaviors and factors commonly cited by organizational staff. This survey will be described in more detail in Chapter Five.

2.4.2   Secondary data

Aside from working closely with the six organizations listed above and my youth informants, I had the opportunity to visit nearly 30 other organizations in Juiz de Fora that work with "at risk" youth. These organizations were selected randomly from a directory of youth services provided to me by ProJuventude. The only requirement was that they had to work with youth ages 12 to 17. The purpose of these visits was three-fold: first, I wanted to get an overall feel of the kinds of programs available in the city in general; second, I wanted to supplement my knowledge of how youth oriented programming worked; and third, I wanted a general understanding of other organizations for comparative purposes. During these visits I spoke with and sometimes

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[19] "Baile Funk" refers to an event centered on the style of music and dance called "Funk." "Funk" is popular among many Brazilians; however, adolescents in particular are known to frequent these events. A "rave" in Brazil is similar to the all night electronic dance events that are popular here in the United States.

interviewed staff, engaged if possible in whatever activities the organization was doing, spoke with participating youth and acquired organizational materials if available. I visited organizations of every size and kind, from small church based groups that ran their activities out of a garage in one of the most economically depressed neighborhoods to large well-structured, well-funded agencies.

I also had the opportunity to speak with and conduct semi-structured informal interviews with various municipal councils and their members, including the CMDCA and CMJ, community leaders, politicians who had been or currently were involved in youth services in the city, and governmental officials who worked at various levels concerning youth policy, service and programming; I also spoke with activists, some of whom were not engaged in direct work with youth, but were nonetheless responsible for, among other things, municipal policies and regulations for youth oriented programming, implementation of governmental programming, program design, registration of non-governmental organizations and budgeting and financing of both non-governmental and governmental organizations. I also attended municipal meetings and other events involving the city's councils or centered on youth policy. For example, I attended bi-monthly meetings of the CMDCA, as well as the meetings of the *Associação Municipal de Apoio Comunitário* (Municipal Association for Community Support, henceforth AMAC), the branch of the municipal government through which city organizations were staffed, funded and executively administered. Through supplementary visits, interviews, and opportunities for participant observation, I was able to put the pieces of the puzzle together in Juiz de Fora in terms of the city-wide structure of programming as well as come to a deeper understanding of how the city's organizational community operated as a whole.

Finally, I had the opportunity to visit many area schools and to interview and speak with teachers and school officials in Juiz de Fora. Nearly everyone I spoke with in Juiz de Fora – both young and adult – complained in some fashion about the poor state of public education in Brazil. As I will argue, my youth informants often linked a lack of educational quality to issues of "risk," and in many ways the issues with education informed their understanding of the capacity of Brazil as a democracy to deal with barriers to social inclusion. In order, therefore, to understand the role that education plays not only in the lives of the youth who are engaged in organizational activities but also in the larger context of "risk," I felt it was imperative for me to visit public schools in the area in order to see how they functioned and to gain insight into some of the statements about education that my informants made. I visited 45 different schools in order to get a broader picture of the educational system. Thirty were public schools, 15 primary and 15 secondary schools in roughly 20 different neighborhoods. Fifteen were private, with six primary and nine secondary schools in roughly nine different neighborhoods. I tried to give fair representation to neighborhoods with different levels of socio-economic status. The visits I made to schools in Juiz de Fora greatly supplemented my understanding of not only my youth informants, but also the NGO and GO programs they frequented and the larger context of problems both faced. The issues surrounding education, my experiences with the educational system in Brazil and the link between education, risk and democracy will be analyzed in Chapter Six.

2.5   ETHICAL AND LOGISTICAL IMPLICATIONS OF WORKING WITH YOUTH

Working with youth is not always easy and there are a number of ethical and logistical issues I feel need to be addressed before I continue. First, developing rapport strong enough to solicit information from young people can often be time-consuming and difficult. Thus, while I did find a rather large group of youth who "took" to me, who wanted to talk to me and allowed me into their lives[20], I also found some youth who were simply not interested in engaging with me, and I did not dare press the issue. Second, due to IRB concerns and restrictions, minors under the age of 12 were not allowed to participate in the study. Third, during the research process I was privy to many conversations and events that, if connected back to the youth in question, could endanger or put him or her in harm's way. All data related to the youth informants, therefore, are presented without reference to the specific organization they were attending, and all youth participants have been given pseudonyms.

Finally, I had to be careful about the kinds of activities I myself engaged in while with my youth informants so as not to cause problems for them, myself, my research or its integrity. I had to think carefully, therefore, before accepting any of the invitations discussed previously that were extended to me. My presence at particular events (such as a baile funk) could have been problematic for various reasons, including harm to my personal safety, harm to the person who invited me or confusion over the boundaries one has to establish as a researcher with informants, particularly if those informants are minors. This is not to say that I did not attend such events; in

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[20] I found that my foreign status often made this easier. Because I was American and not "really" a part of the programs, I was sometimes granted a privileged place among my youth informants. Curious about me and wanting to know more about the U.S. they would often open up to me about things they may have not told the organizational staff and educators. I also found that I could "get away with" asking things they may not have necessarily tolerated from other adults.

fact, to persistently reject invitations from my young friends would have been to risk alienating myself. It is simply to say that I had to use discretion when choosing where and when to go with a young person and be conscious of reinforcing the boundaries of our relationship when necessary.

2.6   DATA ANALYSIS

As discussed above, four sources of primary data were collected during the research field season: qualitative open-ended semi structured interviews, focus groups, field notes and a quantitative survey. Each of the qualitative interviews was transcribed and then translated from their original Brazilian Portuguese into English. I was responsible for the transcription and translation process and therefore am also responsible for all translated texts in this document. Interview data were then entered into ATLAS.ti and coded to look for thematic similarities in the text relating to the research questions, including comments on democracy, risk, citizenry, ECA, youth, rights, and childhood, among other topics. Field notes were taken in English and Brazilian Portuguese, depending on the context of the situation in which they were collected. They were also then translated, if necessary, and entered into ATLAS.ti, again looking for the thematic topics discussed above.

Finally, I designed a survey with the help of a colleague in the field, Dr. Jurema Brites from the Universidade Federal de Juiz de Fora, and a paid research assistant, Elis Ramos Moreira. Four hundred and fifty surveys were administered; however, after reviewing the completed instruments, 62 were eliminated due to incomplete data. With the help of a colleague at the University of Pittsburgh, Amy Erica Smith, the data were tabulated and entered into Stata

software for analysis. The results of this survey and other data will be discussed in Chapter Five.

I will now turn to a discussion of the history of youth policy in Brazil, ECA and current views

regarding youth and youth programming.

3.0   YOUTH POLICY IN BRAZIL: A BRIEF HISTORY

> … the history of young people in Brazil, like the rest of the world, shows that there exists an enormous distance between the reality of youth described by international organizations, non-governmental ones or the government, and that which young people find themselves immersed in on a daily basis… the world in which a "child should be…" is different than the one in which she lives, or in the majority of cases, survives (del Piore 1999:8).

As discussed in Chapter One, Brazil has undergone many changes in the last several decades. The political, social and economic changes within the country have subsequently led to changes in legislation and social policy, youth oriented programming being no exception. National legislation and policy for youth have gone through many different incarnations in Brazil, influenced not only by changing international ideologies but also by political fluctuations within the Brazilian state (Rizzini 2002b). The nationwide policy of how to deal with Brazil's "youth problem" has shifted away from a paternalistic approach of institutionalization towards a seemingly more progressive rights-centered approach (Rizzini and Barker 2002). In the last two decades in particular, youth policy in the country has been influenced by worldwide trends in youth rights activism, such as the UN Convention on the Rights of the Child, and in the spirit of re-democratization, has incorporated protection for youth and their civil liberties into the Brazilian constitution (Kaufman and Rizzini 2002; Rizzini and Barker 2002).

The Child and Adolescent Act of 1990, many have argued, is one of the most liberal and modern pieces of democratic legislation ever designed in the name of young people (Drybread 2009; Espíndula and de Souza Santos 2004; Hecht 1998; Klees, et al. 2000; Rizzini and Barker

2002). Yet, ECA is not without its critics and its being heralded as the coming of change for all Brazilian youth has yet to be seen (Rizzini 2002a; Rizzini and Barker 2002). In fact, as I will argue, while much has changed in practice and in the way policy and programs geared towards youth are implemented, implicit in ECA are lingering views on young people that are caught up in past rhetoric that placed youth at the center of debates on nation building and subsequently dichotomized youth as either threatened by society or threatening to society.

This chapter provides a brief history of the evolution of youth oriented programming and policy at the national level in Brazil, with a specific emphasis on factors leading up to the implementation of ECA. I show how past policy regarding youth in Brazil centered on the ideology of "save the child, save the nation" and was tied to characterizations of youth as either "in danger" or "dangerous." I then examine organizational programming in Juiz de Fora to show how it has been influenced by the new rights-based approach to "childhood" that ECA envisions and how many organizations have re-structured their programming around this rhetoric. I critically analyze the justification of programming to show how, despite the re-structuring of social programs for youth towards a rights based approach, there continues to be an emphasis on the need to "save the child" in order to "save the nation."

3.1   EARLY 20TH CENTURY: THE "CHILD SAVING" MOVEMENT

Hugh Cunningham (2005) has thoroughly reviewed the development of youth oriented policy around the concept of childhood throughout modern history. He argues that by the mid 1800s

ideological shifts in how young people and more specifically childhood[21] were perceived began to influence public policy worldwide (Cunningham 2005). The "child saving movement" was a philanthropically driven trend occurring in predominantly Western industrialized countries between 1830 and 1920, aimed at "saving" young people for the sake of childhood (Cunningham 2005). In the past, concern over children and adolescents' wellbeing had been couched in either moral/religious terms that concentrated on the need to save their souls or industrialist endeavors geared towards producing future generations for the workforce (Cunningham 2005). However, by the 1830s, the way in which the moral majority thought about young people had shifted, and childhood had come to be recognized as a distinct phase in the development of personhood – *the* phase in fact.

It was believed that young people, being the bearers of the future, needed to have their childhoods rescued (Cunningham 2005; Rizzini 2007). Motivated by such concerns, 19th century philanthropy thus set itself to the task of ensuring a proper childhood for needy youth (Cunningham 2005). As Cunningham states,

> In the philanthropic/missionary discourse we can often sense shock at the distance between the actuality and ideals of childhood as experienced within the middle and upper classes, and what they observed within the mission field. They saw 'children without childhoods'. The essentially romantic rather than Christian view of childhood as properly protected and dependent, and separate from adulthood, which had become dominant in the first half of the nineteenth century, provided a motivating reference for any philanthropist (2005:139).

Philanthropists, however, were not the only ones concerned with "child saving;" by the 1880s in fact, the movement would take on a new dimension as increasingly demands were made on state governments to intervene on the behalf of children and adolescents (Cunningham 2005; Rizzini

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[21] Chapter One deals with the philosophical and historical trends that gave root to and eventually helped to shape the modern idealist concept of childhood, particularly as understood by Western cultures.

2007). Spurred in many countries by child labor in factories, the increased visibility of young

people on the streets (and their presumed potential for delinquency)[22] and other issues such as

cruelty towards youth, states took over as the key players in "child saving" actions (Cunningham

2005). As Rizzini states,

> the child saving movement was based on the belief that a harmful environment coupled
> with certain innate proclivities made monsters of children, a situation that could have
> devastating consequences for society as a whole. Saving children was a mission that
> went beyond the boundaries of religion and the family, taking on a political dimension of
> control justified by the imperative of defending society and preserving social peace and
> order (2002a:168).

"Saving the child," therefore, inevitably meant moving young people "somewhere close to the

centre of the political agenda of the modern state" (Cunningham 2005:139-140). The "child

saving" movement went beyond charitable endeavors and eventually became a political project,

usually motivated by concerns that were anything but "child centered" (Cunningham 2005).

In fact, the newly emerging view of childhood arguably can be seen as a motivating

influence for state action in many countries (Cunningham 2005), including Brazil. From about

the 1880s on young people in the country were viewed as "a social problem fundamental to the

larger project of nation building" (Rizzini 2002a:165). After years of colonial and imperial rule,

Brazil established itself as a republic in 1889. The struggling new republic, however, found

itself like many other countries in the world, faced with the task of having to cope with the

changing socio-economic climate that characterized the worldwide shift to industrialism (Cabral

dos Santos 1999; Fausto 1990; Rizzini 2002a; Rizzini 2007). Along with the abolition of slavery

and the demise of rural plantation agriculture, the rise in industrialism brought about a

fundamental restructuring of social organization in Brazil (Cabral dos Santos 1999; Fausto

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[22] For more on how children and youth were cast as delinquents, see Cunningham 2005.

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1990). As both foreign immigrants and rural migrants flocked to Brazil's urban areas, lured by jobs in the newly developing factories, Brazilian cities began to swell (Rizzini 2002a; Rizzini 2007). Increasingly, beggars, vagabonds, prostitutes and other "vagrant" groups were found openly living on the urban streets (Cabral dos Santos 1999; Passetti 1999). Soon unease over the deteriorating city environments abounded; unable to handle the influx of new urban dwellers, cities became seen as centers of "disorder, disease, crime and depravity" (Rizzini 2002a:167). The "dangerousness" inherent in urban centers began to represent a threat to the newly established political order, and the government found itself forced to look for new responses to the urban milieu (Rizzini 2002a).

Children and adolescents also became increasingly visible in municipal spaces among the ranks of the homeless poor, and public alarm soon began to be raised over what kind of moral upbringing urban streets provided for young people (Cabral dos Santos 1999; Passetti 1999; Rizzini 2007). Youth were supposed to be the "future of the nation;" yet, the street, which was full of all kinds of vice and indolence, was a damning environment for anyone, let alone young people who clearly could not distinguish right and wrong on their own (Cabral dos Santos 1999; Rizzini 2002a; Rizzini 2002b; Rizzini 2007). At the same time, the presumed inherently perverse and delinquent nature of young people gave them *natural* tendencies towards criminal behavior and thus, their presence on the street presented a threat to civilized society (Cabral dos Santos 1999; Passetti 1999; Rizzini 2002a; Rizzini 2007). Children and adolescents, therefore, were at once cast as "in danger" and "dangerous" and declared *um problema social gravíssmo* (a grave social problem) (Rizzini 2007: 25). Something, therefore, had to be done about the "youth problem" in Brazil for the sake of maintaining order. Thus, youth began to figure prominently in

the political debates at the time over what was to be done about the condition of Brazilian cities (Rizzini 2002a; Rizzini 2002b; Rizzini 2007).

The "problem" of youth in Brazil, therefore, took on a political dimension that found its expression in the struggling republic's mission of nation building. How could Brazil build a nation when its young people threatened society with impending chaos? The solution was simple: "save the child, save the nation" (Rizzini 2002a; Rizzini 2007). As Rizzini states,

> The unsettling presence in the streets of children who were 'materially and morally abandoned,' to use the language of the times, led to appeals for the country to confront this grave social problem… the state's role in behalf of such children was defended as part of a larger 'patriotic and civilizing mission of healing' and reform… envisioned as part of the larger project of nation building. The threat implicit in the discourse of the time was that the country would be overrun by disorder and immorality if it let down its guard in the face of abandonment, particularly of children. 'Saving children' obeyed a logic that was politically compatible with the thinking of the times. It was understood that in protecting children it was ultimately the country that was being defended – from crime, from disorder, from anarchy (2002a:168).

The "child saving" movement provided a resolution to the question of how to deal with the increasing anxiety over the social disorder of the country's urban centers, while at the same time giving direction for building the country into a modern nation. It fell to the Brazilian state, therefore, to take up the "crusade for childhood;" yet how the republic would take "control" of Brazilian youth was still undetermined. Brazil needed a unified front for "dealing with" its "youth problem" (Rizzini 2002b).

3.2   THE MINORS' CODE OF 1927

In turn-of-the-century Brazilian discourse, then, the ambivalent view of children and adolescents as at once "in danger" and "dangerous" became something of a leitmotiv. If youth embodied

hope, the very future of the nation, their deviance was also seen as a threat (Cabral dos Santos 1999). Their innocence was called into question and elements of cruelty and evil identified in their souls; they were often closely associated with aspects of criminality and danger, especially those who came from the most precarious and morally deprived conditions (e.g. impoverished) (Cabral dos Santos 1999; Rizzini 2002a; Rizzini 2002b; Rizzini 2007). I will argue in Chapter Four that this notion of youth as "in danger" vs. "dangerous" still exists today; here it is important to say that this dichotomous categorization of young people would continue to influence policy in Brazil concerning youth and provided the basis for much of the actions took in the name of youth throughout the 20th century.

Under the "child saving" rhetoric, therefore, it was imperative that youth be removed from the environments that promoted their delinquency, particularly the *escolas de crime* (schools of crime) found on the street, the jails[23] and often their own families (Rizzini 2002a; Rizzini and Rizzini 2004). As Rizzini states,

> leaving children in a state of moral abandonment was said to encourage their becoming delinquents. Reformers argued that Brazil was failing to follow the example of more civilized counties that took juvenile justice seriously. The solution, as they saw it, lay in reorganizing the justice system on a new foundation, taking inspiration from the humanitarian tradition of the 19th century but adapting it to modern, 20th century civilization (2002a:174).

Thus, the early part of the 20th century in Brazil saw a preoccupation with legislation that attempted to reform the role the state played in relation to children and adolescents. It was understood that the state should take guardianship of those deemed "morally" abandoned and rather than limiting its power to putative measures, the state would use education and other social measures to reform, reintegrate and re-socialize youth back into society (Passetti 1999; Rizzini

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[23] Young people in Brazil found to be in trouble with the law were placed into adult prisons at this time, see Cabral dos Santos 1999, Rizzini 2004.

2002b; Rizzini 2007; Rizzini and Rizzini 2004). Philanthropic organizations were seen as the perfect vehicle for the state to carry out its social duties as they had access to the poor that the state did not. This thinking was seen as reciprocally important to the philanthropic movements at the time which saw state intervention as a means of controlling the increasing "dangerousness" of the impoverished classes (Cunningham 2005; Passetti 1999; Rizzini 2002a).

Sociology, psychology and anthropology were employed to understand why young people turned to crime and what measures should be taken to keep them from deviance (Cunningham 2005; Rizzini 2007). Children and adolescents endured during the early part of the 20th century a variety of actions on their behalf, actions intended to safeguard them from society and vice versa (Cabral dos Santos 1999; Rizzini 2002a; Rizzini 2007). Typically those who were deemed to have potential were "saved" and attempts were made to put them to work or reform or educate them[24]; others, deemed recalcitrant were institutionalized, often removed from their families for indefinite periods of time (Cabral dos Santos 1999; Passetti 1999; Rizzini and Rizzini 2004). There was no consistency, however, in how the state determined the "abandoned" or "orphaned" state of young people, and often youth were apprehended based on arbitrary assumptions made from their dress or appearance, with no attempt made to determine if they were indeed abandoned or not (Rizzini 2007; Rizzini and Rizzini 2004). Consequently many young people were falsely accused of crimes, institutionalized without regard to their rights, and lost all contact with their families (Cabral dos Santos 1999; Rizzini and Rizzini 2004).

Then in 1927, the first *Código de Menores* (henceforth, Minors' Code) was enacted. To date, one of the most controversial pieces of youth legislation ever passed in Brazil, the Minors'

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[24] Education of "morally abandoned" youth was highly controlled by elite in Brazil and was intended not to challenge the established social order, but rather to reproduce it by subordination, see Rizzini 2002.

Code was a culmination of the early 20th century agenda for youth (Drybread 2008; Drybread 2009; Espíndula and de Souza Santos 2004; Hecht 1998; Rizzini 2002a; Rizzini 2002b). It is not within the scope of this work to outline all of the legislative proceedings and policy changes that took place and led up to the enactment of the Minors' Code in Brazil. However, suffice it to say that the Code would go through many incarnations before being formalized in 1927. As Rizzini states, "from the beginning of the 20th century until 1927 when the Minors' Code was approved, numerous bills were introduced and debates held on the intertwined challenges of protecting children and protecting society from them" (2002a:175). Thus, born out of the early 20th century "child saving" movement in Brazil, the code was essentially the legalized embodiment of the "in danger" vs. "dangerous" youth rhetoric (Rizzini 2002a; Rizzini 2002b; Rizzini 2007).

Written by professor and judge José Cândido de Albuquerque Mello Mattos, who would later become the first *juiz de menores* (judge for minors) of Brazil, the Minors' Code[25] legally consolidated state assistance and protection of minors under the age of 18 (Bentes 1999; Hecht 1998; Passetti 1999; Rizzini 2002b; Rizzini 2007). It instituted various forms of legal vigilance deemed necessary to protect "morally abandoned" and "delinquent" youth, including the establishment of a centralized organ of the governmental responsible for youth assistance, government sponsored protection agencies, and the infamous *Laboratório de Biologia Infantil* (Laboratory of Infant Biology) (da Silva 2003; Rizzini 2002b). It placed judgment for young people in the hands of specialized judges and tribunals who were responsible for determining the fate of those who fell within the reach of law enforcement. Furthermore, the Minors' Code also outlined familial responsibilities concerning children, paying particular attention to actions that

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[25] The code is also sometimes popularly referred to as the "Código Mello Mattos" due to his involvement in its inception.

could cause families to be stripped of their rights to care for their young. Finally, it classified

young people into various categories depending on their circumstance. As Espíndula and de

Souza Santos state,

> The Minors' Code of 1927 sought legislation for children and adolescents between 0 and
> 18 years, in a state of abandonment, who didn't have a fixed daily life, whose parents
> were dead or declared incompetent, in prison for more than two years, were vagabonds or
> beggars, worked illegal jobs, were prostitutes or were economically incapable of
> attending to the needs of their children. The code classified minors under seven years as
> *expostos* (expelled) and minors under 18 as *abandonados* (abandoned). In this way,
> children (presumed to be living) in the streets became *vadios* (vagrants), those who
> begged for handouts or who sold things in the street were *mendigos* (beggars) and those
> that frequented brothels, *libertinos* (loose-living or libertines) (2004:359).

Perhaps, however, the most damaging categorization of young people was the term

menor (minor) or more specifically *menor delinqüente* (delinquent minor) (Drybread 2009;

Espíndula and de Souza Santos 2004; Hecht 1998; Rizzini 2002b).   Although the term "minor"

had been in popular usage prior to 1927, the Minors' Code formalized it into a legal category, an

act that lead to years of deleterious consequences for young people. As Drybread states, one of

the "most significant – and enduring – features of the legislation was the division of Brazilians

youths into distinct socio-legal categories: *minors* and *children*" (2009:335). According to the

Code, the *criança*, or child, was an innocent in need of protection and care, whereas the minor

was a figure outside of childhood, a young person who came from a "disorganized family" and

who had picked up all sorts of bad manners and other negative characteristics (Drybread 2009;

Rizzini 2002b).   It is in this way that we begin to see how the policies and politics concerning

youth in Brazil in the early part of the 20th century categorically divided young people (and their

childhoods) into categories of "in danger" and "dangerous."

Despite, therefore, the rhetoric building up to and surrounding the code that decried the

need for increased state protection of innocent crianças, the Minors' Code was in fact designed to

protect civil society from menores who threatened to wreak havoc and cause social disorder. It

emphasized through its implementation the pathological and degenerative nature of menores and relied upon hygienic social theories and psychological and medical "diagnoses" of youth to justify some of the more extreme measures extended through the state, such as permanent institutionalization (Rizzini 2002b; Rizzini and Rizzini 2004). The emphasis on pathology, combined with public fear and concern effectively led to equating minors in Brazil with deviance. It also blamed young people for their condition, instead of their socio-economic circumstances. Young people who committed crimes were, under the code, viewed as outside of "childhood," and youth were often arbitrarily taken from their parents and locked up (Rizzini 2002b; Rizzini 2007; Rizzini and Rizzini 2004). Rizzini states,

> Children and youth came to be classified according to their 'type of abandonment' or 'degree of dangerousness.' The law permitted the apprehension of children found to be abandoned or depraved or 'in danger of becoming.' A child's physical appearance or style of dress or mere suspicion on the part of the authorities was sufficient grounds for arrest (2002a:176).

Thus, the discourse of "child saving" from the early 1900s was integrally linked to defending society from the proliferation of delinquent criminals. Youth were labeled in ways that emphasized either their extreme vulnerability or the perceived threat they presented to society. The Brazilian state held the right to intervene in family life as it saw fit and though the Minors' Code was devised, in theory, in the name of protecting youth, it served only to in many ways marginalize them further. The Minors' Code had a lasting effect on Brazilian youth policy and would ultimately set the stage for the remainder of the century in terms of youth oriented practice in Brazil; in fact, despite its critics and revisions, it continued to be the principle piece of legislation regarding youth in Brazil until 1990, when it was replaced by ECA (Espíndula and de Souza Santos 2004; Hecht 1998; Rizzini 2002b).

3.3   SAM TO FUNABEM: HALF A CENTURY OF OPPRESSION

3.3.1   SAM: 1941 – 1964

In the 1940s the Code entered a new phase of "child saving" (Drybread 2009; Passetti 1999; Rizzini and Rizzini 2004). Specifically, in 1940 the Brazilian Penal Code was altered such that youth younger than 18 years of age were given criminal impunity. Youth aged 16 years and up were eligible instead for *liberdade vigiada* (monitored freedom), a type of assisted living whereby youth's family or guardians were held responsible for their reform, reparation and for a monthly appearance before the court (Espíndula and de Souza Santos 2004; Passetti 1999; Rizzini 2002b; Rizzini 2007; Rizzini and Rizzini 2004). The Minors' Code at this time was also altered to extended authority over youth between the ages of 18 and 21 to juvenile judges who, in extreme cases, would determine whether or not a youth could be sentenced to prison (Rizzini 2002b). Since, however, youth were no longer able to be placed in the same prisons designated for adults, the state had to find an alternative place to reform and protect them. In 1941 then, the *Serviço de Assistência ao Menor* (Assistance Service to Minors, henceforth SAM) was formed (Klees, et al. 2000; Passetti 1999; Rizzini 2002b; Rizzini 2007; Rizzini and Rizzini 2004).

The goal of SAM was to provide institutions whereby youth who were accused of committing infractions and those deemed abandoned or too poor to be left with their families could receive the assistance they needed (Klees, et al. 2000; Rizzini 2007; Rizzini and Rizzini 2004). The idea was that youth who came from "irregular situations" needed to be removed from society for the purpose of rehabilitation (Espíndula and de Souza Santos 2004). From its onset, however, SAM took a highly punitive and repressive approach. It became infamous for the violent way in which youth were treated in SAM institutions. As Klees, et al. state,

the first national institution to assist poor children, focusing on those abandoned or delinquent, was the Assistance Service to Minors created in 1941. SAM was supposed to assess the needs of these minors, and to develop and administer institutions to provide assistance. From the beginning, a repressive penal approach was taken to abandoned and delinquent children who were seen as threats to social order… their conditions became a scandal in the press of the 1950s and early 1960s, with exposés of corruption and the awful and often violent treatment of children (2000:84).

Despite the media coverage and public outcry against SAM in the 1950s and early 1960s, reform never came to fruition (Klees, et al. 2000). SAM endured until 1964 when its highly punitive approach was "replaced" with a more authoritarian method of dealing with the "youth problem" in Brazil (Passetti 1999), one which took oppression and violence against young people to the most extreme level ever seen in Brazilian history.

3.3.2   FUNABEM: The Military Regime 1964 – 1985

In 1964 when Brazil began a harsh period of military dictatorship, youth advocacy and policy suffered major setbacks as the military government sought its own unique way of dealing with the "youth problem" in Brazil (Passetti 1999; Rizzini 2002b). Under the new military regime "child saving" became not only a matter of "saving the nation," but in fact also viewed as a matter of extreme importance to national security (Espíndula and de Souza Santos 2004; Klees, et al. 2000; Rizzini 2002b). As Espíndula and de Souza Santos state,

> the national policy of assistance to minors would come to be treated as an extension of the Doctrine of National Security. It was under this perception that the minor returned to be a prominent figure… effectively treated as a problem for strategic order. (Child policy) left the Judicial sphere and became a matter for the Executive power…. Brazil adopted a systematic internment of poor and abandoned (youth) up until eighteen years of age and of treating those who had committed infractions with a policy of retention (2004:239).

The military regime, therefore, used the existing structure of the Minors' Code and SAM to implement ruthless and condemning measures against youth who were viewed not only as an

impediment to the growth of the nation, but as a threat to its overall security (Espíndula and de Souza Santos 2004; Rizzini 2002b).

While the new government paid lip service to the implementation of "anti-SAM" reforms, the reality was that the dictatorship had other plans for the existing SAM structure (Klees, et al. 2000). Under the dictatorship, SAM was reworked into Brazil's now infamous *Fundação Nacional de Bem-Estar do Menor* (National Foundation for the Welfare of Minors, henceforth FUNABEM) (Klees, et al. 2000; Passetti 1999; Rizzini 2002b). FUNABEM had the objective of implementing the military government's new National Policy for the Welfare of Minors (Espíndula and de Souza Santos 2004). Under the new regime, FUNABEM would coordinate all the existing entities for child and adolescent welfare and protection under one organ and ensure the implementation of the government's policy in all regions of Brazil through the establishment of state entities (known as FEBEM, or the State Foundation for the Welfare of Minors) that would provide assistance and other programs for youth (Espíndula and de Souza Santos 2004; Passetti 1999; Rizzini 2002b).

However, instead of actually changing the brutal way in which SAM had dealt with children and adolescents, FUNABEM in fact inherited SAM's organizational culture, using the same buildings and personnel. As Klees, et al. state,

> The military regime did replace existing legislation with what it characterized as 'anti-SAM' reforms, setting up the National Foundation for the Welfare of Minors (FUNABEM) directly under the president of the republic to administer the new system. While the rhetoric moved toward policies that provided assistance to marginalized youth, the reality was that the new system inherited the culture, institutions, staff, and punitive incarceration model of SAM (2000:84).

Thus, FUNABEM continued SAM's highly punitive and violent internment of youth. Once again, young people arbitrarily and routinely were rounded up based on the presumption of their

abandonment or criminality and locked away without trial or any effort to contact the youth's family.

Along with the institutional reforms, the Minors' Code was revised and rewritten in 1979. The "new" Code, however, did not represent a break from the years of paternalistic approaches to children and adolescents that had characterized most of the 20th century. Instead, it in essence legalized the military government's view of young people as a threat to national security, as well as outlined methods of extreme oppression that were to be used in "dealing with" Brazil's juvenile population (Drybread 2009; Klees, et al. 2000; Rizzini 2002b). The "new" Code used the very same socio-pathological and hygienic arguments as those of the 1920s and formally introduced the category of *menor em situação irregular* (minor in an irregular situation) into law (Rizzini 2002b). Instead of making an attempt to understand the different contexts that place youth in precarious situations, the regime used the term to effectively lump together youth previously thought of as "dangerous" (menores) with those thought to be "in danger" (crianças). Thus, any youth deemed to be in an "irregular situation" was placed under the jurisdiction of the Minors' Court and treated as essentially the same in their condition. As Drybread states,

> Under the revised Minors' Code of 1979, distinctions were rarely made between the ways juvenile courts were expected to address orphans and the ways they were required to treat kids involved in criminal activity. While the code was in effect, crimes involving juvenile offenders were rarely investigated and punished. Rather, all youths who came before the Minors' Court, for any reason, were diagnosed; their crimes (if they had, indeed, committed crimes) were simply one element of the diagnosis. In this way, a minor's personality, family history, and perceived potential for social integration were more important in assessing the treatment he or she would received from state child services agencies than were the reasons the young person was brought in for evaluation in the first place (2009:337).

Youth were judged, therefore, not based on their actions, but rather on their socio-economic condition; poverty became a highly punishable offense, and many youth were sentenced to judicial punishment and institutionalized for no other reason than they were poor. In fact, it is

estimated that until about 1989 when the FUNABEM system began to break down under Brazil's re-democratization, poverty was the only crime 90% of all youth interned in FUNABEM institutions were "guilty" of (Drybread 2009; Rizzini 2002b) .

The notion of "save the child, save the nation" in Brazil took a historically oppressive turn during the period of military dictatorship in Brazil, and the era is arguably one of the bleakest periods of youth oriented policy in the country's history (Rizzini and Barker 2002). Under the regime, poor youth were fundamentally labeled antisocial, regardless of the specifics of their situation (Drybread 2009; Rizzini and Barker 2002). Few to no initiatives were designed to promote economic development that would allow low income families to support their children with dignity (Rizzini 2002b; Rizzini and Barker 2002). Instead, compensatory, remedial or dependence-creating policies and programs were enacted that effectively separated youth from their homes, and most youth eventually lost all contact with their families (Rizzini and Barker 2002). Many young people housed in closed institutions were neither orphaned nor abandoned, nor had they committed any crime to speak of; poverty had become a criminal offense in Brazil.

3.4   DEMOCRACY AND THE "NEW" ERA IN YOUTH POLICY

3.4.1   ECA

Scholars of 20th century youth policy in Brazil have described the period as one of a complete disregard for youth rights (Klees, et al. 2000; Passetti 1999; Rizzini and Barker 2002). As discussed in Chapter One, the late 1970s and early 1980s was time of political change; by 1985

the oppressive dictatorship had come to an end and the abertura was in full swing. With the new political era, however, Brazil once yet again was faced with new socio-economic problems, much as it had been at the turn of the 20th century. The final decades of the 20th century would bring new challenges in terms of economics, mass urbanization, continued bouts of political instability (although remaining democratic) and other social issues[26]. Once again it seemed that youth were at the center of the debates taking over the struggling democracy. With increasing problems in the economy and urbanization, children and adolescents for the second time became highly visible on the streets; as poverty increased and more and more poor families struggled to sustain themselves in Brazil's now mega-cities like Rio de Janeiro and São Paulo, young people could be found working, wandering and sometimes living on the streets (Hecht 1998; Huggins and Mesquita 2000; Mickelson 2000; Scheper-Hughes 1992; Scheper-Hughes and Hoffman 1998).

The military regime left a wake of violence, oppression and fear; now, however, with the country moving towards an open democracy, activists and policy makers alike were free to begin discussing human rights publicly (Klees, et al. 2000). Many began making the case for new legislation and policy that would guarantee rights and protections to *all* Brazil's citizens, including the nation's youth. This time, however, it would not be only policy makers who would decry the state of affairs and the need for change for youth in Brazil, but also a whole host of domestic and international non-governmental organizations that would rally for the cause (Klees, et al. 2000; Rizzini and Barker 2002).

By the mid 1980s NGOs and other grassroots organizations, as well as community activists began collaborating to improve youth oriented programming and policy. Many openly

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[26] See chapter one.

blamed the Brazilian government for failing to develop adequate public policies that addressed the growing numbers of impoverished Brazilian families (Rizzini and Barker 2002). Something, therefore, had to be done to improve conditions for impoverished Brazilian youth; the answer would come in the complete abandonment of the antiquated Minors' Code and adoption of a socially progressive and democratically oriented Estatuto da Criança e do Adolescente (ECA) (Klees, et al. 2000).

Inspired by international movements such as the United Nations' International Convention on the Rights of the Child and born out of the 1980s social movements that characterized the newly democratic Brazil, ECA took a fundamentally socio-educative and rights-based approach to youth policy (Bazílio 2006). It was the first article in the Brazilian constitution that specifically dealt with young people (Espíndula and de Souza Santos 2004; Rizzini 2002b; Rizzini and Barker 2002). Furthermore, the philosophy behind ECA was to create an instrument of social development, particularly guaranteeing the rights of those segments of the youth population in Brazil deemed at social and personal risk (ECA 1990; Espíndula and de Souza Santos 2004; Rizzini 2002b; Rizzini and Barker 2002). Specifically ECA (ECA 1990) outlines what rights young people have and what mechanisms the state should use in order to ensure that their rights are guaranteed.

The structuring of legislation towards a rights-based approach for children and adolescents has had an impact not only on the way in which organizational efforts for youth are structured, but also in the way in which childhood is conceptualized by the state. In particular, it abandoned the previously laden terms of menores, menores deliqüentes, and menor em situação irregular among others and instead classified youth in terms of their perceived social and personal risk factors. Additionally, young people between the ages of 12 to 18 were now

recognized as citizens in a particular phase of their development who should be guaranteed and

afforded certain rights. In this way, childhood can be seen as a fundamental right for all youth,

as well as a specific phase that warrants special protection. As Rizzini and Barker state, the

> new act guarantees children and adolescents a number of basic rights: immunity from
> criminal prosecution for children under age 18; freedom of movement and expression;
> and the right to participate in family and community life; among others. Perhaps more
> important in the Brazil context, however, is that the Statute called for a fundamental re-
> ordering of the way society viewed children. Until then, the concept of childhood was not
> associated with rights. The Statute introduced the notion that children were entitled to all
> human rights and, furthermore, entitled to additional rights and protection because of
> their special stage in development (2002:135-136).

Thus, under ECA childhood is no longer viewed as a privilege of the rich, but rather a right that

should be guaranteed to all young people in Brazil.

3.4.2   Organizational impact of ECA

ECA has had several impacts on the organizational community and the way in which

programming is conducted that are important for the contextualization of this work and therefore

are worth mentioning here. First, ECA (ECA 1990) established rights councils at the municipal,

state and federal levels whose responsibility it is to coordinate and set policies for youth. In

particular, at the municipal level the Conselho Municipal dos Direitos da Criança e do

Adolescente (CMDCA) is charged with regulating and registering governmental and non-

governmental organizations' efforts on behalf of youth; this measure has increased organization

accountability and ultimately restructured the types of programs that organizations provide as

they seek to comply with ECA standards (ECA 1990; Passetti 1999).

Second, ECA established guardianship councils at the municipal level, known as

conselhos tutelares, which are responsible for attending to individual young people in need or at

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social/personal risk (Bazílio 2006; 1990; Passetti 1999). These councils ensure that youth in

conflict with the law, or in other circumstances of "risk," receive the best assistance possible and

have their rights respected (Bazílio 2006; Passetti 1999). Typically, the conselhos are also

responsible for determining socio-educative means of "reforming" youth who have committed

crimes. The consequence of this is that the conselhos work closely with the organizational

community and have become a liaison between youth and organizations. In effect this has

changed the way in which most organizations engage youth in their work; many organizations

used to go to the street to find youth; now youth are brought to the organization by the conselhos

(Bazílio 2006). As I will show in Chapter Four, organizational focus has shifted from "street" to

"at risk" youth; thus, less utilization of the street as means for engaging youth might be viewed

in direct relation to this shift.

Third, ECA (ECA 1990) reinforced the criminal impunity of youth under 18 by

mandating that a number of diverse methods be used with youth who have committed infractions

before incarceration or other punitive means can be implemented. Specifically, ECA (ECA 1990)

dictates that young people under the age of 12 cannot be held responsible for crimes and

therefore cannot be tried for any infraction. After age 12, youth can be tried for their infractions;

however, they cannot be held legally responsible for their actions. Thus, they could be found

guilty of breaking the law but cannot be subject to forms of legal punishment. Full legal

accountability begins only at the legal age of majority, 18, and even then, detention is applied for

a limited amount of time (three years maximum) and in the most extreme cases (i.e. rape or

murder) (ECA 1990).

The consequence of this in terms of the organizations that work with youth is twofold.

The first is that because of this aspect of ECA, youth who are in trouble with the law are more

often than not mandated into NGO and GO programming. As a result, organizational

programming has proliferated in Brazil and again, restructured itself around rights-based socio-

educative approaches (Bazílio 2006b; Gonçalves 1997; Passetti 1999). Second, there is an

increased reliance on these kinds of organizations throughout Brazil to provide solutions to the

"youth problem" (Gonçalves 1997; Passetti 1999). Organizations that work with youth in Brazil

are often subjected to public scrutiny and therefore, I believe, this has caused them to reorganize

the way they promote themselves (in terms of an alignment with ECA) and the populations they

serve. Again, as I will argue in Chapter Four, there has been an overall shift in organizational

focus from "street" to "at risk" youth. That shift, I contend, has to do with what these

populations represent symbolically for organizations in terms of childhood and their desire to

align themselves with the perceived progressiveness of ECA.

Finally, ECA through the implementation of a universal set of rights for youth has

subsequently institutionalized and defined the notion of "risk." The rights outlined in ECA, I

argue, are caught up in idealist notions of what constitutes a proper childhood and what young

people naturally need. What youth are "at risk" for is therefore defined by what happens when

their rights are violated (i.e. their needs are not met). For example, the leniency that ECA

affords youth is a major point of contention among its critics, who argue that young people

should be held accountable for their crimes (de Almeida Dias, et al 2007).   Under ECA youth

are protected from incarceration for many infractions, the idea being that youth have a right to

family and community living and that a childhood spent in jail is not a childhood. Proponents of

ECA argue that if the Minors' Code taught Brazil anything it is that youth who grow up in

detention become criminals. The implied assumption is that youth *need* family and community

living as part of their development; thus, youth who do not have access to family and community

living are "at risk" for homelessness, prison or other deleterious consequences due to not being

raised in the home. A "proper" childhood, therefore, is one in which youth are found at home

with their family.

I do not intend to make the argument here that youth do not need to be with their

families. What I am simply arguing is that ECA follows a logic based on the universal ideal of

childhood that is expressed through the kinds of rights it delineates. This kind of logic, which

ECA promotes, was often reflected in the statements that NGO and GO staff provided me when I

asked them about the statute and its implementation into their programs. It is evident too in the

fact that most organizations have restructured their activities towards youth "at risk" and towards

helping these youth gain access to their rights (as laid out by ECA). The dialogue of rights,

therefore, inherent in ECA has not only influenced the way in which organizations work, but also

the way in which they *think* about the population with which they work. I will return to the

discourse of rights and how it is caught up in idealist notions of what youth need and are "at

risk" for in the next chapter.

It is my contention, then, that despite ECA's new democratic rights-based approach and

the way in which youth programming is provided, the rhetoric of "save the child, save the

nation" remains intact and is expressed in the way in which youth are understood by the

organizations working with them. This is not to say that Brazil has not come a long way from

the turn-of-the-century paternalistic approaches to youth advocacy, nor is it to downplay to the

important role ECA has played in the last several decades, particularly when it comes to ensuring

young people's rights in Brazil; rather, it is simply to say that when examined closely from the

perspective of youth oriented organizations, the implicit assumption still applies: if Brazil is to

solidify itself as a nation, a solid *democratic* nation, it must do something about its youth – it

must guarantee their rights and mold them into conscientious citizens. This thinking is not only

reflected in the way in which organizations have moved to ensure "at risk" youth their rights

through their programming efforts, but also in the way in which they justify these actions

through the notion of "rescuing citizenship."

