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Racial and Age Vulnerabilities among Black Children in Brazil (1940 – 1960)

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Abstract- Racial markers in the tensions and violence on the black population in Brazilian History are the themes of this article. The objective is to identify the modes of operation of violence as a marker of the experience of black children, such as the free access of physical force, public and private, shaped children's perceptions about being black in the interior of Brazil. It is analyzed how the fictional production of enmity acts from the slave memory to ratify conditions of subordination and vulnerability in the trajectory of colored populations in Brazil. The cases of five black children between the 1940s and 1950s were qualitatively analyzed in the hinterland of Bahia. The legal pieces were used as a way of to access the experiences of the vulnerability of black children and the semantic devices mobilized in the reaffirmation of inferiority and enmity. It was concluded that, throughout the twentieth century, meanings of inferiority were attributed to young black bodies, it was found that violent subjects considered access to juvenile physics free and considered violence a form of pedagogy to shape the character of girls and boys according to a logic patriarchal and white. The power of violence instituted a language that forbade access to care and justice for black children, making physical aggression the main communicative tool with young people of color.

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Racial and Age Vulnerabilities among Black Children in Brazil (1940 – 1960)

Diego Lino Silva ^α & Clóvis Ramaiana Moraes Oliveira ^ο

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I. INTRODUCTION

Brazil was the last country of the Americas to end slavery. Thus, the idea of subordination and inferiority about the black people was naturalized between the Brazilian people for some decades. One or two decades later of the publication of the law to end slavery in Brazil, at the beginning of the twenty century, in Rio de Janeiro (was the national capital at the time), some decisions still were very influenced by the slavery mentality. For example, the cities changes wanted "clean" the city of the black population to live in that free of the dangerous people (Chalhoub, 1996). It also happened in Salvador, in Bahia state (Ferreira, 1999).

In Bahia, the influences and permanence of some dynamics of labor, habitation, and socialization were analyzed by some historians. To Albuquerque (2009), the black population in Bahia later of abolishing the slavery was restricted to "black citizenship". In other words, black people were submitted to many processes of marginalization and exclusion. In the rural context, Silva (2017) gives evidence of the way like the

slaves, and emancipated men lived at the end of slavery. Similar dynamics of work and habitation still could be identified some decades later in the XX century.

It was the slavery memory responsible for constructing an idea of inferiority impute to black people in Brazil. This is one character of how society racialization works. To impute moral meanings based on race is the definition of racism. About it, Milles and Brown (2003) assert to racism, "Interact with other social phenomena and that is not static." (Pg. 6). Thus, identifying the racism can be made with the observation of the meanings mobilized at the same social phenomena: In moments of violence, negotiation, and resistance.

Considering the above, this essay aboard part of the actual research about the racial relations between the black population in Brazil. The problem question is: How physics violence is a racial marker of the black experience in Brazil? The criminal cases analyzed here show how characters like age, race, and gender could determine vulnerability meanings in the bodies, especially at the black children.

The history of some children was analyzed here to access these questions. The experience of Nivaldo, Albenício, Maria do Carmo, and Jardelina helps to visualize how racial and age elements could influence the trajectory of the black population some decades ago. This research paper is part of a bigger research construct for the masters in History. The results here presented are part of the documentation used throughout the research.

II. RACE AND VULNERABILITY

In Brazil, the social meanings impute to black people have some specificities. The "mestiçagem" phenomena made a society racialization marked by many possibilities of racial designation (Oliveira e Silva, 2020). Although, not all black people could be designated like "mestiço", most of the black Brazilian people doesn't could negotiate the racial condition in society.

Can't negotiate the racial condition in Brazil put the black person in a vulnerability condition because all images, meanings, and ideas to circulate in society, saying many times to black are bad, ugly, or dangerous may be imputed to his body. This way, the black person is understood like an enemy object, and, because of it,

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he could suffer some measures of exclusion and marginalization.

