

Black Families, Damned Territories: Anti-Blackness and Black Motherhood in (White) Portuguese Parliamentary Debates (1995–2001)

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Abstract: The perceptions and representations of whiteness around motherhood, family, and black sexuality reproduce the logic of what Hortense Spillers calls “captive flesh”, controlling understandings about femininity, motherhood, and gender. This debate is guided by the politics of the racial neoliberal agenda that works to control the urban territories largely inhabited by black people in the name of preventing “situations of risk” and “juvenile delinquency”. This article seeks to unveil the ideological bases of public policies primarily aimed at “urban development” and “internal security” that connect black maternity to “unstructured families” and “criminal black youth”. This paper examines how notions such as “single mothers”, “isolated women”, “deficient parental capabilities” in Portuguese parliamentary debates by the Parliamentary Commission for Parity and Equal Opportunities and Family (CPPIOF), mainly in the 1990s, foreground colonial representations about the black woman as a threat to white supremacy.

Keywords: black motherhood, child protection policy, white supremacy, black body

Introduction

Help me, mothers. Today I’m pleading and crying with my pain of missing my Dani-joy. My Danijoy died in jail and I still have not seen the corpse ... How is it that I, the mother, cannot see the body of my son? (Alice Quaresma dos Santos, quoted in Henriques 2021)

The “slave” is movable by nature, but “immovable by the operation of law”. (Spillers 1987:78, quoting Goodell 1853)

The question and appeal above comes from Alice Quaresma dos Santos, a black woman from São Tomé and Príncipe residing in Lisbon and mother of Danijoy Pontes, a young man who died under controversial circumstances in the Lisbon Prison Establishment on 15 September 2021. Arrested following the accusation of stealing mobile phones on public transport, Danijoy did not have a criminal record, but was sentenced to six years of prison. In prison, they started giving him medication to treat drug addiction, seizures, and epilepsy, even though the family had no prior knowledge of these supposed pathologies. “Natural death” is

what appears on the death certificate: “possibly attributable to heart disease” (Henriques 2021).

Alice’s call for justice in relation to the causes of her son’s death under the guardianship of the state and her appeal and demand for respecting her rights as a mother reminds us of the insurgency of another black mother, Sojourner Truth, who at the Women’s Rights Convention in Akron, Ohio in 1851 said “I have borne five children and I seen ‘em mos all sold off into slavery, and when I cried out with a mother’s grief, none but Jesus hear—and ain’t I a woman?” (quoted in hooks 1987:160).

Since this cutting question was raised by Sojourner Truth, more than 170 years have passed; however, alluding to the temporal distance of the discourses (according to Western chronological time) as well as the spatial distance (Europe and America) evades an understanding of the transnational logics of captivity and its implications for the lives of black communities today. The connection between the claims of these black mothers can only be understood if we give up the Western conception of time; understood within a historical linearity where past, present, and future are taken as realities in themselves and sequenced accordingly. In this sense, “the racial event”, marked by “conquest, colonization, and enslavement” (Silva 2018:408), does not presuppose a spatiotemporal distinction of historical and global records. Rather, it predicates a materialist (dialectical) and fractal (patterns that are repeated at different scales) understanding of them, that is, the correspondences between events (i.e. black people, children, and youth being murdered under the operation of laws created for and by white supremacy) which reiterate the racial event (Silva 2018:409).

The criminalisation of black youth, the police violence, and the expansion of mass incarceration policies as technologies for the control and dehumanisation of black bodies are pertinent themes on the agendas of black movements and in the investigations of a small portion of academia. However, political concern with reproductive practices in black communities and the state’s obsession with its regulation still lacks priority on the agendas of resistance and research within the European context and, more specifically, in Portugal.

In this article, we¹ will analyse four documents produced by the Parliamentary Commission for Parity and Equal Opportunities and Family (CPPIOF) between the years 1995 and 2001, namely: a report from the conference “Children at Risk: Prevention or Remediation” (1998); a report of the open meeting in the municipality of Amadora (1997); a report on “Families and Child Abuse in Portugal” (2001); and a report from the “Sexual and Reproductive Health in the Context of Development Colloquium” (2001). The aforementioned documents seek to highlight the role of the Commission in four ways: (1) in the political-discursive production of the relationship between migrant-black families and parental incapacity; (2) in their active contribution to the institutionalisation of state intervention based on the primacy of protection for the prevention of deviance and juvenile delinquency; (3) in the pathologisation of migrant-black families through categorisation of the causes of mistreatment and risk situations in relation to children and youth; and (4) in enabling the construction of an agenda of sexual and reproductive rights, based on controlling the reproduction of black women.

The timeframe was selected based on the conjuncture of the Portuguese context in the 1990s in dialogue with international regulatory demands. On a national level, the presence of a party with a political agenda considered progressive focused on the construction of legal devices for the protection of child and youth rights (Maeso et al. 2021:184). At the same time, a global process of change in the field of law consolidated in the 1990s, which included: (1) the emergence of international jurisprudence on juvenile deviance (Sudan 1997:88); and (2) new legislative production about sexual and reproductive rights, deriving from the landmark International Conference on Population and Development in Cairo in 1994. Regarding this second item, it is important to emphasise that these international conferences of the 1990s produced jurisprudence that did not differentiate between sexual and reproductive rights, resulting in reproductive rights being prioritised to the detriment of sexual rights (Gomes 2021). In turn, this dynamic contributes to the production of legal conceptions and practices that articulate the “protection” of children, the regulation of female sexuality, and racial control.