The remainder of this chapter, then, will deal with these two aspects. In this next section

I will provide a brief description of the rights delineated by ECA and the kinds of programs that

organizations provide in order to show how they are designed to guarantee young people's rights

as outlined by the statute. I will then turn to an analysis of the ways in which organizations

justify and think about their work in order to show how the rhetoric "save the child, save the

nation" continues to form the backbone of organizational thinking on youth oriented

programming.

3.5   EXAMINING ECA AT THE LOCAL LEVEL

3.5.1   Juiz de Fora as a case study

Juiz de Fora in many ways presents an ideal setting in which to gain an understanding of the

incorporation of ECA into youth oriented programming. As I stated in Chapter Two, the city was

early to embrace and implement ECA soon after its ratification and has been heralded as a

national leader in youth policy by activists and politicians alike. By the mid 1990s, just a few

short years after ECA's ratification, the city had already integrated its system of youth services

and registered and begun monitoring all organizations working in the area (de Castro 2004). By

the time I arrived in Juiz de Fora, therefore, it was clear the organizational community was well

structured and well versed in ECA. My first insight into the world of organizations in Juiz de Fora was through a surprisingly helpful directory given to me by one of my principal informants. Interestingly named *Projecto Novo Cidadão* (New Citizen Project) (AMAC 2008), the municipal directory details each organization, where to find them, how to contact them and gives a brief description of the kinds of programs offered and their mission. The organizations listed in the directory are categorized according to which chapter of Title II of ECA they relate. A quick review of the municipality's directory, then, shows how these fundamental rights have influenced city wide organization of its programs and other initiatives.

Under Title II of ECA (ECA 1990)[27] children and adolescents are guaranteed five categories of *Direitos Fundamentais* (Fundamental Rights): the right to Life and Health (Chapter I); the right to Liberty, Respect and Dignity (Chapter II); the right to Family and Community living (Chapter III); the right to Education, Culture, Sports and Leisure (Chapter IV); and the right to Professionalization and Protection at Work (Chapter V). I am specifically concerned with the last three chapters in this work. While the organizations listed under the sections of the directory entitled "Right to Life and Health" and "Right to Liberty, Respect and Dignity" are also clearly a reflection of ECA and the desire to promote a rights based approach for youth, they are nonetheless what I would refer to as "service" based organizations, or those that provide assistance to youth in the form of health care, legal help or other social forms of support, as opposed to "program" based organizations, or those that engage youth in activities. This work, then, makes this distinction and is concerned with the latter.

However, this is not to say that organizations providing programming are the only ones that take into account the rights outlined in ECA; it is simply to say that the scope of this work is

[27] See Appendix A

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limited to an analysis of those that work directly with youth in an engaged, activity/outreach oriented manner. Thus it is the last three sections of the directory and the organizations that are listed there that are of importance in this analysis. The sections entitled "Right to Family and Community Living," "Right to Education, Culture, Sports and Leisure," and "Right to Professionalization and Protection at Work" therefore represent a categorical listing of the non-governmental and governmental organizations that provide programming for youth in the city.

The emphasis on categorizing organizations based on their relationship to rights is a direct reflection of the kind of influence that ECA has had on the organizational community in the city. A quick review, then, of some of the organizations that I worked with provides a good starting point for demonstrating the ways in which ECA has influenced the kinds of programs that organizations offer. I provide here a summary of the kinds of organizations and programming found in Juiz de Fora based on their categorization in terms of Title II of ECA. While I have used the same classifications the city uses, it should be noted that not all of the organizations (either listed here or in Juiz de Fora in general) can be so neatly categorized; many organizations provide programs that speak to one or more of the fundamental rights outlined in ECA. Furthermore, it should also be noted that many of the older organizations do not have well documented information. Thus, much of what is described here in terms of the history of the organizations was relayed to me by staff, many of whom were not present at the organizations prior to the 1990s.

3.5.2   The right to family and community living

Perhaps the most interesting twist on the new configuration of youth programming in Brazil is the role that *abrigos* or orphanages have taken on in terms of socio-educational measures both

inside and out of the institutional walls. In the past, abrigos in Brazil were linked to the arbitrary institutionalization of youth; the previous paternalistic approach taken by the Minors' Code, SAM and FUNABEM made abrigos prime depositories for "morally abandoned" youth who were gathered up off the streets to be institutionalized (Rizzini and Rizzini 2004). Modern abrigos in Juiz de Fora, however, have taken a more active and open approach with the youth they house.

The first example of this kind is the abrigo Aldeias Infantis SOS, an international organization (the only one in Juiz de Fora) located about 10 minutes outside the Centro in the neighborhood of Grama.   Originally developed in Europe as a means of responding to the devastating consequences WWII had on families, Aldeias found its way to Brazil in the 1970s and established several orphanages throughout the country. In 1982, Aldeias arrived in Juiz de Fora and today remains the largest orphanage in the region. The organization is unique in that it is the only organization in Juiz de Fora – governmental or non – that has four sources of funding; first, Aldeias receives support from local private donations; second, it also receives local public funds from the municipality; third, Aldeias is given periodic support from its parent organization of the same name; finally, through the international Aldeias network, the organization also receives donations from private international supporters, usually in the form of youth sponsorship.

Since its inception in Juiz de Fora, the organization has undergone several changes. First, during the 1980s Aldeias functioned primarily as an orphanage in the traditional sense; youth who were brought there were either put up for adoption or remained there with little to no contact with their families until they turned 18. However, with the onset of ECA, Aldeias has restructured the way in which youth living under its care interact with their native families.

Since the early 1990s youth who arrive at Aldeias, either through the conselho tutelar or social services, are no longer eligible for adoption. Furthermore, even though Aldeias is thought of as a permanent living facility, in that once a young person ends up there they typically stay until they turn 18, youth are encouraged to (and often do) maintain connections to their families. It is not uncommon then for young people at Aldeias to spend the weekend or holidays with their families, or for the family to come to the compound for special occasions like birthdays. In this way, the organization views itself as helping to guarantee the young people who live there their right to an inclusive family/community living environment, one which reorganizes, but does not disrupt their ties to their families.

Second, Aldeias no longer functions solely as an alternative living organization for youth. In the last 15 years the organization has established a host of socio-educative programs for youth both within its residential compound and in nuclei throughout the city. The programs outside the compound are open to the general public, while the ones within the Aldeias community are not. The programs, both within Aldeias and at the nuclei, include *reforço escolar* (school reinforcement)[28] classes intended to support the materials young people are learning at school (often Portuguese grammar, composition, reading comprehension, math and basic computer skills classes), and structured leisure activities, such as *Arte no Bairro* (Art in the Neighborhood), a program funded by the municipality but implemented in various neighborhoods by non-governmental organizations like Adeias, or other regularly scheduled

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[28] Many NGOs and GOs offer this kind of school reinforcement. The perception is that even though ECA guarantees children and adolescents the right to an education, many do not in fact receive one from the Brazilian public schools. Thus, organizations view school reinforcement as a means of guaranteeing youth their educational rights. Usually this kind of activity consists of classes (much like you would find in a formal school) in each of the major subjects offered by the Brazilian public system. For more on the issues concerning the educational system in Brazil, see chapters six and seven of this work.

sports or cultural events. Youth living at Aldeias are typically required to participate in some form of socio-educational activity but do not have to do so within the context of Aldeias (see Figure 7). They may choose to participate in one of the many other organizations throughout the city.

Figure 7: Youth from Aldeias SOS performing a "hip hop" dance at a city organization. Photo Credit: Penelope Morrison

The structure of the residential compound itself has remained relatively unchanged throughout the years and provides a somewhat unique living arrangement for youth. The compound is comprised of 11 houses, each inhabited by anywhere between five to 12 young people, laid out in a circle with a community building in the center where staff, youth and visiting families can gather for communal meals, celebrations, and other events. Each house is

identical in structure, consisting of four bedrooms, two baths, a kitchen, laundry, and living space. They are sparsely furnished, and each household is responsible for organizing its own cleaning, cooking, laundry and other daily tasks. Each house, therefore, is headed by a *mãe social* (social mother) whose role is viewed by the organization as very much the same as any other mother. She lives full time with the youth, delineates chores, helps the youth with their homework, provides them with opportunities for leisure, coordinates their schedules, manages the money provisioned for the house by the administration, shops for them, cooks, and cleans. Furthermore, she is expected to discipline them, bond with them, and set the example for them. In essence, her job is to be their "mother" and to try and maintain an environment as close as possible to that of a "normal" household.

At the time I was working in Juiz de Fora, there were 98 youth living at Aldeias. Youth living in the compound spend their days much like many youth anywhere else in Brazil might. During the week they are expected to go to school; after school they do their homework and chores, they participate in extracurricular activities (i.e. the programs), watch t.v., play games, and generally lead "typical" lives. On the weekends, they spend time with their natal families, hang out with friends either from the other houses or from school, attend church, play games, have social gatherings in the community building or even sometimes travel with the social mother if she has the funds available to take them places. They are encouraged to think of the other youth in their household and in the compound as siblings and often form strong bonds with them, although fights (perhaps not surprisingly) do occur on occasion. They are also expected to participate in group or individual counseling at least once a week.

Outside the main compound of houses, in one direction, there are a swimming pool and two open fields where the youth can engage in physical activities such as soccer, volleyball or

other sports; in the other direction sits the organization's administration buildings. Youth are free to move about the compound as they like and as their social mother permits, and many develop bonds with administrative staff as well. However, staff members are careful to reinforce boundaries when necessary, especially when it comes to the authority of the social mother. Discipline, punishment and permission for special privileges, such as leaving the compound, are the responsibility of the social mother. Thus, while administrative staff serves to help the social mothers and provide support for their role, and while social mothers also provide council and moral support to each other, each young person is under the authority of the social mother who resides with them in their particular home. This is viewed as a means of establishing normalcy for the young person and helping to ease what might otherwise be a confusing living situation.

Another example of how abrigos have oriented themselves towards the rights outlined in ECA is Casa Aberta, the only abrigo run by the municipal government and the only remaining organization in Juiz de Fora that claims to work with "street youth."[29] Located in the Centro in an old warehouse that now serves as the municipality's principal building for many of its organizations (see Figure 8) and funded solely through the municipal budget for service organizations, Casa Aberta was established in the early 1980s as a kind of stopping point for youth who were eventually sent to the state run youth institution. Those youth who could not be funneled into the state institution remained at Casa Aberta indefinitely until they were either deemed "reformed" or turned 18. As with many other entities of its type during the era, the organization received youth who were found in the streets and deemed to be delinquent; rounded up by police, youth were brought to the organization and little to no effort was made to reintegrate them back into their families.

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[29] See Chapter Four

Today, with the onset of ECA the organization functions more closely to what is perhaps referred to in the United States as a "halfway house." It still offers temporary housing for youth who have run away from home or who are found to be living on the streets. However, rather than interning youth in the state institution or holding them permanently, Casa Aberta provides youth with short term housing while the staff tries to locate their families or guardians and assess why the young person is not living at home. The staff then tries to reintegrate the youth back into their family or find other suitable living conditions for them, such as Aldeias SOS. Additionally, young people are no longer brought to the organization by police; youth are identified by outreach educators who go to the street and encourage them to come to the organization for help or by the conselho tutelar who works with the organization in getting youth to come and stay.

Casa Aberta also now offers the same kinds of socio-educational activities that Aldeias SOS and other organizations around the city do. Within the facilities, youth are encouraged, but not mandated, to engage in one of the dance, art therapy or reforço escolar programs the organization offers on a regular basis. However, because of the limited size of its facilities and its proximity to many of the other city run organizations in the Centro, youth are also encouraged to participate in other organizations and do so on a regular basis. The point is that orphanages in Brazil no longer appear to take a paternalistic approach and instead offer a wide variety of socio-educative activities and programs for youth that are oriented towards ECA and the fundamental rights it guarantees. In this way, they have become an active part of the program providing organizational community and are increasingly being utilized for the outreach they provide.

The facilities at Casa Aberta are open 24 hours a day to allow for youth to be brought in at any time and while youth staying there are allowed to enter and leave the organization freely,

they do have a nightly curfew and must be within the facilities by 11 pm. There are three rooms that house youth who stay there, each with two small beds, a light and washbasin. At maximum, then, Casa Aberta houses up to six youth. The other four rooms in the building are the administrative office, a small room with a chair and couch for psychological counseling, a bathroom with a shower and several toilets and a multipurpose room for the programs and other activities. The director of Casa Aberta informed me that previously there were four rooms for housing young people, each with four beds. However, due to the shift in focus brought on by ECA that many organizations were undergoing Casa Aberta no longer needed so many beds; young people once stayed at Casa Aberta indefinitely; today the average length of stay is two weeks.

While at Casa Aberta, youth undergo counseling to help them deal with whatever situation might be occurring at home or which contributed to their leaving home. The staff also tries to help reintegrate them back into school if they are not attending and youth are expected, at least for the duration they are living at Casa Aberta, to maintain regular attendance at school. The staff also work closely with school faculty to address any educational issues that might be causing problems for the young people under Casa Aberta's care. However, getting youth to adhere to the school attendance policy is difficult because by the time many arrive at Casa Aberta they have already been absent for a substantial amount of time from their education. Thus, many youth spend their time at Casa Aberta working on both the issues that affect them at home and at school and their days are spent in counseling sessions, reforço escolar and other

programs designed to help reintegrate them.

Figure 8: Municipal building where city organizations are housed. Photo Credit: Penelope Morrison

3.5.3   The right to education, culture, sports and leisure

There are numerous organizations in Juiz de Fora aimed at "the right to education, culture, sports

and leisure." Three good examples are Novo Cidadão (see Figure 9), Segundo Tempo (see

Figure 10) and Instituto Jesus. Novo Cidadão is a governmental organization designed to

provide youth with opportunities for leisure and cultural activities, as well as educational

support. Located in the same building as Casa Aberta, the organization was relatively new to the

city, having been inaugurated in 2006. It, therefore, is a good example of the kinds of

organizations that have been established in response to the shifting legislation and attitudes towards youth programming.

Novo Cidadão is one of the smallest organizations of its type in the city. It is funded by the municipality; however, the educators rely on private citizens for donations of educational materials, art supplies, theater tickets, museum fees, and the like. The organization consists of three small rooms on the second floor of the back side of the same municipal building where Casa Aberta is located. The entryway is the first room, a small foyer divided into three cubicles, one for the director and two for the educational staff. In the back there is a small room with a desk and two chairs for psychological counseling and another slightly larger room for activities. The main activities room is set up with two long tables and a chalk board on one end; on the other are shelves of art supplies, books, lecture materials, and other resources for the educators to use. There is also a small bathroom for staff and youth set off to one side in the hall leading between the front office and the activities room.

Novo Cidadão operates much like many of the other organizations in the city; youth frequent the organization every day for three hours either in the morning or afternoon, depending on when they attend school[30]. A typical *turma* (cohort) consists of around 10 youth, both girls and boys. During my time as a volunteer there, the morning turma consisted of seven youth, four girls and three boys, while the afternoon turma consisted of eight, four boys and four girls. All of the youth frequenting the organization are sent to Novo Cidadão by the conselho tutelar, either because they are in trouble with the law, or sent to the conselho for other issues such as truancy.

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[30] Public schools in Brazil operate on half day schedules as opposed to a seven to eight hour schedule that is common in the United States. This type of attendance at organizations was common due to the schedule of public schools and most organizations would have two groups of youth – one that came in the morning and one in the afternoon.

While enrolled at the organization, the youth have to maintain regular attendance both at school and at Novo Cidadão. As an incentive, the youth are provided a small living stipend for attending. The duration of their enrollment usually lasts approximately six months, during which youth are evaluated and assessed on their participation and behavior (which was reported back to the conselho) and their potential for enrollment in other municipal organizations. Furthermore, while physically present at Novo Cidadão or out in the city on one of the organization's excursions, the youth wear tee-shirts bearing the logo and name of the organization, AMAC and the municipality.

A typical morning or afternoon at the organization is spent doing a variety of things. The two educators, Marlí and Izaura, each take turns engaging the youth in activities designed with culture and leisure in mind. For example, one morning Marlí and I took the youth to the library in the Centro where a local artist had opened an exhibition of paintings of Juiz de Fora. Afterward, Izaura gathered the youth in the activities room to work on art projects that were sold at the city's annual craft fair. Other days we took the youth to hear lectures or speakers around the city, had discussions on short readings of poetry or fiction, sewed, painted, drew, did craft projects, or visited municipal museums. Furthermore, the educators spent at least once morning a week engaging in reforço escolar with the youth, covering mostly Portuguese grammar and composition, as well as provided what they called "civics education" to the youth. "Civics education," like reforço escolar, was a constant found in many of the organizations and consisted usually of discussions on what rights and duties young people have or what it means to be a citizen.

Figure 9: Youth working on art projects at Novo Cidadão. Photo Credit: Penelope Morrison

Segundo Tempo is a program run by the non-governmental organization Instituto

Cidadania. Established in the late 1990s in response to ECA, Instituto Cidadania, which

provides an array of sports, culture and leisure programs for youth, is a good example of the way

in which the lines between non-governmental and governmental organizations are often blurred.

While administered as a NGO, Instituto Cidadania nonetheless receives the primary funding for

its programs, such as Arte no Bairro, through municipal grants. However, because Instituto

Cidadania offers many programs, most of which are located off the organization's premises in

other parts of the city, I decided to focus on one program in particular, Segundo Tempo. I chose

Segundo Tempo because, unlike the rest of Instituto Cidadania's programs (and all of the other

programs I had encountered in the city), Segundo Tempo is supported through a federal grant and is a program that can be found similarly administered by other non-governmental organizations throughout Brazil. Thus, for comparative purposes, I was interested in how a federally funded program functioned in contrast to municipal ones.

What I found was that federal funding did not make much of a difference in terms of how the program was run. Administered by Instituto Cidadania, Segundo Tempo provides sports activities, including soccer, volleyball, handball and dance at various nuclei throughout the city. The federal money Instituto Cidadania receives helps to establish the Segundo Tempo nuclei in different neighborhoods and pay site educators; however, each installation is different and much like many of the other organizations and their programs in the city, each Segundo Tempo site has to rely on private donations and secure its own material resources and equipment. For example, during my time in Juiz de Fora, I volunteered primarily at a site in the peripheral neighborhood of *Benfica* (see Figure 10). Benfica offers mainly soccer but occasionally has a volunteer to teach volleyball to the girls. The site consists of an overgrown field in the middle of the neighborhood, which has been repurposed for the program. The educator in charge, a man named João, had secured two goal posts for soccer and a tattered volleyball net. On one corner of the field there is a gutted out brick "shelter" where the youth rest and have juice, water or some other beverage provided by the donations João secures. However, there is no bathroom available, and often youth have to go home to use the restroom or simply go behind one of the bushes outlying the field.

I also visited nearly twenty other Segundo Tempo sites throughout the city for comparison purposes. These sites vary greatly in their facilities and resources. The Centro site, for example, happens to be located in a posh private school and has access to the school's sports

facilities, bathrooms, and equipment. It is well staffed with both educators and regular unpaid

volunteers who donate their time organizing soccer, volleyball, handball, ballet and basketball.

Another site in a neighborhood called *Jóquei Club* just outside the Centro offers soccer and

volleyball at an old social club that had since rebuilt its facilities elsewhere. The club was

abandoned and the majority of the buildings no longer useful, but the field is still well

maintained and the nucleus manages to have enough money to keep the bathrooms and

concession stand area open and clean. Thus, there is no consistency in Segundo Tempo from one

site to the next, and even though the program is funded federally, Instituto Cidadania relies

heavily on local support and the educators for the functioning of its Segundo Tempo nuclei.

Despite differences in resources, all the sites function the same way. Like Novo Cidadão,

each site has two turmas, one in the morning and one in the afternoon. Youth enrolled in the

program frequent the site every morning or afternoon (before or after school) for activities.

Unlike Novo Cidadão, however, regular attendance at the sites is not required, nor is regular

attendance at school. The turmas vary depending on the location of the nucleus and the

resources available (both staff and material). At Benfica, the morning turma consisted of 12

youth, and the afternoon turma had 14. Both of the groups consisted of fairly even numbers of

females to males.

A typical morning or afternoon spent at a site consists mostly of organized sports. At the

Benfica site, as I stated above, the main offering is soccer. The youth spend about an hour and a

half playing soccer and then break for a snack of water or juice and crackers. After their snack,

they resume play for an hour; sometimes, however, if they are tired and do not want to continue

playing, the youth sit in the grass with the educator discussing whatever topic comes to mind.

While girls did sometimes participate in soccer, I often saw them simply sitting on the ground,

playing jump rope or doing some other activity not sponsored by the program. It was explained to me on more than one occasion that this was due to the lack other sports than soccer available at the nucleus. Both the girls and João alike asserted that young women were "not interested" in soccer and so, on the days when no one came to teach them volleyball, the girls had nothing to do. When a volunteer did show up to organize volleyball, the girls would eagerly jump up to play and occasionally some of the boys joined them.

Figure 10: Boys playing soccer at Segundo Tempo. Photo Credit: Penelope Morrison

A third example of an organization that provides leisure and sports activities is Instituto Jesus, a church based, turned non-governmental organization that provides a combination of programs for youth. One of the oldest organizations in the city, Instituto Jesus, I was told, began in 1944 as a reformatory for "delinquent" boys. Young boys found to be living on the street and deemed "delinquent" were sent to Instituto Jesus for "reform" and "rehabilitation." Most youth, once they entered the Instituto, stayed there until they turned 18 and eventually lost contact with

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their families. The director of the Instituto informed me that despite its reputation in the city as being one of the more "benevolent" institutions at the time, the measures that were taken to "reform" youth, particularly those who had intense behavioral problems, would be considered by today's standards as inappropriate, measures such as solitary confinement, whippings and compensatory labor.

With the onset of ECA and the democratic opening reaching Juiz de Fora, Instituto Jesus remade itself into a community organization that now provides reforço escolar and other activities for young boys. Set off the road on a hill in the middle class neighborhood of *Nossa Senhora de Lourdes*, Instituto Jesus resides in a big two story building surrounded by an iron gate. On one side of the building there is a small chapel and to the other, a large open field and a basketball court. One of the largest NGOs in Juiz de Fora, the organization has gone to great lengths to mask the institutional "feel" of the building. On the first floor, old dormitory rooms have been turned into administrative offices, classrooms for activities, a nurse's office, and a receptionist area; the originally white walls have been painted over with murals and other designs done by the boys attending the organization; the glass room at the back of the building (which I was told originally – but could not confirm – was where boys were placed when they needed "monitored observation") has been plastered over and used for storage.

On the second floor, many of the old dormitory rooms have been turned into storage space or locked and seemingly abandoned. The rooms that remain open have been turned into a computer lab, several classrooms, a t.v. room, a counseling room and a small office for the educators who work with the youth directly. The walls upstairs have also been painted over in murals and in some places bright yellows and blues. Despite these efforts, however, there are lingering artifacts, such as old bunk beds and other items, from the days when the organization

was an institution and which serve as reminders of the building's past. This is nowhere more evident than in the cafeteria on the first floor, which is still occupied by long metal tables and chairs fixed to the floor that, one of the educator's pointed out to me, were characteristic of many similar institutions of from the same era.

Instituto Jesus also operates on a two turma system, one in the morning and one in the afternoon, each consisting of anywhere between 15 boys to 30 boys[31]. In the field outside the building the organization provides sports activities, such as horseback riding and soccer, and on the court, youth play basketball or handball. In addition to sports, Instituto Jesus offers art and crafts classes, reforço escolar, civics education and professionalization training. The boys are given lessons on how to conduct oneself at work, dress and interact with customers, as well as how to count a till, and basic computer and other similar skills. There are also opportunities for older youth (above 14) to learn two trades. The Instituto runs a bakery where young boys learn how to bake and sell the goods they make for a small profit. The youth also have the option of taking up an apprenticeship with the master wood carver and furniture maker who has a shop on Instituto Jesus' campus. In this case, the youth learn woodworking and furniture making skills, a training seen as a means of providing them with a future profession if they want it.   The organization also offers psychological counseling, but only if the boys are interested in it; therapy is not mandatory for participation, nor is school attendance. Finally, the Instituto offers free health care services, including dental exams, for the young boys who are enrolled.

Like most organizations in Juiz de Fora, youth are generally brought to Instituto Jesus by the conselho tutelar due to problems with the law, school or at home. The youth frequent the

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[31] To make money for the institute, private ballet classes for young girls were offered in their auditorium in the chapel; however these classes were not officially part of the institute's community offerings which were only available to boys.

organization every day, but what they do there depends largely on what they are interested in; thus, a typical morning or afternoon spent at Instituto Jesus really depends upon the individual young person. Typically most of the younger boys (below 14) spend their time either engaging in arts and crafts, reforço escolar or civics education, while the older boys either learn job and computer skills or work in the bakery or woodshop. Not infrequently, however, the older boys participate in whatever art and crafts or educational classes are being held and on occasion the educators bring all of the youth together for an educational film or television program. During the last hour or so of their day, all of the youth gather to participate in sports activities. Thus, youth arrive at the organization, participate in classes (followed by a snack provided by the Instituto) and end their time with some form of physical exercise.

3.5.4 The right to professionalization and protection at work

In the directory, under the "right to professionalization and protection at work" there are two main types of organizations. First, there are organizations that provide training programs for youth that equip them with specific skills for particular jobs. *Casa Menina Artesã* (CMA)[32] is a good example of this kind of organization. CMA is a governmental organization established in the mid 1990s in response to ECA that aims to train young girls as seamstresses and in artisan sewing skills, such as quilt and tapestry making. It is principally funded through a municipal grant, but also must rely on many private donations for the materials needed for the program. I was also told that organizational staff and volunteers also often contribute by purchasing items such as fabrics, needles, thread, chalk and the like.

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[32] CMA is the only program in the city that works solely with young girls.

CMA is located in the same municipal warehouse in the Centro where Novo Cidadão and Casa Aberta are found (see Figure 8 above). The organization occupies two floors in the building composed of two main rooms, a small kitchen space, two storage rooms, and bathrooms. To enter the organization you must go through the building's front foyer where two big display cases house items made by the girls enrolled at the program (see Figure 11). One the first floor there is a large room with three long tables set up where girls who have entered the main program work on their sewing projects. To one side is a cubicle with three desks set up for the educators and administrative staff to use. To the other is a small corridor where the organization has a small kitchen for preparing snacks and three bathroom stalls. On the second floor, in what the educators refer to as the "loft" area, is another room set up like a classroom with desks, chairs and a chalk board, as well as two small rooms, each about the size of a small walk-in closet, where the organization stores its educational and sewing supplies.

CMA, like the other organizations described above, has a morning and afternoon turma, each consisting of around 20 girls. Unlike the other organizations, girls enrolled at CMA must go through an initial period of *aprendizagem* (apprenticeship) in order to determine their interest and willingness to participate in the professionalization program. While in the aprendizagem phase the young girls frequent the organization every weekday. The aprendizagem classes are conducted on the second floor and consist of basic sewing skills and lectures on everything from how to conduct oneself in the work place to birth control. After the initial period of two months, the girls are evaluated and if they have shown interest and had regular attendance at the organization, they are placed into the main program. Once in the main program, the girls frequent the organization once a week, either in the morning or afternoon, for continued lessons on working with fabric, quilting, seamstress work, tailoring and other social skills thought

necessary to prepare them for the job market. The items the girls make while at CMA are sold at an annual fair with all of the profits going directly to the girls and their families. The idea is that when the youth "graduate" from CMA after one year they will have had their first "experience" in the job market, as well as a specialized skill that will help them secure legal employment.

While enrolled at CMA, the girls must have regular attendance at school and must also wear the organization's tee shirt bearing its name and logo, as well as the logo of the municipality and AMAC. The young girls in aprendizagem typically spend their mornings in classes, only breaking for a small snack of bread and juice or water. The girls already enrolled in the main program have a bit more freedom; while they regularly receive instruction on a particular technique or how to make a certain item, once they have settled into working, they are allowed to move about freely. Thus, they spend their time at CMA working on various sewing projects, while talking and socializing with the friends they've made at the program.

Figure 11: Entrance to Casa Menina Artesã. Photo Credit: Penelope Morrison

The other kind of organization concerned with this right provides a more generalized professionalization program that contracts youth out to work at various businesses in the city. PROMAD (see Figure 12) and Guarda Mirim are two good examples of this. PROMAD, established in the mid 1990s in response to ECA, is the largest governmental organization of its kind and one of the oldest run by the municipality. Much like many of the governmental

organizations described above, PROMAD is funded by a municipal grant; however, it too has to rely on private donations for material resources.

PROMAD is located in the warehouse in the Centro where Casa Aberta, Novo Cidadão and CMA are housed. The organization is located on two floors; on the bottom floor is a large multipurpose room which houses the administration and educators' desks, a welcome/sign-in desk, a small "lounge" area for staff with a refrigerator, stove, round table and chairs, and an enormous file cabinet where the organization keeps educational and promotional materials and information on each of the youth enrolled in the program. Off to one side are two rooms, one used for counseling and the other for staff meetings. Also on the first floor, connected to the main room by a small corridor, is another area with one small classroom and a computer lab. The second floor consists of four classrooms and two bathrooms for students to use.

PROMAD also runs on a two turma system. It is open to both young girls and boys and the turmas sizes vary between 10 to 40 youth, depending on the day. Like most of the other organizations, youth who are enrolled at PROMAD generally come to the organization by way of the conselho tutelar. The organization functions much like CMA in that the youth are brought in for an initial assessment of their interest and participation. Aprendizagem takes place on the first floor and during this period (around three months) they are expected to attend the organization every weekday (either in the morning or afternoon) for classes, which consist of reforço escolar, professional education (e.g. how to answer a phone, how to dress), computer skills, and general social skills (e.g. how to show confidence, how to be a citizen). After the initial assessment, they then take a test and are evaluated based on their performance, participation, initiative, interest and attendance. The youth are then placed on a waiting list to be

called to the main program, which if they are, provides them with a year-long job contract at a participating company, usually a local grocery store, medical facility or other large industry.

Once they are working, they must continue to frequent the organization one day a week for several hours during which they participate in classes in democracy, citizenry and continuing professional education, as well as attend cultural events around the city (see Figure 13). Like CMA and Novo Cidadão, youth must wear the organization's tee shirt while on the premises, while out on an excursion with the program and while they are working. They are also expected to maintain regular attendance at school, and the educators work closely with school administrators to ensure this. If school attendance becomes a problem, they are dismissed from their job and the work program. Overall, PROMAD services over 200 youth in Juiz de Fora and due to the popularity of this kind of programming, has a waiting list of over 200 youth wishing to take part.

Figure 12: Educators at PROMAD. Photo Credit: Penelope Morrison

Figure 13: Youth from PROMAD (in organizational shirts and jackets) at a local political debate.
Photo Credit: Penelope Morrison

Like Instituto Jesus, Guarda Mirim initially was a home for "delinquent" boys, although the history of the organization is somewhat unclear. From my conversations with staff, I gathered that the organization was established in the late 60s in a small house in the middle class neighborhood of São Mateus, where it remains today. Youth who were deemed "delinquent" arrived at Guarda Mirim for "rehabilitation." Unlike Instituto Jesus, however, Guarda Mirim's main form of "reformation" was through labor, and youth who stayed there were typically sent to work in areas of manual labor. It is unclear, however, whether or not the youth at Guarda Mirim remained at the organization permanently until turning 18 or whether it was more of a temporary

living situation. It is also unclear as to exactly whether or not the organization at the time was run privately or publically.

This is due in large part to the fact much of what was documented about the organization was lost when it changed hands in the 1990s. In the early 1990s, Juiz de Fora's local chapter of the Rotary Club took over Guarda Mirim and shifted its focus to a professionalization program for young boys. Since then, the Rotary Club, which relies on its private funding base for financial support and material resource donations, has remodeled the house to suit the organization's new mission. The space is comprised of two floors that are utilized by Guarda Mirim and for general Rotary Club purposes. On the first floor there is an administrative office and a large banquet hall where the Club periodically has dinners. On the second floor the space has been renovated to include three classrooms and a large enclosed porch that serves as a space for physical activity.

Guarda Mirim also runs on a two turma system and essentially functions identically to PROMAD. The youth are brought in for aprendizagem, which lasts for three months. During this phase, they attend the organization every weekday for classes in reforço escolar, professional education, computer and general social skills. After aprendizagem, the youth are evaluated and, if passed on to the main program, receive a contract with a local employer. Additionally, the boys must maintain regular attendance at school while they are working and must continue to frequent the organization one day a week for additional training courses; if they do not fulfill these two requirements, the youth will be dismissed from their jobs and the program. They also must wear the organization's tee shirt while they are on the premises and while working.

There are two key differences between PROMAD and Guarda Mirim. First, because of space constraints, the youth enrolled in the main program at Guarda Mirim do not come to the

organization for their weekly professionalization courses. Instead these classes are conducted a short distance away at a local trade school in another neighborhood. Second, at Guarda Mirim the youth have the option of a two year, as opposed to one year, contract and thus, can be enrolled in the program for a longer period of time. Overall the program services around 200 boys.

3.6   JUSTIFYING A RIGHTS-BASED APPROACH: "SAVE THE CHILD, SAVE THE DEMOCRACY"

It is easy to see from the organizations described above how programming is structured around the assurance of the rights outlined in ECA. The ones listed here are fairly typical of the kinds found all over Juiz de Fora. As stated, I visited nearly 30 organizations while conducting fieldwork and found that not much variation existed; some were more focused on one particular right, say sports instead of professionalization or reforço escolar instead of cultural activities, yet all of them had either developed as a response to ECA or had changed their focus to address one or more of the fundamental rights guaranteed by Title II of ECA within the last 15 or so years. However, once I began to investigate the objectives behind rights-based programming, or rather, the justification most organizations gave for it, two things gave me pause; first, I noticed that in addition to everything else, many organizations incorporated classes on citizenry and democracy into their programming for youth; second, as I began to read through organizational mission statements and other materials I began to notice that organizations couched their work in terms of the need to *formar cidadãos*, or form citizens. That is, guaranteeing rights for youth was not

their main objective; rather, many organizations instead claimed that they were turning youth into citizens.

When I began to ask staff about this, the answers I received sounded familiar. They clearly echoed the past; how could Brazil solidify itself into a *truly* democratic state when so many of its youth were disaffected, abused, violated, and impoverished? Of the 30 staff members whom I engaged in semi-formal interviewing, 23 responded similarly; they argued that in order for democracy to persist in the country, Brazil's youth could not be left without any hope for the future, without any reason to fight for their rights. Something, therefore, had to be done; young, poor Brazilians had to have their citizenry rescued. Thus, while guaranteeing access to rights was a necessary action that organizations took, it was just one aspect of their overall mission, one means to an end. For many working at the organizations, helping young people become citizens and thereby building the nation was their goal. It is in this way that the rhetoric of "saving the child," has been recast into a democratic vision; "save the child," "save the *democratic* nation."

To illustrate this point I turn to a conversation I had with Juscelino, an educator at the organization PROMAD. When I began to notice how organizations were justifying their programming, I happened to be reading PROMAD's mission statement that Juscelino had given me. The explanation of PROMAD's objectives stated that the organization "sought to give adolescents a foundation in professionalism and democratic citizenship" (PROMAD n.d.). Reading this aloud to Juscelino, I asked why he thought that so much of the justification behind organizational programming in the city was centered on *formando cidadãos* (forming citizens). At first he looked confused, and then he stated that he had never really thought about it, but in fact I was right. He then stated,

> I think these things are very important, Penelope... I think from the moment they are
> born we have to work with them on this... Because... Brazil has so much *corrupção*

(corruption)... and children they accept it, they see it on the TV, hear it on the radio and it becomes the norm and so I think we have to teach them that as they grow that everything that happens to them, they have rights, they are citizens, that they have rights to their own opinions, that we live in a democracy. Even though it is really only a democracy on paper… So I think that we have to pass all this along to them, because they are the future. If we just lie about everything now and leave them without any orientation… how are they ever going to have the perspective to change? When they are adults, then… they'll continue in the same way….So we have to work with them…. So they have a conscience… So we have a real democracy someday.

The issue of corruption as a barrier to democracy in Brazil came up time and time again in both my young and adult informants' statements and certainly is reflected in how youth perceive aspects of "risk," as I will discuss later. Nonetheless, Juscelino's reflections on corruption and the need to teach youth about citizenship struck me, so I began to ask others about the notion of "formando cidadãos." In almost all the conversations I had with organizational staff, the notion of needing young people to understand citizenry was ultimately couched in terms of building a "real" or "true" democracy.

Another good example of this comes from an interview I had with Lilly, an educator from Instituto Jesus. Intrigued by Juscelino's comments and wanting to see if perhaps I would get a different opinion from a non-governmental organization employee, I asked Lilly about Instituto Jesus' own policy of "attending children and adolescents at social risk through extracurricular activities, with the objective of promoting their civic formation" (Instituto Jesus n.d.). She stated,

> We have to make them citizens, Penelope… because we have had so few rights in this country, you know? Before the democracy, we had no rights, we remember having no rights. But they don't, they don't know… they don't understand that democracy has to be fought for… *temos que lutar* (we have to fight)… for our rights… for their rights… because they are the future of this nation… and if we want to see democracy truly persist in Brazil… if we want a real democracy, we have secure their rights and make them citizens… because in the end, the country will be in their hands…

Similarly when I asked Alexandra at Casa Aberta about the need to "rescue for youth their citizenry and dignity" (Casa Aberta n.d.) outlined in the organization's mission statement, she stated,

> It's because they don't have a concept of citizenry, Penelope… they [the youth who attend Casa Aberta] don't understand what it means to be a citizen, to participate… you know… in a democracy…and really how can they? How can they know what a democracy is… or what citizenry is… when we don't even know… when Brazil doesn't know… because we've never really had one… So we have to try to rescue a little bit of this for them… a little bit of their rights, a little bit of their dignity, a little bit of their citizenry… a little bit at time…

Perhaps more interesting, though, is that these sentiments were not only expressed by NGO and GO staff; they were also shared by politicians, policy makers, advocates, and others involved in the youth program and service arena in Juiz de Fora as well. For example, I was invited to the house of the former head of AMAC one night in honor of the birthday of a mutual friend. A short, stern looking man, José Sóter de Figuerôa Neto (simply referred to as Figuerôa by everyone who knew him) had also been the first head of the CMDCA and the driving force behind implementing ECA in the city. At the time we spoke, he held public office as a *vereador*, a political position similar to that of a city council member here in the United States. I was unsure of the perspective he would provide, given his occupation and his past experience with youth policy in the city. But when I began to ask him about why most of the programs in the city claimed to be "forming citizens" and what the purpose of such an approach was, he immediately linked the question of Brazilian youth to the hope for strengthening democracy. He stated,

> Citizenship? That's a funny term in a place so corrupt, isn't it? I mean Brazil, as a country with great social disparities… that are mostly due to corruption… we still have a long haul in front of us in order to even out the disparities we have here, to have real democracy… we have to start somewhere… children and adolescents are the best place to start, they are the next generation, we have to teach them about corruption… if you think about it… we have… I don't how many, millions it seems… children and adolescents living in such poverty, only maybe 10 percent of them will "achieve" a real sense of citizenry if we don't do something [meaning the programs]… at that rate it

would take us a long, long time to really obtain democracy… we have to somehow start to even out the disparities now, to fight corruption… you know? So they can build a real democracy tomorrow… not two centuries from now…

Figuerôa's and Juscelino's statements, in particular, are telling in that they at once expressed a concern over the need to form youth into the future of the nation, while also linking corruption to concerns over the staying power of democracy in Brazil. Here it was being reconfigured in terms of the youth "problem;" as the future of the nation, young people needed to be made conscientious citizens so that democracy, not corruption, could prevail.

However, as I began to dig deeper, I found that while many of my adult informants understood these issues in terms of corruption, others couched their discussion in terms of prevalent social issues in Brazil, such as violence, education, and poverty. For example, when I asked Marlí at Novo Cidadão about the concept of "formando cidadãos," she related the issues of citizenship and democracy back to education in the country. Novo Cidadão's mission statement asserted that the goal of the organization was to "rescue for youth [their] citizenry and to ensure that their democratic rights to education and leisure were met" (Novo Cidadão n.d.), so it was no surprise to me that Marlí brought up education. However, what I did find interesting is the way in which her discussion touched on the need for education and the role it plays in citizenship and the democratic process in Brazil:

> The truth is that our democracy is still really recent… So as we are experimenting with democracy… we are experimenting with how to promote democracy… It doesn't promote the democracy if you have a system where people don't have the conditions to make educated choices in terms of voting… without knowing how to make their choice or to have a conscience with voting… You have to have parameters… to know how not to choose people who have no interest in helping... to not have your vote bought… to not choose people who are openly corrupt, who are incompetent… In whatever place in the world it is not easy to choose… Even the American people don't always know for sure who would be the best to govern [referring to the 2008 Obama/McCain presidential race]…

It is the democratic process to have doubts, to construct, listen and this is the education that our young people need… Our young people need to be educated to debate, to know who to chose, to construct one's opinion and choose wisely… we need to give our youth this kind of education… their parents didn't get it because of the dictatorship, but we can't wait on the schools to teach our children to do this, we have to do it now, for the sake of our future as a democratic nation… We cannot afford to wait, we have to educate our youth now, make them citizens now, for the sake of our democracy tomorrow… what kind of country will Brazil be if wait?

Similarly, when I asked Luiz, an educator from Guarda Mirim, to tell me about the organization's mission statement "of forming democratic citizens through professionalization and education," (Guarda Mirim n.d.) he stated,

You know, Penelope… the problem with citizenry is education… the problem with democratic [citizenship] in this country is education… education in Brazil is a travesty… we have schools sure, but they are just buildings… we need real education in this country… of quality… our young people need a good education… our democracy depends on it…

[How so?]

Because democracy can't persist without it… I mean really persist… in the true sense of democracy… our children don't know any better and they don't learn in school what it means to be a true citizen… good education will give them that… it will give them the confidence and knowledge to stand up for themselves, to know they don't have to be poor, they don't have to be abused, that corruption doesn't work… if we give them a good education, raise them out of their situations, give them hope and a future… then we give this country hope, we give ourselves a future… and then democracy will truly persist.

The topic of education also arose many times over the course of my year in Juiz de Fora and, as I will show in Chapter Six, the struggle for quality education and the difficulties youth face in this regard helps to inform their understanding of "risk," as well as their perspectives on democracy.