Carneiro (2005) reifies Foucault's ideas about the process of imputing meaning in the body. She informs to the norm of the ideal body is the bourgeois body (thus, white, urban, Christian...). The bourgeois body is a "paradigma de humanidade e ideal de Ser para as demais classes" (Carneiro, 2005, Pg. 42). If the society understands the bourgeois body (and your other characteristics) is the unique human paradigm, the other people to have not these characteristics are not regarded as human too.

Moreover, it is possible to consider other proceedings to legitimize the exclusion and violation of black bodies. Mbembe (2018) approach some international conflicts and your historic contexts associated with colonialism to discuss the construction of the idea of sovereignty, expressed through the power or right of to kill or about the death. Mbembe (2018) quote Foucault to remember the concept of the biopolitics and assert to this concept when relational with the racism, it can be thought of like a death-politics, a state function to regulate and distribute the death.

The death-politics is the politic to regulation the death. It happens because there is a mentality to denials humanity to people to not have the racial characters normally positivity by society, especially by the dominant classes. The process of representation of the black population for the subordinate and exclude them, Mbembe (2018) named as fictional production at the enemy.

To Mbembe (2018), the enmity relation is the normative basis to the right of to kill. This relation was constructed through to a lot of images, values, and cultural and institutional imaginations. All of it is responsible for categorizing people to establish elements for the denials of humanity and, thus, determines the sovereignty of the State on the population. Is the construction of the 'other' like an enemy to authorizes the sovereign politics of the death.

The idea of Mbembe (2018) about the construction of the black person as a social enemy and the Carneiro (2005) idea about the denial of humanity to black people are the guiding of the analyses made in this research. The effects of the fictional production at the enemy like a legitimizer of the violence are approached.

This essay demonstrates, through some criminal process, how the experience of the black people in Bahia is very marked from the violations authorized by the racism. The process to happened because these people were understood like enemies, determining the social place assigned to them.

The stereotyping of the black population in Brazil, like a sign of enmity, is the key to comprehending of the experiences analyzed in the process. Semantic

regimes of subordination e inferiority are mobilized by procedures discourses to feed the condition of the enemy. The condition that, not rare, is expressed through the violence. The cases of violation of children and teenagers narrated in this research are the demonstration of it.

III. ABOUT THE BLACK CHILDREN

In the year 1900, twelve years later the Brazilian abolition of slavery, a brutal episode of violence marked the history of the Feira de Santana city. Two historians to study the region, Silva (2017) and Damasceno (2011), narrated the case.

The child, Honorata de Tal, did not know her age, born in Mundo Novo (city 190 kilometers away from where the episode occurred), "parda"¹ skin, was a victim of many aggressions and scald in all body of her. Lydia, 37 years old, was the aggressor. She was whipping Honorata in her backyard. Silva (2017) gives more information about the episode.

Outras testemunhas confirmaram a versão de Joaquim José de Magalhães: "viu a criança nua amarrada em um poste"; "ouviu falatório, xingamentos e pancadas, e prestando atenção ouviu a voz da Senhora do Senhor Francisco Macedo, perguntando se ainda estava viva, respondendo seus filhos, 'o diabo ainda não tinha morrido', compreendendo ele testemunha pelo que ouvia, que a criança achava-se extenuada, sem se poder levantar"; "dissera que Saturnino Machado, entrando em seu quintal para tirar um cavalo, encontrara a menina apanhando e toda ensanguentada" (Silva, 2017, Pg. 148).

According to Silva (2017), the child was tied to a pole and took several lashes. Many instruments were used to beat in her, "pau, chicote, peia de cavalo e tição em brasas" (Silva, 2017, Pg. 149). Tools were usually used too for punish slaves a few years before the case.

Lydia, the accused, was part of a Family to participated in the commerce of slaves in that city. The tools and the family of the accused are some evidences to collaborate to the conclusion of Damasceno (2011): the episode could be associated with slavery past, ended just twelve years before the case. For the historian, the aggressions were a way to make some practices keep going during the years. Part of some powerful groups struggled to ensure these permanencies.

Somehow the permanence sounds like effective. Because most of forty years later of the case of Honorata, practices so similar still could be seed in that same city. In 1942, João, 14 years old, "pardo", frizzy hair, born in Berimbau e was working a few times in Caiçara Farm. Jaime, 22 years old, married and husbandman, arrested João in a farm warehouse and beat the boy with a whip used to beat in horses

¹ The "parda" designation could be interpreted as a synonym of "mestiço".