The work of the Parliamentary Commission for Parity and Equal Opportunities and Family (CPPIOF) in the 1990s is central to understanding the trifecta of actions of the welfare state for those who inhabit the non-being zone (Fanon 2008),² namely: (1) the responsibility of families for the exclusion produced by the state (and ensured by the social assistance system); (2) the regulation and moralisation of families through the ideology of preventing juvenile delinquency; and (3) pathologising black and poor families’ ways of being and educating. The social face of punitive policies and their ongoing reproduction of the grammar of social welfare policies insist on the discourse of safeguarding “mistreated”, “abandoned” children from “dysfunctional” families or deprived by an “abnormal family upbringing”. Such grammar stands as a counterpoint to the policies with an explicit focus on the criminal penalisation of blacks and the poor, prevailing until the 1980s in the Portuguese context (Assembleia da República 1998b:2). In this respect, the Commission is part of the process of changing the form (but not the content) of the state’s relationship with migrant families, via social institutions and state investment in the creation of jurisprudence to frame non-crime as subject to state intervention.

Within this context, a crucial and under-discussed point by activists and scholars is the state’s surveillance over what black women do with their bodies (Cássia 2020; Fernandes 2021). This article seeks to understand the relationships among race, reproduction, and pathologisation of black families in the Portuguese context, starting from the premise that if we want to understand the questions of Sojourner Truth, Alice, and so many other black mothers, we also need to understand how the state (fails to) conceive(s) of *maternity and black women* and operationalises—through the law—the production of dysfunctional black maternity. More specifically, we analyse the conceptions, representations, and imaginaries of black families in political discourses focused on the elaboration of norms, laws, and policies for the protection of endangered children and young people in the 1990s, as enacted by the CPPIOF. It was during this period that a large volume of political, academic, and media discourse developed regarding the causes and

consequences of criminality, the need for a “change” from a penal to a welfare approach in relation to the protection of children and “delinquent” youth, and the consolidation of laws, policies, and programmes for crime and delinquency prevention. We also examine to what extent race, reproduction, and crime/delinquency/deviation appear in the political discourses present in the work of the CPPIOF (1995–2001), combining to stigmatise the black family as a social problem.

This article dialogues with the contributions of black thinkers about post-slavery life and the degendering technologies that produce terror and violence (Broeck 2018; Gonzalez 1984; Hartman 1997; Roberts 1997; Smith 2021; Spillers 1987). Such works have pointed to the urgency of considering the multiple dimensions of *state terror* that impact black bodies, based on the understanding that these are abject, fungible bodies (Hartman 1997), that is, bodies seen as an extension of the white slave trader, without autonomy or desire, merely as a commodity.

In this context of state violence and terror, where *black body*³-territories are central, we propose an approximation of black historian Beatriz Nascimento’s call to reflect on constituting black subjectivity and maintaining vital force (in Smith et al. 2021:313) and the role of the black family in the invention of *life territories*. Along with Nascimento’s (1985) reflections on the constitution of the “quilombo”, we would like to propose an interpretation of the black family as a socio-political territory of escape, which, at the same time, offers a greater possibility for self-determination. A territory that is not merely defined as a physical, fixed space, reproducing a lost past, but also as a search for freedom in the present, made possible through formations of memory, time and space inscribed in the body. Values such as autonomy, freedom, and community have historically been articulated through the role of black women in this process of survival against state terror. In this sense, the black family manifests as a source of escape, revising ancestral knowledge and the possibility of creating authentic ways of life as real and imagined territories.

Black families are constituted as territories of escape: firstly, because they are intimately connected to the experience of Black women diasporas’ desire to escape from the slavery imperatives of what is conceived as a “real” woman, motherhood (Bell 2021:22), and in the post-slavery context about “real” family. Reclaiming these territories represent efforts to take control of their own lives, but also to rebuild their families. In this sense, the political category of quilombo is fundamental to understanding the constitution of “rival geographies” (Bell 2021:45) in the afterlife of racial slavery; alternative spaces of disobedience to the white political, social, and legal system. Secondly, because the political construction of what is meant by juvenile delinquency, as we will see in the next sections, is centred on the condemnation of the sociability of black families: the relativisation of the presence of both parents, questioning of the formal school as the only space for the integration of children and young people and as a condition for exercising citizenship and social ascension; the community interaction, memory, and consciousness.

This article is organised into four sections. This introduction establishes the analytical apparatus by which we analyse the documents. The following section

contains analysis of the first works of CPPIOF, where the first pathologising representations of black families are outlined. In the third section, we analyse how the process of typifying “situations of risk” in relation to the protection of children and young people converge to erode the ways of existing/being for black motherhood. In the fourth section, we analyse the composition of the debate on reproductive rights linked to controlling the reproduction of migrant and African women. And finally, in the concluding remarks, we propose some reflections for the construction of an anti-racist agenda focused on reproductive rights policies.

The Pathologisation of Black Families in Parliamentary Debates and Social Policies (1995–2001)

Social policies for preventing juvenile delinquency in the Portuguese context were initiated in the 1980s and expanded in the 1990s, under the pretext of responding to intense migration (Maeso et al. 2021:183) originating from Africa, principally from former Portuguese colonies such as Cape Verde. A “moral panic” was installed that found in the discourse of the supposed increase of “juvenile delinquency among minority groups” (ibid.) the political reasonableness that there is a necessary connection between poor youth (read also immigrant youth of African origin) and crime (Leote de Carvalho 2005:74) and that, therefore, it would require state intervention. On this last point, the work of Kesha Fikes (1998) on the migration of poor Cape Verdean women to Lisbon (since the 1960s) is fundamental to understanding how the insertion of these women into the Portuguese labour market assumes racial contours and is underpinned by the surveillance state, which tries to preclude the construction of Cape Verdean femininity (closely linked to work in the free markets in Cape Verde), instead “pushing” the exercise of domestic tasks, mainly in cleaning services (Fikes 1998:6).