For others, poverty provided the context in which saving youth for the democratic nation was understood. For example, in a conversation with Jose Carlos, a street outreach educator with Casa Aberta, he argued that ameliorating poverty was the key to rescuing youth through citizenship:

It is a city that has grown a lot of the last 30 years [Juiz de Fora]… people keep coming and the city keeps growing… so the notion of citizenship that we address here I think has to do more with insuring that people have a place to sleep, to eat, to take a bath… and the person that is living in the street, when she takes a bath, eats a plate of food and sleeps in a bed… she is prepared for five more nights in the street… I think this question of rescuing citizenry is more about the person recognizing that there is more than this [more than just merely existing]. The person has to want to change to be able to… we have a lot of difficulty getting that through to young people, they don't want to sit here and listen to the message we have, you know? That there's more to life than this… But when they do, and they stay here and have food to eat and a place to sleep, that's when citizenry really begins to be rescued, and that's when we begin to see true democracy… we're still a long way off, Penelope, democracy does not exist yet in Brazil, but if we can make a difference, rescue one child's citizenship and another's and another's, then in twenty years *olha que democracia tivessemos* (look at the democracy we would have)

Another compelling example comes from Izaura whom I met working with Novo Cidadão; at first, I felt that Izaura was frustrated by the circumstances that had led her to work with the organization. Izaura had originally taught art therapy for adults with Down syndrome at another city organization. Her job, however, had been cut after the city had tightened its budget for public programs, and she was forced to take an educator position at Novo Cidadão. Art was clearly her passion and she never failed to lament to me that she was an artist who knew nothing about "children and adolescents 'at risk'." As I got to know her, however, I began to see that her frustration was not directed at the organization, the youth or even the municipality; rather, as we began our "yearlong" conversation on youth in Brazil, I realized Iguana's anger stemmed not from the injustice of having lost her job, but rather from a deep social criticism that had awakened in her since taking the job at Novo Cidadão. In one particularly extensive interview Izaura expounded on her beliefs concerning the "state" of Brazilian youth, what should be done to save youth and make Brazil a "real" democracy.

This particular conversation arose after two young boys in the city had been arrested and falsely accused of murdering another young boy. The police treatment of the boys in question

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was what had caused such a scandal in the city. The boys had been beaten severely, without

provocation, causing embarrassment when their innocence was proven. Our conversation, which

occurred the day after the news broke that the boys were being released, linked the issues of

education, corruption, poverty, rights, citizenship and democracy, and is worth quoting at length.

> Do you see what kind of *democracia* we live in, Penelope? (throws her hands up). What
> a mess! What shit is this? This is why… remembering we were talking the other day
> about ECA? This is why… supposedly… we have ECA. We are supposed to be
> protecting our youth, you know? We are supposed to be making them the future of our
> county… not beating on them…

> [Of course… but Izaura… why, I mean why do you think this still happens?]

> Corruption… the police are corrupt, the politicians are corrupt and no one cares… our
> youth are expendable… but this is why we do the work we do…

> [You mean the work the organization does… *formando cidadãos*…]

> Forming citizens? We are, but I mean… I think it's about education, Penelope… Brazil
> took its resources and invested them elsewhere, we opted not to invest in education; in
> the schools… students today don't have a real education… Students can't pass their
> grades and get held back and for the politicians, *Tudo bem* (it's fine)… they have a public
> that's illiterate, that can't read, can't write and can't think to vote… not critical, who
> doesn't fight for their rights… who doesn't challenge their corruption…

> [So, it has to do with education…]

> Everything…   Penelope, EVERYTHING is linked back to the question of citizenship…
> everything… voting and changing and having a real democracy, how are they (meaning
> youth in Brazil) going to have a democracy, if they can't even defend themselves on the
> street… how are they going to vote? How are they going to do anything? How are we
> ever going to have a democracy if we don't save our youth from being beaten up by the
> police? From all the corruption? Youth aren't persecuted for being poor in a
> democracy…

> [What do you mean persecuted for being poor…]

> I mean… So to be a citizen, we try and teach this to the kids… you know? Make them
> citizens. They have to run after what they want, fight for their rights, demand them… it's
> a right of theirs, to have access to education, good education, *quality* education… to have
> health care, to have leisure… we have plazas in the city, like the one down there… we've
> had the police come several times because the kids were playing down there… not
> fighting, but playing… *jogando bola* (playing soccer)… the police came and knocked on
> the door and said, you know because the kids wear the organization's shirt… he said the

kids couldn't play in the plaza… this is a generalization the police make about youth… they think they are doing something wrong always… and mistreat the kids… but the kids don't know… they have the right to be there… to say, I'm a citizen just like you… I have my rights, I can be here… I'm not doing anything wrong… the story of the police here with youth is shocking, but it continues… the police beating on them, just because… they are wearing tee shirts and flip flops, you know? They make assumptions based on what they see and the kids don't know they have the right, so we have to teach them about citizenship…

[So… it's about rights…]

No, Penelope, it is about democracy… The democracy in Brazil won't be able to exist if we don't make things more equal… it doesn't exist does it? A Brazil where everyone's rights are respected… our democracy, it's still a dream, isn't? Sure we have to right to criticize, sure we have the right to complain, that's all well good, but it's not about criticizing and complaining. Ensuring rights is a means to an end, it is about true transformation… the transformation of Brazil into a democracy… but most of these youth, that come from the most impoverished classes… they don't realize… they think they are stupid… they have very low self esteem… that can't understand that they lack opportunities, they think that others are better than them… that they don't have the right and this is the problem. We have to teach them they have rights, they are citizens, they are the future. Once they realize this, once they begin to fight for their rights then democracy will follow… democracy can't exist otherwise…

[So ensuring rights for youth means strengthening the democracy…]

Yes, but you see… democracy… in Brazil… it doesn't exist… it's the *ideal*… it is a dream, but it is a beautiful dream… and people confuse democracy with a form of government, but it isn't, sure it has a political form, but democracy, is about the people, the masses… right? It's the power in the masses… A democracy is lived… it's a lived experience, but I think unfortunately we are a long way off from this experience. So we talk about lot about citizenry and what it means to be a citizen with them because we want them to have this experience. We have to save our dream of democracy and the only way of doing that is by starting with our youth… we have to save our youth from violence, we have to rescue their citizenship… we have to help our youth, prepare them for the future, *give* them a future, so we can *give* democracy a chance this time… it is really our democracy that is "at risk"

Through Izaura's and the other statements I began to realize that implicit in most

organizations' justifications of their work was the ideology that youth needed to be formed into

citizens in order to ensure that Brazil could be a "true" democracy someday. What constitutes a

"real" or "true" democracy is not important here; obviously democracy is both a political form

and an ideological concept that varies it its understanding across cultures. What is relevant is the

fact that, however my informants define a "real" democracy, it is apparent in their statements that they do not believe Brazil is quite "there" yet.

What is also evident in their statements, and what perhaps is more surprising in some ways, is the fact that despite my adult informants' criticisms, it appears as if most are quite committed to the idea of democracy and to the notion that they should help to build Brazil into a better one. This is interesting in that, as I stated in Chapter One, research has shown that public opinion of, and support for, democracy as a form of government continue to be relatively low in Brazil, as compared to other Latin American countries (Seligson 2008). Yet the statements above seem to indicate that while my adult informants do appear to have a relatively low *opinion* of democracy (as it was operating in Brazil at the time), they also seem conversely to have a lot of *support* for democracy in general as a form of government. It is difficult to say whether or not this support is characteristic of the general public's attitudes in Brazil. Obviously the sample size here is too small to make such an argument. It could also be argued that the responses I received might be due to the fact that my sample is composed of people who work in public service and who perhaps do so precisely because they have more democratically oriented views on society. Regardless, my informants' statements are important in that they clearly demonstrate the perceived need for turning young people into citizens for the sake of the democratic project.

As I stated earlier, while the idea of "save the child, save the nation" was prevalent in many of my adult informants' statements, others expressed disapproval over the vision of "forming citizens" that many organizations promoted. For example, Carlos, one of the volunteers who worked at Segundo Tempo scoffed at me when I asked him about the mission statement of the program's parent organization, Instituto Cidadania, which stated that its goal was "to form citizens through public action and guaranteeing the rights of young Brazilians"

(Instituto Cidadania n.d.). Carlos had worked for years at a non-governmental organization for youth in Rio de Janeiro before moving to Juiz de Fora for a better job at the Mercedes plant. His job afforded him some flexibility and so, not wanting to lose touch with his social service roots, he volunteered in the mornings helping João and coaching soccer at the Benfica nucleus. He was no stranger, then, to the kinds of organizations and programs for youth in Brazil. However, he made no attempt to disguise his disdain for the approaches NGOs and GOs used, and in particular, for what he called the "rhetoric" of citizenship organizations promoted. He stated,

> This whole talk of citizenship… (Rolling eyes and speaking in a high pitched voice to indicate sarcasm) *estamos formando cidadãos, estamos formando cidadãos* (we're forming citizens, we're forming citizens)… I don't buy it Penelope… you know what that is? It is called rhetoric… it *sounds* good, but what does it really mean?

> Where I used to work in Rio… we talked about that all the time… about rescuing citizenry… you know… for the sake of Brazil, for the sake of our nation… And one day I just thought… is that what we are doing? Really? Are we really promoting young people's citizenship? Are we really changing Brazil one little citizen at a time? (rolls eyes again)… I think it is all just for show… (waves his hand out in front of him) it sounds good, people can get behind it… let's make little Brazilian citizens! (slaps hands together) But what impact does it have on these kids? Nothing… it is shit, this notion of forming citizens… it makes for good promotion, good publicity… but can we really say that is what we are doing?

Carlos' statements were perhaps the most negative reactions I encountered about the notion of "forming citizens;" arguably, however, he was not alone and a few of my other informants also expressed their concern over such an approach. For example, one day after pressing Ludimila, the director of PROMAD, for nearly half an hour to explain why she thought "forming citizens" was important, she lowered her gaze and in a quiet voice asked me to turn off the digital voice recorder I was using. Then she said to me,

> You know, Penelope… I know this is… this is something I probably shouldn't say, but I don't know how much I agree with this notion of forming citizens… I mean yes… it is important to teach youth about their rights and to help them fight for those rights… and I suppose it's important for the future of our nation… you know… that we have conscientious citizens who can think about who they vote for… but I feel like sometimes we get so focused on rescuing the citizenship of these youth that we overlook so many

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other things… like what their families are going through on a daily basis… we focus so much on youth and ECA and their rights… that we forget their families and the needs of the family… we really need more family programs here… but we focus on youth… sometimes I think too much… yes, we need youth programs and yes… we should try and make them citizens… and yes, I think *o nosso futuro brasileiro* (our Brazilian future) depends on it… but not at the sacrifice of their families…

Likewise when I asked Conselheira Simone, a council woman on the CMDCA and an administrator who worked with AMAC overseeing the finances of the city's organizations, what she thought about the notion of "forming citizens" as justification for organizational programming, she smiled and said,

> *Olha, Penelope* (Look, Penelope)… this idea… that we are rescuing citizenship… it is a funny idea I know… I guess it is what we are supposed to be doing… we are building a democracy… right? But it is a funny idea… because how do you do it? I mean… how do you rescue someone's citizenship? How do you turn a young person into a citizen? And does that make a democracy? I don't know… I hope so… but I don't know… I suppose you can start with their rights… you can secure their rights… and we should… children have been so violated in this country… ok, so but… you've secured their rights… now what do you do? Do you see? What comes next? You can secure their rights, but it has to be within their personal formation to utilize those rights, to understand what they mean… and how do you do that?

> [I don't know…]

> Me neither! (Laughs and throws her hands up) So, I guess this idea… this funny idea… in theory it is a good one… but in practice? I don't know…

Carlos', Ludimila's and Simone's criticisms are important for several reasons; first, as Carlos so astutely describes it, "forming citizens" for the sake of the nation is a form of rhetoric and thus, even though his statements are highly critical, they nonetheless point to the fact that the ideology remains and is prevalent as a vision shared not only by the organizations and their staff in Juiz de Fora. Second, Ludimila's and Simone's statements point to some of the problems inherent in any type of discourse surrounding "what to do" about Brazil's "youth problem." Just as past policies in Brazil ignored youth's families and their social context and failed to really help young people in practical ways, so too might ECA (and its implementation) be so caught up

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in its own version of "save the child, save the nation" that it continues to overlook some of the important ways youth and their families continue to need assistance. Again, I do want to condemn ECA or the organizations that work with youth and their staff; rather, what I want to show here are the ways in which the lingering rhetoric concerning youth in Brazil as the referents of the nation state continues to have an impact on current youth advocacy and programming, and perhaps the efficacy of such an approach.

3.7   CONCLUSIONS

Since its inception in the 1990s, ECA has undeniably had an impact on youth oriented policy, organizations and programming. Not only did it put an end to Brazil's highly punitive policies of criminalization and arbitrary institutionalization of youth, but it also restructured the way in which the state thinks about young Brazilians, positing them as citizens who should be afforded certain rights and modes of protection. In doing so it subsequently altered the way in which NGOs and GOs design their programming; most NGOs and GOs that work with youth have abandoned previous work for activities that focus on the rights outlined for youth in ECA. However, lingering anxieties over the future of Brazil as a democratic nation are inherent in the justification of organizational programs. Despite some criticism from within the organizational community, the notion of "forming citizens" for the sake of the democracy persists and continues to be found in the justification these organizations and the majority of their staff use for their activities. Thus, the rhetoric of "save the child, save the nation" inherent in early "child saving" movement policies in Brazil continues to find a home in the new democratic gaze of ECA.

Yet also implicit in the dialog concerning youth and rights in Brazil, as I have suggested, are presumptions about what youth need and what they are "at risk" for that are linked to the idealistic notions of childhood discussed in Chapter One. These presumptions not only paint a picture of childhood that has informed NGO and GO understandings of the populations with which they work, but have also fundamentally aided in how "risk" is interpreted at the local level by these entities.   In this way ECA has helped to shift organizational focus in recent years from "street" to "at risk" youth, reconfiguring these categorizations of young people into the familiar, albeit problematic, depictions of youth "in danger" (i.e. those who can be saved) vs. youth who are "dangerous" (i.e. those who cannot be saved).   How ECA defines "risk," its relationship to the "nature" of childhood and how the dichotomy of "in danger" vs. "dangerous" youth is embodied in the categories of "at risk" and "street" youth, then, are the topics of Chapter Four, to which I now turn.

4.0   "RISK" IN THE ORGANIZATIONAL CONTEXT

> Historically, once children came to be constructed as a special, protected category of being and childhood as a special state, the obverse of adulthood, children and childhood could be constructed as 'at risk' and in need of particular protection and vigilance (Jackson and Scott 1999:87).

In Chapter Three I argued that lingering perceptions about the nature of young people and their relationship to the state continue to be embedded in the new democratic era of youth oriented policy in Brazil. I stated that behind ECA and its rights based approach there continues to be the perceived need to "save the child, save the nation." Furthermore, I argued that implicit in this construction of young people are notions about their presumed inherent vulnerability or dangerousness. In this chapter, I draw on the imagery of youth as "in danger" vs. "dangerous" to explore the ways in which ECA is translated at the local level and linked to idealistic notions of childhood.

I begin by examining the recent shift in organizational focus from "street" to "at risk" youth and analyze each as a category. I argue that at an analytical level as well as an organizational one, the shift in focus is not representative of an actual population change, but rather constitutes an overall desire by the organizational community to distance itself from pre-ECA policy and align itself with the more publicly perceived progressiveness of ECA. I argue as well that under the new policy, the categories of "at risk" and "street" youth have come to symbolize youth who either "can be saved" (i.e. "at risk") or those who "are lost" (i.e. "street youth"). In doing so, the categories of "at risk" and "street" youth have become symbols of

contesting visions of childhood as "in danger" or "dangerous." Finally, I examine the rhetoric of "risk" inherent in my adult informants' statements to show how "risk" is defined as the violation of rights and conclude with a discussion of how the rights outlined in ECA are caught up in idealistic visions of childhood.

4.1   "IN DANGER" VS. "DANGEROUS" YOUTH

As the statement above by Jackson and Scott (1999) reflects, the notion of "at risk youth" is not a new one nor one that comes as particularly surprising. In Chapter One, I discussed the historical construction of childhood as a time of innocence and purity; for over a century this vision of childhood has fueled concern for the care and protection of children and adolescents, particularly in Western societies (Archard 1993; Ariès 1973; Cunningham 2005; de Mause 1974; James and James 2004; Mason 2005; Prout and James 1997) . In today's global context, anxieties over young people and the risks they face have become points of contention as modern media have exposed the extreme conditions in which some youth live (Babenco 1980; Boyden 1997; Hecht 1998; Kaufman and Rizzini 2002; Mickelson 2000; Raffaelli and Larson 1999; Scheper-Hughes and Sargent 1998). This is nowhere more evident than when one considers the attention drawn to populations of so-called "street youth" in Brazil.

In the 1980s and 1990s, "street youth" became a hot topic for international activists, media and scholars alike working in Brazil, who attempted not only to define this group but also to shed light on their day-to-day existence and the problems that young people encounter on the street (Hecht 1998). The word "risk," however, has never been far behind the term "street youth," and in many ways the two terms have become synonymous (DeMatteo 1999; Gontijo

and Medeiros 2009; Hecht 1998; Inciardi and Surratt 1998; Lalor 1999; le Roux and Smith 1998; Lugalla and Kibassa 2002). Yet arguably, the notion of "risk" is not reserved for "street youth" alone. Even a cursory glance at academic literature shows that "at risk" youth (however defined) is a category studied in its own right, often in the Latin American context treated as the "home" counterparts to street youth (Cunningham, et al. 2008; Drybread 2008; Panter-Brick 2002). In fact, as Drybread (2008) has shown, youth oriented programming in Brazil in recent years has shifted emphasis from "street youth" and towards a focus on "at risk" youth, thus implying that there *must* be inherent differences between these two groups, warranting different approaches. Are "at risk" youth really inherently different from "street youth" though?   If so, how is that difference defined? Furthermore, how do we explain the shift in interest from "street" to "at risk" youth in the Brazilian context?

It is my intention to show here that understanding "at risk" youth, who they are and how "risk" is defined cannot be easily separated from the dialogue about "street youth" in Brazil. Nor can these terms be simplistically understood in categorical notions that approach mathematical equations, such as "all street youth are at risk, but not all at risk youth are street youth" or that "at risk" youth are the "at home" counterparts to "street youth." As I will show, "at risk" and "street" youth are essentially the broad spectrum of youth living in varying conditions of poverty[33] who face similar problems related to economic disadvantage as well as daily conditions of violence, gangs, drugs and other issues. Neither group can be defined by its "homelessness" or "at home" status, nor can they be understood simply in terms of "risk" factors

[33] It is not my desire to equate poverty unilaterally with risk and/or the street, nor do I want to imply that there are not middle/upper class children who engage in "risky" behaviors. However, from a demographic standpoint in Brazil, the majority of young people who are engaged in organizational programming (whether for "street" or "at risk" youth) come from impoverished backgrounds and therefore, in order to understand the practical application of these terms, they much be addressed in that context.

or behaviors. Rather it is what these groups represent symbolically and the way in which their representations are rooted in anxieties over young people and notions of childhood that truly distinguishes them from one another.

In order to understand both "at risk" and "street" youth (for they too are presumed to be "at risk") we must therefore ask what each group symbolizes in terms of cultural perceptions about young people and moreover, childhood. As Jackson and Scott have argued, "…risk anxiety helps construct childhood and maintain its boundaries – the specific risks from which children must be protected serve to define the characteristics of childhood and the 'nature' of children themselves" (1999:87). Furthermore, since "children most often come under public scrutiny when they are perceived as in danger… or as a danger to others" (Jackson and Scott 1999:92), they are most commonly depicted as either innocents whose childhood is in need of saving, or deviants, outside of and antithetical to childhood. Thus, whether cast as "demons" or "innocents," there is a strong emphasis on "marking the boundary between childhood and adulthood… both threats to the wellbeing of children and children who are themselves threatening seem to de-stabilize this boundary. This produces anxiety about childhood itself" (Jackson and Scott 1999:96-97).

I will argue that whereas "at risk" youth represent cultural anxieties about socio-economic issues that young people face and the notion of a childhood threatened or "in danger," "street youth" represent a childhood lost and the "dangerous" implications when Brazilian society fails to "manage" its youth.   In this context, the organizational shift in focus towards "at risk" youth represents a desire by both NGOs and GOs to distance themselves from the negative implications associated with "street youth," and the "futility" of their lost childhood, and past youth policy in Brazil, while aligning themselves with the more positively received ECA, and the

hopefulness for a "childhood saved." Furthermore, when couched in these terms we begin to understand how the discourse of "at risk" as defined by ECA and used by organizations has more to do with cultural reflections of how childhood should be than it does with any real "threat" to (or from) the youth themselves. It is therefore how organizations perceive these two groups symbolically and what that reflects in terms of cultural notions of childhood that truly defines the difference between them.

4.1.1 Defining "street" and "at risk" youth

If we look, then, at the literature that exists on "at risk" youth, we find that the majority of it comes from social services or social work and is context-specific to the United States and Europe, with only a few cross-cultural resources (Capuzzi and Gross 2004; Chung and Bemak 1997; Cunningham, et al. 2008; France 2000; Furstenberg and Hughes 1995; Kolberg 1987; Sharland 2006; Ungar 2005). On the one hand, there is an emphasis on "at risk" youth policy and program planning, the logistics of working with this population, or epidemiological definitions of "risk," including their "risky" behaviors (such as drug use, truancy, violence, and prostitution) (Capuzzi and Gross 2004; Chung and Bemak 1997; Cunningham, et al. 2008; John 1997; Laursen and Birmingham 2003). On the other hand, there is a body of work that challenges the concept of "youth-at-risk" as an innate category and attempts to deconstruct the ways in which adolescence has been naturalized as a "dangerous" time period (Kelly 2000a; Kelly 2000b; Kelly 2001; Kelly 2003; Kelly 2007; Ungar 2004).

Work centered on Latin America tends to generalize youth across the region and is couched in terms of "conditions" that put youth "at risk" (Cunningham, et al. 2008); rarely is what "at risk" youth think of their condition or why they feel they engage in certain behaviors

explored (Hecht 1998). Thus, despite the fact that anthropological studies of "risk" have argued that local interpretations of "risk" can vary across culture (Caplan 2000; Douglas 1992; Douglas 1999; Douglas and Wildavsky 1982; Harthorn and Oaks 2003), scarcely any qualitative information can be found on Brazilian "at risk" youth and their beliefs, attitudes and understandings of "risk" and "risk" related behaviors[34].

Conversely, "street youth" in Brazil have been widely explored; both in the Brazilian context and in other parts of the world, social scientists have given "street youth" as a category wide ranging attention, exploring everything from social conditions to health related issues (Aptekar 1991; Bar-on 1997; Campos, et al. 1994; DeMatteo 1999; Glauser 1997; Hecht 1998; Huggins and Mesquita 2000; Inciardi and Surratt 1998; Lalor 1999; le Roux and Smith 1998; Lugalla and Kibassa 2002; McAdam-Crisp, et al. 2005; Mickelson 2000; Moulin and Pereira 2000; Noto and Nappo 1997; Panter-Brick 2002; Raffaelli, et al. 1993; Raffaelli, et al. 2001; Ribeiro 2001; Rosemberg 2000; Swart-Kruger 1997; Veale, et al. 2000; Veríssimo 2002). Additionally, it is not hard to find ethnographic accounts of this group (Aptekar 1991; Campos 1994; Diversi, et al. 1999; Drybread 2008; Hecht 1998; Panter-Brick 2001; Robinson 2005; Ribeiro 2001; Unite 2006; Veloso 2003). Inherently problematic, however, in much of this literature is the fact that it attempts to deconstruct the notion of "street youth" while simultaneously taking it as a given category. Thus, who "street youth" are, their characteristics and the boundaries of this population have been hard to define.

Furthermore, if you begin to look closely at a comparison between "street" and "at risk" youth, it becomes clear that at an analytical level the line between them is difficult to distinguish. For example, Cunningham, et al. (2008) in their work *Youth at Risk in Latin America and the*

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[34] Youth perspectives on risk and analysis of their "risky" behaviors will be addressed in the subsequent chapter.

Caribbean define "at risk" youth as "those who face environmental, social, and family conditions that hinder their personal development and their successful integration into society as productive citizens" (31). However, anyone who is familiar with "street youth" knows that this definition could certainly apply to this population as well. This definition of "at risk" youth, therefore, must necessarily include "street youth" and once again brings us back to the notion that "all street youth are at risk, but not all 'at risk' youth are street youth." But what does this really tell us about these two groups? And how does it help us to understand the differences between them, if any? Thus, we need to look beyond simplistic definitions of these groups in order to really understand them.

4.1.2 Homelessness vs. at home

Any examination of these groups first needs to look closely at the notion that "at risk" youth are the "at home" counterparts to "street youth." Roberto da Matta (1985) in his work, *A Casa e A Rua,* recognized the special place that the categories of "home" and "street" occupy in the Brazilian sociological landscape. Da Matta (1985) argues that *a casa* (home) and *a rua* (street) in Brazil, rather than simply representing geographical spaces, are metaphors for spheres of social action. A casa represents the private, hierarchically organized space of the family, a place built around relationships and characterized by affection, warmth and protection. Conversely a rua represents the public world and is viewed as a place of anonymity, chaos, and danger, and lacking in rules or order. Furthermore, the rua is viewed as threatening to the casa because it has the potential to undermine social relationships which, Da Matta argues, are essential for the fabric of Brazilian society (Da Matta 1985).

It is perhaps expected, then, that youth who are visible on the streets and viewed as outside the context of their families and homes are presumed to be homeless and as such, labeled as "street youth." It is also perhaps not surprising that these youth are viewed as "threatening" to society, a point to which I will return shortly. Conversely, it also makes sense that youth suffering similar conditions of poverty, yet perceived to be living at home might become labeled as "at risk" and defined vis-à-vis their presumed homeless counterparts. Yet, there has been a lot of contention over "street youth" and whether or not they truly represent a homeless section of the population. Social scientists have argued that, contrary to belief, many "street youth" (even those considered "hard core") maintain ties with their families or are not homeless at all (Baker and Panter-Brick 2000; Glauser 1997; Hecht 1998; le Roux and Smith 1998; Panter-Brick 2000; Raffaelli, et al. 2000; Ribeiro 2001). Additionally, the presence of young people on the street can be attributed to economic and social conditions that have more to do with structural inequality than parental neglect (Baker and Panter-Brick 2000; Glauser 1997; Hecht 1998; le Roux and Smith 1998; Mickelson 2000; Raffaelli 2000b; Scheper-Hughes and Hoffman 1998). Youth found in the streets are often there for reasons other than homelessness; they work, play and engage in other activities in the street.

Some researchers have tried to categorize these youth into more nuanced classifications based on their *use* of the street, arguing that there are "children *of* the streets" and "children *in* the streets" (or *on* the streets) (Panter-Brick 2002), the former representing young people who live on the streets, the latter those who live at home, but who work, play, and engage in other activities on the street. However as Glauser states,

> Although the two categories do have the term 'street' in common, the street also acts as a differentiating element between them. This differentiation is made according to the type of relationship which exists between 'the child' and 'the street' as well as between 'the

child' and 'his/her family'… suggesting a basic, but implicit, dichotomy between 'home' and/or 'family' and 'street' (1997:145).

Furthermore, as Hecht argues,

The question of where children are versus who, in a more elemental sense, they are has been pivotal to the debate about what constitutes a street child. The prepositions 'in" and "of" have been used by institutions to describe two types of relationships that children have with streets. The children "in" the street, like Glauser's children who happen to be in the garden or attic, simply do certain things there… The preposition "of" is generally added to modify those children who do all of the things in the street and something else: they sleep in the street. But how often does a child have to sleep in the street to be of the street? (1998:102-103).

Thus, these categories are equally problematic in that they simplify the nature of the youth's relationship to the street by narrowing it down to one activity or another and consequently reinforce the dichotomy of "at home" and "street youth"[35].

In my experience in Juiz de Fora I found that often times both NGO and GO staff would list the street as one of the "risks" the young people with whom they worked faced; whether it was the "risk" of eventually living on the street or the "risks" associated with spending time on the street for whatever purpose, the street was viewed as a very real problem that needed to be addressed. Furthermore, my youth informants often admitted to me that if they were not involved in organizational activities they would be out in the street. When pressed further about what they did in the streets, I received a variety of responses: selling things, earning money for their families, hanging out, sleeping or living there. This last assertion did not surprise me; yet, I *was* curious to find that when I inquired further, the youth who had lived on the street did not consider themselves street youth, nor were they considered as such by organizational staff. I will return to youth perspectives on "risk" and the street later; however, the point here is that "at risk"

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[35] Again, this is not to say that some young people are not truly homeless, rather it is only to critically analyze the categories of youth, "street" and "at risk," that have been the focus of non-governmental and governmental programming in Brazil and why each group is characterized in terms of its relationship to "home."

youth also have a relationship to the street and can often be found there. Thus, if we accept as true the assertion that not all "street youth" are homeless and that both "at risk" and "street" youth utilize the street for various purposes, then we have to discard the notion that "at risk" youth are the "at home" counterparts of "street youth" and consequently, any definition that attempts to define these groups vis-à-vis their "home" status or likewise, presence in the street.

4.1.3 Other critiques

Adding to this, some have argued that both the terms "street" and "at risk" youth are problematic in that often they are used as "catch-all" phrases for all impoverished young people (Hecht 1998; Panter-Brick 2000). First, scholars have argued that the term "street youth" presumes a correlation between poverty and homelessness in such a way that it inflates the numbers of young people who actually have no home (Hecht 1998; Hecht 2000; Rosemberg 2000). Both Rosemberg (2000) and Hecht (2000) have argued that statistical evaluations of the "street youth" population in Brazil presume a linear relationship between poverty and whether or not a young person lives on the street. The logic is that poor families inevitably expel or abandon their children and in turn, these young people are forced to survive in the street; in other words, any poor young person visible on the street *must* be abandoned and moreover, homeless. We are thus led to believe, as Rosemberg states, that the world is "overrun by millions of street children who represent the poverty of the underdeveloped world" (2000:118). In Brazil estimates of the number of "street youth" range from seven to 30 million (Hecht 1998; Rosemberg 2000). However, as Hecht (1998) argues, if this latter number were accurate, it would leave very few children and adolescents in homes in Brazil's urban centers. Young people living in various circumstances in Brazil, including those who work and/or play in the street, invariably are

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labeled as street youth. This in turn adds "elasticity to the concept in a way that makes counting impossible" (Hecht 1998:99).

Likewise, scholars have argued that the term "at risk" youth, which has in some contexts supplanted the category "street youth," is equally ill-defined. They argue that, much like "street youth," the notion of "at risk" youth presumes a relationship between a young person's susceptibility to risk factors and her socio-economic status. As Catherine Panter-Brick states,

> Indeed in recent literature the generic category "urban children at risk" tends to replace the terms street and working children… But this term of reference may also be ambiguous, analytically unhelpful, stigmatizing for children, and manipulated to serve socio-political agendas. Is "risk" another one of these catch-all phrases that proves under close examination to be an unsatisfactory construct? It does raise the question: "at risk of what"… This (again) leads to unhelpful assumptions of generalized vulnerability and represents a further instance of categorical thinking about children (2001:159-160).

Defining who is "at risk" and exactly what they are "at risk" for has, therefore, proven problematic and the term "at risk" is no more easily applied to youth than terms that utilize the street.

This is further complicated by the fact that term "at risk" when used in reference to young people, tends to depict childhood and adolescence as naturally precarious periods, equating young people – and in particular, economically disadvantaged young people – with notions of danger (Kelly 2000a; Kelly 2000b; Kelly 2001; Kelly 2003; Kelly 2007; Panter-Brick 2002). This in turn only serves to stigmatize poor youth as inherently "unsafe" and in need of control measures. Panter-Brick states,

> …although risk factors are based on the calculable, at risk discourses evoke the incalculable perception of fear or danger. Particularly when it comes to children, risk anxiety is focused on those who come under public scrutiny, fall outside accepted social boundaries, and are perceived as an endangered or a dangerous group (2001:160).

I would argue that this is precisely the way in which "at risk" and "street" youth are perceived at the local level in Juiz de Fora. Both groups, regardless of whether they are viewed as "in

danger" or "dangerous," nonetheless continue to be labeled with stigmatizing imagery that presumes their vulnerability and their involvement in behaviors that are deemed socially "unacceptable."

Taking this one step further, some might argue at this point that because some youth are truly homeless, the way to differentiate "street" from "at risk" youth is to view "street youth" as the most destitute of young people in Brazil (i.e. those who live in the worst poverty and who suffer greater from poverty related issues such as hunger, health problems, violence, abuse at home and psychological trauma) (Hecht 1998; Panter-Brick 2001; Raffaelli and Larson 1999). However, the problem here is that studies have shown that there do not appear to be differences in the rates and/or severity of malnutrition, psychological duress or other issues between homeless populations and other equally impoverished youth in developing countries (Panter-Brick 1998; Panter-Brick 2001; Panter-Brick 2002; Raffaelli and Larson 1999; Veale, et al. 2000). On the contrary, some researchers have shown that youth living on the streets are often more psychologically well-adjusted than other groups of impoverished youth as they may escape the physical or emotional abuse that many young people are forced to endure at home (Raffaelli and Larson 1999; Veale, et al. 2000). Furthermore, Felsman (1984) has argued that many of the truly homeless subset of "street youth" eventually go on to become well-adjusted "home" adults who engage fully in "normal" living situations. Finally as Panter-Brick states,

> …assessment of risk is problematic because the statistics collected from street children are often suspect in their validity and reliability. Many studies feature samples that are small, ill-defined, or unrepresentative of the homeless or street child population. They also lack in rigor for want of appropriate comparison groups: Homeless street children tend to be compared with Western middle class children, the gold standard of childhood (2003:160-161).

In the same vein, some have tried to show how levels of "risk" correspond to different levels of socio-economic status and certain social conditions (Cunningham, et al. 2008).

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However, in my own experience working in the organizations that served "at risk" youth, I met young people who clearly did not conform to any calculation of "risk" based on their particular socio-economic status. It takes only minimal effort, in getting to know these youth, to realize that poverty does not necessarily predicate "risk," any more than wealth provides a guaranteed buffer for social or other problems[36]. For example, one of my young informants was a teenage girl by the name of "Maria." Maria came from a household that was considered by many to be one of the relatively more "fortunate" among the youth engaged at the particular organization where I met her. Yet Maria had been sexually abused for many years by her stepfather and when she turned 14 ran away with her boyfriend to the streets to escape the situation. Becoming pregnant with her boyfriend's child, she was taken in by one of her relatives, who helped her to find work as a domestic and got her involved with the organization. In talking to her it was apparent that she was still traumatized by what had happened to her, and I remember very clearly her telling me that she would have traded her life in many instances rather than continue having to deal with the pain and suffering her stepfather had caused.

This is not to say that the economic disadvantage that many of these young people face is not real, nor that there are not children and adolescents in the streets who clearly are suffering the devastating effects of poverty; rather, the point is that both of these approaches are problematic in that one's exposure to "risk" or engagement in "risky" behaviors is not directly correlated with one's level of economic status. Thus, we cannot differentiate young people based on the presumption that different levels of poverty necessarily translate into "risk" factors, such as homelessness. Any arbitrary assumptions about what a young person's socio-economic status

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[36] I was consequently also exposed to many young people outside the organizational setting, from middle to upper class families (usually the children of friends), who had experienced abuse, violence and other issues as home , as well as who engaged in "risky" behaviors, such as use of drugs, unsafe sex, and gang related activities.

indicates about her family conditions, her exposure to violence/abuse, or her potential for being in the street only obscures the way in which social problems such as abuse cut across class boundaries and have a real and detrimental impact on all young people. Furthermore, when we attempt to measure risk based on presumptions about different levels of poverty, we inevitably assume that all poor youth *must* be at risk for something. However, as I will show in the following chapter, this is not always the case; youth view poverty as having very little to do with "risk" and often do not view themselves as "at risk" for anything at all.

4.1.4 "Risk" behaviors

Finally, looking at the behaviors classified as "risky" that are associated with both "street" and "at risk" youth shows that even from a purely behavioral perspective there is very little difference between these two categories of youth. Both "street" and "at risk" youth are said to be "at risk" for drug, alcohol and other forms of substance abuse (Cunningham, et al. 2008; Hecht 1998; Inciardi and Surratt 1998; Noto and Nappo 1997; Panter-Brick 2002; Ungar 2005). Both are also said to be "at risk" for involvement in gangs, violence and criminal activity (Bar-on 1997; Cunningham, et al. 2008; Hecht 1998; Huggins and Mesquita 2000). Furthermore, risky sexual behaviors including prostitution, "survival sex" and lack of contraceptive use, as well as the consequences of such behavior like early pregnancy and sexually transmitted infections, have been reported for both groups (Cunningham, et al. 2008; DeMatteo 1999; Inciardi and Surratt 1998; Lugalla and Kibassa 2002; Raffaelli 1993; Swart-Kruger and Richter 1997) Lastly, lack of formal education or early abandonment of school, engagement in the informal job market, and other issues related to work are also reported for both "street" and "at risk" youth (Cunningham,

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et al. 2008; Hecht 1998; Moulin and Pereira 2000; Panter-Brick 2001; Raffaelli and Larson 1999; Ungar 2005).

Yet how truly "at risk" for these things are the youth labeled as "at risk" or for that matter those labeled as "street youth"? Again the fact remains that there is a presumed relationship between the socio-economic status of youth and the kinds of behaviors and activities they *naturally* engage in. As I will show in Chapter Five, youth who are labeled as "at risk" are not *naturally* inclined to engage in so-called "risk" factors at all. Rather their involvement in behaviors such as drug use, violence, truancy and other "risks" has more to do with how they view the forms of social support and inclusion available to them. Furthermore, perhaps not surprisingly, many youth resist labels such as "at risk" and do not necessarily define themselves or those they consider to be "street youth" in the same way as their adult counterparts.

If, analytically, "street" and "at risk" youth share many of the same characteristics – both coming from poor backgrounds, both utilizing the street for a variety of reasons, including as a "home" and both contending with many of the same issues in their daily lives, albeit at varying and individual levels – how then do we understand the difference between these groups? What does being "at risk" mean in the Brazilian context? How do we understand the shift organizations in Brazil have made from a focus on street youth focus for one geared towards "at risk" youth instead? Furthermore, what does this shift tell us about how young people are understood? Part of the answer, I believe, lies in how the categories of "street" and "at risk" youth are perceived from an organizational perspective. It is towards an examination of this that I turn now.

4.2 NGO AND GO PERSPECTIVES

Drybread (2008) states in her work on the "social deaths" of "street youth" in Brazil that she was shocked to find how few organizations actually still worked with this population, even when they proclaimed they did. She argues that many organizations, feeling that street youth were too problematic and too difficult to work with, had shifted their focus away from this population to the more manageable "at risk" youth who lived at home, thus effectively marginalizing "street youth" even further and putting them at greater vulnerability. Drybread's (2008) work is problematic in that she accepts the categories of "street" and "at risk" youth at face value and does not attempt to distinguish these groups in any real way, nor does she truly question *why* organizations have shifted focus. However, her assertion about shifts in programming in Brazil cannot be refuted.

Like Drybread, I too was surprised when I first entered Juiz de Fora's organizational community. Just four years before I began my fieldwork in Juiz de Fora, I had identified many organizations in my preliminary fieldwork in Rio de Janeiro and São Paul that still specifically worked with "street youth" to some degree, both in practice and theory. When I arrived in Juiz de Fora, however, I was promptly informed that there were no "street youth" in the city and that most organizations worked with *crianças e adolescentes em risco* (children and adolescents at risk), *em situação de risco* (in a risk situation), or *em risco social* (at social risk). Upon further investigation, it came to light that previously the city had many organizations working with "street youth," but many now considered "street youth" specific programs to be no longer necessary. In fact, in all of my visits with the organizations, both governmental and non, in Juiz de Fora, I found only one that still engaged in street outreach or *abordagem* that was characteristic of "street youth" oriented programs.

I grew increasingly perplexed over the situation as every day when I walked through the streets of the city, I saw young people whom I knew would have been previously classified as "street youth." Surely organizations in the city were not turning a blind eye to these youth? Why were "street youth" no longer a focus? As I got acquainted with the organizations in the area it became clear that the answers to these questions were not simple ones. What I found was that while an ideological shift had occurred among the organizations I worked with and visited in the city, from a practical perspective many did not perceive themselves as actually working with a different population. The people I spoke with believed they were serving youth as they always had, from the same neighborhoods, same backgrounds and with the same problems. Instead, many saw the shift in organizational focus as more of a change in how programming was presented, and more importantly, as a removal of the stigma that has been characteristically assigned to "street youth" and this population's association with past failed youth policies in Brazil. What I will show here is how the terms "street" and "at risk" youth are linked to culturally defined fears and anxieties about children and adolescents as either "in danger" or "dangerous." Furthermore, these categories find reflection in organizations' desires to disassociate themselves from the previous organizational failures that "street youth" represent and instead posit their work in terms of the rights-based discourse of ECA and the *kind* of childhood it represents.

To illustrate this point, I turn to an interview with the director of Casa Aberta, a woman named Alexandra. As I began talking to Alexandra, I asked her why so few organizations worked with "street youth." She informed me that there was not a perceived need for "those kinds of organizations" in the city anymore and that furthermore, the young people that they served were the same. When I asked her what she meant by this, she stated, "You know,

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Penelope… a street child is just a child, an 'at risk' child is the same, only without the stigma of the street attached." Pressing her further, she proclaimed, "they're all the same, they come from the favelas, they are poor… some yes, they are lost to the street and that's why we are here, but they're the minority, the majority are just poor children… *carentes* (needy)… and the street is a stigma."