(CEDOC/UEFS, Judicial Session, Est. 03; Cx. 69; Doc. 1255).

Gilberto, 25 years old, single and merchant, a witness of the crime, tell to the boy was keep arrested in the farm warehouse for to him did not seek help. The same witness sad to the accused, a time before, in other case, beat in his employee too.

The reason for the aggression has two different explanations. According to the victim, Jaime believes him was “mal criado”² and because of it, he beat in him. A similar reason was used from Lydia to explain why she beat Honorata. To justifying his aggression, the accused said to beat in João because the boy was homosexual. “[...] um caso nos domínios da patologia referente à homossexualidade ou inversão sexual” (CEDOC/UEFS, Judicial Session, Est. 03; Cx. 69; Doc. 1255, Pg. 19). The accused already beat other employees, this is a reason to suspect of his explanation.

Although the polemic explanation of the accused in the last process, the attention here is in the way how the cases of Honorata e João suggests permanence of vulnerabilities at that black children. Be arrested in a pole or in a warehouse and the tools used to attack them is evidence of permanence. We can think of the conditions of black, poor, and child, are between the principal reasons for explaining why they were beaten.

The fictional production of the enemy, like say Mbembe (2018), when is effective in most vulnerable bodies (because of questions social, economics, of age, racial and gender), allows the most immediate expression of violence. Other episodes offer more evidences of this.

IV. MORE ONE CASE, MARIA DO CARMO

Was 1944, the city lived and propagandized many ideas of progress and development (Oliveira, 2016). But the ideas about development changes did not threaten the meanings of the racial hierarchy or about what was the meanings still attributed to the black people in Brazil.

The Tuesdays afternoon was agitated. The little Maria do Carmo, who did not knew read or write, black, 13 years old, was beaten by Modesta Maria, 50 years old, housewife, married, designated like black in accusation and “parda” in interrogation, occurred months after the crime.³ They were both lived in Ponto

Central, cities suburb (CEDOC/UEFS, Judicial Session, Est. 01, Cx. 16, Doc. 310, Pg. 5v).

The case moved the neighborhood, the new about the drubbing leave the people from their houses, the conflict extended between some people outraged with the Modesta’s comportment. The witness told the punishment was because the girl said bad things about the accused’s daughter in front of a possible future husband. The history is repeated by the accused, except in the aggression. Modesta narrated to the girl tripped and fell alone while was running.

For the witness, the drubbing was not a small case. They were narrated while were trying to help the girl she spit blood by the mouth. The doctors in the body of crime certify to the girl feels some pain later the case. “[...] foram observadas ligeiras dores nas regiões epigástricas e hypocondrica direita” (CEDOC/UEFS, Judicial Session, Est. 01, Cx. 16, Doc. 310, Pg. 5v). A description less intense of the aggression, but it not denial of the episode occurred.

However, just some weeks later of the crime, it starts of be investigated, because of the complaints and claims of the victim’s mother. According to Maria do Carmo’s mother, Modesta was the wife of the inspector (like a policeman), and therefore, everybody had a fear of her. Because this, the investigation was during so long time for start.

Many witnesses, although did not say any bad things about the Modesta (even after she beat a child in public) narrated to have some problem or conflict with the accused. It suggests that the woman was involved in much confusion that occurred at the Ponto Central. However, the people did not describe her as a bad person, probably because she was the wife of the inspector and had some symbolic power. Different this, the girl’s family suffers some critics by only one person, maybe because it was a friend of the accused. But, in this case, we can to perceive to have many elements to could be mobilized for to put the person like a good or bad person. Not necessarily the comportment, but the power to a determined person could have.

Although the historic confusions, the episode sounds had been bigger than others. After all, the process occurred, which is not common for people to have some influences in determinates spaces. But, what is not surprising is to the accused not suffer some punishment. The case suggests to something sounds authorized the aggression. It was possible to the social and racial vulnerability of Maria do Carmo could justify to Modesta beat her. It could make her thought did not be punished, and she was right, she was not.