We are facing a global process of privatisation of the discussion on racism, hijacking the debate from the public sphere (Goldberg 2009, 2015), as well as “the punitive turn” of the social welfare state (Fisher and Reese 2011). In the Portuguese context, the creation of new mechanisms for surveillance and control of black families was made possible thanks to the articulation of a human rights agenda, alongside public discourses on the dysfunctionality of black maternity.

In the Portuguese context of the 1990s, Socialist Party (PS) governments adopted a dubious policy directive in relation to minority-migrant groups. Dubious because, on the one hand, it started to defend some social protections for families, whilst on the other hand, this protection became synonymous with the integration of minority-migrant groups through the adoption of “Portuguese values”, alongside investment in a para-penal framework for the dehumanisation of black families, legitimised by the ambivalence of human rights discourse. This is the case of CPPIOF,⁴ created in 1995 under the PS government and part of the context wherein this dual process developed. In one respect, there is the institutionalisation of an agenda focused on “minority management” in the European and Portuguese context (Araújo and Maeso 2013; Maeso and Cavia 2014), with implications for the way the CPPIOF conceives the relationship between the state and black families.⁵ Conversely, the comprehensive reform of the social security

system, which, in our view, is about the institutionalisation of an ideology of the degeneration of poor families, particularly black immigrant families. That is, we argue that child protection policies have been mobilised by the Portuguese state to moderate and muffle racial conflicts and obscure the process of reorganising social policies, structured upon an antithesis between blackness and family. In this context, the PS government programme for “Social Policies” was framed as advocacy for development, capable of “integrating”, “tolerating”, and “respecting” diversity in the search of constructing a “more solidary society” that would entail “more opportunities” to combat poverty and exclusion “with special attention to supporting families and the most vulnerable groups”, including “immigrants” (Assembleia da República 1995b:2, 33). However, with the actions of the CPPIOF, the promise of support transferred into surveillance and persecution of migrant and poor families. “The family” (in the singular) receives special attention; PS social policies focus on actions that guarantee the “future of the family”, warning that there is an “increase in single-parent families” which requires “appropriate protection measures” and “access to social amenities for education and health ... in order to alleviate their isolation” and “discrimination” (Assembleia da República 1995b:50).

The PS government proposal also refers to “support measures aimed at family reunification and developing efforts for the integration of immigrant families” (Assembleia da República 1995b:2, 33, 50, 51). In the same document, regarding “a policy of social reintegration”, the programme planned to focus on the causes that produced exclusion, with special attention to social groups with “recognised social vulnerability”, including “immigrants and ethnic minorities” with a view to integrate these groups within Portuguese society (Assembleia da República 1995b:51). And finally, to achieve the objectives of social policies, the programme envisioned the creation of “protection measures for children at risk” (Assembleia da República 1995b:52), even though what that would consist of was undefined.⁶ What was the political context of that moment in which “the family” appears central in the government’s programme?

Formulating “Solutions”: Parental Training and Increased Surveillance of Black Families

The work of CPPIOF in 1998 was marked by the realisation of the “Conference on Children at Risk: Prevention or Remediation”, with a table dedicated to the theme “Socio-Cultural Factors: Ethnicity, Cultures at Risk” and “Economic Factors: Unemployment, Underemployment, Precariousness” (Assembleia da República 1998a:236). The Commission presented what would be a “practical intervention programme”, entitled Project to Support the Family and Children and aimed to confront a supposed trend of increasing “family dysfunctions” that would put children at risk and, therefore, should regard the “social and cultural evolution” of the context (Assembleia da República 1998b:3). The introductory note of the Conference report, signed by the then president of the Commission, reveals central aspects of the political strategy of the 1990s in the regulation, control, and dehumanisation of poor and black families via social (dis)support policies:

There are thousands of children and young people abandoned, neglected, abused. There are thousands of children and young people who abandon the education system early and prematurely attempt integration, unqualified, into the production system. Every culture, every society, produces its poor—who are excluded and who exclude themselves, who produce and increase the number of the marginalised and excluded from full citizenship. Systematic identification of the causes of exclusion is urgent. It is the first step towards the formation of *cultures of resistance*, which are decisively opposed to the fatalistic exclusion of the poorest, and which demand the emergence of social movements for renewal that align public agents with the forces of civil society. And it is the basis for a strategy to prevent the circumstances that drive children and young people to head down a marginal and criminal path at an increasingly early age. (Assembleia da República 1998b)

The focus on preventing the “marginal and criminal pathway” of black children and young people, which has been one of the main action fronts of the Portuguese state in the process of reconfiguring racial governmentality since the mid-1980s, is founded on the differentiation between “migrants” and “citizens” (Maeso et al. 2021), thus revealing the symbiosis between the social and the penal, and the existence of racial logics in the operationalisation of the welfare state (Fisher and Reese 2011:229).

The Conference report ends with the resolutions of the Portuguese state and the programmes developed with a focus on protecting the rights of children, namely the Family and Children Support Project (created in 1992), the 2000 Adoption Programme and the Work Regime of Minors.⁷ The Family and Children Support Project had as primary objectives:

- a. Detect the situations of abused children;
- b. Undertake a rigorous diagnosis of the family dysfunctions that encouraged the mistreatment of the child, which will be included in a report, to be sent, under the terms of the applicable legislation, to the competent authorities;
- c. Develop the necessary actions to put an end to situations of risk for the child, acting with the families in order to achieve their integration. (Assembleia da República 1998b:1)

The construction of the normatisation of functional, normal families and, therefore, sources of protection for children in the Portuguese context has been structured under two complementary ideological poles: the defence of “parental competency” (as a synonym for white normativity); and attestation of degeneracy of certain families (as equivalent to migrants). The Project assumes the role of manager of families with abused or neglected children, signalled by medical services, so that they can be regenerated in order to be integrated, receiving therapeutic and psychosocial monitoring (Assembleia da República 1998b:6).