Alexandra was not alone in her sentiments; as I interviewed others I found that 26 of the 30 main informants I interviewed expressed a similar opinion. Thus, Alexandra's comments were echoed in many conversations I had at different organizations. For example, I asked Ludimila, the director of PROMAD, for her perspective on why "street youth" programming in the city was virtually non-existent and she stated,

> I think it is because of the image, you know, of the street. People don't want to be associated with it anymore… when children are on the street it is… a threat, beyond a threat… we've lost something… something has gone wrong… *entendeu?* (you understand?)… and there's this stigma people want to avoid…

I then asked her what the difference was in terms of the population with which PROMAD worked. She responded,

> The majority of the youth here… they have a house… that is adequate to live in… even if it is small… the majority don't need to be in the street… the kids out here, they are poor kids like any other poor kids…. There are those that are lost completely, but the majority… the majority in the streets are the same ones you'll find at PROMAD or Pequeno Jardineiro (another program in the city)… There is no difference I think. It is just the family's modus operandi… the child can earn 40, 50, 60 reais and returns to the house with this and its easy money…

Miriam, a social mother at Aldeias SOS also expressed sentiments along these lines. A short, round woman with vibrantly dyed red hair, Miriam had come from the Northeastern region of Brazil with her family when she was a teenager. Her parents came to Minas Gerais in search of work; having relatives in Juiz de Fora, the family settled into the city and eventually opened a rather successful restaurant. Miriam, however, rather than taking over the family business,

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decided that she was better suited to working with underserved youth. She often asserted to me

that it had been her calling, her *destino* (destiny), to work at Aldeias SOS as a social mother and

she had been there longer than any of the others, 11 years. Before Aldeias, she had worked at

Instituto Jesus for nine years; thus, she was very familiar with the kinds of organizations present

in Juiz de Fora. When I asked her about the lack of "street youth" oriented programs, she said,

> Well… you know, Penelope… we used to talk a lot about street youth… but now we talk
> a lot about young people at risk… I don't really know what the difference is though…
> times have changed I guess and now it is not acceptable to say 'street youth'… how do
> you say it in English? It is not… (in English) politically correct…? We are talking about
> the same youth… but we just call it a different thing now…

These kinds of comments were also reiterated in the opinions of those who worked with

other municipal entities. I was fortunate enough during my time in Juiz de Fora, despite the

political upheavals in the city, to interview many people who worked or had worked in various

positions within the city's *Secretaria de Assistência Social* (Secretary of Social Assistance,

henceforth SSA), the body that developed the city's "at risk" youth organizations as well as

housed the CMCDA. The newly installed head of the SSA, a man named Mariano, graciously

granted me his undivided attention for a series of interviews throughout the year. Mariano was

well known and respected throughout the city for his years of Afro-Brazilian activism and

community leadership, as well his reputation as a lawyer for social services. Furthermore,

Mariano was no stranger to the issue of "street youth" in Brazil.

Coming from an extremely poor background and having experienced "life on the streets"

himself, Mariano was able to provide a long dialogue on the changes that had occurred in Brazil

and in youth oriented programming in the city from both a personal and professional perspective.

In one of our interviews, I told him how I had perceived a shift in programming from "street" to

"at risk" youth and asked him to comment on that. He linked the issue back to the era in Brazil

when institutions like FEBEM[37] were criticized for their poor treatment of minors:

> We created prisons for children… If they were in the street, begging… we threw them in
> jail… we created a prison country for children… this proliferated the problem… it wasn't
> a solution, it didn't stop anything. And so civil society, as it always is with a democratic
> opening, began to complain and think and organize… and became preoccupied with this
> social problem… (meaning that of street children), but before that we didn't have the
> programs… not like we do today… we had *assistenicalismo*… I think people today want
> to create a distance between themselves and that ugliness…

For Mariano the shift clearly represented a desire to really distance current programming from

failed past policies that criminalized poor youth or that were paternalistic in nature, as well as the

stigma associated with those types of programs.

When I asked him what the difference was between "street" and "at risk" youth that

allowed "at risk" to be viewed as less stigmatized, he equivocated, finally stating that there was

no real difference. Having been categorized previously as a "street youth" himself, he said that

the youth he saw today attending the organizations in the city were no different than he, poor and

black. I pressed him further on this, stating surely there had to be more than that, and he

proclaimed, "The difference is in the ones that have no social support, have no family." Not

satisfied with his answer, again I asked, "so there is a difference?" At this point thinking that I

had pressed him too much and he had become exasperated with this line of questioning, Mariano

lowered his gaze, sighed, and said, "the difference is that, for some, Penelope... for some

unfortunately, it is too late, they cannot be saved."

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[37] See chapter three

4.2.1 "Street" youth and a childhood lost

The statements made by Alexandra, Ludimila, Miriam and Mariano are important in that they highlight several key issues. First, I began to understand that many of the organizations with which I worked did not perceive the shift in organizational focus as an actual shift in terms of with whom they worked; rather the shift was couched in terms of wanting to distance their programming from the stigma associated with "street youth." Furthermore, it was not simply the stigma of "street youth" that organizations were trying to avoid, but also that of the past approaches taken by the Brazilian government and other entities towards the "wayward" youth population in Brazil.

My informants' assertions that they did not want to associate their organizations with some of the stigma surrounding this population, their association with the street and the harsh ways these youth were treated in the past, to some degree made sense. As discussed earlier, the street is emblematic of many negative aspects of Brazilian society. Furthermore, as outlined in Chapter Three, past Brazilian policy tended to "deal" with youth populations found in the street through highly punitive and repressive measures. However, much has changed in Brazil in the last 20 years, particularly in terms of how both the government and NGOs attempt to serve this population. The more recent post-ECA era organizations in Brazil had gone to great lengths to "democratize" youth oriented programming. The brutal reality of SAM and FEBEM, therefore, was a thing of the past and surely, even with the problems associated with the new wave of programming in Brazil, it was clear they had come a long way from "child prisons." So why disassociate themselves so strongly from the notion of "street youth?" What was it that made this population such an undesirable focus?

Another key issue that came to light in these early discussions with my informants was that, even though at a practical level many perceived the population with which they were working as essentially the same, there did appear to be the vague notion that some youth *were* different; in almost all of my discussions trying to tease out why there were no "street youth" oriented programs and what the difference was between "street" and "at risk" youth, I found that my informants often did refer to some youth as being *perdido*, or lost. Who were these "lost" youth and why were they considered to be so?

Wanting to better understand these issues I began to press my informants further for definitions of "street" and "at risk" youth. On the surface I found that many people were hard pressed to describe "street youth," except to say often that they were the ones *sem nada* (without anything) or lost. I was often quickly told that "we" do not use that term anymore, or that the organization no longer worked with "street youth," they worked with "at risk" youth. More often than I liked I was given an annoyed response and my interviewee would demand to know *why* I was *still* talking about *meninos de rua* (street youth).

After several conversations in this vein, I challenged my informant and friend Claudia on the issue. Claudia was my principal entrée into the organizational community in Juiz de Fora. She had spent over a decade working for the municipal social service sector before taking over as Assistant Director of the non-governmental organization ProJuventude. As a long-time activist and member of the CMDCA, Claudia had been exposed to and worked with all kinds of organizations and youth in the city. This particular conversation, taped a couple of months after I had been in Juiz de Fora, highlights many of the key issues at stake and therefore is worth repeating at length.

[Tell me about the organizations here… why are there no street youth oriented ones?]

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We had… in the past, we had a lot of organizations that worked with street youth, but today we don't need those…

[You don't need them?]

It is not necessary, we no longer have street youth here…

[Wait… Juiz de Fora no longer has street youth? But Claudia, I've seen youth…]

Well, we do, but that *kind* of programming is not necessary. You know, street youth organizations, there's not really a… we don't think of it that way anymore. We need to help the ones that are "at risk"… It is a more positive approach.

[What do you mean you don't think of it that way anymore?]

Well, in the late 80s and early 90s we made a lot of mistakes with youth organizations… in Juiz de Fora, you know? We didn't understand, we didn't have the *estatuto* (statute)… and the understanding of youth that we do now… *entendeu*? A lot has changed…

[The understanding that what? What has changed?]

Our understanding that all youth are "at risk"… that's why we focus on youth "at risk"… if we can help them, you know, before it's too late then we've made a real difference. You know… street youth are "at risk" youth, we still work with them… we just call them "at risk"… I think it just means… Penelope… that we have to focus on the ones that we can help…

[So the name just changed? What you call youth, it just changed? And…]

Sim… o nome (yes… the name…)… that's all… well, that and you know… it's not so taboo… "at risk" doesn't sound quite as… *feio* (ugly)… you know the term 'menino da rua' is emotional, it makes people emotional… and people have ideas about who a street child is and what can be done about them…

[Like what?]

For example, a street child… people think they are dirty, wild and violent, like an animal… people think they are not worth our time, your time… they cannot be saved… it isn't right, but this is what people think…

[Cannot be saved? What do you mean?]

Well… I mean I guess there *are* those who have lost their… connection to being a child… a child does not belong in the street… I think something happens to children in the street. They become adults too early, but they aren't adults… they have no childhood…

[So street youth are…]

People think street youth are lost for good…

[People who?]

The public… children have been treated like animals… but really the majority aren't, they're just in a precarious situation… and with ECA, we realize they have rights… and no one wants to be associated with it (meaning the term street youth) anymore because of this stigma… no one wants to be associated with that kind of reality, it is too sad… the idea that a child can't be a child, or that they are robbed of their childhood. And the perception nowadays is that something should be done to help them before, so they don't end up in the worst situation… and that is what ECA is for, you know? To help protect them and protect their rights before it is too late…

This conversation with Claudia brought home to me that the stigma organizations were trying avoid was multilayered. Not only did their reluctance to associate with "street youth" have to do with the negative connotations associated with this population and past "street youth" oriented programming, but it also, more interestingly, seemed to be connected to the way in which "street youth" challenged people's perceptions of young people and moreover, childhood. The notion that "street youth" present a challenge to the concept of childhood is not a new one and scholars who have studied "street youth" have argued that these youth are viewed as problematic precisely because they are in the street (Babenco 1980; Bar-on 1997; Glauser 1997; Hecht 1998; Scheper-Hughes and Hoffman 1998). Young people's visibility in the streets, particularly in the Brazilian context where the street is understood as a place of disorder and danger, indicates that something has gone terribly wrong in their childhood (and perhaps in society as well). The lingering effect, as Tobias Hecht has documented, is that "street youth" are often accused of

> … what could, through a twist of the imagination, be called a culture of terror. Given their high visibility in public spaces… street children are widely perceived as making the street a hostile milieu. And while advocacy organizations tend to heighten the innocence and vulnerability of murdered street children by showcasing the stories of very young

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victims, those in Brazil afraid of street kids disassociate them from childhood, recasting them as dangerous… devoid of any explicit reference to age… (1998:141-142).

Thus the portrayal of "street youth" as "dangerous" and fundamentally outside of childhood is not surprising given this context.

However, what is more interesting about Claudia's statements is the way she juxtaposes "street" with "at risk" youth such that "street youth" are outside of childhood, almost antithetical to it, whereas "at risk" youth appear to still have something to be "saved." This thinking was reflected time and time again by other informants; much like Claudia, most of my informants juxtaposed the "street" with "risk" in ways that highlighted the street as a place from which young people could not return and more specifically, their childhoods could not be rescued. Upon entering into this nebulous territory, youth are viewed as "lost," "dangerous," outside of, or fundamentally antithetical to, childhood. It is this representation of youth, and the imagery it presents that the organizations in Juiz de Fora were trying to avoid and it is in this way that the category of "street youth" becomes emblematic of Brazil's past failures with youth.

Another clear example of this comes from a conversation I had with Izaura from Novo Cidadão. I asked her to define "street youth" and she stated,

> Menino de rua? You want to know what that is… I'll tell you what it is… it is a child who is lost, entendeu?

> [No… what do you mean?]

> I mean… We see street youth as those youth who are lost to society completely… they have lost their innocence…. they have no childhood… you know, they grow up too fast in the street… it is sad… that's why they've been treated so poorly… in the past we used to take street children and lock them up… well… (she laughs)… I guess we still do sometimes…

> But at least now with ECA people can see that we shouldn't do that anymore… and at least the public is outraged by those kinds of things… and we can see that they are at risk and we need to help them before they lose that innocence… before there's nothing left… they are no longer children… right? So, I think a street youth is this… you know? They are the ones who have lost their innocence… become adults too early…

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Similarly, Juscelino at PROMAD, when I asked him to describe a "street" youth, stated:

A street child is not a child…

[What do you mean?]

I mean… they're like little adults… with little to no hope… listen… there's a really sad thing here in this country… I don't know how the U.S. is… but here… we lose children to the streets… it appears to be less common than it used to be… *nossa, Penelope* (goodness, Penelope)… in the past, we used to round them up, lock them away… just for being on the street… and it seems like there used to be more kids like that on the street… but it still happens… in a developing country like Brazil… it happens… but it's really bad, Penelope… because once we've they become street children, we lose them for good… they are like little adults… but they should be… they have no childhood… but you see… that's why we do the work we do… here (meaning PROMAD)… if we can get to these youth *before* the worst happens… these youth are at risk… but they aren't lost… so if we can get to them *before* that something is lost… before that part of them that is a child is so corrupted by what they learn on the street… then we've done our job…

Or for example, when I asked Helanie at PROMAD to tell me specifically what

characteristics she would use to classify a young person as a "street youth," her response echoed

that of Claudia's and related the categories back to past policies for youth in Brazil and ECA.

She stated,

Well… a street youth… I guess we think about street youth as a thing of the past…

[How so?]

I mean to say… it isn't that we don't have street youth… it's the term is out of fashion… because that term is so laden and I think we associate it with all the past mistakes we made in this country… not just with youth, but in general… the abuse of rights people suffered and now so… there was so much stigma that surrounded street youth… not just who a street child is… you know their behavior… but how they were treated… and now with ECA we talk more about youth "at risk," it's less stigmatized…

But I mean we still have street youth…

[So can you tell me, who is considered a street youth?]

Well, I think they are the ones... the ones who've lost their innocence…

[Yes? What do you mean?]

You know, their innocence, their sense of being a child… because of the street… the street robs them of their childhood…

[So wait… then what is the difference between a "street" and an "at risk" youth?]

I believe… an "at risk" youth is one who isn't lost yet… they are in danger… but we there is hope of making a difference in their lives… of changing their path before it is too late…

For many of my adult informants, then, "street youth" were viewed not only as those youth who had lost their childhoods, but also as emblematic of Brazil's past youth policies. Perhaps more interestingly however, was the way in which many of my informants like Claudia, Izaura and Helanie defined "street youth" as a category in opposition to "at risk" youth. In this way, "street youth" are seen as the "dangerous" counterparts to "at risk" youth's "in danger" status.

4.2.2 "At risk" youth and a childhood saved

Thus, as I began to see reflected in my informants' statements on "street youth" a desire to disassociate with previous youth policy, I also began to see how "at risk" youth symbolized a childhood "in danger" but capable of being saved. In fact, all but one of my 30 informants expressed their understanding of "at risk" youth in this way; the one who did not argued it was not childhood that was "at risk" but rather society as a whole. I contend here, then, that the shift to "at risk" youth from "street youth" implies attempts by NGOs and GOs not only to distance themselves from past stereotypes and repressive policies, but also their desire to promote themselves as taking an active approach to youth services. In doing so, "at risk" youth are cast as young people "in danger" but who still have a childhood to save.

Furthermore, what is not as immediately apparent in my informants' statements (and what I will conclude this chapter by arguing) is how ECA has not only defined for Brazil what

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rights youth should have but also what qualities childhood should possess. I argue that the organizations in this study, in their desire to implement ECA and adopt the image of protecting the rights that ECA promotes, have also subsequently adopted the vision of childhood implicit in that rhetoric of rights. Inherent in my informants' statements on "risk" were notions not only about what "rights" a young person is entitled to, but also how those rights related to characteristics deemed proper for childhood. In this way, "risk" or rather what youth are "at risk" for, is defined by what happens if their rights (and thus their childhoods) are not protected. Furthermore, when examined closely the picture of childhood painted by ECA, and by the NGO and GO staff, are a reflection of the very same idealistic Western notion of childhood discussed in chapter one.

When I questioned my adult informants about what youth were "at risk" for specifically, I usually received a long "laundry list" of factors or behaviors that were considered "risky" like drug use, engagement in prostitution or poverty. While this was useful for trying to construct an understanding of what youth were "at risk" for[38], it did not provide me with a more culturally nuanced understanding of what "risk" meant. Thus, I began asking my adult informants instead what being "at risk" *meant*, or rather *who* were "at risk" youth and how did one know. I noticed that almost always their descriptions of "at risk" youth were associated with and caught up in the notion of a childhood "in danger."

To illustrate, when I asked Ana Claudia, one of the educators at Guarda Mirim, to tell me what it meant to be a young person "at risk," she stated,

> We believe that… I believe that social risk… when a young person is "at risk" it is when they have had all their rights to protection shaken… when the child is vulnerable, when

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[38] See chapter five

they are in danger… this child has trouble getting even a minimal education, they are hungry, they need health care, they have no opportunities for culture and leisure. They don't have the things a child should… If it is really bad and the family is unstructured, then they are lost and the child is turned into the street… What little hope we have in this case is gone… once they turn to the street, we have very little hope of recovering them, their childhood, their innocence is gone… they no longer are children… so when we talk about a child-at-risk this is what we mean…. It is when they are in danger of losing their childhood…

Another good example of this comes from Marlí at Novo Cidadão:

Risco social? I believe young people who are at risk are those who are in danger… it's that time… that space… when they are young and they can be children and grow and make mistakes… but if they live in a precarious situation… you know, if they do not have their basic needs met… their rights protected… then they are in danger of losing that time… that period when they should be children… children should have a childhood… but how can they when they live so precariously and their rights are violated? For me that is risk… and that is where we have to get to them… while they are still young, still have a childhood…

Ana Claudia's and Marlí's statements show how the notion of "at risk" youth is tied to the understanding of a childhood "in danger." While Ana Claudia juxtaposes the notion of the "street" and a childhood lost to that of one "at risk" and needing to be recovered, Marlí makes a more subtle link, arguing that "risk" occurs in the space where young people are on the verge of losing their childhoods. For both then, those youth who are "at risk" are the ones "in danger" of not having a childhood. Furthermore, both Ana Claudia and Marlí link the notion of "risk" back to that of rights. Ana Claudia in particular argues that "risk" is what happens when a young person's rights are violated, and her statements reflect the tendency I found among my adult informants to outline the rights young people should have: education, health care, opportunities for culture and leisure, all chapters listed in ECA. I will return to the notion of NGO/GO staff defining "risk" and "risk" factors/behaviors vis-à-vis the violation of rights shortly; nonetheless, Ana Claudia and Marlí's statements are telling in that they depict the way in which most of my adult informants spoke about "risk" in relation to childhood.

Another example of this understanding of "risk" comes from Lizette, the assistant director of Aldeias SOS. When I asked her to describe an "at risk" youth, she stated,

Risk, particularly social risk, encompasses everything… A child who is exposed to prostitution, to drug trafficking, to violence, unemployment… many children with less than 14 years of age are working… making up for what the adults in the family can't earn, the family uses drugs... at times this puts the child at risk... because they put the child out there to get money for the drugs... And the child sees the movement of drugs… and so what is he going to do? *Entendeu?* We have a child here… seven years… he picked up some cocaine and had to dispose of it because the police came and so he used it… and for them… it becomes normal this life… They begin to use too because they are there in the middle with no one to protect them… people survive the only ways they can… drugs, gangs… prostitution… It's a mixed pot… (she laughs) And the child has their rights violated… and they don't even know it… they are not protected, they stay in danger… when it gets really bad they go to the street… but they don't realize that in the street they are exposed to more drugs, to violence, to abuse of every sort imaginable and once they are there it is really hard for us to take it out of their head, to rescue some bit of their childhood… we spend a lot of time trying to rid them of the things they learned in the street… and sometimes we just can't… we can't when a the child is already pregnant with ideas, we've lost them… it is impossible to recover or to save what is left of their childhood… they aren't children anymore… so we have to try and help them before it becomes too late… before they take to the streets, before they are lost…

Similarly, Claudia stated:

A child at risk is one who…. It is one who is in a vulnerable situation… I mean… a young person who doesn't have someone to protect them… for example, a young boy we had at Grupo Semente (another NGO) the other day… he was living with his mom in a small one room house… and he kept going to the street… she kept sending him there… to sell things to earn money… and we all agreed that this isn't good for him… and it is a violation of the law… of his rights… but also the law… and something worse could happen to this boy… out there in the street… he should be in school… not in the street selling… what kind of upbringing will he have in the street? What kind of childhood? (Shakes her head indicating "no") He is running the risk of… well his mother is violating his right… and it is his right, you know? To be in school and not on the street… and the risk is that he will grow up without having had a childhood and that's just it… So something has to be done about this child before it is too late… Before it gets worse for him… so this is what risk is… it is the child that is in danger…

[In danger of what though, exactly…]

Of not being a child…

Likewise, Danielle one of the social mothers from Aldeias SOS, when I asked her to describe what being "at risk" meant, stated,

> Risk has to do with the precarious place the child is in… it is when… when, for example, a young person is in a position a child should not be in… when they are working or not in school or when their parents neglect them… they do not have the things a child should have… their childhood is precarious… they are "at risk" because they are in a situation of vulnerability… and through that vulnerability they become exposed to all kinds of things… things that threaten their development, their childhood… at least this is what I think… they need that period… to grow, to be children… and so this is the risk… that they don't have a childhood…

These sentiments were expressed as well by those who worked in various administrative positions of the city, such as AMAC. For example, Conselheira Simone, who sat on the CMCDA, and I were having a conversation one afternoon in her office about some of the changes the city was making within the youth organizations. The conversation seemed to stir a sense of nostalgia in her; without any prompting, she began to speak at length about the changes that had occurred over the last 20 years. At first she spoke about the military dictatorship and then about the early days of ECA implementation in Juiz de Fora. Then she said, "It is funny how these things change… you know, Penelope… we used to speak about delinquent minors… then street youth… now they are at risk… things change so quickly it seems…" At this point I stopped her and asked, "Why have these terms changed? Or rather… is there a difference between these groups?" She stated,

> Oh I don't know… I think not really… I mean it's just that the terms "minor" and "street youth" are so well… negative… you know people remember the days when children were rounded up on the streets like animals… so I think… you know we've tried to move away from those negative associations of youth…

> [So these groups are the same?]

> Well… (long pause)… no. I mean… I don't know… I mean I don't… well, yes essentially… but there are some…

> [Some that what?]

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Some that it just seems… well, that's I think why we use the term "at risk" now… because we realize that all youth are "at risk" and we have to get to them before you know we can't anymore… before it is too late…

[So let me as you this then… who is an "at risk" youth?]

One who is exposed to all the problems of the world… whose rights are violated… who has no family, who is living in a precarious situation… you know, an at risk youth is one who is… (laughs)… at risk!

[Ok, at risk how? Of what?]

Well… of having their rights violated… but also, I think really, of having their childhoods taken from them… you can't have a childhood if you are neglected, homeless, or forced to work… and like I said earlier, I think this is why we've changed the terms… because we realize that all young people are at risk, especially the ones that live in precarious situations, like poverty… they are at risk of losing their youth… so, the term helps remind us that we have to help them before the damage is done and we lose them…

One final example of this comes from Mariano. As he and I were sitting outside having lunch one afternoon, a young girl around 13 years old and visibly pregnant came to the table to take our empty soda cans for recycling. This means of earning money is a common strategy I had seen many times before in both Juiz de Fora and other parts of Brazil, practiced by both young people and adults. The incident seemed to strike a nerve with Mariano, and he began to speak at length about the notion of youth "at risk," childhood and the dangers of the street:

> Do you see why we have to have ECA, Penelope? Do you see? We continue to lose children to the streets… they work, when they should be in school… the street is no place for a young person… believe me… this child (referring to the one who had taken our cans), it is her *right* not to be in the street and pregnant at such a young age… it is her *right* not to work… it is her *right* to be in school… it is her *right* to have a childhood… but what kind of childhood can she have in the street? In the street there is no such thing as childhood… Until the young people in this country have their rights protected fully… they will continue to be "at risk"… that is why we have ECA, that is why we have to continue to try and protect them…

It is here then that we begin to see how "at risk" youth have become emblematic of a childhood "in danger." Lizette, Claudia and Mariano, each in their own way, position the notion

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of the "street" against that of "risk" such that it highlights the former as a place from which youth cannot return and the latter as a place where there is still space for recovery. Their statements are also indicative of the way in which many NGO and GO employees talked about "at risk" youth with a sense of urgency, of needing to do something before it is "too late."

4.2.3 "Risk" and the need to protect rights

Lizette's, Claudia's, Simone's and Mariano's statements, much like those of Ana Claudia and Marlí, also posit "risk" in contrast to rights. Thus, as I began to press NGO/GO staff further, it became clear that while "at risk" youth may have been symbolic of a childhood "in danger," "risk" itself was defined in terms of the violation of rights. In fact, 27 of my 30 informants expressed their understanding of "risk" in this way; for the three who did not "risk" was understood specifically in terms of the family, a perspective I will argue is also reflected in youths' statements on "risk."

To illustrate, however, reconsider the above statements by Lizette, Claudia, Conselheira Simone, and Mariano. All four subtly link "risk" to violated rights. Lizette in particular argues that when a young person is "at risk," her rights are violated and she needs protection. Furthermore, she equates the lack of protection (i.e. violation of their rights) with what youth might be exposed to (i.e. at risk for) – drugs, exploitation, violence and other ills – if their rights are violated. In this way, Lizette's statements begin to show not only how "risk" is defined as the *violation* of rights, but also provides insight into the way in which "risk" behaviors or factors are defined *vis-à-vis* rights.

Another example of this can be seen in the following statements made by Alexandro, the head of Aldeais SOS:

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Risk? Social risk has to do with the violation of children and adolescents' rights… you know ECA tells us, they have a right to an education, a right to not be exploited for money, a right for culture, for leisure… I think this is risk, when the child doesn't have these things… they are "at risk"… their childhood is "at risk"… you know? You understand? When their rights are violated and they don't have the things they need… like a family, or access to healthcare… then they have a precarious childhood, and all sorts of things can happen. They can be violated, abused, they turn to drugs… or in the worst case, they turn to the streets and there, in the streets… there is no hope, they lose everything. Their childhood is gone… it is over… and so you know when a child is "at risk," that's when we have to help them… you know? ECA taught us this… we have to focus on the child before they are in the street, when they are "at risk"…

Alexandro begins by very clearly defining "risk" as the violation of rights. He then goes on to not only list youth's rights, not surprisingly those outlined by ECA, but also the things that can happen to youth when their rights are violated – they are abused, turn to drugs, or are left in the street. In this way, we begin to see how the rhetoric of ECA has not only defined the rights youth should have, but also subtly helps to define "risk" factors or behaviors (such as homelessness, drugs and abuse) in terms of the consequences of violating youth rights.

Alexandra from Casa Aberta also described "risk" in similar terms:

I think when we think about risk, we think about rights… I mean youth had so few rights before… and now we have ECA… they have the five fundamental rights… to education, family, health, and so forth… but when those rights are violated… you know? When say their families can't support them… then they run the risk of being in the streets, being homeless… or when they aren't in school… they run the risk of getting into a lot of trouble, getting involved with gangs or drugs…

[But wait, Alexandra… doesn't that stem from poverty… I mean the families not being able to support them… how is that a violation of their rights…]

It does… it stems from poverty, but see for me… it is a right for youth to have families that can support them… and our government should enact better policies to help families support their children… not just economically… but I mean… too… there's all kinds of abuse in homes… and families need support in dealing with these issues… and then what… there is abuse… the child's right is being violated… their right to a family, a community that is nurturing… and so they become at risk… they are at risk of running away, being homeless in the streets… or of turning to prostitution to support themselves outside their families… or joining a gang and selling drugs… you see? It starts with their rights… their fundamental rights…

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Similarly, Lillian at PROMAD stated,

> Risk? Let me think… every child has to have as base, not just a family base, but society has to give them a base as well… we didn't used to have that kind of base here in Brazil… I don't know how much you know… but ECA… ECA wasn't implemented until the 1990s… without that base though, young people are at risk… this is risk… when you don't give youth a base in society… but it is more about giving them rights… you have to *protect* those rights… it doesn't do you any good if you give them rights, but then not protect them…

> [So what happens when you don't protect their rights?]

> When their rights are not protected… then they are at risk… you violate their rights… like their right to dignity and respect… and they are abused… their right to a family… to not work… they are thrown in the street… abandoned… but like I said, this is the responsibility of the society… to give them this base… to protect them…

These sentiments were also shared by those who worked in other areas of youth services

in Juiz de Fora. For example, I had the opportunity to meet with and interview on several

occasions the president of the CMDCA, a man named Lindomar. Coming from a legal

background, Lindomar had spent several years working with an organization that secured legal

counsel for youth in trouble with the law before he was asked to head the CMDCA. In one of our

interviews I asked him to speak a bit about how he would describe "risk" and what constituted a

youth "at risk":

> A child at risk? Look Penelope, I am not the most sophisticated when it comes to understanding these kinds of social categories, theories (laughs)… I understand law… and how law works and so of course this is how I see it… a child at risk is one whose rights are violated… but it is more than just abuse by the system… it is abuse by society… society violates a child's rights… to home and family and school… and he becomes at risk… like the youth who get into trouble with the law, they get into trouble because they are being neglected… you need someone to guide them… youth need someone to tell what to do… but when you violate their rights… take away their social support… put them to work… neglect them… these are their rights… and when you violate those rights… then they are "at risk"…

> [So when you violate their rights, this puts them at risk?]

> Yes! They become at risk for all kinds of things… like (laughs) being in trouble with the law! No, no… I shouldn't joke, but I told you… I am a lawyer, not a social worker…

(laughs again)… but yes, this is how I see it… because their rights are *so* fundamental… they are what children need… these things are fundamental… and if they don't have these things… then they end up at risk for everything… they need to be with family, to grow in their communities, they need an education, to be treated with dignity… if not they run the risk of being in the streets, in trouble with the law or worse yet, dead…

Thus, when I asked my informants to define "risk" more broadly, I began to see that not only was "risk" defined in terms of the violation of rights, but also that behaviors, or other factors considered "risky" were understood as the consequences of violated rights or rather, what could happen when youth's rights were not protected. Another example of this comes from a conversation I had with Miriam, from Aldeias. I asked her to define "risk" and she stated,

> It has to do with the child's vulnerability… but where does that vulnerability come from? It comes from society, when society doesn't protect its children, doesn't respect their rights… I don't know… perhaps this is a simple understanding… but it is how I see it…

> [It's fine… but can you go on? What do… what do you mean when a society doesn't…]

> I mean that we have the obligation to protect our children, our adolescents… and thank god! We have ECA today… that tell us… it helps us to understand… not just us (meaning NGO staff) but everybody… there it is… here are the things we have to provide for our youth… a home, school, health care, we have to treat them with dignity… with respect… they need things a child needs… like free time… you know to play… those are the things ECA tells us they need… Like I said… maybe it is simple, but it makes sense to me… and so we have finally given our youth these rights… and now we have to protect them… if we don't… if we don't protect the rights we gave them… then they are at risk… so this is what I mean… risk is about society protecting its children and their rights…

> [But, Miriam… protect them from what… I mean what are the risks?]

> Well, they are at risk for all kinds of things… drugs, prostitution… but where does the child get involved with these things? A child gets involved with these things when they haven't been protected… when their rights have been violated…

> [How… for example?]

> For example… let me think… well, the child has a right to an education, right? A right to… like I said… do the things a child should do… play sports… have leisure activities… but instead… the child's parents don't take her to school… instead she's put to work…

[In the street?]

Anywhere… in the street it is worse… but in the house too… she's made to take care of the house… or her siblings… this happened to one of the girls here… she was left to take care of her siblings… and the neighbor reported it to the conselho and they brought her here… but it was the right thing to do… this girl was at home and she was being violated of her right to an education… and she was at risk…

[At risk for what though… I mean…]

For all kinds of things… primarily in this case to not having an education and to a future full of god knows what… because education is key… but young people need to be in school… they are at risk for all sorts of things when they don't have that structure… involvement in gangs… drugs… sex… and so… if we violate that right, take away that structure… we put them at risk…

Alexandro's, Alexandra's, Lindomar's and Miriam's statements, then, were echoed in the way other informants' understood "risk" and "risk" behaviors and factors, and I began to see a link between how NGO/GO staff conceptualized "risk" around the consequences of not protecting youth's rights. This is not to say, however, that NGO/GO staff were not aware of or did not account for other issues in placing youth "at risk;" poverty, in particular, often came up in the context of our conversations. Yet, when these issues arose, they were often also couched in terms of rights. For example, after my conversation with Miriam, I asked Claudia if she agreed with Miriam's statements. Her answer not only is congruent with Miriam and the statements of others above, but also broadened the notion of "risk" out to include poverty and a discussion of rights in general:

Oh absolutely, Penelope… that's precisely what we are working towards… right? I mean… when you think about it, where does risk come from? You might say poverty or inequality right… and that's true, it does… but where does poverty come from? Or inequality? Those things come from people's rights being violated… their basic human rights… right? And isn't that what we are trying to do? With youth… we recognize they have fundamental rights… we have to protect those rights… if you really want to change things that's where you have to start… if young people are guaranteed their rights… their fundamental rights… then that's a place to start… if every child has their right to a home, to school, to dignity met… then they are better equipped for their futures and less susceptible to risk… but if you violate their rights, for example, their right to health, then

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you make them susceptible to all kinds of things… like sickness and disease… and then perhaps they can't work… can't go to school… and they lose opportunities… and it becomes a cycle… so yes, I agree… violating their rights puts them at risk… we have to protect their rights… but this is the same for everyone… right? Just that we have different rights for children and adolescents…

One final example, then, comes from Jose Carlos at Casa Aberta. He states,

You know… risk is so difficult to describe… I mean, how does a child become at risk? I think the simplest explanation is that they are not protected… these young people who come here (to Casa Aberta)… they have had no protection… not just from their families, but from their communities, from their society… when society violates their rights… then that is the worst and they have no one to protect them… and they are susceptible to all the bad things in the world… like drugs, or exploitation… that is what ECA is all about… that is what our work is for…

4.2.4   Family and "risk"

However, as I stated above there were those who did not necessarily posit "risk" in terms of rights; a few of my informants instead, couched their understanding of "risk" in terms of the need for family structure. While these informants' statements also reflected an understanding of "at risk" youth as representative of a childhood "in danger" and the urgency that was expressed in my other informants' comments, they nonetheless saw family, not rights, as the key factor in "risk." For example, when I asked Ludimila to define "risk," she reiterated the point she had made earlier about "street" and "at risk" youth being the same, but then said,

I think it (risk) has to do with the family, you know families in Brazil are so unstructured… and like I said we have so few really good programs for families… and when the family is unstructured, what does the child learn at home? The young person has no guidance… no one to tell them right from wrong… to show them the way… and so they become 'at risk' for all kinds of things… risk starts in the family… and so we (meaning the organization) have to help guide young people, to intervene at the level of the family and help build that structure before it gets so bad… before they become 'at risk'… before they lose their childhood…

Similarly, when I asked Carlos to define "risk," he said,

The whole world is 'at risk' Penelope… you are 'at risk' for something… I am 'at risk' too… we all are 'at risk'… but what this means is… those that are the most vulnerable, like young people… they cannot manage their 'risk' like you or I… do you know what the difference is? Do you know why?

It is because you and I… we have support and if we don't… we know where to get it… we are educated… we understand how the world works… because our parents taught us that… because we went to school… because we got to have a childhood… but these kids… they don't have that support… their families are badly unstructured… they don't have anyone to turn to… their educational system is crap… they don't know where to get help if they need it… and we don't help families in Brazil… sure we have bolsa família… but ok, fine helping people financially isn't the same as giving them family values… as allowing children to be children… sure they will have more food, but what will these families teach their children? And how does this kind of support protect them from the other problems they face at home? Risk starts at home… the child becomes 'at risk' when they don't have this support, when their families don't have support and can't teach them what they need to know… and when there's all kinds of psychological issues in the house… and at some point it is too late and you can't help a child… they adopt all that dysfunction and for many they are forced to become adults too soon… We need to help structure our Brazilian families before it is too late…

Likewise, when I asked Luiz from Guarda Mirim what he thought about the notion of

"risk" as couched in terms of rights, he said

I don't know, Penelope… rights? I think it does have something to do with it… I mean I think it is important for us to protect youth's rights, but I think family is more important…. I mean in terms of risk… the family is fundamental… the structure they provide… young people need that structure… all this talk of rights… I think we have to be careful… not to create a generation of entitled youth, I think this is where the family comes in… for balance… youth need balance and structure… rights will help them to achieve certain things… but they are not adults, they need their families to provide them with the environment they need to grow… we need to help them with this… so many families are disorganized… unstructured… and so it puts them at risk… and the rights we have can help with that… but we also need to focus on the family…

Ludimila's, Luiz's and Carlos' statements on "risk" are telling in that even though they

do not posit "risk" in terms of rights, they still nonetheless juxtapose the notion of "risk" with the

potential for a childhood "in danger." Furthermore, their statements once again highlight the

places where current youth policy (and the rhetoric inherent in it) is failing young people in

Brazil. By pointing to the need for programs that are truly oriented towards helping families, not

just with financial support, but with social and psychological support as well, these statements

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show how the vision of "risk" implicit in ECA and the discourse of rights might serve in some ways to ignore the larger social context in which young people live. Finally, perhaps what is more important in their statements is the fact that, as I will show in Chapter Six, the need for family structure is equally important in the minds of youth themselves and makes up part of young people's complex understanding of what puts them "at risk."

4.3   CONCLUSIONS

NGOs and GOs that work with youth have shifted focus their away from "street" to "at risk" youth in attempts to disassociate themselves from past mistakes made in youth policy in Brazil and promote the more positively received principles of ECA. In doing so, the youth populations with which they work have been become emblematic of contrasting visions of childhood as "in danger" vs. "dangerous." As "street youth" represent a childhood lost and gone forever, "at risk" youth represent a childhood hanging in the balance, in which the young person is "in danger" but still capable of being saved. It is in this way that ECA is translated into the local context and in which it has not only institutionalized the notion of "risk" through NGO and GOs employment of it, but also helps to define "risk" as essentially the violation of rights.

I would argue however, that the definition of "risk" inherent in ECA is not simply based on rights and protection. Rather, the rights envisioned in ECA are emblematic of a particular *kind* of childhood. When examined closely, the kinds of things deemed necessary for youth as outlined by ECA's rights are essentially a code book for a proper childhood as envisioned by the very same idealistic notions discussed in Chapter One. Not only do these rights emphasize the need for youth to be protected from adult spheres (such as work), but they also highlight the

proper places young people should be (school and at home). Furthermore, the rights in ECA emphasize the "proper" kinds of activities youth should engage in: sports, culture and leisure, activities fitting to a young person's disposition. Writing on childhood and policy in Brazil, Hecht states,

> there is a countervailing tendency to speak of what Martin calls… the 'suppression' of childhood, the idea being that when children are exposed to the brutality of social relations in the Third World, they are excluded from childhood itself… the implicit suggestion is that childhood can be seen as what is left over when children do not work, when they are not exploited or institutionalized. When all those things that can go wrong are excluded, one is left with the notion that childhood is a time of innocence, joy and dependence mediated by the institutions of family and school (1998:73).

Yet, if street and "at risk" youth at an organizational level are symbolic of varying contexts of childhood and their difference is found in the cultural expressions of anxieties surrounding those contexts, how do youth who are supposedly "at risk" perceive themselves? The remaining chapters of this work seek to understand youth's perspectives on "risk," the extent to which they are truly engaging in "risk" behaviors and analyze in more detail the ways in which youth's struggles for opportunities, such as formal education, are caught up in dialogues of "risk," democracy and social inclusion.

5.0 "AT RISK" FOR WHAT?

Temos que correr atrás dos nossos sonhos sempre (we always have to run after our dreams)… because if we don't, we lose sight of the future… in our society where adolescents have so few opportunities… our families are in disarray… we have to keep our minds focused… this is the real risk… *corremos o risco de perder a nossa esperança, nossa perspectiva* (we run the risk of losing our hope, our perspective)… - Gisele, age 16

Tobias Hecht (2002), writing about the contemporary gaze of scholars of Latin America, has argued that it is unseemly that in today's world we continue to ignore what young people have to tell us about the modern condition. He states,

> Children are as scarce in contemporary writing about Latin America as women were three or four decades ago. Sometimes children are mentioned in relation to extraordinary events… yet, they rarely figure in larger discussions of economic and political processes in Latin America. But consider the difficulty of making sense of, say, the economies of Latin America and the Caribbean without taking into account the role of child labor… Yet child labor has become so enmeshed in the First World conundrum of how it can best be eliminated that there is little room left for seeking to understand its meaning for the majority of Latin American children or households… Why is it that in this still-Freudian age, in which we tend to hold that the adult can only be understood with reference to the childhood he or she once lived, that the early years of life continue to attract such scant attention from students of political, economic, and social realities? (Hecht 2002:243-244).

While Hecht's statement above refers specifically to the issue of child labor, it is nonetheless applicable to youth and the notion of "risk" in Brazil. As stated in the previous chapter, most social science research on youth in Brazil has been centered largely around the category of "street youth." While there is a small body of work that does attempt to examine various aspects of street use from the perspective of the youths themselves in Brazil (Campos

1994; Drybread 2008; Hecht 1998; Panter-Brick 2001; Raffaelli 1993; Raffaelli, et al. 2000; Ribeiro 2001; Veale, et al. 2000) there is to date, however, virtually no attempt to explore young people from the perspective of so called "at risk" youth and their understandings of "risk" and "risk behaviors." Thus, there appears to be no ethnographic work that addresses the concept of "at risk" youth in Brazil, despite the fact that scholars have argued that risk, much like childhood, is constructed culturally (Douglas 1992; Lupton 1999; Tierney 1999). Conventional work on youth, therefore, seems to largely ignore the young person's own understanding of what it means to be "at risk," what puts one in danger of engaging in "risk behaviors" or how young people interpret the context of risk in their daily lives. How do the young boys and girls engaged in "at risk" programming in Brazil see themselves? Are there differences in ways in which they experience and/or perceive risk? How do they interpret their situations? Furthermore, are they really "at risk" for anything? If so, what do youth think they are "at risk" for and why?

It is my contention that the young people I met who attend "at risk" programming in Juiz de Fora, Brazil have very particular notions about "risk." Not only do they have very clear understandings of what it means to be "at risk," but they also have distinct notions about what makes a young person susceptible to "risk" factors. Furthermore, the young people with whom I spoke often distinguished themselves from other youth in specific ways; they had particular ideas about which youth they thought were "at risk," why they considered someone to be "at risk" and how one becomes so, as well as the relationship of "risk" to the street. Finally, "risk" was often framed within the broader context of their daily lives; many argued that they did not perceive themselves necessarily as being "at risk," but rather understood "risk" in terms of family structure and the need for socio-economic opportunities.

The next two chapters provide an analysis of "risk" from the perspective of youth

engaged in "at risk" programming from both a quantitative and qualitative lens. In this chapter I

focus on quantitative data collected from youth at numerous organizations to provide some

understanding of the degree to which young people are actually engaging in commonly listed

"risk behaviors," as well as to highlight in a more general way the fears and anxieties that youth

have about their daily lives and their potential for the future. I argue that "at risk" youth, despite

what is believed about them, are not *as* "at risk" for the most commonly cited risk behaviors as

NGO /GO staff say and believe they are. Additionally, drawing on previous research that

suggests that girls and boys are susceptible to different risk factors[39], I analyzed the data to see if

differences existed in the "risk" experiences between sexes. In other words, are girls more "at

risk" for things like prostitution and abuse? Are boys more "at risk" for homelessness and drug

use? Finally, I use the data to show that reflected in their fears and anxieties about the future

young boys and girls have distinct ideas about what is of concern in their lives (i.e. what *they*

believe they are "at risk" for). A qualitative analysis of youth's interpretations of "risk" will be

the topic of Chapter Six.