It is important to remember that aggression was not executed by a white person. Modesta was black. But it did not stop her from beating in Maria do Carmo. The complexity of the violence demonstrated is in the fact at the meanings of inferiority and enmity were spread between all society, including the black population.

² An expression frequently used in Brazil, especially between the population of the rural zone, to designate someone to has bad comportment. Usually used to describes children and young people.

³ In Brazil, in some crimes process is possible to the same person had different colors designation. It could be a result of the “mestiçagem” and the power relations to involves it. About it, to read Oliveira e Silva (2020).

Enmity objects were responsible for the authorization and justification of the humanities denials to black people. Modesta was not punished because of other reasons than not just the condition of the inspector's wife. The child, black, suburban, daughter of a housekeeper was marked by meanings to describe her as an enemy. Fictional creations to legitimizes vulnerabilities.

The case of Maria do Carmo was not unique. Other cases with black children collaborated to demonstrate the violence experience to mark the bodies of some black people.

V. THE JARDELINA'S CASE

Jardelina, a child too, seven years old, black too, "em trajes pitorescos e excêntricos", expressions of the policy to describes the "exotics" clothes to Jardelina was dressed, walked in the Middle Street coming to the Principal Church with her grandmother (CEDOC/UEFS, Judicial Session, Est. 04, Cx. 102, Doc. 2119).

In the midway, the child was surprised by the police to rested her grandmother because they identified to she was a practitioner of "candomblé".⁴ The girl was submitted to a body of crime exam because the law's man believes to the candomblé's rituals was mistreatment. They search too for evidence to they could to use for accused the grandmother of Jardelina of crimes against the public health. The rest occurred in 1948 there was no a legal reason for to arrest somebody from candomblé at that time in Brazil (Oliveira, 2010).



Source: *Judicial Session. E: 04 Cx: 102 Doc. 2119. CEDOC/UEFS*

Image 1: Jardelina, 1948.

⁴ It is a religion created in Brazil by the slaveries from the African cultural influences. In Brazil, between the years 1892 and 1940, the candomblé was illegal, because of the penal code awarded in 1892.

Black, poor, child, and practitioner of candomblé, Jardelina was many things not socially approved. Several images and meanings reified by the Christian, urban, and racist thinking could be attributed to that body. Because of it, the police delegate believes he could stop months of prepare of the girl for her celebrate her "saída de iaou".⁵

Jardelina did not have any possibilities of negotiating her racial condition, especially, when she was dressed in the clothes for the ceremony. Jardelina can be seed like more one synthesis of the condition of vulnerability to black bodies occupied. Condition can be visualized in Image 1, in the sad face, in the frightened and scared position with the arms folded. According to the doctors to make the body of crime and photographed her, she tried "[...] inocentar sua progenitora que diz está presa e não ter culpa." (CEDOC/UEFS, Judicial Session, Est. 04, Cx. 102, Doc. 2119).

She tried to help her grandmother denying any fault. But racialization devices (Carneiro, 2005) made the delegate Durval believes he could stalk the candomblés. In 1948, already most of eight years to the there was no legal reason to rest someone because of candomblé. Even so, in that year, a girl was just seven years old had her grandmother arrested without legal reasons for it.

Ten years later, the process was shelved because "não há crime a ser punido no presente inquérito [...] a menina 'paramentada' ia para uma sessão de terreiro... e nada mais" (CEDOC/UEFS, Judicial Session, E: 04, Cx: 102, Doc. 2119, Pg. 9v). The judge decided that there was no crime for be punished. Oliveira (2010) demonstrated how the popular healing practices of the black population and their religious habits were frequently repressed by the polices and legal agents over the Feira de Santana history.

The experience of the black people with the legal environments was marked by the meaning of the not humanity attributed to their bodies. The cases of Maria do Carmo and Jardelina are examples of vulnerability to the black children lived, it was part of the procedure of denial of humanity for them. The semantic process to attribute the enmity can be visualized, too, in the case of Albenício. It is more one case of denial to access justice. For Albenício the access happened, but so much late.