The 2000 Adoption Programme consisted of the national adoption scheme with a view on “child protection and their integral development”, especially those in “risk situations and deprived of their family environment”. In the report, there is no discussion about what the “at-risk situation” indicators would be, despite being a concept widely mobilised in the debate on the protection of abused children. The

report points to the need for reform in the legal system for adoption, focused on legislative, structural, and networking adjustments in the programme, but it is noteworthy that there is concern with a supposed need for changes in the expediency of the adoption process and in the increase in Social Security's power of intervention, particularly "within the scope of state intervention with children at risk (protective tutelary intervention), in which Social Security is granted full legal rights in a progressive intervening role" (Assembleia da República 1998b:2).

It demands, in addition to the call for greater intervention by Social Security, the elimination of procedures that may contribute to delaying adoption processes, such as the simplification of inquiries and reports regarding the life of the child pre-adoption, delivery to adopters in the shortest possible period, and rapid referral of children identified as at-risk by the commissions for the protection of minors to the adoption legal system (Diário da República 1997:3). However, at the same time that it exacts for more intervention power of Social Security and an end to obstacles for adoption, the document also recognises that the system has weaknesses and that it needs to improve the foundations that underlie Social Security decisions as well as the definitions of "criteria for fostering, diagnosing and developing the life trajectory, whereby it is concluded that referral for adoption is the most suitable solution" (Assembleia da República 1998b:4).

The danger of this excessive indetermination of criteria leaves the necessary (and desired) loophole for interventions arising from value judgements issued by professionals of social assistance institutions on the behaviour of families that, in one stroke, impose models from their own subjective conceptions, at the same time operationalising racism and the criminalisation of poverty to the detriment of an accurate and objective perspective on the more general socioeconomic context that affects those families. In this way, most of the criteria regarding race and poverty are informed by ill-defined indicators that seem to inform and, consequently, dispense with precise diagnoses. In this sense, it is worth problematising the extent to which the broadening of definitions, as well as the "risk factors", has implied arbitrary interventions aimed primarily at black families.

A paradigmatic example of how the lack of precise indicators converge to allow unscrupulous surveillance of black families was the case initiated in 2007 of a black mother, an immigrant of Cape Verdean origin, unemployed and without state support, who was monitored by social services for nearly a decade. This process resulted in the institutionalisation of seven children, as well as exhaustive attempts to persuade the woman to undergo sterilisation (as a condition for not institutionalising the children), as well as the production of pathologising reports, mainly in relation to the psychological conditions of that black woman, reinforced by the fact that she was not living with the children's father (Fernandes 2021:145). The narrative present in the cited case manufactures the vulnerability of this family, grounded in arguments of the "multi-problematic family" underpinned by the "almost total absence of the father and the parent's incompetence to perform her maternal function" (Fernandes 2021:144).

The normalisation of "deviant families" requires, among other factors, the categorisation of acts and people considered deviant, a form of sanctions and their justification (Lucchini 1997a, 1997b). In this sense, the initial work of the

Commission demonstrates their first approaches to applying labels of dysfunctionality to migrant families. It is not by chance that the CPPIOF held open meetings mainly in residential territories defined by high numbers of so-called “ethnic minorities”, in order to “evaluate” the situation of those groups in relation to equal opportunities in areas of “education, employment, family and community network support structures” (Assembleia da República 1997:220). The document entitled “Report of the Open Meeting in the Municipality of Amadora” recorded the meeting held in May 1997, in the Metropolitan Area of Lisbon, considered as a “problematic city” with a population “closed in itself”, in which associations representing the interests of “ethnic minorities” (Cape Verdeans, Roma/Gypsies, Brazilians, Timorese, Angolans) were present.

The representatives of the residents highlighted the importance of revising the curriculum in schools as “most of the programme content is denoted by the absence of curricular elements from other cultures” (Assembleia da República 1997:220), in order to rethink the relationship with “other cultures” as one of “value and richness of the school project and not as an addition to a problem” (ibid.). Despite the representatives’ speeches confronting representations of “other cultures” produced in schools, the Commission did not reach a consensus understanding regarding the revision of school curricula, but rather that “the education system is also responsible for the early school dropouts of young people and for school violence”, for “mainly socio-economic reasons: the precariousness of work does not allow parents to accompany their children” (ibid.). In this segment, children, youth, and family were the focus of the meeting:

Children and young people constitute the most problematic segment of the population, characterised by dropping out of school, absenteeism and school failure and the lack of technical and professional education. There are great difficulties in socio-professional inclusion ... On the other hand, dysfunctional families are unable to accompany their children. Migrant women also suffer from specific problems related to the fact that they are away from home all day because of work, have difficulties with integration and suffer from isolation. (ibid.)

The categorisation of families in this report follows the production of specialised literature on “risk factors” that identifies “parental capacity” as an important variable in measuring the risk for children and young people, as well as “precarious housing conditions”, “changes of residence and geographic area”, and the “social isolation of the family”. In this context, the reference to the “isolation of the [migrant] woman” is presented as detrimental to the proper exercise of parenting and the healthy development of children (Soares 1997:46–47).

This aligns with studies produced under the purported goal of protecting children and youth, as we find in Lucchini (1997a:33), who produced the idea that the “woman’s sense of isolation further reinforces this tendency” of “the increase in child abuse”. Furthermore, in studies such as Carvalho’s (2010:89, 423, 424), families are held responsible based on the assumption that spaces for the education and socialisation of children and youth should be primarily managed by the family and the school (or institutions with the same purpose), under the supervision of the parents.