5.1   A BRIEF QUANTITATIVE ANALYSIS

In order to begin understanding how youth perceive "risk," I felt it was important for me to get a

basic idea of three kinds of information related to "risk;" "risk" behaviors, "risk" factors and

things for which youth are "at risk."   The survey was designed with the help of a research

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[39] See, Cunningham, et al. 2008 and Raffaelli 2000

assistant and to solicit information about the three aforementioned categories. First, I wanted to assess the degree to which youth were actually engaging in the most frequently cited kinds of "risk" behaviors: drug/alcohol use, unprotected or premature sex, and prostitution. In my initial interviews with NGO and GO staff, I polled informants as to which "risk" behaviors they believed were *most* prevalent among the youth population with which they worked. I used the results of this poll (see Table 2) as a basis for the questions in Table 3. Second, I wanted to assess to what extent these youth were exposed to the most commonly cited "risk" factors, or situations that put them "at risk." As with "risk" behaviors, I asked NGO/GO staff in my initial interviews to list the most common "risk" factors that youth were thought to experience. The results of this poll (see Table 4) were then used to construct the list of possible "risk" factors surveyed in Table 5.

Finally, I wanted to systematically ask youth about their own perceptions of "risk" in order to determine what they themselves felt they were "at risk" for and whether or not their concerns matched those of the NGO/GO staff. Drawing on what NGO/GO staff perceived as concerns (i.e. things youth were "at risk" for) and what my youth informants had expressed to me they felt were issues in our initial interviews (i.e. how they defined risk/interpreted their situation), I compiled a list of the most frequently mentioned problems. I then asked both trusted youth and NGO/GO staff to review the list before incorporating it into the survey it in order to assess its relevance and to make suggestions for additional changes. Once the final list was compiled, I used it as a means by which to measure my respondents' anxieties about the future. The results of this part of the survey are presented in Table 6.

As mentioned in Chapter Two, all data were tabulated and entered into Stata software for analysis. With the help of a University of Pittsburgh colleague, Tables 1, 3, 5, and 6 were

developed by running a cross-tab of each behavior by sex. The cross-tabs yielded the proportion of respondents of each sex who exhibited each behavior and then were converted from proportions into percents. Tables 2 and 4 were formed by tabulating the results of the initial polls taking by NGO/GO staff and then converted into percentages.

5.1.1   Table 1: description of the sample

Data in Table 1 describe the sample. As is shown, 388 youth were surveyed from a total of 98 different neighborhoods, averaging four youth polled per neighborhood. According to the annual statistics provided by the city government, only 82 officially recognized neighborhoods in Juiz de Fora exist (CPS 2009), which means that 16 additional neighborhoods are listed in the data. These represent either "unofficial" neighborhoods or neighborhoods located outside the municipality. Of the 388 respondents, less than 45 percent were male. Most youth came from neighborhoods classified as "middle" income, about one third from neighborhoods classified as "low" income and only 11 percent from those classified as "high" income.   However, neighborhood income is not a direct indicator or corollary of household income; many of the poorest communities, or favelas, in Brazil are located on unwanted or unused land in richer neighborhoods due to the proximity these spaces offer their inhabitants to jobs and other resources.

Sixty seven percent, or two thirds, of the youth surveyed were accessed at governmental organizations, for a total of 258. Thirty three percent, or one third, of the youth surveyed were accessed at non-governmental organizations, for a total of 130. The uneven sampling of NGOs and GOs is a reflection of the fact that NGOs typically tend to house programs that are small in

scope, thus servicing fewer numbers of youth, whereas GOs run larger programs with greater

numbers of participants. The sample is therefore representative.

Table 1: Description of the sample

Information on respondents	Number	Percent of total
Total youth	388	100.0%
Sex		
Male	160	41.2%
Female	214	55.2%
No response	14	3.6%
Organization type		
NGO	130	33.5%
GO	258	66.5%
Information on neighborhoods		
Total neighborhoods	94	100.0%
Neighborhood income		
High income	11	11.7%
Medium income	45	47.9%
Low income	34	36.2%
Unavailable	4	4.3%
Respondents per neighborhood (average)	4.1	

5.1.2 Table 2: common "risk" behaviors

In the initial qualitative interviews conducted with participating NGO/GOs, 30 staff members were asked to list the "risk" behaviors that they most *frequently* associated with the youth with whom they were working with. Their responses were tabulated and ranked according to how often they were cited (see Table 2).

Table 2: Common "risk" behaviors

Behavior	# of staff reporting	% of staff reporting
Drug use	29	100%
Prostitution/Sex for material gain	25	83.3%
Alcohol	23	76.6%
Unprotected sex	23	76.6%
Teen Pregnancy[40]	17	56.6%
Selling drugs/ criminal behavior related to drug trafficking	14	46.6%
Truancy	6	20%
Vandalism	1	3.3%
Total responses	160	

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[40] Even though teen pregnancy is considered the result of "risky" sexual behavior, it was cited by NGO/GO as a behavior and I was encouraged by my informants to include it in this section of the survey.

5.1.3 Table 3: Percentage of youth exhibiting "risk" behaviors

Since drug and alcohol use and issues regarding sex (prostitution, unprotected sex or promiscuous sex, and teen pregnancy) were cited as the most often kinds of risk behaviors youth were believed to be engaged in, the "risk" survey was designed to solicit this information. While drug use in general was deemed an acceptable topic, selling drugs and criminal behavior related to drug trafficking were excluded from the survey on the advice of several informants, both staff and youth, who felt that the majority of youth would be reluctant to answer the questionnaire at all if these variables were included (even if they had "nothing to hide") because of distrust over why this kind of information was being gathered and what it might be used for. I was advised to speak individually and in privet to youth with whom I had relationships about these topics. Truancy was excluded from the survey due to the fact that many of the organizations required youth to maintain regular attendance in school as a stipulation for participation; thus, surveying this population would not have resulted in an accurate assessment of this variable. Finally, vandalism was also excluded from the survey both for the sake of simplicity and due to the fact that it was mentioned only once, and I wanted to design the survey to see if youth were engaging in the activities the majority of staff *thought* they were.

Youth were, then, asked to indicate the frequency (frequently, sometimes, rarely or never) with which they engaged in these "risk" behaviors. Their responses (see Table 3) were divided into three levels: frequent/sometimes, indicating regularity, rarely, indicating infrequently, and never. They are also presented according to gender in order to see if differences existed in the reported behaviors of males and females; overall totals are also provided.

Table 3: Percentage of youth exhibiting "risk" behaviors

Behavior	Female	Male	All
Drug use			
"Frequently" or "Sometimes"	6.1% *[41]	13.1%	9.7%
"Rarely"	2.3% *	6.3%	4.2%
"Never"	91.6%	80.6%	86.2%
Alcohol use			
"Frequently" or "Sometimes"	38.8%	43.1%	42.3%
"Rarely"	23.4%	23.1%	23.0%
"Never"	37.9%	33.8%	34.7%
Sexual activity			
"Frequently" or "Sometimes"	43.5% *	56.3%	48.6%
"Rarely"	9.3%	11.3%	10.3%
"Never"	47.2%	32.5%	41.1%
Has had sex in exchange for something	2.3%	5.0%	3.4%
Among all students:			
Contraceptive use	44.4% *	59.4%	51.6%
Would have sex without contraception "in the heat of the moment"	21.0% *	31.3%	25.5%
Among students reporting any sex:			
Does **not** use contraceptives	14.7%	16.5%	15.6%
Would have sex without contraception "in the heat of the moment"	41.3%	37.3%	39.4%
Has a child	2.3%	1.9%	2.1%

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[41] *Differences between genders are statistically significant at $p < 0.05$.

Total respondents	214	160	388

Note: 14 students did not report their own gender.

Twenty percent of the youth respondents reported *not* engaging in any of the listed "risk" behaviors; nearly 20 percent reported engaging in only *one* behavior and 14 percent in *two*. Thus, over half of the youth reported engaging in only two or fewer of the listed "risk" behaviors Only about 10 percent of the respondents indicate any regularity of drug[42] use, with less than five percent reporting irregular or occasional use. Males reported using drugs nearly two times more than females[43]. While these data do seem to support the notion that boys are more at risk for drug use than females, overall the recorded rates of use are low, indicating that perhaps drug use is not as prevalent as NGO/GO staff members believe it to be.

The low rates of drug use could be due to one of two factors; either self-reporting of drug use is low due to an unwillingness to admit drug use for reasons related to disclosure and confidentiality, or simply young people are not engaging in drug use as much as NGO/GO staff members perceive them to be. While I would agree that the results for drug use in this study probably do not reflect accurately the number of youth using drugs due to some underreporting, I do not find it surprising that overall drug use among "at risk" youth is low. In my own experience getting to know these youth, they were not shy in talking to me about specific concerns in their lives. And while I did speak with many young people who told me they were using drugs, or had used drugs in the past on a regular basis, the overwhelming majority of the

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[42] "Drugs" were explained as substances other than tobacco or alcohol; examples given were marijuana, cocaine, heroin, ecstasy, glue and crack.

[43] Other studies have shown that male adolescents are more likely to use drugs than females. See Cunningham 2008 and Raffaelli 2000.

youth I spoke with simply seemed to have no interest in drugs. My point here is that the overemphasis on drug use as an aspect of "at risk" youth's lives is perhaps due more to presumptions about what youth *naturally* do in precarious situations than any real threat of drug use as a behavior[44]. Furthermore, it denies the capacity of young people to be resilient and make rational decisions; in other words, just because a young person is poor, vulnerable or "at risk" does not mean that he or she is *necessarily* going to choose to use drugs[45].

On the other hand, alcohol consumption was more common, with about 42 percent of youth engaging in frequent use. There appears, however, to be no real difference in usage between boys and girls. Again, the data need to be considered in light of certain factors. While higher rates of alcohol use among youth ages 12 to 17 may seem alarming, it is not surprising considering the Brazilian context. The legal age for obtaining and drinking alcohol in Brazil is 18. However, it is common and socially acceptable for young people in their teens to drink. Parents from all socio-economic backgrounds often allow their youth to drink; rarely are teenagers asked to present identification when purchasing alcohol at a store, and in general, attitudes towards underage drinking in Brazil are relaxed. This is not to say that all young people drink, nor is it to say that alcohol consumption at younger ages is not a problem; it is rather to interpret the data within the cultural context.

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[44] Kelly (2000a; 200b; 2001; 2003; 2007) has argued extensively about the presumptions of the naturalness of "at risk" youth's behavior and the implicit mistrust it creates for youth populations labeled as such.

[45] In fact, while my youth informants and their friends, did not seem to have an interest in drug use, I did often see youth who I knew to be from middle to upper class backgrounds (who, in many ways, by virtue of their class would have not been labeled as "at risk") using marijuana in the praça near my house where I spent time on the weekends. This is not to say that youth of one class or another are more "at risk" for drug use, but rather to point to the problematic way in which drug use is often automatically associated with the label of "at risk" and how this may obscure the ways in which drug use is immune to class boundaries.

Nearly 50 percent of the youth reported engaging frequently in sexual activity,[46] with males reporting engaging in sexual activity more than females. Of all the youth respondents who indicated engaging in sexual activity, about 17 percent stated they did not use contraceptives and over one third stated they would have sex "in the moment" even if no contraceptive was available. However, interestingly there is no correlation between gender (i.e. male or female) and either measure of contraception use; thus, males and females are equally as likely to use or forgo contraception. Prostitution and other situations classified as "survival sex[47]" were also frequently cited by NGO/GO staff as common risk behaviors among "at risk" youth. Only about three percent of the respondents answered "yes" to this question, and there appears to be no real difference in the percentage of males and females that reported this behavior.

Underreporting could also be an issue here due to the same reasons of confidentiality and disclosure cited above for drug use; however, many of the youth with whom I spoke admitted to having sex often, but usually asserted that it was in the context of a monogamous relationship. Again, I believe the discrepancy between what NGO/GO staff and youth report might be due to perceptions about the label "at risk" and the presumed behaviors which vulnerable populations "can't help" but succumb to. Thus, while NGO/ GO[48] staff may be concerned with prostitution or other exchange of sex for material needs as a "risk" behavior, it is perhaps not as much of a

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[46] Sexual activity was described as oral, anal, or "regular" intercourse.

[47] Due to overall stigma attached to prostitution and the difficulties inherent in defining it, I chose instead to ask if my respondents had simply ever had sex in exchange for something material or monetary. I feel this allowed me to measure a wider range of sexual activities that are related to, but cannot be necessarily classified as prostitution.

[48] This is not to say that NGO and GO staff are not aware of these kinds of sexual behaviors among youth, or that they are not concerned with them. It is simply to say that prostitution was more frequently cited as a concern and therefore, deemed more of a risk behavior.

concern as other "risky" sexual behaviors, such as a lack of condom use. In other words, the data suggest that the young people polled in this study are perhaps at a higher risk for outcomes such as sexually transmitted infections and unwanted pregnancy due to not using contraceptives than they are at any risk for engaging in prostitution or other forms of sex in exchange for material needs. Furthermore, the data also suggest that despite what is believed, females are not any more likely to engage in prostitution or "survival sex" than males (Cunningham, et al. 2008; Inciardi and Surratt 1998; Raffaelli 1993; Raffaelli, et al. 2000; Simon, et al. 2002).

5.1.4   Table 4: common "risk" experiences/factors

A list of potential "risk" factors was also developed based on staff interviews and ranked according to the frequency with which they were cited. These are not risk behaviors (activities in which youth engage), but rather experiences, conditions or situations that NGO or GO staff felt increased vulnerability, or that youth were thought to be "at risk" *for* in their day-to-day lives. Thirty staff members from the six primary organizations were asked to write down the most common "risk" factors they associated with "at risk" youth. Each variable was totaled and then ranked according to how frequently it was cited.

Table 4: Common "risk" experiences/factors

Factor	# of staff reporting	% of staff reporting
Abandonment by parents	30	100%
Homelessness	30	100%
Hunger	29	96.6%
Negligence by guardians	27	90%

Problems with the law	25	83.3%
Physical violence	25	83.3%
Psychological violence	20	66.6%
Gender discrimination	18	60%
Discrimination related to sexual choices	12	40%
Ethnic/racial discrimination	8	26.6%
Discrimination related to social class	4	13.3%
Exclusion or threats from peers	2	6.6%
Total responses	160	

5.1.5 Table 5: Percentage of youth reporting other "risk" factors

Youth were then provided with a list of the "risk" factors listed by staff and asked to indicate whether or not they had experienced any by marking "x" next to the ones they had. The responses were tabulated by gender and overall totals and are presented in Table 5 below.

Table 5: Percentage of youth reporting other "risk" factors

Factor	Female	Male	Total
Physical violence	26.6%	33.8%	29.9%
Discrimination related to social class	21.5% *	14.4%	18.3%

Exclusion or threats from peers	20.6%	15.0%	17.8
Psychological violence	21.0% *	11.9%	17.0%
Ethnic/racial discrimination	14.5%	11.3%	13.1%
Problems with the law	5.6% *	11.3%	7.7%
Gender discrimination	8.4% *	1.3%	5.2%
Negligence by guardians	6.1%	2.5%	4.6%
Abandonment by parents	5.6% *	1.3%	3.6%
Homelessness	4.7% *	0.6%	2.8%
Hunger	3.3% *	0.6%	2.1%
Discrimination related to sexual choices	2.3%	1.3%	2.1%

Note: 14 youth did not report their own gender.

In general, it appears as though "physical violence" is the most common "risk" factor with nearly one third reporting having experienced some form of it in their lives. After physical violence, "discrimination related to social class," "exclusion or threats from peers," and "psychological violence" are the second most common experiences at nearly 20 percent each. "Ethnic/racial discrimination[49]" follows with a reported 13 percent; "problems with the law,"

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[49] Interestingly the issue of race/racial discrimination only arose two times during my research. The first was when my informant Mariano brought it up in his discussion of the differences between "street" and "at risk" youth, see chapter four. The second was during the development of this survey when NGO/GO staff were asked to list "risk" factors. Race/racial discrimination was not mentioned in qualitative interviews on the interpretation of "risk" by youth or NGO/GO staff.

"gender discrimination," "negligence by guardians," "abandonment by parents," "homelessness," "discrimination related to sexual choices," and "hunger" all were reported by less than 10 percent of youth. Females reported statistically significant higher rates of "psychological violence," "abandonment," "hunger," "gender and class discrimination," and "homelessness." Males reported statistically significant higher rates only for "problems with the law."

These findings are interesting for several reasons. First, while "abandonment by parents," "homelessness," "hunger" and "negligence by guardians" were the most commonly cited risk factors by NGO and GO staff, these are not the "risk" factors experienced or reported by youth. In fact "abandonment by parents," "homelessness," "hunger" and "negligence by guardians" were among the lowest reported risk factors. This suggests, as was argued in the preceding chapter, that despite concerns over young people's relationships to the street and to their families, youth do not experience "abandonment" or "homelessness" as much as has been perceived (Felsman 1984; Hecht 1998; Panter-Brick 2000; Raffaelli and Larson 1999; Veale, et al. 2000). The discrepancy between staff concerns and actual experiences of youth, therefore, could be due to lingering popular perceptions about young people that are tied to the "street youth" image and that represent previous organizational approaches to this population[50]. Related to this is the fact that, although overall rates of "homelessness" were low, females actually reported higher rates of having experienced it than males. This is important in that it tends to agree with studies that have shown that despite popular perception, not all "street" (read homeless) youth are boys; girls too experience "homelessness" (Hecht 1998; Raffaelli 2000a; Veríssimo 2002).

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[50] See chapter four

Second, while "discrimination related to social class" and "exclusion or threats from peers" were ranked low on the list of "risk" factors among NGO/GO staff, they were the second most reported risk factors on the survey. This can be explained in two ways; first, "discrimination" and "exclusion from peers" are not perceived by adults who work with youth as *immediately* "threatening" or "damaging" as some of the other factors (e.g. such as "homelessness" and "negligence"); thus, they are not listed as frequently as potentially harmful experiences; second, and related to the first, the more frequent reporting of these issues by youth may be due to a kind of recall bias; that is, youth will remember and indicate having experienced these things more than other issues because these are precisely what is "threatening" or "damaging" to the youth *themselves*. Either way, the data show that a difference does exist between what young people report that they experience and what they say is important to them and what adults believe to be important. Furthermore, the survey data support the ethnographic data, presented in more detail below, which shows that many young people couch their problems not in terms of "risk," but rather in terms of their perceived lack of viable opportunities that support their socio-economic advancement.

Finally, as stated above, females reported higher rates of "psychological violence," "abandonment," "hunger," "gender and class discrimination," and "homelessness"; males report higher rates only in the category of "problems with the law." Some of the differences between female and male experiences with "risk" factors can be explained through the context of gender inequality and prejudice in Brazil. First, higher rates among females of "gender and class discrimination" are a reflection of continuing biases against women in Brazil, particularly in the work place. Not only do women suffer higher rates of unemployment in Brazil (ILO 2008), but they also continue to face discrepancies in pay and are often subject to the "glass ceiling" effect,

in that they have a harder time advancing in their jobs or careers (Pinheiro, et al. 2008). In fact, many of the NGO/GOs that contracted youth out to employers while they attended the organizations' socio-educative classes had difficulty placing females. I was told in no uncertain terms on many occasions by different staff members that employers simply "did not want" females. When asked why, they told me that the perception was that young females were "unreliable," "emotional" and too much of a "risk" (i.e. they could get pregnant). Thus, higher rates of "gender and class discrimination" among female youth are due in part to the fact that they indeed experience more biases in these areas.

Second, differences in reporting for "psychological violence" could be due to the fact that, in general, girls might be more likely to admit to having experienced this kind of abuse. Culturally, young males are expected to be "strong" or "macho" and thus might not wish to expose their having been vulnerable to emotional or mental abuse at the risk of being viewed as "weak." Gender roles, therefore, may play a part in whether or not young men admit to these kinds of experiences.

Third, along similar lines, because of traditional gender roles, boys tend to be favored at home and to have more leverage in terms of household resources (e.g. food), and therefore may receive preferential treatment when it comes to distribution of those resources (Hecht 1998; Raffaelli, et al. 2000). Boys, therefore, may report less "hunger" because they simply do not experience it as much. Finally, it could also be argued that young males take more of an initiative when it comes to separating from their homes (i.e. they runaway as opposed to being expelled or abandoned) and thus may not perceive their situation in terms of "abandonment" or "homelessness."

I want to caution, however, that gender biases and underreporting by males are not sufficient for understanding why females reported higher rates of certain kinds of social problems, such as "homelessness," "abandonment," and "hunger" in particular. Young men today have more access to resources than females do, including temporary shelters and social services. As mentioned in Chapter Three, in my own experience working with organizations in Juiz de Fora, I was constantly dismayed at the fact that only *one* was designed to work only with young girls. Conversely, of over 60 organizations in the city that worked with "at risk" youth, at least 15 I found specifically worked with young boys; the rest were coed. This is due in part to lingering perceptions about who is "at risk"; in other words, young males have traditionally been viewed as more susceptible to "risk" factors and social problems and thus, there is a perceived need for more programs that work solely with boys.

Perhaps, then, some of the differences between girls' and boys' experiences can be attributed to the fact that when girls do face issues such as "abandonment" or "homelessness," they have fewer support mechanisms in place to buffer them from those experiences and thus are subject to more extreme conditions. Regardless, if the data in this study hold true, it becomes clear that girls are just as likely, if not more, to experience any number of problems due to socio-economic issues as young boys. What also becomes clear from this study is that females continue to be at a social disadvantage in Brazil and need more social support.

5.1.6   Table VI: fears and anxieties about the future

When I began talking to youth about risk, I realized very quickly that asking them what they thought they were "at risk" for was not productive; as I will show in the next section, many youth did not self-identify as "at risk." Thus, taking a cue from my informants and from

theorists of risk who argue that inherent to risk analysis are always notions of fear, danger and anxiety in relation to the future (i.e. risk outcomes) (Douglas 1992; Kelly 2000a; Kelly 2007; Tierney 1999), I chose instead to ask youth to select from a list all the fears they had pertaining to their futures. As stated above, drawing on the initial qualitative data gathered from both NGO/GO and youth informants, I compiled a list of the most frequently mentioned problems and used those as the variables by which to measure my respondents' anxieties about the future. Each variable is placed into one of four categories for analysis: socio-economic opportunity, violence, health and family and home. The results of this section of the survey are listed in Table 6.

Table 6: Responses to the question: "With respect to your future, what do you fear?"

Fears/Anxieties	Females	Males	Total
Economic opportunity			
Not getting a job	68.7% *	55.0%	*62.9%*
Not getting into a college/university	51.9% *	40.0%	*47.2%*
Losing opportunities because of prejudice	50.9% *	40.0%	*46.1%*
Being dependent on a social program	22.4%	24.4%	*23.7%*
Violence-related			
Suffering from violence	43.5% *	29.4%	*37.6%*
Being robbed/assaulted	34.6% *	25.0%	*30.2%*
Being assassinated	51.4%	42.5%	*47.4%*

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Health issues

Problems with health	66.8%	61.9%	*64.7%*
Contracting an STD	58.9%	57.2%	*57.9%*
Having mental problems	40.2% *	28.1%	*34.3%*
Unwanted pregnancy	65.4% *	28.1%	*49.5%*

Family and home

Death of family members	63.1%	56.9%	*60.3%*
Being homeless	40.2%	34.4%	*37.6%*
Not getting married or having a family	26.6%	20.0%	*24.0%*
Being abandoned	40.7%*	26.9%	*34.5%*
Total youth	214	160	*388*

Note: 14 did not report their own gender.

In general the rates for fears concerning socio-economic status were high with over 60 percent of youth indicating they were concerned about "not getting a job" and nearly half stating they feared "not getting into a college/university" or "losing opportunities because of prejudice." Girls reported statistically significant higher rates of anxiety about economic and educational opportunities in all areas of this category, except social program dependency. This difference can be attributed in part to the same issues of gender discrimination in Brazil discussed above.

Although rates were still relatively high, youth reported lower anxiety over violence. Over 40 percent of youth being afraid of "suffering from violence"; this is not surprising given

the data in Table 5, which show that physical violence was the most commonly reported risk experience among youth, both males and females. Almost 35 percent reported fears of being robbed, and nearly half of the youth indicated that they feared being assassinated. Again, while it is unclear exactly what motivates these concerns, I contend that it is related to the anxiety young people have over their precarious living environments. As discussed in Chapter One, crime and violence, particularly homicide, disproportionately affects youth in Brazil. It is not surprising, then, that given the context, youth have a considerable amount of anxiety over being murdered. More interesting is the fact that young girls seem to have more fears about being robbed and violence in general. This is worthy of note because studies have shown that young males between the ages of 15 to 25 are three times more likely to be the victims of violence and crime than young females in Brazil (Campos, et al. 2007; Ramos 2009; Waiselfisz 2004). It is unclear, then, why young females report more anxiety in this regard; however, it could be because of a sense of vulnerability due to gender roles that young girls might have, or perhaps because boys are typically the victims of crime, there is a level at which they are desensitized to it.

In terms of health issues, nearly 65 percent of all youth reported fears and anxieties over their future general health. Fifty seven percent specifically expressed concerns over contracting an STD; half reported fears over unwanted pregnancies; and surprisingly, one third said they feared developing mental health problems. These data can be explained in several ways. First, overall anxiety about health in general, as well as fears attributed to mental health, can be understood in light of the fact that many of these youth do not have health care and are thus subject to using Brazil's *Sistema Único de Saúde* (Unified Health System), which in many areas of the country (including Minas Gerais) is notorious for its poor quality of care. In fact, many of

my informants, both young and adult, regularly lamented the poor quality of health care available to those without insurance; thus, it may be that some of this anxiety is attributed to fears over quality of care, if one should get sick.

Another factor contributing to this is that many of the youth, particularly those engaged in programs through which they were working, had experienced or dealt with someone sick at home who could not work and thus, had experienced financial hardships due to illness; for many youth, this was in fact the motivating factor behind their enrollment in a program. It is not surprising, then, that the youth in this study reported fears and anxieties over having health problems when clearly they feel unsupported in terms of resources if they do become ill and otherwise obligated to help maintain the household for those who are ill.

In terms of contracting an STD or an unwanted pregnancy, given the data in Table 3 that show high rates of sexual activity among youth, these results are not surprising. As shown above, almost 50 percent of the youth polled stated they engage frequently in sexual activity. Furthermore, nearly 40 percent of these youth stated they would have sex "in the moment" even if no contraceptive was available. Thus, it is not surprising that risk of pregnancy or sexually transmitted infections would be on their minds and for good reason. What is interesting here is that it would appear that these youth, despite admitting being willing to forgo contraceptives, are in fact aware of what consequences unprotected sex might bring; yet they are willing to forgo contraceptive use regardless. The question, which cannot be answered here, but should be asked, is "why?" If youth are educated about the dangers of "risky" sexual activity, why then do they continue to engage in it? Finally, young girls reported much higher rates over fears of unwanted pregnancies. This is also not surprising considering that the consequences of early pregnancy are

worse for young females than males and as stated above resources and social support for young

girls are considerably less, making an unwanted pregnancy much more difficult.

Roughly 35 percent of youth reported anxiety over "being homeless" or "abandoned."

This is interesting for two reasons; first, these rates are lower overall than for other fears, such as

"getting a job," thus supporting the notion that while "homelessness" and "abandonment" are

often reported by NGO/GO staff as a concern over what youth are "at risk" for, it is not *as* much

of a concern among youth themselves. Second, the fact that girls reported higher rates of anxiety

over "being abandoned" than boys would seem to support the data given in Table 3 that suggest

girls might be more likely to be subjected to "abandonment" and other forms of social exclusion.

Finally, in terms of the category "family and home," 60 percent of the youth surveyed

reported fears over the death of a family member. While it is unclear if this fear represents an

actual threat to a family member's life or a general apprehension about losing a loved one, this

nonetheless appears to indicate that the well-being of family and having family members in their

lives *are* important for these youth. This is relevant in that it seems to bolster the claims

discussed in the next chapter made by youth that families, and in particular family upbringing,

are important for mediating "risk."

5.2   CONCLUSIONS

The results of the survey do seem to indicate that there are discrepancies between what the

NGO/GO staff members believe youth are most "at risk" for and what youth report engaging in

or experiencing. In particular, in terms of behavior it appears as if youth engage more in alcohol

consumption than drug use and promiscuous sex in the context of a relationship rather than

prostitution/ "survival sex." It also appears that youth do not experience issues of "homelessness," "abandonment," "hunger," or "negligence" to the degree that is perceived by NGO/GO staff. This is again not to say that some youth do not experience these issues, rather it is simply to try to understand the *extent* to which these problems affect youth. Furthermore, these data suggest that perhaps problems at home, such as physical and emotional abuse, and issues important to youth, such as "class discrimination," continue to be obscured by lingering stereotypes associated with the past categorization of young people as "street" youth. The data also suggest that young girls may suffer disproportionately from certain social problems, and perhaps more investment into social support for young girls needs to be made.

Finally, and perhaps more importantly, these data help to highlight the way in which "risk" is viewed by youth themselves. Not only do the data show how youth's anxieties over what they are potentially "at risk" for are different from those of the adults who work with them, they also show how central to these young people's perceptions of "risk" some issues are. The youth surveyed clearly have anxiety over their opportunities for socio-economic advancement and their families, and as I will argue in the next chapter, it is within the context of these issues that they couch their understanding of what it means to be "at risk." It is to an examination of the meaning of "risk" for the youth perspective that I now turn.

6.0   QUALITATIVE ANALYSIS OF "RISK"

> There are so many things to resolve in this country, but the politicians don't resolve anything… they ignore so many big things…. They ought to invest more in education, but they won't because they don't want a smart Brazilian… if all Brazilians were educated, if they *knew* better then they wouldn't vote for the criminals… but the government doesn't want that… what crap! The government doesn't want us to have the capacity to vote with a conscience, to vote out the criminals… that's why democracy doesn't exist here… how can democracy exist without education? – William, age 15

In the previous chapter, I examined the extent to which youth were engaging in "risk" behaviors or experiencing other "risk" factors.   In this chapter, I use ethnographic interviews with individual youth to support the quantitative data and to expound on how "risk" and susceptibility to "risk" factors are conceptualized by young people. I argue that young boys and girls, while they may experience differences in terms of "risk" behaviors or factors, nonetheless conceptualize "risk" the same.   In particular, youth understand "risk" both as a lack of *educação*[51]*,* or the informal education received from one's parents or guardians, and as a need for financial and educational opportunities that allow them socio-economic advancement. Furthermore, I argue that many youth do not in fact identify as being "at risk," but rather they couch perceptions of their daily lives in terms of what happens when their social support systems fail them and they see no viable alternatives for earning money or schooling. For youth in Brazil then, being "at risk" has very little to do with engagement in particular behaviors.   Rather,

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[51] I use the Portuguese term "educação" to refer to one's upbringing in the context of the family environment. The English term "education" is used to refer to formal schooling.

susceptibility to "risk" factors, such as drug and/or street use, is viewed as a constellation of factors related to social support and inclusion, the absence of which have the potential to alienate youth, causing them to become disillusioned, lose sight of and give up on their futures. Furthermore, embedded in youth's understandings of "risk," particularly as they pertain to the need for formal education, are broader statements about the way in which youth perceive the capacity of their country to help provide them with the kinds of social and economic support they feel they need in order to negotiate "risk." In this way, the youth perspective on "risk" presented here not only provides insight into the issues that these youth feel are important for their lives, but also into the way in which they understand the social and political functioning of their country.

As stated earlier, when I began to talk to my young informants, I realized very quickly that using the phrase "at risk" was not productive. It was not that the youth with whom I worked did not understand the term "at risk" or realize they were attending organizations for "at risk" youth; instead, none of them saw themselves as necessarily being "at risk" for anything and interpreted their situations in ways other than "risk" behaviors and factors. This is not to say that they did not perceive themselves as having problems, in terms of both economic and social disadvantage; it is simply to say that they did not label themselves in quite the same way that the organizations did. So I began by asking my young informants to tell me what they thought "risk" meant, who was "at risk" and why, and why young people would engage in behaviors that others would label as "risky."

6.1   YOUTH'S PERSPECTIVES ON RISK

6.1.1   Risk is a family affair

To start, 17 out of 20 of my main youth informants, both male and female, linked involvement in "risky" behaviors to the family and more specifically, the kind of educação one received from one's parents. Educação does not mean "education" as the word might imply, at least not "education" in the formal sense. Rather, its use in this context is more closely aligned with the traditional Portuguese meaning of the informal education or upbringing one receives from one's family or one's parents. For my youth informants, then, one of the things that causes young people to be "at risk" is a lack of guidance and care from one's parents. For example, the following excerpt is taken from a conversation I had with Ana Maria, a young female, age 16:

> It's when the parent doesn't take responsibility. It doesn't matter what your situation is [referring to financial status]… *pode ser rico ou pobre* (you can be rich or poor) parents show the way… For example, my grandmother… when my uncle was 14 he began to use drugs and my grandmother only thought about herself. She ignored him. She left him with no food; he had to confront many issues because of the chaos in her house. At 14, she sent him to live in the street and he began to use drugs. Today he is 27 and has two children addicted to crack. My godmother tried to help him, she found him some help, but when he got there, he lied to the psychologist… by the time he got help it was already too late, he had already started to rob and was too addicted. He couldn't get off drugs… It is his mother's fault though… She didn't have to treat him that way, but she did… A lot of the time it's the family, the parents… they don't want to deal, like my grandmother, so they throw the kid into the street and they start using drugs, like my uncle… he had no educação.

When I asked Ana Maria to clarify what she meant by educação, and more specifically, tell me how one identified who was *educado* (well behaved, educated) and who was not and if *classe* [52] (economic class) had anything do with it, she stated,

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[52] See Chapter Four

No, Penelope, it is like I said… you can be rich or poor… it is, you know, when someone has been shown the way, parents set the example… they show us what is right from wrong, what is immoral or not… you know, parents do that… so if someone is doing something wrong, their parents must not have shown them the way… like my uncle… my grandmother neglected him… he got no educação

Similarly, João a young male aged 14, stated,

Poverty, no… *É uma falta de educação* (it is a lack of upbringing)… Because if a father says to his child, if I see you smoking I will spank you, but then the father smokes himself, what kind of education is the child getting? Or if the father doesn't smoke and he sees the child smoking and he spanks him once, but then doesn't reinforce it… he gives up and lets the child smoke and doesn't try to teach the child… he is not being brought up… *não tem educação* (he doesn't have an upbringing). Everything goes back to the family, to the parents. Poverty is no excuse… if you have parents who love you…

In the examples above, the youth dismiss socio-economic status as a causal factor for involvement in "risk" behaviors or as a "risk" factor and instead link substance abuse, street use and other problems to the educação one receives from parents at home and the responsibility parents have for teaching young people what is right and wrong.

Another example comes from my informant Dina, age 15. Brought up in her neighbors' household because her mother was dead and her father incarcerated, Dina told me she had struggled for many years with anger due to what she said was her parents' irresponsibility towards her. When I asked her about "risk," she stated,

Oh, Penelope… risk… it is… it starts in the family… I get so angry sometimes I want to lash out and do bad things… but it isn't because I don't know any better, no… my 'tia' (referring to the neighbor who had taken her in) has taught me right from wrong… but if I didn't have her, I would… it isn't like I come from a really poor family either… just one that has made bad choices… my mother is dead, from drugs and then, my dad basically abandoned me for drugs… and what kind of lessons would I have learned from them anyhow… and this is kind of what happens, you know? Young people who have no educação, no one who teaches them right from wrong… then they start doing bad things… because no one loves them enough to tell them not to…

For the handful of youth who did not link "risk" back to the family, their answers varied slightly, but mostly they equivocated, finally stating that they did not know why some youth engaged in certain behaviors and some did not. For example, Anderson (age 16) speculated,

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Maybe it has to do with the family… but then I don't know… because you know… some kids come from really good families and still they do stupid things… like a friend of mine, he has a mother and father who love him, who… they are not rich… but they take care of him… he always has something to eat… his house is small… barely two rooms… but it is always clean… his mom always takes him to church… his dad plays soccer with him… despite the fact that he works so much… but lately… I don't know… he's been hanging out with the (neighborhood) gang… and then I saw him selling marijuana on the corner the other day… and I don't get it… I don't know what makes someone more 'at risk' than someone else…

Similarly, Teresa (age 15) states,

(loud sigh) I think… 'risk' it maybe has to do with a lack of education (in the formal sense) but then again… I don't know… it is hard to say… I think many adolescents want to be rebellious… you know… go against their parents because they want to be cool… or you know… show they are adults… but we aren't adults, are we? And we need our parents and school… so I don't know why… how to define 'risk' or how to say 'oh look that adolescent is 'at risk'… I just don't know because I think it is complicated and has to be more than one thing… Like family, and maybe lack of responsibility on the part of the parents, the school… but also too… the nature of adolescent to want to rebel…

Anderson's and Teresa's statements are interesting in that, as I will show in the next section, they point to the complexity of youth's perspectives on "risk" and show how family upbringing is simply one aspect their understanding of "risk." Thus, while the majority of youth did understand "risk" in terms of the family, not class, and "risk" behaviors were viewed in context to the kind of educação one received at home, parental, or rather familial, neglect was only one piece of the "risk" puzzle. When I questioned my youth informants further about "risk," I found that most viewed the social problems adolescents encountered not just in terms of parental neglect, but also in light of what they perceived as a lack of viable opportunities for young people in Brazilian society. A lack of financial and educational prospects, in fact, was so important to the young people in this study that of the 17 who had linked "risk" to family upbringing, 15 asserted that "risk" really had to do with *both* the family and a need for opportunities; the remaining two, while they did not assert that "risk" had to do with both, argued nonetheless that youth in Brazil desperately needed opportunities for socio-economic

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advancement; finally, the three who did not necessarily link "risk" to the family, also asserted the

need for opportunities for youth and speculated that "risk" could have to do with this.

6.1.2   "It's a lack of opportunities"

Thus, for many youth the combination of a need for opportunities and family structure defined

"risk." For example, consider the following statements made by Gisele (age 16), one of my

principal youth informants. I met Gisele early on in my fieldwork when she befriended me at

one of the organizations. I was still getting acquainted with the city and Gisele offered to help

me locate another organization I was scheduled to visit next. Throughout the course of the year,

Gisele would provide me with not only much ethnographic information, but guidance as I

negotiated my relationships with other youth. In one of our early conversations, I asked her to

tell me about being "at risk" and what it had to do with drugs and other problems:

> *Risco social...* doesn't have to do with drugs, or gangs, Penelope… it has to do with the
> parents. Or rather the negligence of parents… when parents neglect their children, that's
> when they are at risk… that's vulnerability, you can be *o mais rico do mundo* (the richest
> person on earth)... but if you don't have *educação*… if your parents neglect you, then you
> are at risk…

> [So then, if parents neglect you, then you are at risk of doing things like being in a gang?]

> Ai no Tia! It is a lack of opportunities… adolescents in Brazil lack opportunities for
> everything… to study, to work, to gain experience… everything… we lack
> opportunities… we don't have anything to help us earn money… we have few prospects
> for university… so when the opportunity to sell drugs presents itself, earning 100 reais
> per week, who doesn't want that? And those who *falta educação* (lack an upbringing)
> will take it… They think, how am I going to have the experience needed to get a job if I
> never had the opportunity, and really how are you are? And drugs and other things enter
> your life… and *olha, que bola de nieve* (look, what a ball of snow).

Gisele's statements are important in that first, she clearly dismisses the notion that poverty or socio-economic status has anything to do with "risk." Second, she links the issue of "risk" to family upbringing and the significance that familial neglect can have for youth. Third, she also relates "risk" to a lack of opportunities and argues that the combination of these two things is what is consequential for youth. Fourth, her statements also reflect the tendency I found amongst almost all the youth with whom I spoke to resist the categorization of "at risk" and instead divert the conversation towards a discussion of educational and financial opportunities.

Another example of this can be seen in the following statements by Aurimar (age 17). When I asked him to tell me why some youth engaged in "risk" behaviors, such as drug use or prostitution, when others did not, he argued that young people need structure in their lives, but related the notion of structure back to a lack of opportunities and the issue of family. He stated,

> I think a lot of young people are bored… they don't have anything to do… we need structure, like this program here at (name of the organization)… it gives us something to do, you know, an opportunity to be involved in something… we don't have enough of this kind of thing here… opportunities for adolescents to *do* something…. Something *productive*… so we're not in the street *fazendo uma bagunça* (making a mess)… I think because we lack opportunities to do productive things… like work or be a part of a program… or even… you know, to train for a job…

> But I also think, Penelope… that this isn't enough… I think some adolescents simply have no structure at home either… you have to have that too…

> [So it's a lack of structure?]

> Yes… but it is a lack of structure that comes from a disorganized family and a lack of opportunities for adolescents in Brazilian society… if we had more opportunities, it would help a lot of adolescents…

> Similarly, Regiane (13) stated,

> Being an adolescent in Brazil is hard… we don't have many options (smiles and makes a shrugging motion)…

> [What do you mean "options"?]

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To improve our lives… to get a good job… to study… we lack options for those things… the way our system is set up… the university, the vestibular… it is impossible… and we lack other options to earn a good living… you know it's a lack of alternatives, of opportunities… and I guess some youth see no choice and don't have a good family to give them a base for the future… and they end up doing things that really won't help them…

As I questioned other youth about these issues, I found that many youth connected their lack of opportunities back to the street use. This is important in that, as I argued in Chapter Four, regardless of their label as "street" or "at risk" youth, the population of youth being targeted by organizations is the same. The fact that my informants related their experiences and understanding of risk back to the street is telling. For example, Marcelo, age 13, stated,

I know they say we are *adolescentes em risco social*, but I don't see it that way… where they see risk I see just a lack of opportunities… it is difficult… Thank god! If I didn't have this opportunity here (meaning the organization where he had been learning a job skill)… if every adolescent had an opportunity like this one, to learn how to do something productive… things would be a lot better in Brazil… but they also have to take advantage of the opportunity and that's where family comes in… my mom and dad raised me to know better… if you don't have parents to tell you what to do, that guide you… you'll miss the opportunity when it arises… if I didn't have the opportunity here and my family, I'd be in the street too, doing nothing… making a mess out of myself… in the street there is nothing, you do nothing, you have nothing, you are nothing because in the street there is nothing to do there…

Thus, while the street is viewed as a place where those without a family and opportunities end up, it is not in this context viewed as an identity. The youth with whom I spoke, like the NGO and GO staff, had very distinct notions about what exactly made a "street youth" and how they distinguished themselves from that identity. I will return to this shortly; however, it is interesting to note that Marcelo links family and opportunities for youth to "risk" and asserts that the street becomes the consequence when youth have no educação and no legitimate choices.