VI. THE CASE OF ALBENICIO

Was a summer night, February 1960. The place was the station of São José. The place should be bustling, because, the community of São José is in the midway between Feira de Santana and many others little

⁵ It is a of the many rituals practiced between candomblé practitioner.

cities and villages. People stopped and passed from that place in the “Marinetes”⁶ to circulate by the region.

Next to that station had the Ismael’s “venda”.⁷ Ismael, husbandman, “moreno”,⁸ married, approximately 40 years old. He was in his little market when listened to a noise. It was a discussion between two cousins because of the exchange of some batteries from a pocket knife. Both cousins were husbands, not whites and poors (CEDOC/UEFS, Judicial Session. E. 05. Cx. 23, Doc. 2447).

Astrogildo, “pardo”, thirty three years old, was bleeding after to be attacked by Albenício, nickname “Goteira”, “moreno”, initially 16 years old. When saw what was happen, Albenício ran away to some people to try to get him e headed for the north until he arrived in Pacatu a village at some kilometers away of Feira de Santana. In Pacatu, he was captured e carried to Feira de Santana by the sub-delegate.

Different from the mode to analyze the lasts process, in the case of Albenício the principal question is not the aggressions or the crime. The central question is not in the place of the crime or the witness. The approach for this case is principally in legal procedures after the accused being arrested.

Albenício was captured on February 8th by the sub-delegate of Pacatu, and two days later, he drove to testify in the public chain of Feira de Santana. The process is not very clear about it, but it is possible to conjecture to the boy was in jail because if he were free, probably he did not testify by himself. When Albenício informed to was 16 years old, the interrogatory did not happen, the delegate immediately sends the process for the responsible judge, keeping the boy free.

Twenty-one days later, the same delegate asks the baptism certificate of the accused. According to the document, Albenício should have born in 1940 and be baptized in 1942. Thus, he was 20 years old at the crime moment. Probably because it should the delegate solicited the break of the nicknamed “Goteira”. Even so, registered in the prison document, the year of born at Albenício was 1944. The delegate and the other jurists in that time to those documents were not so reliable.

Months later, on May, 17th day of 1960, Albenício was arrested again. When the judge be asked about the decision of to arrest the boy, he answered “Existe a certidão de batismo fls. 10 que, a meu ver, deverá prevalecer até provar em contrário.” (CEDOC/UEFS, Judicial Session. E. 05, Cx. 23, Doc. 2447. Pg. 21). The judge defends to if had the document to vouch for the condition of adulthood, it

may prevail until to arise some other evidence of the contrary.

After the answer, an exam to attest to the minority was required on June 8th of 1960. Just in May 25th of 1961, later almost a year of the solicitation is the exam realized, after many solicitations and claims. During this time, Albenício was incarcerated. Once again, the accused’s phenotype was used by his defense as evidence of his minority condition. According to the doctors, Albenício was incomplete 17 years old. He was 1,55 tall and 43 kilos, characters immediately observed by everybody, there was not any bulk to justification somebody thought he was adult.

The medical legitimation for concluding to, probably, could be decided most easily is part of the way as to work the occidental mentality, and could be mobilized to serve the interests of determine classes. Even later the exam, the boy did not go out of prison. The process kept slow, evidence of the vulnerability of some people to access the justice.

The process was marked by postponements, lawyers are attributed and, a few times later, left the accused without any contribution. Later of most of one year, Albenício kept arrested unduly, the curator denounced many violations of the Albenicio’s rights until that moment.