The Commission—insofar as it produces a normative discourse that excludes other conceptions of education, community, and work—plays a crucial role in institutionalising the role of families that negotiate or even develop relationships outside the norms established by whiteness, producing an imaginary that marginalises them as belonging to a “deviant sub-culture”, based on disrespect for the rules of social conviviality, nomenclature that includes dialogue with the scientific production of the period (Lourenço et al. 1998; Lucchini 1997b). In this sense, as characterised by studies in the field of childhood, crime and delinquency, children and young people experiencing “strong mobility and autonomy, far from any supervision and social control” is presented as “one of the most important factors in explanation of their delinquency practices” (Carvalho 2010:444). As a result, perceptions deriving from both scientific and political production, in addition to disqualifying other ways of living and educating those families, seek to essentialise them as dysfunctional territories.

From these approaches, the primacy of school, the compression of the family relationship, especially of children and young people in public spaces (separation between private and family life), are central constructions for Western capitalist society, values dear to the white family and therefore taken as central in the production of deviance of the black family, which “is always the result of a discourse on normality on the part of the stigmatising group” (Lucchini 1997b:25). In this sense, what is at stake are agents (black families) being potentially disruptive and capable of eroding the foundations that sustain the racial order, as they negotiate or ignore those values in their daily dynamics.

Typifying “Risk Situations”: “Technical Knowledge”, Control, and the Denial of Reproductive Rights

The report “Families and Child Abuse in Portugal” (2001) provides us with some clues about the construction of the pathologisation of black families and, specifically, of single-parent maternal families in the Portuguese context. The report was carried out by researchers from the Institute of Social Sciences of the University of Lisbon between 1994 and 1998 with the objective of “constructing a typology of characterised forms of abuse and neglect” (Almeida et al. 2001:17), through the generation of data deriving from questionnaires provided to “childhood professionals (health, education and social work)” (Almeida et al. 2001:18) throughout the Portuguese territory, including data on racial belonging⁸ in the cases analysed.

The questionnaires included questions on the child’s domestic group, the child’s growth and development, maltreatment and the abuser’s characteristics. Regarding the child’s profile, “in addition to biographical elements, data on pregnancy and birth, school integration, health, medical monitoring and behavioural traits” were generated, as well as in the “offender’s profile”, whether he/she would have “deviant behaviours” (Almeida et al. 2001:57). Most of the elements are more focused on the characterisation of biographic and behavioural elements than mapping the functionality of the social environment (educational institutions, health, housing) of these children and their relatives, denoting a clinical

and sterilised view on a multidimensional problem. Such a viewpoint seeks pathologies (and not potentialities) to diagnose profiles that are more or less prone to abuse, hiding social, historical, and political elements that produce this type of problem.

Although the study was commissioned in 1994 by the government at the time (Social Democratic Party, PSD), CPPIOF undertook and published the work. In the research carried out in the Lisbon Metropolitan Area (AML), of the ten types of abuse categorised by the researchers responsible for the study, “single-parent families” emerge with greater incidence of “affective neglect”, “emotional abuse”, “emotional and physical violence”, as well as maltreatment *in utero* (Almeida et al. 2001:4–7).

The CPPIOF’s first analytical and political approach to “ethnic minority” families seems to consist of producing a framework that appeals to the “ethnicisation” of the debate (Spillers 1987:66), by attributing “specific problems” to migrant mothers.⁹ In this context, it should be noted that the Commission in this period operated from an understanding that articulated race, patriarchal and reproduction control logics, irrespective of the contemporaneous discussion for equal opportunities between men and women, including specific rights for female working mothers.¹⁰

Although black children account for 4.24% in the general sample of abused children, the report emphasises the higher percentage of black children abused in the Lisbon area (17%) as “it would be a very expressive value taking into account the black percentage in the population of the capital” (Almeida et al. 2001:80). The report also emphasises the condition of belonging to an “ethnic minority” as a factor that contributes to marginalisation and exclusion from school, because “the profile of the social background of these children clearly points to very economically or culturally disadvantaged families, which often add to this disadvantage their condition of ethnic minority” (Almeida et al. 2001:44). Furthermore, in the characterisation of crimes committed by black children in the Lisbon region, “a fact that will be associated with their family origin from the pockets of urban poverty, social exclusion and marginality, where we rightly find a strong presence of ethnic minorities” (Almeida et al. 2001:95).

Following the approaches of the reference literature on “protection” of infancy and youth in the Portuguese context (Baptista-Lopes and Duarte-Fonseca 1988; Carvalho 2003, 2010; Gersão 1989; Guerra 2001; Lourenço et al. 1998), this report is characterised by a false ambiguity regarding the framing of the “problem” and the construction of a typology based on cause and effect, around the mistreatment of children and young people. The ambiguity that can be seen in these studies is false because, on the one hand, the analyses recognise that “it is probably not certain behaviours or familiar forms, by themselves or in the abstract, that precipitate situations of risk for children” (Almeida et al. 2001:76) and that there is a moralising view over these families, whilst on the other hand, it overvalues the data stemming from single-parent families (corresponding to 6% of households in Portugal).¹¹ Although the CPPIOF report recognises that the majority of children who are victims of maltreatment reside in nuclear families, which represent 42% of the cases analysed versus 25% in single-parent families

(Almeida et al. 2001:61), the “higher weight” of “single-parent” arrangements is emphasised and even reiterated as the “expressive weight” in the data on maltreatment (Almeida et al. 2001:61, 75). The report states this is because “it is known that a large proportion of divorces occur in cases of emotional (and often physical) violence ... and emerges, therefore, as a potential case of child abuse” (Almeida et al. 2001:39) and that mothers are usually the main perpetrators of maltreatment against children (Almeida et al. 2001:107, 165).