Another exceptionally compelling example of the way youth couched their problems in terms of family and the opportunities they lack comes from a story relayed to me by a young girl named Eva (age 14). Outside the program where we met one day she sat down to speak with me

and immediately burst into tears. Seeing that she was clearly upset by something and wanting to help, I asked if she wanted to talk about what was bothering her. Her story about a young boy in her neighborhood involved in drug trafficking demonstrates very clearly the perspective youth have on the need for familial *educação* and opportunities for socio-economic advancement and the precarious circumstances in which youth find themselves if these are lacking. Her narrative is quoted at length here:

> I live in a neighborhood in the *periferia* (periphery) with the grandmother of my boyfriend. Our house is near a *boca de fumo* (drug den)… The boss of the den went to jail and put a bunch of children in the place to cover his wife while she does his deals. They stand by the jewelry store on the corner and scream if the police show up in the neighborhood… One day about a couple of months ago this child about nine years old showed up… I don't know where from… The wife set him to selling small cans of drugs… You know, because he's so young no one suspects him… And every day now for months he's been in the plaza selling drugs…
>
> One day I was with some friends eating a hot dog on the corner and I asked him why he was on the street selling and he protested a lot… he said… he was in *Bom de Bola* (another organization)… beautiful boy, obviously intelligent… he said that he didn't have money and that his mom didn't take care of him and he wanted to by a new pair of football cleats… and so he was trying to earn money for a new pair of cleats… and so he was there selling drugs, it was fast and easy…
>
> But then yesterday morning, they found his body in the alley… and now today I keep thinking about it and about how he was *sem educação* and that if he had just had someone to show him that being poor doesn't mean you do *coisas erradas* (bad things)… if he had just had the opportunity that I have here (meaning the organization through which she had been contracted out to work) he wouldn't have been out there dealing drugs and now dead…

Seeing that she was clearly distraught over this young man, I asked if she knew what had happened or how the boy wound up deceased in the alley. She assured me it had to be rival drug dealers in the neighborhood who probably did not like how well the boy was doing or his boss. Either way, she said:

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> *Que triste, né Penelope?* (How sad, isn't it, Penelope?) He was young… you know? But this is what happens to the child or adolescent without an upbringing… he *loses perspective,* you know? He *gives up on his future* and starts selling or using drugs or worse… If he'd had an opportunity like this one… or parents… who knows?

Thus, when a young person is *sem educação* and lacks opportunities, she loses their "perspective" or vision the future and give up and begin to have problems with drugs, gangs, pregnancy or other issues[53].

I will deal with the notion of losing "perspective" later in this chapter; however, as I stated above, even when youth did not link a lack of opportunities to "risk" directly, it still nonetheless came up in discussions of "risk," and clearly the issue was important to them. For example, when I pressed Anderson further about why selling marijuana might be attractive to his friend, he stated,

> Because it is a way to earn money… adolescents in Brazil can't earn money… we have to be engaged in a program like PROMAD or some other program… but we need money… we need opportunities for money… our educational system doesn't give us that… because we have little prospects to get into college and you know… make a decent living… and selling drugs *is* a decent living… it is the truth… it is a sad truth, but that's our reality… and maybe this is just it… I don't know… like I said… I don't know why some youth are 'at risk,' but maybe it has to do with this… a lack of alternatives…

> Similarly, when I asked Ana Maria if she thought a lack of opportunities also put youth

"at risk" in addition to the family, she said,

> No… I mean, yes we lack opportunities… we definitely need more chances to study, to have good quality education and to work… to earn our first experience in the job market… but I don't know that a lack of opportunities puts us 'at risk'… I think maybe it is more the lack of perspective some youth have…

> [How so?]

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[53] The term "perspectiva" can be used in several ways depending on the context. It can be used to describe something or someone who has no future prospects. However, I contend here that my youth informants are using the phrase to indicate a loss of actual perspective or vision of their futures and to describe the process of disillusionment or of "giving up" that happens to some youth.

> Well like I said, 'risk' has to do with the family, the family tells you right from wrong… but if you don't have that… many youth who don't have that… they lose sight of the future… like my uncle… he had no one to care for him and he lost perspective and of course without any opportunities for the future… or to improve his life… he turned to drugs… I think you have to keep that… vision… of the future… of what *can be*… and I think the family gives you this… so, even if you have no opportunities… you don't give up… and maybe that is the real 'risk,' giving up…

Regardless of how they described the exact nature of the relationship between a lack of opportunities and 'risk,' all of my youth informants viewed the need for financial and educational prospects as important to their development and growth.

However, when I began to question my young friends as to *exactly* what it was they wanted in terms of socio-economic opportunities, I noticed that something interesting occurred. When the issue of viable job choices came up, their statements echoed some of the criticisms of ECA. Many youth stated that because the legislation mandates that no one under 18 can work unless engaged in one of the professionalization programs like PROMAD, it in effect punishes young people who need to earn money to help their families and thus leaves them with poor alternatives. Furthermore, they argued that getting one's first job in Brazil was difficult enough and without any previous experience or higher education, they were at a disadvantage in the *mercado trabalho* (job market).

For example, when I asked Anderson if he thought having an opportunity to earn money would have helped his friend, he stated,

> Yes, but that's the thing… we can't get a job… like I said, whoever wants a job has to somehow get enrolled in PROMAD or a similar program, you know because it is against the law for us to work otherwise… I mean you could work on the street, but that doesn't pay… and truthfully it is so hard for us… we struggle to get our first experience in the job market and the law makes it more difficult… and we need to work, we *want* to work… for ourselves and our families… but that isn't a reality for many youth… that's why I think it's bad… this law (referring to ECA)… it is a law for somewhere like your county, the United States, not one for a developing country…

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Similarly, when I asked Eva about what might have helped the young boy with whom she had been so concerned, she stated,

> I don't know… I mean… I have this opportunity here (name of organization)… and I think every adolescent needs something like this in their lives… I feel lucky because the conselho sent me here… and I am getting my first experience in the job market… but you know even when you are here it is difficult… they don't have enough jobs for everyone and I had to wait… after I did aprendizagem (the initial assessment period) I waited for almost six months before they called me to work… we need more programs like this because adolescents can't work legally in Brazil, but they want to, they *need* to… I think we should be allowed to work… before 18… its stupid, this law! Nossa, Penelope! (Goodness, Penelope!) The help this has given my mother and me! But (name of organization) is always busy… you see how many people are in my turma… it would be better if we had more programs like this… there are jobs… but (name of organization) can't support the number of youth who come here… and for many youth… you know this is way into the job market because they won't be competitive otherwise… you know? Because of our education... it is so bad… and it doesn't really prepare us for the future, for a job… and so I just think it is unfair that we have to wait to work…

Another example of this comes from Aurimar, when I asked him specifically what kinds of opportunities youth should have, he stated, "Oh to work… definitely to work…" But then he said,

> You know… I would have loved to have gone to PROMAD, but instead I am here at (name of organization)… I wish I could work… well, legally (smiles slyly)… but our laws prevent us from working until we are 18… I just think this is wrong… there are so many adolescents who need that opportunity… because our education doesn't really give us the skills we need to enter the job market… if it did then it would be easier for us… but instead if we could just gain our first job experience without having to wait… so if we have this law, we should have more organizations like PROMAD…

It was true that the organizations that offered professionalization programs were always full and often had waiting lists for youth wishing to get in. Youth in other programs often lamented to me that they wished they could have gone to one of the organizations like PROMAD or Guarda Mirim that provided this kind of program. Furthermore, many of the youth I found engaged in the aforementioned organizations told me they were using the money they earned to help their families and how glad they were to have their first experience in the mercado trabalho.

Thus, my youth informants' criticisms of ECA and their desires for job opportunities made sense considering the socio-economic context of their lives.

Yet, as I pressed my youth informants further about the issue of opportunities, I noticed that most youth in the end concluded that the real issue was not the need for employment, but rather the need for education[54]; education was deemed pivotal not only for present and future employment, but also in terms of the outlook it gave youth.   For example, consider the statements above made by Eva and Aurimar. Both assert that they do not feel their education prepares them for entry into the job market. Similarly, when I asked Marcelo to expound on what he thought should be done to provide youth with more opportunities, he stated,

> We need better education… and opportunities for work… but that honestly I think that comes from education…
>
> [Ok… tell me, how so?]
>
> Our education system doesn't provide us with what we need to a good job… like I said I am lucky because I am here learning a job skill and this is the kind of education we need… but not just training… we need real education, quality education… if you can't afford private school here in Brazil, you have a really hard time getting into a good university and so you are left with few options… and you have a harder time getting a job… a real job, a *good* job… but if we had quality education… we would have a better chance… but so, I don't think it is enough simply to give us opportunities to work, we need education so we can build something permanent for ourselves… a future…
>
> Another example of this comes from Teresa; when I asked her if she thought young

people in Brazil lacked viable socio-economic opportunities, she stated,

> Oh yes… especially for school… education is so important… and our education system, it lacks so much… you know? I think we really need to improve our educational system…
>
> [What about opportunities for work?]

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Well, but look… that has to do with education… I mean there are jobs out there… that pay well… but if you don't have the education you need, then how are you going to get a good job? Right?

[Sure…]

And so in order to be… competitive… we need opportunities for education… the system makes it hard for us to get ahead… because our public school system is bad… really bad (sighs)… and Penelope, how can we compete with someone who, say… went to private school and had money to pass the vestibular and went to the federal (university)… because the private universities are so bad… and so an employer will look at your resume and if he can choose between you and someone that went to the federal (university), he's not going to be you…

Furthermore, Gisele, when I asked what opportunities specifically she would like to have, stated,

Well… education mainly… yes, education…

[You mean… to go to university?]

Well, yes... university. Yes. Education is fundamental to everything Penelope… Fundamental! You know with education comes other opportunities for work… to earn an income… a salary! With education comes opportunities, *real* opportunities, to improve our lives… it is fun-da-ment-al (says the word really slowly and then laughs)

Dalsgaard, et al. (2008), in writing about the city of Recife, Brazil make a similar case for the youth in their study. They argue that not only do youth place high demands on the need to be qualified for the extremely competitive labor market, but also that formal education is considered crucial by many youth for future employment. Without education, they argue, most youth feel frustrated with their incapacity to fulfill social certain social "scripts" and express high amounts of anxiety over becoming "marginalized." Some eventually become so disillusioned by the few forms of social inclusion available to them, that they give in and begin to do "wrong things" (Dalsgaard, et. al 2008). Furthermore, they argue that the transition into adulthood (i.e. their future) in Recife is marked by a context of uncertainty and socio-economic difference that is exacerbated by the collapse of "employment and other institutions that used to be landmarks on

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the way to social adulthood" (Dalsgaard, et. al 2008:49). It is in that context of uncertainty that youth become labeled as "at risk." They state,

> …some young people expect more than what is possible for them… the idea of a 'proper' transition dominates… evaluations of their actual situations… in Recife the dominant notion of youth clearly marked as a transitional phase… leaves little room for the uncertainty that encompasses young people's lives nowadays. This is true of youth of all social groups, but especially for young people from low-income groups who cannot achieve the expected transition and therefore are often cast by parents, authorities, and the media as problematic and at risk (Dalsgaard, et al. 2008:51).

I argue that Dalsgaard, et al.'s assertions about education, "risk" and youth's frustrations and anxieties can be applied to the youth in this study. My youth informants, in speaking about "risk" and its relationship to education, clearly expressed sentiments of frustration and anxiety. As I will show in the next section, in their discussion of "risk" youth often spoke of those "at risk" as being the ones who had lost "perspective" or become so disillusioned that they had given up hope about their futures and succumbed to doing "wrong things," to borrow Dalsgaard, et al.'s (2008) phrase. Taking this one step further, however, I also noticed that when the topic of education arose, it often solicited long responses in which youth tied the notion of "risk" to larger issues of social inclusion and democracy. Education, therefore, appeared to be not only vital to these youth in terms of their understanding of what helps keep them from being "at risk," but also, education formed a backdrop against which many youth expressed their frustrations over the difficulties of social inclusion in Brazil, as well as measured the capacity of their country to resolve issues which lead to their exclusion. In this way, I argue, "risk" becomes a metaphor for youth's struggles for social inclusion and informs their opinions on the nature of the Brazilian democracy. I will return to this notion shortly; however, it is first important to examine the notion of losing "perspective" more closely.

6.1.3   The dangers of losing "perspective"

In interviewing youth about "risk" I began to see not only the common themes of educação and a

need for opportunities, but more interestingly I began to notice that many youth understood

"risk" as a kind of process that occurs whereby youth in vulnerable situations (i.e. with

unstructured families) and at socio-economic disadvantage (i.e. who lack opportunities) lose

their vision of the future, or rather their willpower to continue struggling for a better life, and

give up. In fact, all of my youth informants, regardless of their specific understanding of the

relationship of family or opportunities for socio-economic advancement to "risk," argued as Ana

Maria and Eva do above that those who engaged in "risk" behaviors, such as drug use,

prostitution or others, simply had no vision of the future. Furthermore, Ana Maria's assertion

that for many youth the real "risk" is in the loss of "perspective" or hope for the future was

echoed in statements by other youth informants.

> For example, William (age 15) states,

> Risk? Young people who get pregnant early, who use drugs, who get involved with
> gangs… *Eles não têm educação* (they don't have education)… I have friends I've known
> since six, seven years of age… today they are using drugs; they go to the streets and use
> drugs or to the boca de fumo… They are involved in violence, drug trafficking and
> sex… one with a child of two years, friend of mine, you know? And I sit there looking at
> all of this… I think it is absurd… *Desistiram* (they gave up)… and it is hard when you
> don't have any opportunities, you know… to work, to learn… you know? We can't get
> jobs… and there's nothing for us at school… and those with weak minds, with no
> educação… like my friends… my friends have weak minds, they have no vision of the
> future, no perspective of what could be… they fight and use drugs…

> Anderson, on the other hand, while he did not relate the loss of "perspective" to the

family, he did relate it to "risk" and argued that his friend who was selling drugs was "at risk"

because of this. He stated,

> … I think though my friend, he has lost his mind (makes a circling motion with his finger
> towards his head)… he has no perspective… I don't know… I think it is like… he

doesn't sees any other option to lift himself out of poverty… he watches his parents struggle and work all the time…and he wants an easy way out… perhaps… or… I don't know why… but he doesn't understand that he is putting himself 'at risk' because that life leads to death… he has no vision of the future he could have…

Similarly, when I pressed Marcelo further about his thoughts on the "dangers" of the street, he said,

> The street… is… there is nothing to do there… those who hang around in the street they have… no goals for the future, no vision…or else they wouldn't be in the street, you know? Why are they in the street doing nothing? We (meaning adolescents) need to work for our education… what kind of education do you find in the street? What kind of opportunities are there? What does the street give you? Nothing… no those in the street that hang around all day, using drugs… what a load of pig shit! They have no direction, no perspective on life… they don't see that life doesn't have to be that way…

Marcelo was not alone in his assessment of the street; in fact, as I questioned my youth informants further, well over half of them expressed similar sentiments. In fact, 14 of them asserted that a lack of educação or opportunities and losing perspective was not simply about giving up or succumbing to drug use, gangs or other "risky" behaviors; it was also about losing oneself to the street and eventually becoming a *menino da rua*. To illustrate, the following is an excerpt taken from another conversation I had with Gisele. When I asked her to tell me what happens to a young person who loses "perspective" and gives up, she stated,

> It is a lack of a familial base, I think so yes… I have a friend who fights every day with her mom and dad, and I asked her, why don't you just talk to your mom? She's pregnant, you understand? She's only 14. She says "no way, I'm not going to talk to my mom because she is going to fight with me." Her parents don't educate her, they just fight… there's no base… a lot of adolescents in Brazil have no family base… they have a mom, yes and even a dad... every family has its creation. I have a certain form of talking with my mom that she told me she didn't have with her parents. If you want to change a young person, you have to look in the family because mother and father set the example, if they speak a bad word in the house, the kid is going to. If the mom and dad smoke and drink the child is going to too and when he or she gets caught, how is the parent going to explain that they can, but the child can't… those that drink and smoke and use drugs, that sit on the street all day doing nothing because they have no opportunities for anything… school doesn't want them… they can't work… and eventually they become a *menino de rua, entendeu?* They don't have anyone to tell them not to, they have no perspective…

and they suffer… *eles desistem* (they give up) and do whatever makes them feel better, they just want to escape…

It is here, then, that we find what differentiates for youth themselves those who are "at risk" and those whom *they* consider "street youth."   Young people are simply "at risk" if they do not have an upbringing; however, the young person who has no familial base, no opportunities, and more importantly has given up hope for her future and essentially, the struggle to improve her life (and as such given in to drugs, gangs or other temptations) is classified as a "menino da rua."

Another example comes from William; when I asked him to define a "street youth," he stated,

> Menino da rua? Ai Penelope… Those that are not *ligada* (connected) with their families, who fight with their mom… their dad…. They have no willpower… they have given up, they don't care anymore, they have no perspective, you understand? They don't see a need to lift themselves out of their situation… they don't see a need to plan for their futures… to try and get away from all the poverty we live in… and with no other choice, no financial opportunities, no real education (meaning formal education)… they enter into the world of drugs, of gangs, of violence and the street and they start to use drugs and whomever uses drugs stays in the middle of shit! But you know… it is a matter of will… you can be *sem educação, sem mãe, sem pai* (without an upbringing, without a mother, without a father) and still fight, you know? A street youth is a person who has *given up*…

Furthermore, for those who *had* been involved with gangs, prostitution or drugs, or those who had come from living on the street, the issues of educação and the need for financial and educational opportunities were often central to their understanding of how they ended up involved in these situations. These youth blamed their parents for not properly educating them and for their ultimate "downfall."   However, perhaps most interestingly, many of these youth who once perceived themselves as "meninos de rua" no longer did because they had "gained perspective" and were trying to take advantage of the opportunity they felt they had been given. For example, Christine (17 years) and I met when she was visiting with some of the educators at

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a program where I was working one afternoon. I had heard about her before from some of the staff there as she had a big reputation as being a "success story" for the organization. Clearly I could see why; her story was a remarkable one and brought home on many levels the way in which youth identify others and themselves through this lens.

At age 11 Christine got involved with a local pimp who began using her as a liaison between prostitutes and clients. By age 13 she had begun to take clients as well and had left home to live on the streets with other prostitutes. After spending nearly four years living on the street and working as a prostitute, she discovered she was pregnant with the child of one of her regular clients. Approached shortly thereafter by one of the educators from the organization in the city where I had met her, she decided to take him up on the offer to come to the organization for a few days while he tried to get her some prenatal care. That had been three months prior to our meeting and she was now living with a relative who had agreed to take her in. Furthermore, she was working on going back to school and engaging in a different organization's socio-educative/work program. By all accounts, the dramatic reversal in her situation was a success; she had gone from living in the streets and engaging in sex for money to living with family, attending night school and working, seemingly having left her old life behind forever.

One day, I mustered the courage to ask her a question that had been on my mind since first hearing her story. I wanted to know what had prompted her, after all those years in the street, to come "inside." The following is an excerpt from that conversation:

[Why did you, after all that time in the street… why did you come "inside?"]

Because… well… I got scared, you know? I mean… I was afraid to raise my child in the street… like my parents had raised me… I didn't want him to grow up *sem educação*… I was coerced into prostitution by the *cafetão* (pimp)… he told me he would take care of me… I didn't know… my mother never told me anything… you know like other parents do… some of the other girls here… their parents talk to them… it doesn't matter how poor you are, you have to give your child direction… *educação*… and I didn't have

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that… so I met (the name of the pimp) and this is how it goes… he sees someone who is vulnerable because they don't know right from wrong and he lies and says he'll get them a job and then he takes you out and makes you… do it. Many girls go along with it because they don't know any better and they earn little as a domestic… and well… it's easier than school or anything else… so… I went out every night after into the street, I stayed in the street… until I found my way here, now I never go to the street…

It's the fault of the family… the family is to blame… adolescents don't know anything… all they want is for the parents to leave them alone and let them be independent… they say I want to go out and drink and the parents let them… they aren't strict enough… they don't set an example and before they know it the kid has started down a path without prospects, they use drugs… they stay poor… like me… before I entered into this program I didn't have anything… I stayed in the street doing nothing… I was nothing… I had no occupation… no vision of the future… my parents didn't give me one, they didn't raise me right… I was lucky, the conselho tutelar he took pity on me and gave me a chance… he could have locked me up (laughs)… this gave me an experience, a new perspective, new direction… before I had a perspective of nothing, I was without direction, disconnected… *Eu desisti* (I gave up) … you know? I used to be a "menina da rua," now I'm on a different path…

Christine's account is a good example of how most youth perceive risk; those who do not have a family and who lack viable opportunities for financial gain or education, are likely to lose hope and become vulnerable to the ills that the street has to offer, they become meninos da rua. This term was used amongst my youth informants as a way of describing those who by virtue of their engagement in drugs, gangs, prostitution or other deleterious activities were seen as having given up on their lives, and more importantly, their futures.

Finally, in some instances, youth who had some of the most severe problems seemed to view their lack of social support not as a "downfall," but rather as a total betrayal on the part of their parents. In these instances, the opportunities they lack, the street, drugs, and other issues become emblematic of that betrayal. One last example of this comes from my informant Rodrigo (age 15). At age nine, Rodrigo went to live with his aunt because his parents, both addicted to drugs, could not care for him. At his aunt's house, however, he said he received no real love or care. His aunt let him do as he pleased, and he began hanging out with the

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neighborhood gang. By 12, Rodrigo had started spending most nights on the street using and selling drugs. By the time he was 15 and we met, Rodrigo had already fathered two children, been arrested for selling drugs and was funneled into one of the organizations by the conselho tutelar.

Rodrigo initially told me that he did not have a family and I did not press the issue until he began to speak about his sister one day. Confused, I asked him to clarify and he said that he did in fact have a family, quite a large one too, living in a different part of the city. However, he said that it did not *feel* like he had a family and that he did not consider them as such because they did not care for him. I asked him what he meant by this and he stated,

> I grew up with no one to look after me. My parents left me to myself… They didn't care… My mother was always *drogada* (drugged)… My father too… I didn't have anyone to tell me right from wrong and I did as I pleased. I went to live with my aunt… but there wasn't much better… I used drugs. I thought, "mom uses drugs, why can't I?" I started staying in the street and using, no one cared… that's just it, you see?

> The family shows you the way, they tell you what is right, what is wrong, and they give you *educação*… they show things to you, they protect you… I think the family influences the life of an adolescent a lot… those without a family base, without *educação* enter into the world of drugs, alcohol, gangs, these kinds of things… they are more vulnerable… because there are so few opportunities for adolescents here… our education *não da [doesn't give]*… we become impatient… we need to earn money…. gangs give young people an opportunity, you know to earn money, to take care of themselves, but it is *uma oportunidade errada* (a wrong opportunity).

> *Tipo sacanagem* (what crap)! There are a lot of people throwing their life away too early… they are so young, you understand? And for what? Drugs? Gangs? Violence? What does a life with no future give you? Nothing! That's what it gave me, nothing. The real problem though is the lack of family structure… when you don't have a mother or a father who gives you love, caring, rules! Direction! And then someone comes along offering you drugs… and you have no other choices… but this person isn't your friend… No, this is your enemy and he has you right where he wants you… and this is what happens to the *rapaz* that doesn't have a family to give him *educação*.. this is what happened to me… this is why I have no family… because they left me to protect myself in the street like a rat… they turned their backs on me…

It is in this space of "giving up" that youth begin to classify themselves or others as a "menino da rua." It is here that we can begin to see how youth have differing notions about themselves than their adult counterparts. Furthermore, for most of my youth informants it was this notion of keeping one's vision or of simply not giving up on their future that truly defined "risk."

6.1.4   "Risk," education and the struggle for social inclusion

However, as I stated earlier, through my conversations with youth on "risk," education stood out as central to the way in which youth thought about the problems they saw related to "risk." Education, in many ways, was viewed as emblematic of the lack of opportunities they felt they faced. In fact, the topic of education arose constantly as I went about doing my fieldwork in Juiz de Fora.

As I reread my field notes and contemplated my informants' words, I noticed that education often came up in the context of my discussions on "risk" with both NGO/GO staff and youth. Most of my adult informants lamented the poor state of the Brazilian educational system and argued that without education, real quality education, the youth in their programs would never be able to *sair da probreza* (leave poverty). I found this interesting, as most of the adult NGO/GO staff members who participated in my research were in fact, either teachers who worked in public schools and part time at the organizations, some without pay, or parents of children and adolescents enrolled in the public school system. Additionally, there were quite a few who, while they did not work in the public schools, had gone to university for a pedagogy degree, which requires a teaching practicum, and thus, had some experience with the public education system in Brazil. It troubled me, then, that many of my adult informants were so critical of the educational system.

Furthermore, I began to find it ironic that many of the organizations with which I worked or had visited, particularly the governmental ones, included reforço escolar in the repertoire of their activities. Reforço escolar varied depending on the organization, but typically included classes in reading and writing Portuguese, math, Brazilian history, geography, and basic science, essentially the core curriculum offered at both the levels of *ensino fundamental*, or primary school, and *ensino médio*, or secondary school. It seemed strange that rather than investing in improvements for quality education, the municipal and state government invested in organizations that provided classes designed to make up for what the school system was not accomplishing. When I pointed this out to some of my adult friends, their responses ranged from indignation over the lack of interest on the part of the government in terms of investing in education to sad resignation over the fact that politicians seemed interested in only maintaining the status quo. Nonetheless, the general consensus was that schooling, particularly public schooling, in Brazil was not performing at the level many believed it should.

Among my youth informants, the topic of education often arose during our conversations on "risk." As stated earlier, I began to notice in these instances that education provoked long, unprompted commentary on the nature of Brazil as a democracy and its capacity to resolve problems that contribute to their social exclusion. What I realized was that the way in which youth defined "risk" as a process that occurs whereby they lose "perspective" is not simply understood in terms of their need for family support or opportunities; when examined through the lens of education, this understanding of "risk" is expanded to include the frustrations youth feel over the ways they are excluded from society and the capacity of their government to *resolve* social issues. In this way, education becomes a metaphor for the larger social context of "risk"

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but also provides a commentary for these youth's perspectives on the way in which their society functions and their capacity for social inclusion.

The remainder of this chapter examines my youth informants' perspectives on social inclusion and democracy, as well as related topics of corruption, citizenry and rights in Brazil through the lens of education. Specifically, I present the perspectives of youth concerning difficulties with obtaining quality education in the public school context in Brazil in order to highlight how this informs their understanding of Brazil as a democracy nation, as well as provide a social commentary on the barriers to social inclusion (and the capacity for Brazil to overcome those barriers). I relate their views on education and democracy to the notion of "risk" and further the argument that for some youth, their frustrations present a greater threat than any "risk" factors ever could; with little to no family support, no viable opportunities and feeling disillusioned with the government, the real "risk" becomes a total abandonment of hope all together.

To highlight this, I turn to a conversation I had with Gisele. Gisele was enrolled at one of the organizations providing professional training through which she had been contracted to work at a local supermarket. I remember her telling me very proudly when we met that she was saving the money she was earning to pay for university. One day as I was leaving the organization, Gisele stopped me outside to show me her new earrings, a rare item she treated herself to with the money she had made. I took the opportunity to ask about her progress saving money and whether or not she had thought more about what she would study at university. She quickly explained to me that, feeling that university was out of reach, she had decided to invest her money in a *curso* instead.

Cursos, literally meaning "courses," have become a very popular mode of education outside the context of universities and colleges in Brazil. Essentially, they are a form of training for a particular skill set or job[55]. Gisele informed me that she intended to take a curso in "beauty,"[56] lamenting that she felt paying for private university was a waste of time, as it would not provide her with immediate income like the course in beauty would. She did not have time, she said, to wait on university and she did not think it was fair that she had to pay for higher education. When I asked her what she meant by this, she stated that she was upset because she could not get into one of the free federal universities as she did not have the resources to pass the vestibular[57]. The discussion that followed from this exchange helped me to realize how youth's perspectives on "risk" and education are intricately linked to the struggle for social inclusion in Brazil, and in many ways "risk" becomes a kind of social commentary about the "state" of Brazil. It is, therefore, worth quoting at length.

> [What do you mean you, don't have the resources?]
>
> Oh I don't know *tia*… at my school, like we were talking about the other day (meaning a conversation we had about risk and educational opportunities), I can't get the things I need to pass the vestibular. My school doesn't have the resources…
>
> [Why don't you use your money to pay for a (vestibular) preparatory course?]

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[55] Dalsgaard, et. al (2008) argue that the proliferation of such courses in Brazil actually serves to further increase social exclusion as most offer low quality training that at best reproduces the socio-economic status of the youth involved. For more on the implications of this kind of program, see Dalsgaard, et. al 2008.

[56] A curso in beauty is similar to beauty school.

[57] Many youth, in order to pass the vestibular, take preparatory classes which are offered for free in some places, but often can be costly, depending on where they are being offered. In Juiz de Fora, at the time of my fieldwork I saw prices for pre-vestibular courses that ranged between BR 80/ per class (approximately USD 40) to BR 1000 (approximately 500) for a series of classes. The price to take the vestibular also varies according to the university. In 2008, the vestibular cost BR 95 (approximately USD 47) at the Universidade Federal de Juiz de Fora. However, many youth take the vestibular more than once in order to improve their score, thus, increasing the total cost of the exam.

Because I'm too far behind… I mean not just me… all the students at my school, we are too far behind and it just feels… futile… you know staying in school… (sighs loudly and then laughs) Brazil is sad, isn't it?

[How so?]

Well, I mean, they say we live in a democracy here, but I don't know… in a democracy everyone is supposed to be equal, right? But what about *a pobreza* (the poverty) we have here in Brazil… 'Poverty' is such a sad word, isn't it? The reality is… that's the condition most people I know live in… I think… you know the idea of equality, I guess of democracy… is very important but very unrealistic. We have a lot of people who are poor … children… young people… people in a really bad condition of poverty… I am poor, I live in a poor neighborhood with poor neighbors… it is sad… really sad… but you know why it exists?

[No…. tell me…]

Because of corruption, for real… (laughs and rolls her eyes) we don't have money coming back to us, for the things we need, like schooling… because they (meaning politicians) steal it… we have so much inequality in our society… and they don't invest anything in education because the large majority of them are preoccupied with doing little things to show they have done something while robbing the majority of the money they could use on big things… and then, because we can't get a decent education… the majority of us continue on as poor as ever…. Because politicians don't really invest in improvements… they invest in the status quo…

For example, my school… we have many public schools here in Brazil… I mean at least we have schools, you know? At least… my mother tells me in the past that she didn't even have a school… so 'thank god' at least I have a school… but for me, most of the public schools provide such a poor quality of education…

[How so?]

For example, my school… we don't have anything… you go to study and there's nothing… no books, no desks… what shit! We even have a hole in the building…

[Wait, a hole? What? What do you mean?]

A *hole*, Penelope… it starts on the second floor and goes all the way to the first… we have to go to the first floor to cross to the other side of the building…

So sometimes too we go to school, but it is *hard to stay interested* when it seems like no one cares… and the teachers perceive that we've lost interest and so they don't really invest much into the classes… we used to have physical education at my school… we used to play volleyball, but we don't anymore… I *loved* volleyball! But they just quit

doing it… so we'd go out there and play sometimes during break or after school… but then someone vandalized the space and now we have nothing… and no one will clean it up… and we learn by example, you know? We see our politicians robbing our right to education… our neighbors destroy our school… our friends leave school… so we think, what's the point? It is hard to maintain our perspective, our focus… because we see no future in it… and so everything continues along as it was… we stay poor, we stay *marginalizados* (marginalized)… it is unrealistic then… democracy… you know? In a country where so many people are *excluídos* (excluded)…

Our conversation was important in that it helped me to realize how youth's definition of "risk," particularly as it relates to opportunities for formal education, forms part of a complex understanding young people have about the social issues that exclude them from parts of Brazilian society. Additionally, Gisele's comments speak to the way in which most youth expressed frustration and doubts over the capacity of their government to *resolve* the issues they deemed relevant to their understanding of what puts them "at risk." Her statements showed me how youth's interpretations of "risk" and the socio-economic reality that it represents are not only interwoven into their understanding of their day-to-day situations, but also that these realities inform their opinions on the political and social underpinnings of their country. Furthermore, it is here that we begin to see how youth's perception of "risk" as that which causes them to loses sight of their future is not simply due to conditions at home or frustrations over their lack of opportunities, but also due to what these conditions *represent* in terms of how Brazil as a nation functions.

At the end of our conversation that afternoon, Gisele stated, "if you really want to understand 'risk' and youth in Brazil, why don't you come with me to my school?" Her prompting was all I needed; this is how I began to visit schools in Juiz de Fora, primary and secondary, private and public, to see if the claims made about them were true. In all I visited 30 public schools, 15 primary and 15 secondary, in a total of 20 different neighborhoods of varying socio-economic status. Additionally, I gained entry into 15 private schools, six primary and nine

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secondary, in a total of nine different middle to upper class neighborhoods. I sat through class,

spoke with educators, principals and students alike and found that these visits contributed greatly

to my understanding of the perspectives my young informants gave me on "risk." Not only did I

gain an appreciation for the struggles many went through to earn an education, but I also saw

how, for some, it was simply too much. Feeling unsupported at home and in the classroom, with

no other choices, and little faith in a system that continued in their minds not only to fail them

but to fundamentally keep them socially excluded, many simply became disenfranchised and

gave up, abandoning school altogether.

What I also saw, perhaps not surprisingly, was the real need for infrastructure in many

public schools in Juiz de Fora, particularly at the secondary level of education. The secondary

schools tended to have few resources; it was not uncommon to find classrooms without desks,

chalkboards, books, or other materials. Often the physical structure of the building itself was

precarious[58]. There were inconsistencies sometimes in class schedules; either classes were

delayed or canceled altogether due to a lack of available professors or because of issues

concerning maintenance or safety in the building. Administrators and teachers expressed their

frustrations to me over how these issues limited their capacity to engage students, how many

students simply stopped coming or when they came, they created disruptions in the class or did

not pay attention at all. Many of the students told me they were easily distracted and felt

disengaged; they often left class before it was finished, much to the frustration of the teachers

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[58] I visited Gisele's school and in fact, there was a hole in the middle of the school that went through the second floor. In order to get to the other side of the building students had to go down to the first floor and take a separate set of stairs to. Above the hole were gaping cracks in the ceiling of the building where it looked as if the foundation was being ripped apart. Similarly on the first level floor cracks were beginning to show. It gave the impression that if the building wasn't repaired, over time, it would simply split in half.

and the disruption of the others who were trying hard to pay attention and learn. It was not

unheard of to see youth both in and outside the classrooms on other parts of school property

smoking, drinking, once in while doing drugs or engaging in other "activities."

I do not want my observations on the public schools in Juiz de Fora to come across as

highly critical, especially not of those who work in and attend public education in Brazil. Nor do

I believe that all public schools in Brazil are quite so bad. I am sure, as well, that many people

would argue education in the U.S. in some places does not fare much better. Rather, I simply

want to provide the context in which my youth informants' perspectives on "risk" and their

criticisms of education, Brazil and other issues surrounding social inclusion inherent in those

perspectives are formed. I also want to lend credibility to my young friends' statements; the

problems highlighted by my youth informants I found to be very real and wide spread enough

that their criticisms should be taken seriously.

Thus, many youth often couched their understanding of "risk" and the need for

opportunities it represented, particularly educational opportunities, in broader terms that reflected

the difficulties they felt they faced for social inclusion in Brazil. Not infrequently corruption was

cited as the barrier to inclusion (and consequently to democracy), as well as linked to the

concepts of citizenry and rights. For example, when I asked Eva to tell me more about the

connection between "risk" and the need for socio-economic opportunities for youth, she stated,

> Well I think it has to do with education and the fact that we lack opportunities for
> education in Brazil, like I was saying when you asked me about risk before… except
> education affects *everything*… for example, being a citizen in Brazil means going to the
> polls and voting… that's it, *entendeu*? Don't think about who you are voting for… don't
> care about what the candidate will do… go, vote, and be done with it… that's citizenry in
> Brazil… being a citizen in Brazil means ignoring what politicians are doing… not
> holding them accountable for what they are supposed to do… you know… and the
> politicians prefer it that way… like our mayor… they prefer it that way so they can rob…
> rather than have real citizens… people who are conscious… they prefer us to stay
> ignorant…

But see, that's a lack of education… like I said… we lack opportunities for everything here… Brazil needs better education… we wouldn't have so many problems here if our education was better… we need to study more so we can fix all the things here like corruption… but I mean education is difficult… it is so difficult… my school, I detest it… (slams her fist on the table).

[Why?]

Because I am tired and frustrated… let me explain… There are many problems with education in Brazil… for example in my school, we don't have enough teachers… the school has had to cancel weeks of classes because there is no one to teach! But… you know to be in this program, I have to have good attendance in school… but how am I going to have good attendance when there are no classes?

[Are the teachers protesting? Why don't you have teachers?]

NO! The school can't pay them… we need teachers… it has been like this for a couple of years… the school has so many students but the government won't give us any more teachers… and there are just not enough to go around… and so the school falls behind and the students fall behind and one thing leads to another and it becomes a big mess… And we (meaning the students) want to rest on Saturdays… but no… we have to go to school to make up classes…

[Why can't the school pay them? I thought that…]

The last person in charge… he stole money from the budget and then he left, but now the school has had to use the money it got the last year to pay for what they couldn't when he left… so we have no teachers…

[How frustrating? You must be really frustrated…]

Bastante (plenty)... I work, and work, and work and I go to school, I do my school work… I am a good student… but I only have one class during the week right now… ONE CLASS, Penelope! It is ridiculous… I leave school early and then I have to go on Saturday and stay all day to make up what I should have been doing all week… I have to spend the time I would have to rest or do other things… and then the teachers think we're lazy or bad because we don't want to go… because we are disinterested… but we are tired… I have classmates who have children… and they can't go on Saturday because of their children… and so… they either bring their kids and it disrupts everything or many of them have left school forever… *so it is hard not to lose perspective, to give up*… you know so many leave school because they see nothing in it for them… they become frustrated by how bad it is, how difficult it is to learn… and how *no one will do anything about it*… they lose sight of everything… and give up…

But I don't blame the teachers or the school, no… it isn't their fault… it is the government's fault… so much corruption… so much disorganization… in general they say this is a democracy… and I suppose we have the same rights as everyone else… you know a right to an education… but is it really an education we are getting when schools don't have the things they need, like teachers? And the government won't give it to them because they are too busy spending the money elsewhere? They are robbing us of our right to an education… I don't see a democracy here… how can we say it is a democracy when so few benefit from the exclusion of the rest…

The frustration evident in Eva's statements is indicative of the way in which many of the young people I met spoke about education in Brazil. Furthermore, her criticisms of education reflect the insecurities youth have over the capacity of the Brazilian government to resolve the issues surrounding it. In this sense, education becomes a metaphor for the political functioning of Brazil; education is at once emblematic of the perceived disorganization of the nation and symptomatic of corruption. Her statements also show how central to young people's understandings of inclusion the notions of citizenship and rights are and how without education (and subsequently "true" citizenship), the cycle of corruption cannot be stopped and thus, many will continue to be excluded. Her claim that Brazilian politicians *wanted* to keep the Brazilian public ignorant was also a popular one and it was repeated to me time and again by both my young and adult informants. Finally, she juxtaposes her frustrations over education and the lack of responsibility on the part of the government to the loss of "perspective" that many youth feel; the same one that leads them, in their own words, to eventually become disengaged and "at risk."

Others expressed similar sentiments and it began to be clear how the issue of "risk" as defined by youth was not simply about the need for familial support or opportunities; rather youth's reflections on these issues represented their desires for true forms of social inclusion. Another example comes from my informant Rodrigo. Having dropped out of school at an early age, fathering two children and having had a series of problems with drugs and crime, Rodrigo had been sent by the conselho tutelar to live in an abrigo, where he was attending school again

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for the first time in several years. He commented to me on several occasions that while he

wanted to turn his life around and get an education, he was having a hard time focusing. As we

were discussing other issues related to "risk" and how he had become disconnected from school

initially, he lamented that despite his best efforts with school, he was really starting to lose

"perspective." I asked for him to explain what he meant and he stated,

>…because the system is broken... the machine doesn't run…

>[What do you mean?]

>I mean… really… the government… our "democracy," it doesn't work… because we (meaning young people) are not really citizens in the government's eyes… we don't have rights… well… we have the rights *they've* given us… but…

>[Why do you say that?]

>Well… the educational system… the government should invest more in education… it would resolve a lot of things in this country if we had better education… like poverty, like corruption…. We have so many people who are excluded from society… but you know? they won't invest in education…

>[Ok, so why then doesn't the government invest more?]

>Corruption, Penelope… there is a lot of corruption in Brazil… they (politicians in general) rob all the money they can… they take what is supposed to go to education and buy cars and houses… but you know corruption stems from a lack of schooling, you know? People don't know any better….

>And the poor Brazilian, he's really hard working and has big dreams! And then you have this group of people in politics that say they are going to help you, say they are going to improve education and they basically take the money right out of your pocket… Look what kind of democracy we live in! (Rolls eyes)…corruption takes money away from what should be invested in education…

>[What are some of the problems then with education in Brazil?]

>The professors aren't trained… the schools don't have resources… blackboards are broken, desks broken… and this makes it hard for the student to be motivated… students are really unmotivated, they lose their perspective… *give up* on school and quit going because the school doesn't have anything to attract the student… no, it is the student that has to attract themselves to the school, not the other way around… and students get bored and fights break out… at least three times a week the police are called… at the same

time… the schools don't have resources... my school hasn't got any books to study with, we have to use the teacher's book… the library has no books, when it does it is usually one book for thirty students… we have to use it in groups… so you know, whoever is motivated and wants an education has a really hard time getting one… and the others… well… at the end of the year, the school passes them anyways because they don't want to deal with it… or the students leave because they see no point in it… *we give up on school… we lose perspective of the future education can give us…*

Because the government doesn't want to pay to improve anything… we go to school for free and that's enough… doesn't matter that we don't learn anything… they say that Brazil *é um pais de todo* (a country for everyone, referring to the government's public relations slogan)… but it isn't… it is a country for a few… a few citizens… the rest of us don't really have a right… it isn't a democracy… and it won't be, not until we resolve the issue of education here…

For Rodrigo then, education is not only key to resolving issues such as poverty and corruption in Brazil, but also a metaphor for exclusion. Youth are not citizens; they do not have rights in the eyes of the government and therefore, why should the government invest in education? Thus, not only do youth feel socially excluded, they also feel politically excluded. Many young people, frustrated by their lack of opportunities and what they see as unwillingness on the part of their government to help resolve the issue, interpret educational inequalities in terms of both social *and* political inequalities. Their inclusion as citizens in Brazilian society is challenged by the denial of the government to give them an education.