[...] aquela autoridade policial, logo qualificado o Acusado, abercebeu-se da sua menoridade e ordenou fossem os autos remetidos ao Juízo competente, para os devidos fins. Mas não é essa a medida recomendada no art. 4º do Decreto-Lei 6.026, de 24.11.43, que diz o seguinte: Logo que tiver conhecimento da prática, por menor de 14 a 18 anos, de fato considerado infração penal, a autoridade iniciará investigações e fará apresentar o menor ao Juiz competente”. Foi apresentado o menor ao Juiz, como recomenda o citado decreto? Não. Se o Sr. Delegado ordenou fossem remetidos os autos de inquérito ao Dr. Juiz, em 10 de fevereiro de 1960, os autos foram remetidos naquela data, eu em que época se deu a remessa? A remessa ocorreu deis meses depois, no dia sete de abril de 1960. Onde está então a celeridade do processo? [...] o art. 2º do Decreto-Lei acima referido, traça a conduta de Juiz para os casaes, como o que ora analizamos. Letra b: “se elementos referidos na alínea anterior evidenciam periculosidade o menor será internado em estabelecimento adequado [...] E onde foi internado o menor? Justamente no pior lugar para a sua formação, para sua correção, para a sua recuperação [...] (CEDOC/UEFS, Judicial Session, E. 05, Cx. 23, Doc. 2447. Pg. 52s)

José Falcão was the name of the curator indicated. He denounces the delay to designate a curator. Because of it, the interrogatory and all process was prejudiced and delayed. He solicited the immediately annulation of the process and the liberty of Albenício. The solicitation was assigned on June, 20th of 1960. Seven days after, without alternatives, the judge decides to release the accused: “geito não tenho, senão deixar o indiciado sob a guarda de seu

⁶ The expression was used to describes bus.

⁷ The expression was used to describes little markets or warehouses in the small villages.

⁸ The expression can be interpreted as a synonym of “pardo” or “mestiço”.

responsável, sob certas condições [...]” (CEDOC/UEFS, Judicial Session, E. 05, Cx. 23, Doc. 2447. Pg. 55). On the July, 04th of 1961, later of 413 days arrested, Albenício finally was liberated, on parole, even without condemnation.

In Feira de Santana, a boy seems Albenício could be frequent or, at least, had some complaints about them. Jorge Watt was an important man in Feira’s city, he was a city councilor, lawyer, regional delegate, and president of some associations. He wrote in the “Folha do Norte” newspaper some complaints because had not an institution in the city for the shelter minors offenders who came from the villages and suburbs (Watt, 1954, nº 2365). The lawyer resorted to Jorge Amado and his “Capitães da Areia”⁹ to describes the children and teenagers who stayed in municipal slaughterhouse, in the train station, in the free fair. Boys like Albenício, Nivaldo, or many others children were worried Jorge Watt.

VII. NIVALDO’S CASE

In the end of the afternoon, December 1951, the fair was ending. The sellers and buyers who came from the villages and suburbs were going left. Maybe somebody stayed, waiting for to watch a movie in the Cine Íris because on Monday it was cheaper, but the city was going empty. In the next days, the movimentation was smaller. In the city center there were only people from the nearest suburbs and who lived in central streets. Few people, if we compare to Mondays when happened the free fair. At night did not have almost anyone, the marketers left for their homes.

On that summer night in the Joaquim Pedreira square, who walks around that could listen to some crickets announcing the summer proximity because there was no most nobody in the square. Nivaldo Vitalino dos Santos, eight years old, black already knew the square was going to be empty. At 23 o’clock, he entered the Municipal Market to steal some food (CEDOC/UEFS, Judicial Session. E. 01, Cx. 02, Doc. 40).

But he was surprised. Because of the frequent thefts, the Municipal Market hired more guards. One of the guards seed Nivaldo invading the Market with the help of a woman and send the alert to the other guard to search the boy and find him under a stand. After to getting him, Nivaldo was taken for the woman to was arrested too. But they said to did not know each other. The boy said to other boy helped him, and the woman said to was waiting for a man. After it, she was released, and him keep detained by the guard. According to the guard:

[...] no caminho, declarou o menino que sua genitora estava numa sessão espírita, declarando também que dentro do mercado havia outro menino escondido, o que não era verdade, tendo depois declarado que isso dissera ante a promessa de ser solto se informasse com segurança se havia ou não outros companheiros dentro do mercado; declarou ainda que residia ao lado do matadouro, tendo já próximo do local, alegado que por engano assim declarou, pois morava ao lado da usina de algodão; no caminho uma senhora, conhecendo o menino, que veio a saber chamar-se NIVALDO, informou que o mesmo morava num beco à rodagem Feira-Bahia e foi neste momento que NIVALDO resolveu dizer a verdade [...] (CEDOC/UEFS, Judicial Session. E. 01, Cx. 02, Doc. 40. Pg. 4).