Although we did not find the racial composition of single-parent families in the report, the construction of suspicion about this type of family arrangement is informed by race. The construction of the imaginary of the black family as a deprived territory, particularly for single-parent families, is a result of stereotyping the psychological characteristics of black women, which dates back to the 1920s and 1930s in the American sociological studies context, but would regain popularity with the publication of the report “The Negro Family: The Case for National Action” (1965) by Daniel Patrick Moynihan, then Assistant Secretary of Labor and Director of the Office of Policy Planning and Research under President Lyndon Johnson (Roberts 1997:24). The report popularises, what for us, is the central argument at the basis of the pathologisation of black families: single-parent families led by black women.

Among the 25 types of maltreatment listed in the report, the authors define “intrauterine maltreatment” as committed during pregnancy and which:

involves situations of active or passive violence against the child during pregnancy or at birth (HIV contagion, foetal alcohol syndrome, neonatal abstinence syndrome, pregnant mother beaten) ... and also those that include attempts to sell the newborn for adoption or behaviours that make it impossible, with official institutions, to define a new life trajectory for the baby. (Almeida et al. 2001:4)

Parents and children are conceived by politics as connected by the transmissibility of so-called “cognitive handicaps” (Almeida et al. 2001:76), supported by sociological studies in the Portuguese context that emphasise the inevitability of the “paternal-child transmission of abusive conduct” (Planella 1997:91) or “transgenerationality of deviation, delinquency and criminality”, as mostly present in young people who reside in certain territories and housing nuclei (i.e. self-constructed neighbourhoods or resettlement communities) and who have certain ways of life (Carvalho 2003, 2010; Machado et al. 2007). Dorothy Roberts (1997) analysed birth control policies in the US, which still penalise black women who have decided to become pregnant. These policies convey the message that these women are the “carriers of incurable immorality”, reproducing degeneracy, delinquency, hopelessness, poverty (Roberts 1997:15–16).

Another important aspect in typifying this type of abuse is that “behaviours that make it impossible, with official institutions, to define a new life trajectory for the baby” can also be considered maltreatment *in utero*. This naturalises violations of the right to privacy and a family life, because definitions by professionals of medical services and social assistance are imposed on parents in a context of extreme fragility regarding the knowledge that these mothers have of their own rights, putting them in a weak position, as referenced in studies on Portuguese legislation,

administrative, and judicial practices of family intervention in “the situation of endangered minors” (Baptista-Lopes and Duarte-Fonseca 1988:19). However, unlike the analysis given to “mistreatment *in utero*” or even in relation to “abusive work”, in the case of “absence of custody”,¹² a type of mistreatment that cuts across all educational lines and types of professions, the study interprets that:

the issues of child custody and the reconciliation of family and work life, in a country that has the highest rates of female activity in Europe, has yet to be fully resolved, both from the point of view of the state and welfare society. (Almeida et al. 2001:169)

The relative weight that the report presents in relation to this type of abuse leads us to reflect on how the system of rights operates in different ways in the zones of being and non-being (Fanon 2008). Specifically for types of abuse where the race of the families are unknown, but are considered by the report in a “medium quality residential context” with a high level of education (unlike *in utero* maltreatment, where the residential context is considered degraded). Here, the authors of the study invoke the state and welfare society; the weight given to family organisation is, for the first and only time, minimised to make room for the role of the state in reproducing this type of situation. This analysis is not found, for example, in relation to “maltreatment *in utero*” (Almeida et al. 2001:125), predominant in the Lisbon Metropolitan Area (where most African migrants live). It is described “like...” without any contextualisation about the socioeconomic conditions in which they live, disregarding other elements of lived reality for those women, such as the fact that they are poor, are deprived of adequate access to medical care and good nutrition, and/or how racism operates in this context.

The report concludes that “marginality and social exclusion”, “lack of facilities and services to support the family”, “lack of preparation for parenting” mainly arising from unwanted births, and “family situations and processes” such as divorce, family recomposition, “alcoholism and drug addiction”, and the role of the school in making mistreatment invisible (by not signalling such situations) are the key ideas that may guide intervention programmes (Almeida et al. 2001:178–182). The final guidelines emphasise the recommendation of “reproductive health in school programmes” as a means of intervening to avoid the “prevalence of many unwanted births” which relate to the lack of preparation for parenting and a “potentiation factor of mistreatment” (Almeida et al. 2001:180–181). The pregnancy of women, especially poor and migrant women, is included in the debate agenda on protection and prevention of abuse. This concern is taken up by the Commission via the organisation of the “Sexual and Reproductive Health in the Context of Development Colloquium” in 2001, to be analysed in the next section.

Rooting Out the Bad: Anti-Blackness and Control of Reproductive Practices

Organised in partnership with the Association for Family Planning, the “Sexual and Reproductive Health in the Context of Development Colloquium” is part of

the government's actions of international cooperation with a development perspective focused on countries on the African continent, former colonies of Portugal, in dialogue with the directives established by the International Conference on Population and Development in Cairo in 1994. In the Colloquium report, themes such as early pregnancy, early sexual initiation, AIDS, and immigrant communities were identified by the presenters as the main problems in the case of Portuguese territory. These themes were underscored by the emphasis on including a gender perspective in the debate, given the role of women in the economic development of countries (*Associação para o planeamento familiar* 2001:86). The speeches present at the Colloquium reproduce the transnational grammar of the importance of sexual and reproductive rights, correlating migration, population growth, underdevelopment, and poverty. In addition, there is a reproduction of narratives about Africa as a problem continent or as "needy countries" whereby Portugal "contributes to resolve these problems" (*Associação para o planeamento familiar* 2001:68).