I end this section with a conversation I had with a young boy whose story of violence in the school system encapsulates youth's perspectives on "risk" and how their understanding of the need for education forms a metaphor for the nature of Brazilian society and politics. I met Paulo (age 13) at a sports-based organization early in my fieldwork. He was shy at first about speaking with me, telling me that he did not know if what he said was "correct" (i.e. what I wanted to hear). After assuring him over and over that he did not need to "be correct," only honest, he finally began to open up to me about his life. I knew from previous comments Paulo was having issues with attendance in school, which was required by the organization for participation in its

programs. One of the educators, seeing that we had become closer, asked me to speak to him about it stating that as an "Americana" I understood the importance of going to school and getting an education and perhaps I could convince him to "stay in school." I protested, arguing that this was not my role and that I did not want to alienate Paulo by reprimanding him in any way. I told the educator instead, that *if* the topic came up (i.e. he raised it), I would ask *why* he was not going to school to see if there was anything that could be addressed within the context of the organization but only if he wanted me to; I did not want to betray his confidence.

Several weeks later, I noticed that Paulo had a cast on his arm and was not playing sports with the rest of the group. I took the opportunity to engage him in conversation by asking him what happened. To my surprise, his answer not only answered the question of why he was not attending school, but also struck me in the way in which it provided a commentary linking the issues surrounding youth's interpretations of "risk" to the struggle for social inclusion, democracy, rights and other issues in Brazil. His comments about education provide a lens for understanding "risk" in the broader context as it is interpreted by youth and the way in which the process of losing perspective begins to take shape for some youth.

Paulo explained that he had been having problems at school with gang members who did not like him because he had moved to their neighborhood from a rival one, and they had been consistently harassing him since he started the new school. I asked if he had told anyone at the school about it and he said he had, but what were they (meaning the school staff) going to do about it? And then he said,

> You know, Penelope, this is *exactly* the problem… you know… we go to school to learn… supposedly… but there is so much more there that we have to contend with… I mean, it is hard enough that the school has nothing… nothing to keep our attention, but then I have to contend with violence too? *É chato* (It is boring)… how am I supposed to learn in this environment? I'm afraid too because I think these guys will put me in the hospital…

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[Is that why you aren't going to school?]

Yes… because I am afraid… but I am also very angry…

[I can imagine why, but tell me why.]

Because the school isn't equipped to do anything about it… I mean, I go to school every day and it is all they can do to try and teach us… and really it isn't the fault of the school… the school can only do what it has the resources to do… it doesn't have the resources to educate us, really… how could it protect every student? But it shouldn't *have* to either, these things shouldn't exist in our schools… and I think it is our government's fault… it doesn't care…. We don't have the chance for a real education because *os corruptos robam tudo* (the corrupt ones rob everything). And then at school we have violence and other problems… and I… you know… I feel like… and maybe this is wrong… but I feel like "isn't it my right to go to school and not worry about these things?" They say that we are guaranteed rights… that we are citizens… but where are my rights? And it isn't just me… there are so many young people who are excluded in the same way…

They (meaning the organization) talk about rights… about *cidadania* and *democracia…* pretty words when they are written down, aren't they? (Laughs) But in reality where are they? When you look around (Brazil) do you see democracy? Do you see people who are really citizens? Maybe for the rich… but if these things only exist for the rich then do we really live in a democracy? I don't think so…

For example, going back to education… we have problems with education in Brazil… the teachers don't really come prepared… the schools don't have materials they need… the students only make a mess in the classroom… its two fold though… kind of a circle, I guess… teachers don't teach or can't teach because of the physical space of the school, adolescents get bored, teachers give up and adolescents stop going… they don't think there is anything there for them… whoever wants an education has to chase after it, you know? And deal with such shit (referring to the violence he suffered)!

And so our public education is bad for this reason… but have you been to a private school here? *Tudo bonitinho* (everything's so pretty)… the teachers are well qualified… the classroom has desks, chalk, blackboard, even a t.v.! But only rich people can afford private schools, so the majority of us are left with shit… that's what it is, it is shit… and the government doesn't change anything… you know? Our elected officials don't represent us… they just rob everything… they don't care… and so it is hard… we lose perspective, I'm losing perspective… I don't want to go anymore… *and that is the real risk isn't? When you give up?* And you don't care anymore… but it is because the system makes it difficult to care… those who are excluded… particularly adolescents… if they don't have a good family, and nowhere to go, like a good school and they think… they believe that even the government doesn't care… because they see all the corruption… all the thieves robbing… after that what is there left for you? *So we just*

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lose our way, our vision and we end up in the street or worse… I am afraid that will happen to me again now… but I don't know what else to do… because I don't have faith in our system, our democracia bonitinha (pretty little democracy)

[Don't you think…I mean… Some would say it's like that everywhere… even the US…]

Well then Penelope… I think democracy is a waste of time… because if democracy is about equality, but there is no equality anywhere… if people continue to be excluded, then what *good* does democracy do?

6.2   CONCLUSIONS

Tobias Hecht (1998) in his work in Brazil found that youth who considered themselves "street youth" saw the street as a "form of life" that required a kind of "willpower" to leave. He argued that

> street youth believe that "what they need in order to leave the street is mostly their own willpower… they tend to not only blame themselves for their predicament but also to place the onus of responsibility for leaving the street on their own shoulders… rejected from their homes… in a world where they are the ultimate outcasts, it is… [a] shared sense of difference and of glaring ostracism that offers street children a sense of belonging (Hecht 1998:186-187).

I would argue that the condition Hecht describes above is the exact same condition to which the youth here are referring when they associate "risk" with the alienation, or the loss of "perspective," that occurs when there is no "home" and society offers no prospects for true socio-economic inclusion. While the youth involved with the "at risk" organizations presented in this work may experience "risk" and "risk behaviors" differently, "risk" is not *defined* by those behaviors, nor is it couched in terms of factors like poverty. Rather, "risk" is understood in terms of a lack of connection to family, complicated by the very real sense of not having opportunities for financial gain and education. For young people engaged in organizational programs for "at risk" youth, therefore, the "risk" lies in the nebulous area that arises from this

context of insecurity over the future and lack of social support and the lack of direction it provides. Youth involved in gangs, drug use, prostitution, and other so called "risky behaviors" have not done so because they are "at risk" (i.e. their rights have been violated), but because they have lost hope for the future. The loss of "perspective," or in Hecht's case the lack of willpower, then, becomes the ultimate "risk."

It is in this context that the quantitative data and the way in which they reflect youth's expressions of anxiety and fears over their families and socio-economic opportunities of the future make sense. Youth are more concerned with their families and their socio-economic futures precisely because when lacking, they feel vulnerable. It is in this context of insecurity and a lack of social support that youth understand and interpret their world. The frustration that young people in this study feel over their lack of viable opportunities and their social positioning because of their circumstances is also reflected in their understandings of a Brazil as a democratic nation.

Youth's perspectives on education and the reflections on social inclusion and democracy they present can be, therefore, understood in exactly this light. The lack of "equality of opportunity" that education represents is part of the constellation of factors by which the youth in this study define "risk," influencing the way in which they feel engaged or capable of maintaining a vision of the future or "perspective" and informing their opinions on democracy in their country. In doing so, "risk" provides a context through these youth make larger statements about the capacities they have for true forms of social and political inclusion. Furthermore, I would argue that in this light, "risk" becomes more than contestations of childhood, violations of rights or other "factors," "behaviors" or the like; in this way "risk" becomes a larger social project of how to creatively engage young people in opportunities that provide them with a sense

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of true sense of belonging before they give up hope. The youth in this study, through their own perspectives on "risk," argue that they need the social support of their families and their society; that a lack opportunities, coupled by unstructured families, frustrations over education and the barriers it represents in terms of their social inclusion, and the failure of Brazil to combat issues such as corruption, improve their situation and truly provide them with measures of citizenry, leaves some of them with little vision of the future, little "perspective." This is, as Rodrigo stated, the real "risk" and I would argue it is far more damaging to these youth than any behavior or "risk" factor. In their own words, it is within this context of exclusion that that youth abandon hope for a better future and become susceptible to many different social problems.

Yet, how does one intervene with youth before they arrive at this disillusionment and what exactly can be done to help youth in Brazil (and arguably elsewhere) to feel the kinds of social support and inclusion they need? One way might be by looking at how youth utilize agency in their daily lives in order to gain to some forms of social inclusion and socio-economic support. It is to that and my final conclusions that I now turn.

7.0   FINAL CONCLUSIONS

7.1   INVERTING CITIZENRY THROUGH "RISK"

I was sitting outside of an organization one afternoon poring over my field notes from earlier in the afternoon when Gisele approached me to see what I was doing. I explained to her that I was "brainstorming" ideas that I needed to explore for my research. "For example?" she asked. Not really wanting to lose my train of thought, I halfheartedly responded saying, "well, you know… like citizenry and rights and what all that has to do with you and your friends here…" She immediately started giggling, at which point I was forced to look up at her and ascertain what exactly was so funny about what I had just said. I asked "Gisele, why are you laughing? What did I say that was so funny?" She gave a sly smile and, as I had become accustomed to her doing whenever she disliked something or found something ironic, she rolled her eyes at me and cocked her head back in a smirk. Getting the overwhelming sense I was going to have to pry, I repeated the question. Finally she let out a long sigh and said, "Ai Penelope… it's just that…you know… it is funny because *adolescentes* (adolescents) are only citizens when we're 'at risk!'" With that, she shook her head, let out a small laugh and walked off to join her friends who were playing handball in the nearby praça.

Gisele's assertion had been expressed to me before; the first time I heard it was during a visit with the director of an organization called *Grupo Casa* which ran an HIV/AIDS support

program for women and their children in the greater Juiz de Fora area. The director, a highly energetic woman named Adriana, had been a key player in the early years of ECA implementation in the city; thus, I went to speak with her about her time as the head of the CMDCA. From the onset of our conversation, Adriana was highly critical of the impact that ECA had on the organizations in Juiz de Fora, particularly in terms of the rhetoric of "risk" which it promoted. Intrigued, as I had not really heard anyone else who worked with youth challenge ECA or the concept of "risk," I asked her to continue. She smiled and explained to me that she thought it was "in fashion" and that "at risk" programming "sold," however, ultimately she felt it was damaging to the population of youth organizations were trying to help. She then went on to say that she felt especially troubled by the fact that many programs claimed to be "forming citizens." She stated,

> You know, I… I disagree with this approach… these organizations and their programs, and this is why I don't advertise us as an "at risk" youth program… they say they are rescuing citizenry… they talk about rights, and democracy and citizenship… and maybe they are helping young people gain access to some rights.. and in a way… that's good, it is… but from my perspective… it's not real citizenship… in the end, the kids aren't really citizens… they come from poor, excluded families and they only have access to their rights because they are poor… because they are poor and excluded, they are eligible for these programs… this is not right, it is not rescuing citizenry because it is not a real form of citizenship, its *cidadania invertida* (inverted citizenship)

Sonia Fleury (1985; 1994; 2007), in her work on citizenry, democracy and the state in Brazil, uses the term cidadania invertida, or inverted citizenship, to describe the relationship that sometimes develops between the state and individuals or groups who fall under that care of that state. Specifically she argues that when a typically socially excluded, or vulnerable, population comes under the gaze of the state and becomes an object of state policy it opens up the potential for inclusion through marginalization (Fleury 1985; Fleury 1994). In other words, through formal state recognition of their status as "non citizens," different groups can supposedly gain

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access to forms of social inclusion and the rights of citizenship. Public recognition of their incapacity to exercise fully the conditions of citizenship and a lack of formalized rights for the group in question, then, are the prerequisites for their inclusion in state policy. The course of action in dealing with such groups is government support for voluntary, charitable or institutional organizations that take on the responsibility of ensuring that the rights of the group are protected. However, the consequence of such an arrangement is that many of the actions enacted on behalf of the marginalized groups in question (particularly in the case of minors) often become compensatory and punitive in nature. Groups inevitably lose other inherent rights in exchange for the "condition" of citizenship (Fleury 1985; Fleury 1994; Fleury 2007).

I argued at the beginning of this work that implicit in ECA is the notion that children and adolescents are particular *kinds* of citizens, who should be afforded some but not all rights. By constitutionally acknowledging the special rights of youth, ECA, in effect, publically and politically identifies youth as possessing the very same status as "non citizens" that Fleury (1994) describes; as discussed in Chapter Three, children's and adolescents' vulnerability, denial of their rights through past violations of their personhood and their incapacity to exercise even the most minimal conditions of citizenship under past national policies, such as the Minors' Code, have been well documented in Brazil and in fact, were the driving forces behind the development of ECA. Newly labeled as "at risk" under the democratic government, marginalized youth have come under the gaze of the Brazilian state in an effort to assure their rights, with NGOs and GOs acting as instruments of the state in helping to secure access to those rights.

At the same time, however, any discussion of "inverted citizenship" in this context needs to take into account the way in which some youth subvert the "at risk" identity, utilizing it as a

means of gaining access to certain opportunities that might afford them greater social inclusion. As Gisele's statements indicate, and as I have stated elsewhere, the youth who attend programs at the organizations in this study are keenly aware that they are labeled as "at risk." I would argue though, that despite the fact that their interpretations of "risk" seem to indicate that many youth resist the "at risk" identity, some youth actually embrace this identity in an effort to use it to their advantage.

In the course of my time in Juiz de Fora I saw youth maneuver and manipulate the resources available to them through their involvement with organizations known for their "at risk" programs, as well as through negotiations in their relationships with organizational staff. For example, most of the organizations I studied required youth to wear tee shirts with the organizational logo on it, thus effectively publically labeling them as "at risk" as they went about their day. Some youth told me they saw this as a stigma; others, however, claimed that it worked to their advantage and often they received free food, a pass for the bus or other "perks" because people "felt sorry" for them. On several occasions I saw youth take off their jacket or quickly slip their organizational tee shirt on over their clothes so they could clearly display the shirts in hopes of getting something they wanted, but did not really have the money for, or a *descontinho* (literally, little discount) on an item they were purchasing.

Other youth were more subtle in their tactics. For example, William told me that when he started coming to the organization where we met that he had been trying to save money to take a vestibular preparatory course. He felt he might have a chance at passing the vestibular *if only* he could prepare for it. He found out that one of the educators at the organization worked with a local foundation that provided *bolsas* (grants) for youth wanting to prepare for the exam, who might not otherwise have the opportunity. In his own words to me, he admitted that

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throughout the course of a year he had intentionally stayed after hours at the organization, volunteering to clean up so he could bond with the educator in question; by the end of the year, he had his bolsa.

Others utilized a network of "at risk" organizations and their programs. For example, Christine very proudly told me one day that she had managed to enroll herself in three separate organizations. When I asked her why, she said that each of them had a "little something" to offer her and "why not? You know, you have to take advantage of the situation," then she smiled and pointed to her pregnant belly. The point here is that youth can and do often understand the position that being labeled as "at risk" provides for them in terms of resources and opportunities. Some youth, then, utilize this status to their benefit and try to take advantage of all the possibilities being "at risk" has to offer them.

Hecht (1998), in writing about "street" youth in Brazil, recognized a similar situation occurring between the youth in his study and their exploits of NGOs and community members. He argued that youth often utilized their "street" status to pull on the "heartstrings" of community members and NGO staff into order to get material and other resources; in effect, he argues that many of his youth participants manipulated networks of NGOs and community members in order to gain easy access to clothes, food, treats, and other items (Hecht 1998). I do want to paint youth in a manipulative light; rather, what I intend to show here are the ways in which youth exert a certain amount of agency over their situation as well as the sophisticated understanding that some youth have as to how being labeled "at risk" can be used to their benefit. Despite how youth are perceived, either at the national or local level, and the presumptions made about their "at risk" nature or the vulnerability of their situation, youth can and do have the capacity to find creative ways to circumvent their problems. The way in which

the rhetoric concerning youth's "at risk" status translates into organizational staff's vision of the populations they serve, then, only does young people a disservice by ignoring young their capacity for resiliency.

This is not, however, to say that organizational staff do not sometimes recognize this resiliency despite their proclamations about youth to the contrary, nor is it to doubt the motives of those who, I would argue, engage in their work unselfishly and lovingly; rather, it is simply to highlight the way in which the very powerful discourses utilized both internationally and at the national and local policy levels of the ideal of childhood continue to inform everyday interpretations of young people and the conditions in which they live and find expression in the way categories of youth are envisioned. More effort needs to be made to reconcile how young people like the ones in this study exert agency, while at the same time accounting for the diversity of their situations and the socio-economic and political realities that arguably do threaten their inclusion in society.

Finally, if under the gaze of the Brazilian state the condition provided to youth is indeed a form of "inverted citizenship" as I believe it is, then the question has to be asked: in what ways ar youth, by virtue of their inclusion in state policy in this vein are youth, as Fleury (1985) would suggest, trading the condition of citizenship for other inherent rights? What is the trade-off? I believe the answer to this question is related to the same issues discussed above. Young people in Brazil, such as those in this study, are not given an opportunity to participate in the political and policy processes that affect them. Their agency as both social and political beings is largely ignored. While this condition is not unique to Brazil, and arguably young people in other parts of the world are similarly left out of decision making processes aimed at their protection, one

wonders what a policy for youth in Brazil would look like if young people were given the opportunity to help develop it.

Furthermore, what are the implications in the Brazilian context of "cidadania invertida" for the long term social inclusion of young people? How are labeling as "at risk" and envisioning their childhood as "in danger" damaging? What happens to youth included in the project of citizenry only *because* they are defined as "at risk" when they become adults and eligibility for inclusion in the organizations aimed at them runs out? Do they become adults "at risk" or do they revert to the very same conditions of exclusion and "non citizenship" that existed before their entrance into the world of "at risk" organizations?

These questions cannot be answered here; however, this research points to two main conclusions regarding youth's agency, "risk" and the project of citizenry. First, this work highlights the need to understand the ways in which youth might subvert their status as "at risk" and utilize it to assert their right to social inclusion. Second, this dissertation also points to the need to understand the implications of state policies that depend on youths' conditions of vulnerability and the impact these might have on long term solutions to the question of social inclusion, inequity and democracy in Brazil. In other words, if young people in Brazil are truly, the referents of the democratic nation as my NGO/GO informants have argued, how might policies based on their vulnerability that grant them access to only *certain* democratic rights be counterproductive to the development of democracy? It is to a discussion of social inequality, education and democracy that I now turn.

7.2   DEMOCRACY "AT RISK": SECONDARY EDUCATION

Henry Giroux (2009) in his work, *Youth in a Suspect Society: Democracy or Disposability,*
argues that youth, particularly those historically marginalized populations now labeled as "at
risk" in the United States, are facing a crisis of epic proportions. Increasing economic
uncertainty and the collapse of state support mechanisms have rendered young people in the U.S.
an unworthy of form of social investment. Rather, under the "new regime," youth become
disposable commodities or pawns in the complex web of power-crime relations in the U.S. that
ultimately portrays them as "dangerous," and therefore, no longer the referent of a democratic
future. He writes,

> the varied populations devalued and made disposable under neoliberlism occupy a
> globalized space of ruthless politics in which the categories of 'citizen' and 'democratic
> representation,' once integral to national politics, are no longer recognized. In the past,
> people who were marginalized by class or race could at least expect a modicum of
> support from the social state, either through an array of limited social provisions or from
> employers who recognized that they still had some value as part of a reserve army of
> unemployed labor… disposable populations are increasingly relegated to the frontier
> zones and removed from public view… For those populations considered expendable,
> redundant, and invisible by virtue of their race, class and youth, life becomes increasingly
> precarious… The weakening of the social state due to an onslaught of antidemocratic
> tendencies raises fundamental questions about not only the health of democracy in
> America but also what it might mean to take the social contract seriously as a political
> and moral referent in order to define the obligations of adults and educators to future
> generations of young people (Giroux 2009:8-11).

To truly take the "social contract" seriously, Giroux argues, would require not only the
willingness of the state to fight for the rights of young people, but also taking the meaning and
depth of an inclusive democracy to heart by providing the conditions under which youth can
become critical citizens by enacting reforms that provide the resources, social provisions and
kind of education youth need to prepare for a better future (Giroux 2009).

I believe Giroux's statements provide an ominous warning to Brazil should it fail to take its own "social contract" with youth seriously. In the past, Brazil has been criticized not only for its ill treatment of youth, but also its apparent incapacity to provide for the welfare of its populous; the past national debt crises, inflation, social and economic inequity and political turmoil and instability discussed in Chapter One cast doubt on the ability of Brazil to alleviate poverty, social inequity and injustice. Yet, as is also discussed in Chapter One, through recent social and economic policies Brazil has begun to improve many of the conditions of economic inequality and poverty that characterized the country during the 1980s, 1990s and early 2000s. The impact of programs like bolsa família is a hopeful sign that Brazil has indeed begun to honor its "social contract."

However, while economic growth and promotion in Brazil are steps in the right direction, there continues to be, as I have argued, a serious lack of "equality of opportunity," especially for youth in the country. As the youth in this study have clearly articulated, this may be nowhere more evident than in the area of formal education. While Brazil has made marked advances in formal education in the last two decades[59], the country continues to struggle with improvements to quality in the educational system, predominantly in the area of retention and quality at the level of secondary education. Thus, although overall investments in education have increased, there remains an uneven investment in schooling, with secondary education suffering the most. A lack of political leadership in educational policy and financial investment has contributed to the poor quality of education. In other words, corruption and political apathy have made it

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[59] Since 1998 the country has decreased illiteracy rates, increased enrollment in primary education to over 90 percent, extended the medium number of years the average Brazilian spends in formal education from roughly six to seven years, and in general increased the availability of education to the public by expanding public school systems into areas previously without schools, see IBGE 2009.

difficult to garner support of initiatives improving the quality of education in the country (Brazil Institute 2007; Luna and Klein 2006).

Furthermore, while bolsa família has helped Brazil to have nearly universal enrollment in primary school, secondary schooling continues to have relatively low rates of enrollment (Fenwick 2009). In Juiz de Fora, for example, according to the Brazilian Ministry of Education's (N.d.) data, the *taxa de escolarização líquida,* or the percentage of a determined age group that is found enrolled at the corresponding or appropriate level of education for their age is 48 percent for secondary school. That means that 52 percent of youth between the ages 15 and 17 are either not enrolled in secondary school or are enrolled in a grade that does not correspond to where they ideally should be for their age. In fact, the Brazilian Census reported that in 2009 only 21.5 percent of young people registered above the age of 25 for the country as a whole had completed secondary education (IBGE 2009).

Retention rates are complicated by fact that only primary education is legally required; high school enrollment is optional and therefore many families, especially poorer ones, do not see the need to enroll their teens in secondary education particularly when that time could be "better" spent helping the family to earn needed income[60]. Compounding this issue is the fact that many young people, much like the ones in this study, do not see the need to finish high school because they do not intend to go to college or university, primarily because they do not think they will get into one (Brazil Institute 2007; IPEA 2007; Ministério da Educação 2008). The discriminatory nature of higher education in Brazil has been examined in detail elsewhere (Brock and Schwartzman 2004; Luna and Klein 2006) and it is not within the scope of this work to address this issue in detail; here suffice it to say that all young people wanting to get into the

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[60] See chapter one.

free federal universities, which are considered the better ones, must pass an entrance exam called the *vestibular*.

Yet, as some of my informants, like Gisele, have articulated, many young people engaged in public schooling do not receive the preparation they need at the secondary level to pass the rigorous exam. The result then, is that those who graduate from the public school system are forced to pay for private university (usually considered of lesser quality) if they want to go. Many, however, cannot afford to do this, so they end up not going to a university at all. Consequently with few to no college prospects, many youth simply do not see the point in continuing their education after the minimum that is legally required. The Brazil Institute reports that

> …the country has laudably achieved near total attendance for children ages seven to 14. The problem is that the attendance rate for those ages 15 to 19… The reason why Brazilian teenagers are not remaining in school… is because of the increasing difficulties in attending college. Universities are not expanding their ranks to accommodate the increasing number of high school students and graduates—only 15 percent of the population enters college. Teenagers thus drop out of high school because they see the pursuit of a college degree (and necessary preparation for it) as futile (2007:2-3).

Responding to some of these criticisms, Brazil in 2007 enacted the *Plano de Desenvolvimento da Educação* (Education Development Plan, henceforth PDE). The PDE was specifically designed for the purpose of improving overall quality of basic education in Brazil and "thus, meeting fundamental goals of the Brazilian Constitution, such as building a free and just society with solidarity, eradicating poverty and marginalization, reducing social and regional inequalities, as well as discrimination" (Ministério da Educação 2008:5-6). Among the initiatives proposed to improve education in the country are efforts to implement quality standards for primary schools, provide greater opportunities for professionalization for young adults, increase and standardize pay for educators, and expand the university system and increase

the number of available spots in institutes of higher education (Ministério da Educação 2008; UNESCO-Brazil 2009). However, critics of the plan have argued that it does not pay sufficient attention to the issues concerning secondary education and have questioned the impact that the plan will have on higher education when such key problems are omitted (Serrano 2007; Queiroz 2007)[61].

To be fair, however, the PDE has been in place only for a few years; two years is certainly not long enough to see major overall improvements to the nation's educational system and preliminary results are hard to come by. Thus it remains to be seen what kind of impact the PDE will have and Brazil certainly still has some challenges to face in order to address the issues present in its educational system. Nonetheless, this was the context in which my youth informants formed their opinions concerning "risk," social inclusion and democracy in Brazil. Additionally, as I argued in Chapter Six, the struggle for higher education contributes not only to my youth informants' anxieties over their futures, and for many, the loss of hope or vision, but also contributes to the critical way in which they assess their social positioning in Brazilian society, the functioning of Brazil as a democracy, and their potential for social inclusion.

The understanding that education is important for the perpetuation of democratic attitudes and democracy is nothing new and has well been documented by scholars (Camps 1997; Englund 2002; Giroux 2009; McCowan 2006; Slomezynski and Shabad 1998; Stevick and Levinson 2007). In terms of democracy, as Camps states,

> …there is a very serious need to re-examine the role of education. If democratic behavior means the acquisition of certain habits, certain civic virtues, these can only be inculcated through education. Democratic apathy has to do with educational apathy…. It is generally

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[61] The PDE appears not to include any separate initiatives for secondary education. Its focus is on primary education, professionalism, and higher education, as well as strengthening literacy in adults; see Ministério da Educação 2008.

agreed that education must be public, since it is something of fundamental value that must be available to all without distinction or discrimination of any kind. Education understood in this way can be seen as the first, basic step towards equality of opportunity (1997:494).

I would argue, then, that the issues concerning education raised by my youth informants are pivotal to understanding not only how they conceptualize "risk," but also how the issues that put them "at risk" (in their minds) are fundamentally tied to the larger projects of furthering social inclusion, equality and democracy in Brazil. In this way, education becomes not only a place to recapture these youth, who by their own admission, argue that their frustrations over their struggles for social inclusion cause them to lose "perspective" and give up, but it also might provide the space in which democracy can flourish in Brazil. In this way, then, perhaps my adult informants' assertions that to "save the child" is to "save the democratic" nation is not unwarranted.

Henry Giroux states,

the health of any given society can be understood through an examination of the attitudes, challenges, and realities that confront its youth on a daily basis. When young people… are increasingly subject to forces that commodify them, criminalize them, and deem them unworthy of receiving a critical and laudable education, it bodes very ill for the nation as a whole…. What is emerging is a new global order in which the neoliberal logic of consuming and disposability reigns supreme… the issues of global democracy and universal access to quality education must be made central to any effort to address the plight of young people. At the same time, the issues facing youth are crucial to any conceptualization and future reality of global democracy… (2009: 149).

If the attitudes and challenges of the youth expressed are any indication for Brazil, then the future reality of Brazil as a democratic nation and the shape that democracy will take, rests in the capacity of the country to fulfill its "social contract" with its youth and more importantly recapture those youth who have lost their faith in the nation. The loss of "perspective" that youth have and the danger it presents to their lives, is not only a "risk" to them, but it is a "risk" Brazil as a nation takes as long as it fails to take seriously the issues important to "at risk" youth.

7.3 PRACTICAL IMPLICATIONS AND LIMITATIONS OF THE WORK

7.3.1 Practical implications

This work has several practical implications. First, it highlights the ways in which young people and adults can be incorporated into studies in such a way that demonstrates the areas in which youth's perspectives can be understood both as referents to their socio-cultural milieu and as autonomous beings capable of interpreting their social worlds. Arguably there are similarities in the attitudes expressed by both my young and adult informants. The issues of corruption, education, poverty and social inclusion that make up the context of the daily lives of the youth outlined in this study are the same ones in which their adult counterparts live. Thus, the similarities in perspective between youth and adults in regard to those issues can be seen as a result of the context in which they both live. Conversely the different way in which adults and youth present their perspective on "risk" can highlight the places where youth assert autonomy and perhaps show how culturally constructed notions like "risk" not only vary within cultures, but also change through time.

Second, this dissertation points to policy needs in Brazil. Both a few of my adult informants and most of my youth participants stressed the need for family support (see chapters four, five and six). This research then suggests that perhaps more programs in Brazil are needed that support families *in supporting* their youth. Additonally, writing on the "governability" of Brazil through the lens of party politics and the policy making process, Ames states,

> the issue of the relationship between institutions and equality still remains open for Latin America as a whole… While no single research question is likely to determine definitively which institutional forms magnify or dampen inequality, investigations into individual policy areas might well be profitable steps in advancing the debate… (2002:292).

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While speaking specifically about political institutions in Brazil, I nonetheless find the analogy with the governmental and non-governmental organizations presented in this work applicable in this case. By examining ECA, the specific policy arena of youth in Brazil and the context in which policies for youth are incorporated into programming at the local level, we can begin to see the way in which these organizations are formulated as instruments for applying government policy. Furthermore, this kind of analysis highlights the tension inherent in organizations' need to work "on the ground" within the realities of the populations they serve *and* within compliance of policy at the same time. In this way, we can highlight the areas in which policy can be made more effective both for those they are trying to protect and the entities used to extend that protection. Finally, this research, as I have stated before, points to the real need to find ways in which the opinions and understandings of youth, in Brazil as well as arguably elsewhere, are incorporated into the development of programs and policies designed in their name.

7.3.2   Limitations

In addition to practical implications there are several limitations to this work that need to be addressed, but that also point to areas of furthered research. First, this work deals specifically with youth, ages 12 to 17, who attend NGOs and GOs in Juiz de Fora. Thus, the perspectives presented should not be taken as representative of all youth in Brazil. How might interpretations of "risk" differ according to say, youth who are *not* engaged in "at risk" programs in Juiz de Fora? How might youth from upper class backgrounds interpret "risk?" Furthermore, how might this study look if it were expanded to include youth younger than 12 or older than 17, or their families? Or to other cities or parts of Brazil?

Second, as with my youth informants, the NGOs and GOs presented here cannot be viewed as representative of all youth organizations in Brazil. Similarly the opinions and perspectives of NGO and GO staff members presented here cannot be seen as representative of all NGO and GO employees. Again, this begs the question of what a similar study might yield if conducted in a different region of Brazil, with a different population of youth and different organizations. How might interpretations of ECA and "risk" differ from region to region in Brazil? Furthermore, if Juiz de Fora is considered a national leader in youth organizations and ECA implementation, yet, there is still room for improvement among the organizational community in the city, how might access to resources, both financial and material, affect organizations' capacity to successfully implement ECA? Furthermore, how might differential access to resources influence, both on the part of the organizations and the youth, how "risk" in particular is articulated at the local level? Additionally, in what ways might Juiz de Fora be used as a model for organizations in other parts of the country?

Finally, it was not within the scope of this research to be able to evaluate or assess the impact that organizations of this nature have, if at all, on the youth whom they serve. Additionally, while I was given glimpses into how my youth informants felt about the programs they were attending, it was not within the scope of this research to address how my youth informants evaluated the organizations. Youth did often state that they enjoyed the programs, they wished there were more options for programs and, in particular, they especially would like more professionalization programs. Additionally, it is apparent in the youth's statements that many of them clearly see the organizations as offering them a chance for some form of inclusion. However, since this work focused on organizational implementation of ECA and youth's interpretations of "risk," it was outside the research agenda to inquire in depth about how my

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youth informants felt the programs were impacting their lives. Thus, I believe that longitudinal studies that follow youth through completion of programs and are designed to solicit data regarding the impact these programs have on young people's lives would benefit greatly to furthered analysis of the social category of "risk."

APPENDIX A

TITLE II OF THE ESTATUTO DA CRIANÇA E DO ADOLESCENTE

Título II - Dos Direitos Fundamentais

Capítulo I

Do Direito à Vida e à Saúde

Art. 7º A criança e o adolescente têm direito a proteção à vida e à saúde, mediante a efetivação de políticas sociais públicas que permitam o nascimento e o desenvolvimento sadio e harmonioso, em condições dignas de existência.

Art. 8º É assegurado à gestante, através do Sistema Único de Saúde, o atendimento pré e perinatal.

§ 1º A gestante será encaminhada aos diferentes níveis de atendimento, segundo critérios médicos específicos, obedecendo-se aos princípios de regionalização e hierarquização do Sistema.

§ 2º A parturiente será atendida preferencialmente pelo mesmo médico que a acompanhou na fase pré-natal.

§ 3º Incumbe ao poder público propiciar apoio alimentar à gestante e à nutriz que dele necessitem.

§ 4º Incumbe ao poder público proporcionar assistência psicológica à gestante e à mãe, no período pré e pós-natal, inclusive como forma de prevenir ou minorar as consequências do estado puerperal. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 5º A assistência referida no § 4º deste artigo deverá ser também prestada a gestantes ou mães que manifestem interesse em entregar seus filhos para adoção. (Incluído pela Lei nº 12.010, de 2009) Vigência

Art. 9º O poder público, as instituições e os empregadores propiciarão condições adequadas ao aleitamento materno, inclusive aos filhos de mães submetidas a medida privativa de liberdade.

Art. 10. Os hospitais e demais estabelecimentos de atenção à saúde de gestantes, públicos e particulares, são obrigados a:

I - manter registro das atividades desenvolvidas, através de prontuários individuais, pelo prazo de dezoito anos;

II - identificar o recém-nascido mediante o registro de sua impressão plantar e digital e da impressão digital da mãe, sem prejuízo de outras formas normatizadas pela autoridade administrativa competente;

III - proceder a exames visando ao diagnóstico e terapêutica de anormalidades no metabolismo do recém-nascido, bem como prestar orientação aos pais;

IV - fornecer declaração de nascimento onde constem necessariamente as intercorrências do parto e do desenvolvimento do neonato;

V - manter alojamento conjunto, possibilitando ao neonato a permanência junto à mãe.

Art. 11. É assegurado atendimento integral à saúde da criança e do adolescente, por intermédio do Sistema Único de Saúde, garantido o acesso universal e igualitário às ações e serviços para promoção, proteção e recuperação da saúde. (Redação dada pela Lei nº 11.185, de 2005)

§ 1º A criança e o adolescente portadores de deficiência receberão atendimento especializado.

§ 2º Incumbe ao poder público fornecer gratuitamente àqueles que necessitarem os medicamentos, próteses e outros recursos relativos ao tratamento, habilitação ou reabilitação.

Art. 12. Os estabelecimentos de atendimento à saúde deverão proporcionar condições para a permanência em tempo integral de um dos pais ou responsável, nos casos de internação de criança ou adolescente.

Art. 13. Os casos de suspeita ou confirmação de maus-tratos contra criança ou adolescente serão obrigatoriamente comunicados ao Conselho Tutelar da respectiva localidade, sem prejuízo de outras providências legais.

Parágrafo único. As gestantes ou mães que manifestem interesse em entregar seus filhos para adoção serão obrigatoriamente encaminhadas à Justiça da Infância e da Juventude. (Incluído pela Lei nº 12.010, de 2009) Vigência

Art. 14. O Sistema Único de Saúde promoverá programas de assistência médica e odontológica para a prevenção das enfermidades que ordinariamente afetam a população infantil, e campanhas de educação sanitária para pais, educadores e alunos.

Parágrafo único. É obrigatória a vacinação das crianças nos casos recomendados pelas autoridades sanitárias.

Capítulo II

Do Direito à Liberdade, ao Respeito e à Dignidade

Art. 15. A criança e o adolescente têm direito à liberdade, ao respeito e à dignidade como pessoas humanas em processo de desenvolvimento e como sujeitos de direitos civis, humanos e sociais garantidos na Constituição e nas leis.

Art. 16. O direito à liberdade compreende os seguintes aspectos:

I - ir, vir e estar nos logradouros públicos e espaços comunitários, ressalvadas as restrições legais;

II - opinião e expressão;

III - crença e culto religioso;

IV - brincar, praticar esportes e divertir-se;

V - participar da vida familiar e comunitária, sem discriminação;

VI - participar da vida política, na forma da lei;

VII - buscar refúgio, auxílio e orientação.

Art. 17. O direito ao respeito consiste na inviolabilidade da integridade física, psíquica e moral da criança e do adolescente, abrangendo a preservação da imagem, da identidade, da autonomia, dos valores, idéias e crenças, dos espaços e objetos pessoais.

Art. 18. É dever de todos velar pela dignidade da criança e do adolescente, pondo-os a salvo de qualquer tratamento desumano, violento, aterrorizante, vexatório ou constrangedor.

Capítulo III

Do Direito à Convivência Familiar e Comunitária

Seção I

Disposições Gerais

Art. 19. Toda criança ou adolescente tem direito a ser criado e educado no seio da sua família e, excepcionalmente, em família substituta, assegurada a convivência familiar e comunitária, em ambiente livre da presença de pessoas dependentes de substâncias entorpecentes.

§ 1º Toda criança ou adolescente que estiver inserido em programa de acolhimento familiar ou institucional terá sua situação reavaliada, no máximo, a cada 6 (seis) meses, devendo a autoridade judiciária competente, com base em relatório elaborado por equipe interprofissional ou multidisciplinar, decidir de forma fundamentada pela possibilidade de reintegração familiar ou colocação em família substituta, em quaisquer das modalidades previstas no art. 28 desta Lei. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 2º A permanência da criança e do adolescente em programa de acolhimento institucional não se prolongará por mais de 2 (dois) anos, salvo comprovada necessidade que atenda ao seu superior interesse, devidamente fundamentada pela autoridade judiciária. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 3º A manutenção ou reintegração de criança ou adolescente à sua família terá preferência em relação a qualquer outra providência, caso em que será esta incluída em programas de orientação e auxílio, nos termos do parágrafo único do art. 23, dos incisos I e IV do caput do art. 101 e dos incisos I a IV do caput do art. 129 desta Lei. (Incluído pela Lei nº 12.010, de 2009) Vigência

Art. 20. Os filhos, havidos ou não da relação do casamento, ou por adoção, terão os mesmos direitos e qualificações, proibidas quaisquer designações discriminatórias relativas à filiação.

Art. 21. O poder familiar será exercido, em igualdade de condições, pelo pai e pela mãe, na forma do que dispuser a legislação civil, assegurado a qualquer deles o direito de, em caso de discordância, recorrer à autoridade judiciária competente para a solução da divergência. (Expressão substituída pela Lei nº 12.010, de 2009)   Vigência

Art. 22. Aos pais incumbe o dever de sustento, guarda e educação dos filhos menores, cabendo-lhes ainda, no interesse destes, a obrigação de cumprir e fazer cumprir as determinações judiciais.

Art. 23. A falta ou a carência de recursos materiais não constitui motivo suficiente para a perda ou a suspensão do poder familiar. (Expressão substituída pela Lei nº 12.010, de 2009) Vigência

Parágrafo único. Não existindo outro motivo que por si só autorize a decretação da medida, a criança ou o adolescente será mantido em sua família de origem, a qual deverá obrigatoriamente ser incluída em programas oficiais de auxílio.

Art. 24. A perda e a suspensão do poder familiar serão decretadas judicialmente, em procedimento contraditório, nos casos previstos na legislação civil, bem como na hipótese de

descumprimento injustificado dos deveres e obrigações a que alude o art. 22. (Expressão substituída pela Lei nº 12.010, de 2009)   Vigência

Seção II

Da Família Natural

Art. 25. Entende-se por família natural a comunidade formada pelos pais ou qualquer deles e seus descendentes.

Parágrafo único. Entende-se por família extensa ou ampliada aquela que se estende para além da unidade pais e filhos ou da unidade do casal, formada por parentes próximos com os quais a criança ou adolescente convive e mantém vínculos de afinidade e afetividade. (Incluído pela Lei nº 12.010, de 2009)   Vigência

Art. 26. Os filhos havidos fora do casamento poderão ser reconhecidos pelos pais, conjunta ou separadamente, no próprio termo de nascimento, por testamento, mediante escritura ou outro documento público, qualquer que seja a origem da filiação.

Parágrafo único. O reconhecimento pode preceder o nascimento do filho ou suceder-lhe ao falecimento, se deixar descendentes.

Art. 27. O reconhecimento do estado de filiação é direito personalíssimo, indisponível e imprescritível, podendo ser exercitado contra os pais ou seus herdeiros, sem qualquer restrição, observado o segredo de Justiça.

Seção III

Da Família Substituta

Subseção I

Disposições Gerais

Art. 28. A colocação em família substituta far-se-á mediante guarda, tutela ou adoção, independentemente da situação jurídica da criança ou adolescente, nos termos desta Lei.