The guard counts to the boy invented many lies for the no said where he lived because he had hope of the escape. Just when a woman recognized him in the street and told who he was, he stoped to lie. Because of it, the plans of the “capitão da areia” from Feira to escape through the city were ruined. Then he told to already stole the Market before five or six times and, later to the woman told where he lived, the guard and the boy came for his home. About the house, the guard describes:

[...] teve a oportunidade de entrar na casa da mãe de NIVALDO e presenciar o estado de pobreza da mesma, tendo sido informado que a família é numerosa e paupérrima, que não encontrou a mãe de NIVALDO nem teve notícia do seu paradeiro que acredita piamente que a mãe de NIVALDO isto fazia com o fito de alimentar seus filhos, levado pela pequena quantidade de viveres que furtava semanalmente [...] (CEDOC/UEFS, Judicial Session. E. 01, Cx. 02, Doc. 40. Pg. 4v).

The guard describes a context of much poverty. A big family was living in a small house and the disappearance of the Nivaldo’s mother. The boy, for the interrogatory, confirmed the history told by the guard. He stayed detained in the City’s public jail during four days, which was illegal by law number 6.026/1943 (BRASIL, 1943). The law approaches the measures that should be taken when minors commit crimes. Art. 3º: “Tratando-se de menor até 14 anos, o Juiz adotará as medidas de assistência e proteção indicadas pelos motivos e circunstâncias do fato e pelas condições do menor.” (BRASIL, 1943, Pg. 17345).

When was interrogated after to past four days arrested, Nivaldo said to won’t go to a school and to not were fed. “quer ir para uma escola a fim de estudar, que não tem sido alimentado na cadeia, pois apenas recebe alimentação pela manhã e a noite;” (CEDOC/UEFS, Judicial Session. E. 01, Cx. 02, Doc. 40. Pg. 3v). Beyond the illegal imprisonment, Nivaldo was denied the protection to was the obligation of the State and in the negation affective by the family. The case of Nivaldo approaches the fails by the state, the denials of the citizenship, and the denials of the humanity in his experience.

⁹ It is a book to count history of a group of some boys named “capitães da areia” to lived in the streets of Salvador, living of small thefts.

VIII. CONCLUSION

All the cases addressed over the research paper are especially marked by racial and age elements. The episodes narrated experiences of criminalization, marginalization, legal, and social denials. The black children cited Maria do Carmo, Jardelina, Albenicio, and Nivaldo, their histories offer the possibility to visualize how social meanings could determine the experience of the not white people. The violence could be physical, emotional, or in denial of legal instruments or the denial of the humanity.

The circulation of the discourses responsible to disseminate meanings of inferiority and subordination from the black population is a possible explication for the pain and violence experience. The black population, even the “pardos”, “mestiços” or “morenos” are described in the Brazilian society by what they are not: white. It determined procedures of exclusion to approximated their histories for experiences of violence, evidence of permanence about the slavery memory to described that people like enemies.

The racialization of the society is an important window to visualize the structures of inequality, to demonstrating how the meanings produced by racism influenced daily relations. It is not all, there were many other windows to observation it. But it is important to be alert for a society to end the slavery sow few time ago because the meanings to circulate in society work with specifics temporalities.