The report is accompanied by an introductory note from the Assembly's President restricting the question of sexual and reproductive health to demographic control, given that "instituted, irresponsible and uneducated sex" would be the main cause of the "explosion of early pregnancy" and "improvised and irresponsible reproduction", which in turn would drive problems such as "hunger", "unemployment", "social exclusion", and "ethnic migrations" (*Associação para o planeamento familiar* 2001:6). Such a repertoire circumscribes the Colloquium, which intended to discuss measures to ensure sexual and reproductive rights, in a debate where concern with birth control and autonomy over the sexual rights of migrants and Africans prevails.

"Early pregnancy" would also have impacts on the "institution of families" since a "family that is born crooked, is late or never straightens out. And the family that has its origins in a careless and irresponsible sexual relationship is almost always born crooked" (*Associação para o planeamento familiar* 2001:6). The aforementioned speech, delivered by the President of the Assembly, uses ahistorical semantics about the processes involved in migration and, at the same time, is revisionist with regard to the correlation between the economic system and its effects on the production of poverty and unemployment. He also states that this is a problem that requires a decisive and concerted transnational intervention, since "In today's world, in which everything and everyone is interdependent, localised struggles are condemned to failure" (*Associação para o planeamento familiar* 2001:5). In this sense, we can understand the presence of parliamentarians from African countries (former colonies of Portugal), Europeans, as well as non-governmental organisations with activities on the African continent. The speeches throughout the Colloquium reveal colonial logics to control reproduction among black people, evidencing the articulation of neoliberal models of international cooperation and nostalgia for a colonial past (Kapoor 2013:1030).

The Colloquium highlighted the centrality of the concern with how to control the reproduction of sexually transmitted diseases in "developing countries" so as not to "reverse the progress in well-being that many populations have managed to achieve in recent decades" (*Associação para o planeamento familiar* 2001:12),

which in this case we can read as being the “developed countries”. The call for the implementation of an agenda of rights, in this case, sexual and reproductive, in African countries, is converted into a new racial control strategy that disguises, while simultaneously legitimising and naturalising, the exclusion of blacks from the debate on universal rights, facilitating the continuity of domination, constituting a transition point between servility and racial subjectivation (Hartman 1997:8–9).

The need to include a gender perspective in the discussion, mainly “because of the context of the representatives and participants” (Associação para o planeamento familiar 2001:18), was also pointed out in the debate and in this aspect it is worth reflecting on how the logics of captivity are central to understanding the discussion on sexual and reproductive rights. Take, for example, the speech of the CPPIOF president, who refers to the existence of “80 poverty zones” where “the populations revealed weaknesses at the school level, at the family level”:

Thus, we are witnessing a reality where, in families that demonstrate difficulties and economic needs, single-parent families, women at risk and children with difficulties in social integration, assume a pivotal weight in the eruption of multiple problems of exclusion and social disintegration. We understand that, when it comes to analysing issues linked to sexual and reproductive health in the context of development, all these social problems must be present. (Associação para o planeamento familiar 2001:22–23)

Despite the reference to “social problems”, the discourse simulates black agency, insofar as it locates in black families, women, and children the “eruption of multiple problems”. In this sense, it is worth reflecting on the precariousness of black autonomy in the context of liberal humanism, forged under an individualist logic that articulates surveillance, individual responsibility, and guilt (Hartman 1997:117).

Unwanted and adolescent pregnancy as problems related to certain groups were also central themes. The representative of the Ministry of Health highlighted that 20% of women who incorrectly monitor their pregnancy “are mainly from areas or pockets of poverty ... where large numbers of them are migrants, they are minorities. And it is necessary to develop specific programmes for these women” (Associação para o planeamento familiar 2001:29). He also mentioned that teenage pregnancy would occur to “the same women, they are the daughters of those areas or pockets of poverty, those minorities and they are children who drop out of school earlier” (ibid.). The president of CPPIOF also pointed to:

adolescent mothers who belong to disadvantaged social groups and with a sub-culture of their own in which patterns of behaviour and family organisation differ from the established social norm. In a society like the Portuguese one, an adolescent pregnancy means, as a general rule, interruption of studies, lack of professional training and loss of competitiveness in employment. (Associação para o planeamento familiar 2001:23–24)

In this sense, the importance of the discussion about reproduction and race is not only because the birth control policy has mainly affected black women, but principally because these policies reproduce narratives that racial inequality is due to lack of birth control among black women (Roberts 1997:12). The contribution of the deputy of the Portuguese Communist Party endorses the relationship

among liberalism, colonialism, and racism, articulating its presence in the governance of liberal inclusion policies. When recalling the phrase “children are the wealth of the poor” during his visit in São Tomé e Príncipe¹³ in 1999, the deputy concluded that this was a mindset from the commencement of capitalism and that it remains in São Tomé, mainly among men (Associação para o planeamento familiar 2001:49).

Black Families: Deconstructing Diagnoses and Destroying Subjugation Cartographies

This article uncovers how the Portuguese state, through the work of the Parliamentary Commission for Parity and Equal Opportunities and Family, consolidated the legal basis for state intervention in black migrant families through the production of (white) normativity about family, childhood, and parenthood in the Portuguese territory (and beyond),¹⁴ at the expense of building an imaginary that forged the dysfunctionality of the black migrant family. In this sense, the reordering of the debate on race and crime involves the debate on reproduction, extending the “necessary intervention” of the state against black families. The appeal to a social approach to black families does not imply a shift in paradigms (from criminological to social/welfare) but a criminological-social articulation that maintains the issue, based on the concept of black people as a problem, in this case the black family, merely reformulating the “solution”, which continues to be via state intervention, but from its “social branch”.