§ 1º Sempre que possível, a criança ou o adolescente será previamente ouvido por equipe interprofissional, respeitado seu estágio de desenvolvimento e grau de compreensão sobre as implicações da medida, e terá sua opinião devidamente considerada. (Redação dada pela Lei nº 12.010, de 2009)   Vigência

§ 2º Tratando-se de maior de 12 (doze) anos de idade, será necessário seu consentimento, colhido em audiência. (Redação dada pela Lei nº 12.010, de 2009)   Vigência

§ 3º Na apreciação do pedido levar-se-á em conta o grau de parentesco e a relação de afinidade ou de afetividade, a fim de evitar ou minorar as consequências decorrentes da medida. (Incluído pela Lei nº 12.010, de 2009)   Vigência

§ 4º Os grupos de irmãos serão colocados sob adoção, tutela ou guarda da mesma família substituta, ressalvada a comprovada existência de risco de abuso ou outra situação que justifique plenamente a excepcionalidade de solução diversa, procurando-se, em qualquer caso, evitar o rompimento definitivo dos vínculos fraternais. (Incluído pela Lei nº 12.010, de 2009)   Vigência

§ 5º A colocação da criança ou adolescente em família substituta será precedida de sua preparação gradativa e acompanhamento posterior, realizados pela equipe interprofissional a serviço da Justiça da Infância e da Juventude, preferencialmente com o apoio dos técnicos responsáveis pela execução da política municipal de garantia do direito à convivência familiar. (Incluído pela Lei nº 12.010, de 2009)   Vigência

§ 6º Em se tratando de criança ou adolescente indígena ou proveniente de comunidade remanescente de quilombo, é ainda obrigatório: (Incluído pela Lei nº 12.010, de 2009)   Vigência

I - que sejam consideradas e respeitadas sua identidade social e cultural, os seus costumes e tradições, bem como suas instituições, desde que não sejam incompatíveis com os direitos fundamentais reconhecidos por esta Lei e pela Constituição Federal; (Incluído pela Lei nº 12.010, de 2009)   Vigência

II - que a colocação familiar ocorra prioritariamente no seio de sua comunidade ou junto a membros da mesma etnia; (Incluído pela Lei nº 12.010, de 2009)   Vigência

III - a intervenção e oitiva de representantes do órgão federal responsável pela política indigenista, no caso de crianças e adolescentes indígenas, e de antropólogos, perante a equipe interprofissional ou multidisciplinar que irá acompanhar o caso. (Incluído pela Lei nº 12.010, de 2009)   Vigência

Art. 29. Não se deferirá colocação em família substituta a pessoa que revele, por qualquer modo, incompatibilidade com a natureza da medida ou não ofereça ambiente familiar adequado.

Art. 30. A colocação em família substituta não admitirá transferência da criança ou adolescente a terceiros ou a entidades governamentais ou não-governamentais, sem autorização judicial.

Art. 31. A colocação em família substituta estrangeira constitui medida excepcional, somente admissível na modalidade de adoção.

Art. 32. Ao assumir a guarda ou a tutela, o responsável prestará compromisso de bem e fielmente desempenhar o encargo, mediante termo nos autos.

Subseção II

Da Guarda

Art. 33. A guarda obriga a prestação de assistência material, moral e educacional à criança ou adolescente, conferindo a seu detentor o direito de opor-se a terceiros, inclusive aos pais. (Vide Lei nº 12.010, de 2009)   Vigência

§ 1º A guarda destina-se a regularizar a posse de fato, podendo ser deferida, liminar ou incidentalmente, nos procedimentos de tutela e adoção, exceto no de adoção por estrangeiros.

§ 2º Excepcionalmente, deferir-se-á a guarda, fora dos casos de tutela e adoção, para atender a situações peculiares ou suprir a falta eventual dos pais ou responsável, podendo ser deferido o direito de representação para a prática de atos determinados.

§ 3º A guarda confere à criança ou adolescente a condição de dependente, para todos os fins e efeitos de direito, inclusive previdenciários.

§ 4º Salvo expressa e fundamentada determinação em contrário, da autoridade judiciária competente, ou quando a medida for aplicada em preparação para adoção, o deferimento da guarda de criança ou adolescente a terceiros não impede o exercício do direito de visitas pelos pais, assim como o dever de prestar alimentos, que serão objeto de regulamentação específica, a pedido do interessado ou do Ministério Público. (Incluído pela Lei nº 12.010, de 2009) Vigência

Art. 34. O poder público estimulará, por meio de assistência jurídica, incentivos fiscais e subsídios, o acolhimento, sob a forma de guarda, de criança ou adolescente afastado do convívio familiar. (Redação dada pela Lei nº 12.010, de 2009) Vigência

§ 1º A inclusão da criança ou adolescente em programas de acolhimento familiar terá preferência a seu acolhimento institucional, observado, em qualquer caso, o caráter temporário e excepcional da medida, nos termos desta Lei. (Incluído pela Lei nº 12.010, de 2009)

§ 2º Na hipótese do § 1º deste artigo a pessoa ou casal cadastrado no programa de acolhimento familiar poderá receber a criança ou adolescente mediante guarda, observado o disposto nos arts. 28 a 33 desta Lei. (Incluído pela Lei nº 12.010, de 2009) Vigência

Art. 35. A guarda poderá ser revogada a qualquer tempo, mediante ato judicial fundamentado, ouvido o Ministério Público.

Subseção III

Da Tutela

Art. 36. A tutela será deferida, nos termos da lei civil, a pessoa de até 18 (dezoito) anos incompletos. (Redação dada pela Lei nº 12.010, de 2009) Vigência

Parágrafo único. O deferimento da tutela pressupõe a prévia decretação da perda ou suspensão do poder familiar e implica necessariamente o dever de guarda. (Expressão substituída pela Lei nº 12.010, de 2009)   Vigência

Art. 37. O tutor nomeado por testamento ou qualquer documento autêntico, conforme previsto no parágrafo único do art. 1.729 da Lei nº 10.406, de 10 de janeiro de 2002 - Código Civil, deverá, no prazo de 30 (trinta) dias após a abertura da sucessão, ingressar com pedido destinado ao controle judicial do ato, observando o procedimento previsto nos arts. 165 a 170 desta Lei. (Redação dada pela Lei nº 12.010, de 2009) Vigência

Parágrafo único. Na apreciação do pedido, serão observados os requisitos previstos nos arts. 28 e 29 desta Lei, somente sendo deferida a tutela à pessoa indicada na disposição de última vontade, se restar comprovado que a medida é vantajosa ao tutelando e que não existe outra pessoa em melhores condições de assumi-la. (Redação dada pela Lei nº 12.010, de 2009) Vigência

Art. 38. Aplica-se à destituição da tutela o disposto no art. 24.

Subseção IV

Da Adoção

Art. 39. A adoção de criança e de adolescente reger-se-á segundo o disposto nesta Lei.

§ 1º A adoção é medida excepcional e irrevogável, à qual se deve recorrer apenas quando esgotados os recursos de manutenção da criança ou adolescente na família natural ou extensa, na forma do parágrafo único do art. 25 desta Lei. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 2º É vedada a adoção por procuração. (Incluído pela Lei nº 12.010, de 2009) Vigência

Art. 40. O adotando deve contar com, no máximo, dezoito anos à data do pedido, salvo se já estiver sob a guarda ou tutela dos adotantes.

Art. 41. A adoção atribui a condição de filho ao adotado, com os mesmos direitos e deveres, inclusive sucessórios, desligando-o de qualquer vínculo com pais e parentes, salvo os impedimentos matrimoniais.

§ 1º Se um dos cônjuges ou concubinos adota o filho do outro, mantêm-se os vínculos de filiação entre o adotado e o cônjuge ou concubino do adotante e os respectivos parentes.

§ 2º É recíproco o direito sucessório entre o adotado, seus descendentes, o adotante, seus ascendentes, descendentes e colaterais até o 4º grau, observada a ordem de vocação hereditária.

Art. 42. Podem adotar os maiores de 18 (dezoito) anos, independentemente do estado civil. (Redação dada pela Lei nº 12.010, de 2009) Vigência

§ 1º Não podem adotar os ascendentes e os irmãos do adotando.

§ 2º Para adoção conjunta, é indispensável que os adotantes sejam casados civilmente ou mantenham união estável, comprovada a estabilidade da família. (Redação dada pela Lei nº 12.010, de 2009) Vigência

§ 3º O adotante há de ser, pelo menos, dezesseis anos mais velho do que o adotando.

§ 4º Os divorciados, os judicialmente separados e os ex-companheiros podem adotar conjuntamente, contanto que acordem sobre a guarda e o regime de visitas e desde que o estágio de convivência tenha sido iniciado na constância do período de convivência e que seja comprovada a existência de vínculos de afinidade e afetividade com aquele não detentor da guarda, que justifiquem a excepcionalidade da concessão. (Redação dada pela Lei nº 12.010, de 2009) Vigência

§ 5º Nos casos do § 4º deste artigo, desde que demonstrado efetivo benefício ao adotando, será assegurada a guarda compartilhada, conforme previsto no art. 1.584 da Lei nº 10.406, de 10 de janeiro de 2002 - Código Civil. (Redação dada pela Lei nº 12.010, de 2009) Vigência

§ 6º A adoção poderá ser deferida ao adotante que, após inequívoca manifestação de vontade, vier a falecer no curso do procedimento, antes de prolatada a sentença.(Incluído pela Lei nº 12.010, de 2009) Vigência

Art. 43. A adoção será deferida quando apresentar reais vantagens para o adotando e fundar-se em motivos legítimos.

Art. 44. Enquanto não der conta de sua administração e saldar o seu alcance, não pode o tutor ou o curador adotar o pupilo ou o curatelado.

Art. 45. A adoção depende do consentimento dos pais ou do representante legal do adotando.

§ 1º. O consentimento será dispensado em relação à criança ou adolescente cujos pais sejam desconhecidos ou tenham sido destituídos do ~~pátrio poder~~ poder familiar. (Expressão substituída pela Lei nº 12.010, de 2009) Vigência

§ 2º. Em se tratando de adotando maior de doze anos de idade, será também necessário o seu consentimento.

Art. 46. A adoção será precedida de estágio de convivência com a criança ou adolescente, pelo prazo que a autoridade judiciária fixar, observadas as peculiaridades do caso.

§ 1º O estágio de convivência poderá ser dispensado se o adotando já estiver sob a tutela ou guarda legal do adotante durante tempo suficiente para que seja possível avaliar a conveniência da constituição do vínculo. (Redação dada pela Lei nº 12.010, de 2009) Vigência

§ 2º A simples guarda de fato não autoriza, por si só, a dispensa da realização do estágio de convivência. (Redação dada pela Lei nº 12.010, de 2009) Vigência

§ 3º Em caso de adoção por pessoa ou casal residente ou domiciliado fora do País, o estágio de convivência, cumprido no território nacional, será de, no mínimo, 30 (trinta) dias. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 4º O estágio de convivência será acompanhado pela equipe interprofissional a serviço da Justiça da Infância e da Juventude, preferencialmente com apoio dos técnicos responsáveis pela execução da política de garantia do direito à convivência familiar, que apresentarão relatório minucioso acerca da conveniência do deferimento da medida. (Incluído pela Lei nº 12.010, de 2009) Vigência

Art. 47. O vínculo da adoção constitui-se por sentença judicial, que será inscrita no registro civil mediante mandado do qual não se fornecerá certidão.

§ 1º A inscrição consignará o nome dos adotantes como pais, bem como o nome de seus ascendentes.

§ 2º O mandado judicial, que será arquivado, cancelará o registro original do adotado.

§ 3º A pedido do adotante, o novo registro poderá ser lavrado no Cartório do Registro Civil do Município de sua residência. (Redação dada pela Lei nº 12.010, de 2009) Vigência

§ 4º Nenhuma observação sobre a origem do ato poderá constar nas certidões do registro. (Redação dada pela Lei nº 12.010, de 2009) Vigência

§ 5º A sentença conferirá ao adotado o nome do adotante e, a pedido de qualquer deles, poderá determinar a modificação do prenome. (Redação dada pela Lei nº 12.010, de 2009) Vigência

§ 6º Caso a modificação de prenome seja requerida pelo adotante, é obrigatória a oitiva do adotando, observado o disposto nos §§ 1º e 2º do art. 28 desta Lei. (Redação dada pela Lei nº 12.010, de 2009) Vigência

§ 7º A adoção produz seus efeitos a partir do trânsito em julgado da sentença constitutiva, exceto na hipótese prevista no § 6º do art. 42 desta Lei, caso em que terá força retroativa à data do óbito. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 8º O processo relativo à adoção assim como outros a ele relacionados serão mantidos em arquivo, admitindo-se seu armazenamento em microfilme ou por outros meios, garantida a sua conservação para consulta a qualquer tempo. (Incluído pela Lei nº 12.010, de 2009) Vigência

Art. 48. O adotado tem direito de conhecer sua origem biológica, bem como de obter acesso irrestrito ao processo no qual a medida foi aplicada e seus eventuais incidentes, após completar 18 (dezoito) anos. (Redação dada pela Lei nº 12.010, de 2009) Vigência

Parágrafo único. O acesso ao processo de adoção poderá ser também deferido ao adotado menor de 18 (dezoito) anos, a seu pedido, assegurada orientação e assistência jurídica e psicológica. (Incluído pela Lei nº 12.010, de 2009) Vigência

Art. 49. A morte dos adotantes não restabelece o ~~pátrio poder~~ poder familiar dos pais naturais. (Expressão substituída pela Lei nº 12.010, de 2009)   Vigência

Art. 50. A autoridade judiciária manterá, em cada comarca ou foro regional, um registro de crianças e adolescentes em condições de serem adotados e outro de pessoas interessadas na adoção.   (Vide Lei nº 12.010, de 2009)   Vigência

§ 1º O deferimento da inscrição dar-se-á após prévia consulta aos órgãos técnicos do juizado, ouvido o Ministério Público.

§ 2º Não será deferida a inscrição se o interessado não satisfazer os requisitos legais, ou verificada qualquer das hipóteses previstas no art. 29.

§ 3º A inscrição de postulantes à adoção será precedida de um período de preparação psicossocial e jurídica, orientado pela equipe técnica da Justiça da Infância e da Juventude, preferencialmente com apoio dos técnicos responsáveis pela execução da política municipal de garantia do direito à convivência familiar. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 4º Sempre que possível e recomendável, a preparação referida no § 3º deste artigo incluirá o contato com crianças e adolescentes em acolhimento familiar ou institucional em condições de serem adotados, a ser realizado sob a orientação, supervisão e avaliação da equipe técnica da Justiça da Infância e da Juventude, com apoio dos técnicos responsáveis pelo programa de acolhimento e pela execução da política municipal de garantia do direito à convivência familiar. (Incluído pela Lei nº 12.010, de 2009)   Vigência

§ 5º Serão criados e implementados cadastros estaduais e nacional de crianças e adolescentes em condições de serem adotados e de pessoas ou casais habilitados à adoção. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 6º Haverá cadastros distintos para pessoas ou casais residentes fora do País, que somente serão consultados na inexistência de postulantes nacionais habilitados nos cadastros mencionados no § 5º deste artigo. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 7º As autoridades estaduais e federais em matéria de adoção terão acesso integral aos cadastros, incumbindo-lhes a troca de informações e a cooperação mútua, para melhoria do sistema. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 8º A autoridade judiciária providenciará, no prazo de 48 (quarenta e oito) horas, a inscrição das crianças e adolescentes em condições de serem adotados que não tiveram colocação familiar na comarca de origem, e das pessoas ou casais que tiveram deferida sua habilitação à adoção nos cadastros estadual e nacional referidos no § 5º deste artigo, sob pena de responsabilidade. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 9º Compete à Autoridade Central Estadual zelar pela manutenção e correta alimentação dos cadastros, com posterior comunicação à Autoridade Central Federal Brasileira. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 10. A adoção internacional somente será deferida se, após consulta ao cadastro de pessoas ou casais habilitados à adoção, mantido pela Justiça da Infância e da Juventude na comarca, bem como aos cadastros estadual e nacional referidos no § 5º deste artigo, não for encontrado interessado com residência permanente no Brasil. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 11. Enquanto não localizada pessoa ou casal interessado em sua adoção, a criança ou o adolescente, sempre que possível e recomendável, será colocado sob guarda de família cadastrada em programa de acolhimento familiar. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 12. A alimentação do cadastro e a convocação criteriosa dos postulantes à adoção serão fiscalizadas pelo Ministério Público. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 13. Somente poderá ser deferida adoção em favor de candidato domiciliado no Brasil não cadastrado previamente nos termos desta Lei quando: (Incluído pela Lei nº 12.010, de 2009) Vigência

I - se tratar de pedido de adoção unilateral; (Incluído pela Lei nº 12.010, de 2009) Vigência

II - for formulada por parente com o qual a criança ou adolescente mantenha vínculos de afinidade e afetividade; (Incluído pela Lei nº 12.010, de 2009) Vigência

III - oriundo o pedido de quem detém a tutela ou guarda legal de criança maior de 3 (três) anos ou adolescente, desde que o lapso de tempo de convivência comprove a fixação de laços de afinidade e afetividade, e não seja constatada a ocorrência de má-fé ou qualquer das situações previstas nos arts. 237 ou 238 desta Lei. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 14. Nas hipóteses previstas no § 13 deste artigo, o candidato deverá comprovar, no curso do procedimento, que preenche os requisitos necessários à adoção, conforme previsto nesta Lei. (Incluído pela Lei nº 12.010, de 2009) Vigência

(Revogado pela Lei nº 12.010, de 2009) Vigência

Art. 51. Considera-se adoção internacional aquela na qual a pessoa ou casal postulante é residente ou domiciliado fora do Brasil, conforme previsto no Artigo 2 da Convenção de Haia, de 29 de maio de 1993, Relativa à Proteção das Crianças e à Cooperação em Matéria de Adoção Internacional, aprovada pelo Decreto Legislativo nº 1, de 14 de janeiro de 1999, e promulgada pelo Decreto nº 3.087, de 21 de junho de 1999. (Redação dada pela Lei nº 12.010, de 2009) Vigência

§ 1º A adoção internacional de criança ou adolescente brasileiro ou domiciliado no Brasil somente terá lugar quando restar comprovado: (Redação dada pela Lei nº 12.010, de 2009) Vigência

I - que a colocação em família substituta é a solução adequada ao caso concreto; (Incluída pela Lei nº 12.010, de 2009) Vigência

II - que foram esgotadas todas as possibilidades de colocação da criança ou adolescente em família substituta brasileira, após consulta aos cadastros mencionados no art. 50 desta Lei; (Incluída pela Lei nº 12.010, de 2009) Vigência

III - que, em se tratando de adoção de adolescente, este foi consultado, por meios adequados ao seu estágio de desenvolvimento, e que se encontra preparado para a medida, mediante parecer elaborado por equipe interprofissional, observado o disposto nos §§ 1º e 2º do art. 28 desta Lei. (Incluída pela Lei nº 12.010, de 2009) Vigência

§ 2º Os brasileiros residentes no exterior terão preferência aos estrangeiros, nos casos de adoção internacional de criança ou adolescente brasileiro. (Redação dada pela Lei nº 12.010, de 2009) Vigência

§ 3º A adoção internacional pressupõe a intervenção das Autoridades Centrais Estaduais e Federal em matéria de adoção internacional. (Redação dada pela Lei nº 12.010, de 2009) Vigência

Art. 52. A adoção internacional observará o procedimento previsto nos arts. 165 a 170 desta Lei, com as seguintes adaptações: (Redação dada pela Lei nº 12.010, de 2009) Vigência

I - a pessoa ou casal estrangeiro, interessado em adotar criança ou adolescente brasileiro, deverá formular pedido de habilitação à adoção perante a Autoridade Central em matéria de adoção internacional no país de acolhida, assim entendido aquele onde está situada sua residência habitual; (Incluída pela Lei nº 12.010, de 2009) Vigência

II - se a Autoridade Central do país de acolhida considerar que os solicitantes estão habilitados e aptos para adotar, emitirá um relatório que contenha informações sobre a identidade, a capacidade jurídica e adequação dos solicitantes para adotar, sua situação pessoal, familiar e médica, seu meio social, os motivos que os animam e sua aptidão para assumir uma adoção internacional; (Incluída pela Lei nº 12.010, de 2009) Vigência

III - a Autoridade Central do país de acolhida enviará o relatório à Autoridade Central Estadual, com cópia para a Autoridade Central Federal Brasileira; (Incluída pela Lei nº 12.010, de 2009) Vigência

IV - o relatório será instruído com toda a documentação necessária, incluindo estudo psicossocial elaborado por equipe interprofissional habilitada e cópia autenticada da legislação pertinente, acompanhada da respectiva prova de vigência; (Incluída pela Lei nº 12.010, de 2009) Vigência

V - os documentos em língua estrangeira serão devidamente autenticados pela autoridade consular, observados os tratados e convenções internacionais, e acompanhados da respectiva tradução, por tradutor público juramentado; (Incluída pela Lei nº 12.010, de 2009) Vigência

VI - a Autoridade Central Estadual poderá fazer exigências e solicitar complementação sobre o estudo psicossocial do postulante estrangeiro à adoção, já realizado no país de acolhida; (Incluída pela Lei nº 12.010, de 2009) Vigência

VII - verificada, após estudo realizado pela Autoridade Central Estadual, a compatibilidade da legislação estrangeira com a nacional, além do preenchimento por parte dos postulantes à medida dos requisitos objetivos e subjetivos necessários ao seu deferimento, tanto à luz do que dispõe esta Lei como da legislação do país de acolhida, será expedido laudo de habilitação à adoção internacional, que terá validade por, no máximo, 1 (um) ano; (Incluída pela Lei nº 12.010, de 2009) Vigência

VIII - de posse do laudo de habilitação, o interessado será autorizado a formalizar pedido de adoção perante o Juízo da Infância e da Juventude do local em que se encontra a criança ou adolescente, conforme indicação efetuada pela Autoridade Central Estadual. (Incluída pela Lei nº 12.010, de 2009) Vigência

§ 1º Se a legislação do país de acolhida assim o autorizar, admite-se que os pedidos de habilitação à adoção internacional sejam intermediados por organismos credenciados. (Incluída pela Lei nº 12.010, de 2009) Vigência

§ 2º Incumbe à Autoridade Central Federal Brasileira o credenciamento de organismos nacionais e estrangeiros encarregados de intermediar pedidos de habilitação à adoção internacional, com posterior comunicação às Autoridades Centrais Estaduais e publicação nos órgãos oficiais de imprensa e em sítio próprio da internet. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 3º Somente será admissível o credenciamento de organismos que: (Incluída pela Lei nº 12.010, de 2009) Vigência

I - sejam oriundos de países que ratificaram a Convenção de Haia e estejam devidamente credenciados pela Autoridade Central do país onde estiverem sediados e no país de acolhida do adotando para atuar em adoção internacional no Brasil; (Incluída pela Lei nº 12.010, de 2009) Vigência

II - satisfizerem as condições de integridade moral, competência profissional, experiência e responsabilidade exigidas pelos países respectivos e pela Autoridade Central Federal Brasileira; (Incluída pela Lei nº 12.010, de 2009) Vigência

III - forem qualificados por seus padrões éticos e sua formação e experiência para atuar na área de adoção internacional; (Incluída pela Lei nº 12.010, de 2009) Vigência

IV - cumprirem os requisitos exigidos pelo ordenamento jurídico brasileiro e pelas normas estabelecidas pela Autoridade Central Federal Brasileira. (Incluída pela Lei nº 12.010, de 2009) Vigência

§ 4º Os organismos credenciados deverão ainda: (Incluído pela Lei nº 12.010, de 2009) Vigência

I - perseguir unicamente fins não lucrativos, nas condições e dentro dos limites fixados pelas autoridades competentes do país onde estiverem sediados, do país de acolhida e pela Autoridade Central Federal Brasileira; (Incluída pela Lei nº 12.010, de 2009) Vigência

II - ser dirigidos e administrados por pessoas qualificadas e de reconhecida idoneidade moral, com comprovada formação ou experiência para atuar na área de adoção internacional, cadastradas pelo Departamento de Polícia Federal e aprovadas pela Autoridade Central Federal Brasileira, mediante publicação de portaria do órgão federal competente; (Incluída pela Lei nº 12.010, de 2009) Vigência

III - estar submetidos à supervisão das autoridades competentes do país onde estiverem sediados e no país de acolhida, inclusive quanto à sua composição, funcionamento e situação financeira; (Incluída pela Lei nº 12.010, de 2009) Vigência

IV - apresentar à Autoridade Central Federal Brasileira, a cada ano, relatório geral das atividades desenvolvidas, bem como relatório de acompanhamento das adoções internacionais efetuadas no período, cuja cópia será encaminhada ao Departamento de Polícia Federal; (Incluída pela Lei nº 12.010, de 2009) Vigência

V - enviar relatório pós-adotivo semestral para a Autoridade Central Estadual, com cópia para a Autoridade Central Federal Brasileira, pelo período mínimo de 2 (dois) anos. O envio do relatório será mantido até a juntada de cópia autenticada do registro civil, estabelecendo a cidadania do país de acolhida para o adotado; (Incluída pela Lei nº 12.010, de 2009) Vigência

VI - tomar as medidas necessárias para garantir que os adotantes encaminhem à Autoridade Central Federal Brasileira cópia da certidão de registro de nascimento estrangeira e do certificado de nacionalidade tão logo lhes sejam concedidos. (Incluída pela Lei nº 12.010, de 2009) Vigência

§ 5º A não apresentação dos relatórios referidos no § 4º deste artigo pelo organismo credenciado poderá acarretar a suspensão de seu credenciamento. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 6º O credenciamento de organismo nacional ou estrangeiro encarregado de intermediar pedidos de adoção internacional terá validade de 2 (dois) anos. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 7º A renovação do credenciamento poderá ser concedida mediante requerimento protocolado na Autoridade Central Federal Brasileira nos 60 (sessenta) dias anteriores ao término do respectivo prazo de validade. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 8º Antes de transitada em julgado a decisão que concedeu a adoção internacional, não será permitida a saída do adotando do território nacional. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 9º Transitada em julgado a decisão, a autoridade judiciária determinará a expedição de alvará com autorização de viagem, bem como para obtenção de passaporte, constando, obrigatoriamente, as características da criança ou adolescente adotado, como idade, cor, sexo, eventuais sinais ou traços peculiares, assim como foto recente e a aposição da impressão digital do seu polegar direito, instruindo o documento com cópia autenticada da decisão e certidão de trânsito em julgado. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 10. A Autoridade Central Federal Brasileira poderá, a qualquer momento, solicitar informações sobre a situação das crianças e adolescentes adotados. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 11. A cobrança de valores por parte dos organismos credenciados, que sejam considerados abusivos pela Autoridade Central Federal Brasileira e que não estejam devidamente comprovados, é causa de seu descredenciamento. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 12. Uma mesma pessoa ou seu cônjuge não podem ser representados por mais de uma entidade credenciada para atuar na cooperação em adoção internacional. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 13. A habilitação de postulante estrangeiro ou domiciliado fora do Brasil terá validade máxima de 1 (um) ano, podendo ser renovada. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 14. É vedado o contato direto de representantes de organismos de adoção, nacionais ou estrangeiros, com dirigentes de programas de acolhimento institucional ou familiar, assim como com crianças e adolescentes em condições de serem adotados, sem a devida autorização judicial. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 15. A Autoridade Central Federal Brasileira poderá limitar ou suspender a concessão de novos credenciamentos sempre que julgar necessário, mediante ato administrativo fundamentado. (Incluído pela Lei nº 12.010, de 2009) Vigência

Art. 52-A. É vedado, sob pena de responsabilidade e descredenciamento, o repasse de recursos provenientes de organismos estrangeiros encarregados de intermediar pedidos de adoção internacional a organismos nacionais ou a pessoas físicas. (Incluído pela Lei nº 12.010, de 2009) Vigência

Parágrafo único. Eventuais repasses somente poderão ser efetuados via Fundo dos Direitos da Criança e do Adolescente e estarão sujeitos às deliberações do respectivo Conselho de Direitos da Criança e do Adolescente. (Incluído pela Lei nº 12.010, de 2009) Vigência

Art. 52-B. A adoção por brasileiro residente no exterior em país ratificante da Convenção de Haia, cujo processo de adoção tenha sido processado em conformidade com a legislação vigente no país de residência e atendido o disposto na Alínea "c" do Artigo 17 da referida Convenção, será automaticamente recepcionada com o reingresso no Brasil. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 1º Caso não tenha sido atendido o disposto na Alínea "c" do Artigo 17 da Convenção de Haia, deverá a sentença ser homologada pelo Superior Tribunal de Justiça. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 2º O pretendente brasileiro residente no exterior em país não ratificante da Convenção de Haia, uma vez reingressado no Brasil, deverá requerer a homologação da sentença estrangeira pelo Superior Tribunal de Justiça. (Incluído pela Lei nº 12.010, de 2009) Vigência

Art. 52-C. Nas adoções internacionais, quando o Brasil for o país de acolhida, a decisão da autoridade competente do país de origem da criança ou do adolescente será conhecida pela Autoridade Central Estadual que tiver processado o pedido de habilitação dos pais adotivos, que comunicará o fato à Autoridade Central Federal e determinará as providências necessárias à expedição do Certificado de Naturalização Provisório. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 1º A Autoridade Central Estadual, ouvido o Ministério Público, somente deixará de reconhecer os efeitos daquela decisão se restar demonstrado que a adoção é manifestamente contrária à ordem pública ou não atende ao interesse superior da criança ou do adolescente. (Incluído pela Lei nº 12.010, de 2009) Vigência

§ 2º Na hipótese de não reconhecimento da adoção, prevista no § 1º deste artigo, o Ministério Público deverá imediatamente requerer o que for de direito para resguardar os interesses da criança ou do adolescente, comunicando-se as providências à Autoridade Central Estadual, que fará a comunicação à Autoridade Central Federal Brasileira e à Autoridade Central do país de origem. (Incluído pela Lei nº 12.010, de 2009) Vigência

Art. 52-D. Nas adoções internacionais, quando o Brasil for o país de acolhida e a adoção não tenha sido deferida no país de origem porque a sua legislação a delega ao país de acolhida, ou, ainda, na hipótese de, mesmo com decisão, a criança ou o adolescente ser oriundo de país que não tenha aderido à Convenção referida, o processo de adoção seguirá as regras da adoção nacional. (Incluído pela Lei nº 12.010, de 2009) Vigência

Capítulo IV

Do Direito à Educação, à Cultura, ao Esporte e ao Lazer

Art. 53. A criança e o adolescente têm direito à educação, visando ao pleno desenvolvimento de sua pessoa, preparo para o exercício da cidadania e qualificação para o trabalho, assegurando-se-lhes:

I - igualdade de condições para o acesso e permanência na escola;

II - direito de ser respeitado por seus educadores;

III - direito de contestar critérios avaliativos, podendo recorrer às instâncias escolares superiores;

IV - direito de organização e participação em entidades estudantis;

V - acesso à escola pública e gratuita próxima de sua residência.

Parágrafo único. É direito dos pais ou responsáveis ter ciência do processo pedagógico, bem como participar da definição das propostas educacionais.

Art. 54. É dever do Estado assegurar à criança e ao adolescente:

I - ensino fundamental, obrigatório e gratuito, inclusive para os que a ele não tiveram acesso na idade própria;

II - progressiva extensão da obrigatoriedade e gratuidade ao ensino médio;

III - atendimento educacional especializado aos portadores de deficiência, preferencialmente na rede regular de ensino;

IV - atendimento em creche e pré-escola às crianças de zero a seis anos de idade;

V - acesso aos níveis mais elevados do ensino, da pesquisa e da criação artística, segundo a capacidade de cada um;

VI - oferta de ensino noturno regular, adequado às condições do adolescente trabalhador;

VII - atendimento no ensino fundamental, através de programas suplementares de material didático-escolar, transporte, alimentação e assistência à saúde.

§ 1º O acesso ao ensino obrigatório e gratuito é direito público subjetivo.

§ 2º O não oferecimento do ensino obrigatório pelo poder público ou sua oferta irregular importa responsabilidade da autoridade competente.

§ 3º Compete ao poder público recensear os educandos no ensino fundamental, fazer-lhes a chamada e zelar, junto aos pais ou responsável, pela freqüência à escola.

Art. 55. Os pais ou responsável têm a obrigação de matricular seus filhos ou pupilos na rede regular de ensino.

Art. 56. Os dirigentes de estabelecimentos de ensino fundamental comunicarão ao Conselho Tutelar os casos de:

I - maus-tratos envolvendo seus alunos;

II - reiteração de faltas injustificadas e de evasão escolar, esgotados os recursos escolares;

III - elevados níveis de repetência.

Art. 57. O poder público estimulará pesquisas, experiências e novas propostas relativas a calendário, seriação, currículo, metodologia, didática e avaliação, com vistas à inserção de crianças e adolescentes excluídos do ensino fundamental obrigatório.

Art. 58. No processo educacional respeitar-se-ão os valores culturais, artísticos e históricos próprios do contexto social da criança e do adolescente, garantindo-se a estes a liberdade da criação e o acesso às fontes de cultura.

Art. 59. Os municípios, com apoio dos estados e da União, estimularão e facilitarão a destinação de recursos e espaços para programações culturais, esportivas e de lazer voltadas para a infância e a juventude.

Capítulo V

Do Direito à Profissionalização e à Proteção no Trabalho

Art. 60. É proibido qualquer trabalho a menores de quatorze anos de idade, salvo na condição de aprendiz. (Vide Constituição Federal)

Art. 61. A proteção ao trabalho dos adolescentes é regulada por legislação especial, sem prejuízo do disposto nesta Lei.

Art. 62. Considera-se aprendizagem a formação técnico-profissional ministrada segundo as diretrizes e bases da legislação de educação em vigor.

Art. 63. A formação técnico-profissional obedecerá aos seguintes princípios:

I - garantia de acesso e freqüência obrigatória ao ensino regular;

II - atividade compatível com o desenvolvimento do adolescente;

III - horário especial para o exercício das atividades.

Art. 64. Ao adolescente até quatorze anos de idade é assegurada bolsa de aprendizagem.

Art. 65. Ao adolescente aprendiz, maior de quatorze anos, são assegurados os direitos trabalhistas e   previdenciários.

Art. 66. Ao adolescente portador de deficiência é assegurado trabalho protegido.

Art. 67. Ao adolescente empregado, aprendiz, em regime familiar de trabalho, aluno de escola técnica, assistido em entidade governamental ou não-governamental, é vedado trabalho:

I - noturno, realizado entre as vinte e duas horas de um dia e as cinco horas do dia seguinte;

II - perigoso, insalubre ou penoso;

III - realizado em locais prejudiciais à sua formação e ao seu desenvolvimento físico, psíquico, moral e social;

IV - realizado em horários e locais que não permitam a freqüência à escola.

Art. 68. O programa social que tenha por base o trabalho educativo, sob responsabilidade de entidade governamental ou não-governamental sem fins lucrativos, deverá assegurar ao adolescente que dele participe condições de capacitação para o exercício de atividade regular remunerada.

§ 1º Entende-se por trabalho educativo a atividade laboral em que as exigências pedagógicas relativas ao desenvolvimento pessoal e social do educando prevalecem sobre o aspecto produtivo.

§ 2º A remuneração que o adolescente recebe pelo trabalho efetuado ou a participação na venda dos produtos de seu trabalho não desfigura o caráter educativo.

Art. 69. O adolescente tem direito à profissionalização e à proteção no trabalho, observados os seguintes aspectos, entre outros:

I - respeito à condição peculiar de pessoa em desenvolvimento;

II - capacitação profissional adequada ao mercado de trabalho.

APPENDIX B

SAMPLE INTERVIEW SCHEDULE FOR NGO/GO STAFF

1) What characteristics define a "street youth?"
    a. How do street youth differ from "at risk" youth, if at all?
2) What characteristics define an "at risk" youth?
    a. Is there a difference? How so?
3) What does being "at risk" mean?
    a. What are youth "at risk" for? How so?
    b. How is "risk" defined?
4) Why does "forming citizens" mean?
    a. Why is it important to form youth into citizens? Or why is it important to concern your work with their civic formation?
    b. Why is it important to teach youth about citizenship?
    c. Why do you think this is an objective of so many programs?
        i. Why is it important to teach this to youth?
5) Why are organizations in the city focused on rights?
6) How do you interpret ECA?
7) How has ECA influenced the way in which your organization functions?
    a. Can you tell me how you incorporate ECA into your programs?
        i. How does your organization incorporate rights?
        ii. Why is incorporating rights into "at risk" programming important?
        iii. When did your program change focus to "at risk" youth?
    b. Can you tell me how you operated before ECA?
    c. Why is ECA important to the overall mission of your programs?
8) What does it mean to be an "at risk" youth in Brazil?
9) How will teaching youth about citizenship help guarantee them their rights?
    a. Why is guaranteeing rights important?
10) What is the link between "risk" and rights?

SAMPLE INTERVIEW SCHEDULE FOR YOUTH

1. Define "risco social".
    a. In your opinion what does being at "social risk" mean?
2. Who is at risk?
    a. Why do young people get involved in with gangs, drugs and other problems?
    b. What puts young people at risk?
        i. What does poverty have to do with risk?
3. What is the role of the family in the life of an adolescent?
    a. What does the family have to do with risk? How does the family help keep young people from engaging in risky behaviors?
    b. Describe to me a youth who engages in these behaviors?
    c. What is a street youth?
4. What do you fear in terms of your future?
    a. What anxieties do you have over the future
5. What kinds of opportunities would you like to have?
    a. What do you think about the "lei of aprendiz"?
        i. What are the consequences of unemployment for youth?
    b. What do you think about school? Tell me why school is important.
        i. What improvements should be made?
6. How are a lack of opportunities and risk related?
7. What does it mean to be an adolescent "at social" risk?
    a. What does losing perspective mean to you?
    b. Why do you think some adolescents give up?
8. What does it mean to be included in society?
    a. Do you feel included or excluded? How so?
9. Why is training for the job market important?
10. Are their other issues important to "risk" or to young people in general you would like to discuss?

"RISK" SURVEY

Por favor, não escreva seu nome.
Circule: Masculino/Feminino

1. Em qual bairro você mora?

_____

2. Em relação ao seu futuro, o que você teme:

Problemas de saúde	Ser dependente de um programa social (por exemplo: bolsa família, cartão de alimentação)	Gravidez indesejada	Não tem lar
Não conseguir emprego	Ser roubado/assaltado	Não conseguir uma vaga numa Faculdade	Falecimento dos familiares
Perder oportunidades por sofrer um preconceito (de qualquer forma)	Contrair DST (doenças sexualmente transmissíveis)	Sofrer problemas mentais (por exemplo: depressão, transtornos, fobias, etc)	Sofrer violência (doméstica, ser perseguido por gangues, etc)

Outros:	Não se casar ou não ter família	Ser abadonado	Ser assassinado

5. Você já usou ou usa drogas
   a. Freqüentemente   b. Às Vezes
   c. Raramente   d. Nunca

6. Você já fez ou faz uso de álcool:
   a. Freqüentemente   b. Às vezes
   c. Raramente   d. Nunca

7. Você já teve ou tem experiências sexuais:
   a. Freqüentemente   b. Às vezes
   c. Raramente   d. Nunca

8. Você já teve a experiência de se relacionar sexualmente em troca de alguma coisa que desejava ou precisava?
   a. Sim   b. Não

9. Você faz uso de algum tipo de preservativo ou método para evitar gravidez indesejada ou contrair doenças sexualmente transmissíveis?
   a. Sim. Qual(is) tipo(s)? _____
   b. Não

10. Se "na hora h" você percebe que está sem preservativo, você faz sexo mesmo assim?
    a. Sim. Em que situação? _____
    b. Não

11. Você tem filho(s)?
    a. Sim   b. Não

12. Marque dentre as experiências negativas abaixo aquelas que você já viveu ou vive:

Violência física	Violência psicologia	Abandono	Fome

(ex: soco, chute, tapa etc)	(ex: ameaça, terror, coação)		
Preconceito de cor	Preconceito de sexo	Preconceito c/ relação a opção sexual	Preconceito de Classe social
Negligência dos responsáveis	Ficou desabrigado	Problemas com a Lei	Ser excluído e/ou sofrer ameaças de colegas
Outros: _____			

GLOSSARY OF KEY TERMS AND ACRONYMS

abrigo   Orphanage

adolescentes   Adolescent

AMAC   Associação Municipal de Apoio Comunitário (Municipal Association for Community Support). Branch of the municipal government in Juiz de Fora that administers government run organizations and programs.

aprendizagem   Training

bonde   Gang

cidadania invertida   Inverted citizenship. Term referring to the relationship of the state and designated vulnerable populations in which formal state recognition of their status as "non citizens," these groups can access to forms of social inclusion and the rights of citizenship.

CCM   Conselho Comunitário Municipal (Municipal Community Council). Community council for popular pariticipation in local politics, policies design, and public spending.

CMDCA   Conselho Municipal dos Direitos da Criança e do Adolescente (Municipal Council for the Rights of Children and Adolescents). Municipal council that monitors non-governmental and governmental organizations and enforces ECA.

CMJ   Consellho Municipal da Juventude (Municipal Council of Youth). Municipal youth council responsible for coordinating and consulting on youth policies in Juiz de Fora.

Código de Menores	(Minors' Code). One of the first formalized pieces of youth policy in Brazil. Implemented in 1927, the Minors' Code remained the principal piece of youth policy in the country until 1990 when ECA was legalized into the constitution.
conselhos tutelares	Tutelary council. Municipal councils responsible for overseeing problems related to children and adolescents, the law and enforcing the rights of ECA. Youth in trouble with the law, who are experiencing distress in their homes, or who are truant from school are brought before the conselho tutelar for resolution.
criança	Child
desistir	To give up
ECA	Estatuto da Criança e do Adolescente (Child and Adolescents Act). Legislation incorporated into the Brazilian Constitution in 1990 detailing the specific rights of children and adolescents.
educação	Education/upbringing. Used in this work to describe the informal "upbringing" or rearing youth receive at home.
FEBEM	Fundação Estadual para o Bem-Estar do Menor (State Foundation for the Welfare of Minors). State branch of the national system of institutions for youth developed during the military dictatorship (1964 – 1985) and infamous for their ill treatment of young people.
formar cidadãos	To form citizens
FUNABEM	Fundação Nacional do Bem-Estar do Menor (National Foundation for the Welfare of Minors). National institution system for children and adolescents developed during the military dictatorship (1964-1985) and known for their ill treatment of youth.
GO	Governmental Organization
juizdeforianos	Persons from Juiz de Fora
mãe social	Social mother. Referring to the female heads of household who reside with youth at the organization Aldeias SOS.
meninos de rua	Street youth
menor delinqüente	Delinquent minor

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mineiro	Person from the state of Minas Gerais
NGO	Non-governmental organization
perspectiva	Literally meaning perspective, outlook, view, or prospect. Used in this context to refer to youth's perceptions of their futures and to relay their sense of disillusionment or of giving up.
perdido	Lost
reforço escolar	School reinforcement. Referring to the supplementary coursework offered at NGO's and GO's for "at risk" youth.
risco social	Social risk
SAM	Serviço de Assistência ao Menor (Assistance Service to Minors). Institutional system for youth developed during the 1940s where young people who were accused of committing infractions or deemed abandoned were sent to be reformed.
SSA	Secretaria de Assistência Social (Secretary of Social Services). Municipal department of social services.
turma	Cohort
UFJF	Universidade Federal de Juiz de Fora
vestibular	Entrance exam young people must pass in order to get into Brazil's free federal universities.

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