REFERENCES RÉFÉRENCES REFERENCIAS

Sources

1. Apelação. Acusado, Jaime dos Reis Paim. Vítima, João de Araújo Santana. 1942/1943. *Processo Crime de Lesão Corporal*. E: 03 Cx: 69 Doc: 1255. CEDOC/UEFS.
2. Denúncia/Inquérito. Acusada, Modesta Maria Barbosa. Vítima, Maria do Carmo. 1944/1945. *Processo Crime de Lesão Corporal*. E: 01 Cx: 16 Doc: 310. CEDOC/UEFS.
3. Inquérito Policial. Acusada, Maria Candida. Vítima, Jardelina Moreira de Oliveira. 1948/1958. *Processo Crime de Curandeirismo*. E: 04 Cx: 102 Doc: 2119. CEDOC/UEFS.
4. Sumário. Acusado, José Albenício Silva. Vítima, Astrogildo Apolonio do Nascimento. 1960/1961. *Processo Crime de Homicídio Qualificado*. E: 05 Cx: 23 Doc: 2447. CEDOC/UEFS.
5. Auto de Interrogatório. Autor – menor, Nivaldo Vitalino dos Santos. 1951. *Processo Crime de Furto*. E: 01 Cx: 02 Doc: 40. CEDOC/UEFS.
6. BRASIL. *Decreto-Lei 6.026, de 24 de Novembro de 1943*. Publicação Original: Diário Oficial da União - Seção 1 - 26/11/1943, Página 17345. Disponível em: <https://www2.camara.leg.br/legin/fed/declei/>

1940-1949/decreto-lei-6026-24-novembro-1943-416-164-publicacaooriginal-1-pe.html. Acessado em: 07/02/2020.

7. WATT, Jorge. Escola de Malandros. *Folha do Norte*. Feira de Santana, 06 de Novembro de 1954, nº 2365. MCS/CENEF.

BIBLIOGRAPHY

1. ALBUQUERQUE, Wlamyra. *O jogo da dissimulação: abolição e cidadania negra no Brasil*. São Paulo: Companhia das Letras, 2009.
2. BROWN, Malcolm; MILES, Robert. *Racism*. New York: Routledge, 2003.
3. CARNEIRO, Aparecida Sueli. *A construção do outro como não-ser como fundamento do ser*. Tese de doutorado. Programa de Pós-Graduação em Educação. Universidade de São Paulo (USP). São Paulo, 2005.
4. CHALHOUB, Sidney. *Cidade febril: cortiços e epidemias na corte imperial*. São Paulo, Companhia das Letras, 1996.
5. DAMASCENO, Karine Teixeira. *Mal ou bem procedidas: cotidiano de transgressão das regras sociais jurídicas em Feira de Santana, 1890-1920*. Dissertação de Mestrado. Universidade Estadual de Campinas (UNICAMP). Instituto de Filosofia e Ciências Humanas. Campinas, 2011.
6. FERREIRA FILHO, Alberto Heráclito. “Desafricanizar as ruas: elites letradas, mulheres pobres e cultura popular em Salvador (1890-1937)”, in: *Afro-Ásia – centro de Estudos Afro-Orientais*, Salvador, n.21-22, 1998-1999.
7. MBEMBE, Achille. *Necropolítica: biopoder, soberania, estado de exceção, política da morte*. São Paulo: N-1 edições, 2018.
8. MUNANGA, Kabengele. *Rediscutindo a mestiçagem no Brasil: identidade nacional versus identidade negra*. Rio de Janeiro: Vozes, 1999.
9. OLIVEIRA, Clóvis Ramaiana; SILVA, Diego Lino. “Go hit that black guy it I guarantee”: racial markers in Bahia (1940 – 1960). *Em Tempos de História*. v. 1, n. 36, 2020.
10. OLIVEIRA, Clóvis Ramaiana Moraes. *Canções da cidade amanhecendo: urbanização, memórias e silenciamentos em Feira de Santana, 1920 – 1960*. Salvador: EDUFBA, 2016.
11. OLIVEIRA, Josivaldo Pires de. “Adeptos da mandinga”: Candomblés, curandeiros e repressão policial na Princesa do Sertão (Feira de Santana, 1938 – 1970). Tese de doutorado. Universidade Federal da Bahia (UFBA). Programa Multidisciplinar de Pós-Graduação em Estudo Étnicos e Africanos. Salvador, 2010.
12. SILVA, Mayara Pláscido. “Revolução sem sangue” na “decantada pátria de Lucas”: *Experiência de trabalhadores/as negros/as e migrantes no pós-*

abolição. Feira de Santana (1890 – 1930). Tese de doutorado. Programa de Pós Graduação em História Social, Universidade Federal da Bahia (UFBA). Salvador, 2017.

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