The analysis of these documents reveals how the parliamentary discourse present in CPPIOF’s actions produced institutional inputs to expand the state’s scope of action in the private sphere of black families, through the consolidation of the agenda for protecting the rights of children and young people, producing an official imaginary based on an antithesis between families and blackness. In this way, the documents analysed in this article can be interpreted as evidence of the coercive and racial character of urban policies. Furthermore, from our point of view, such documents inform us about the dynamics present in the subjugation cartographies constituted by attempts to capture the imperatives of escape produced by the black subject (Hesse 2014:301). The existence of black families and the process of resistance to attempts at besiegement by white power constitute the basis of the subjugation cartographies. These constitute records of memories of escape *from* a system of terror and, at the same time, *for* the materialisation of spaces of freedom and self-determination in the afterlife of racial slavery (McKittrick and Woods 2007).

We understand that the state has produced control mechanisms over the *black family territory* because this space facilitates the transmission of cosmovisions that confront the white racial order. Social services, legislation, and academia produce, via the imposition of the narrative of human rights, the disempowerment of black territory, whether black bodies, families, or autonomous organisations. In this sense, we return to the reflections of Nascimento (in Smith et al. 2021) about the “quilombo”, as another example of black organisation (such as families), to reflect

on the conceptions produced by white supremacy around the black body-territory:

Recently, when I returned again to my studies, I found myself on the familiar soil of an obsolete territory. Obsolete not because this territory has ceased to exist, or has been surpassed—in truth it is continuously in flux—but because it has been reduced to a status of minority, with all that implies: the slight, the inferior, the preliminary, the impotent and the infantile. This territory is both the path already taken, and the one that lies ahead. (Nascimento, in Smith et al. 2021:280)

Despite the criminalisation of black youth being on the agenda of the black movement in Portugal, there is still an obfuscated part of the debate regarding the control and terror policies of the racial state: the reproduction of black families. In this sense, the political discourse produced by the CPPIOF in the 1990s played a fundamental role in diffusing neoliberal conceptions of individual responsibility for the effects of racism (Goldberg 2015:27); selecting families as the locus of intervention by appealing to the ideology of protection-prevention for children and young people, while controlling and punishing parents, mainly black women. In this sense, the work of Sônia Borges on her experience as a mediator in a neighbourhood mostly inhabited by migrants in one of the parental training programmes promoted by the Portuguese state, between 2008 and 2011, presents an oppressive school, which generates discomfort and humiliation among black children, nevertheless parents still try to make themselves present (Borges 2014:94). The concept of the white nuclear family does not fit into the understanding of the family universe (extensive and communal) of those families (Borges 2014:94–95), nor the overlapping parameters of private and public life, as well as the discourse that there are no networks of mutual support and solidarity between families (Borges 2014:98).

When reflecting on the paths of the intervention project and on how child protection institutions ignore the structural context in which those families live, making inappropriate material demands on families in relation to child care and constantly watching over them, Borges (2014:114) concludes that the relationship between rights institutions and black families is based on fear, and in this sense we ask ourselves: “Who, after all, is putting these children and these young people at risk?” (Borges 2014:119).

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Endnotes

¹ The use of the pronoun “we” throughout the text is a political choice based on the Ubuntu philosophy, synthesised in the phrase “I am because we are”. In this sense, this

work is necessarily collective, made by many hands that are present and many others that preceded me, making the claim of an individualised writing embodied only in one person impossible.

² Zones of being and non-being are Fanonian concepts that seek to make intelligible the existence of the separation between white beings (who inhabit the zone of being), who have humanity as an inherent attribute, and non-beings, stripped of their humanity and subordinated to the needs, demands, and interests of those who inhabit the zone of being.

³ As a black woman, I claim the use of the category “black body” from the understanding that the black experience is embodied, that is, the black body is the space-territory par excellence for action / reaction / escape, where ancestral knowledge and reinventions of these legacies can be experienced and performed (Smith 2016). In this sense, this text rejects the racial-capitalist understanding that fragments body and mind, where the first has absolute centrality and the second is conceived as inferior and totally dependent on the first, thereby converting the black person into a commodity.

⁴ The CPPIOF was initially called the Parliamentary Commission for Parity and Equal Opportunities, proposed by the Conference of Representatives of the Parliamentary Groups and “in charge of defending the principles of equality and parity” (Assembleia da República 1995a:44). The context of inclusion of the term family is not registered in the reports analysed for this article. However, in the first work report of the Commission, the term already appears. It is important to mention that in the Commission’s first report (1996–1997) there is a reference to the existence of the European Network of Parliamentary Committees for Equal Opportunities, without the term family, as designated by the elected government (Assembleia da República 1996:222). We can speculate that the inclusion of the term was, therefore, a demand of Portuguese parliamentarians.

⁵ It is important to note that, like black families, Roma/Gypsy families are also the target of these policies, but this is not the focus of analysis within this text.

⁶ In the same year, an inter-ministerial working group was created with the objective of developing a diagnosis of the needs and support programmes for children and the family, as well as devising an intervention programme that considers different sociocultural contexts. The decision for the work of “prevention of risk situations for children” articulated in various ministries is justified from perspective that this type of action “will only be effective if it results from the combined and coherent action of all sectors involved in the protection and integration of children and young people” (Assembleia da República 1997:52). The order also reinforces that “support programmes should focus primarily on children and families whose living conditions are likely to put them at risk” (Assembleia da República 1997:52).

⁷ We did not go into the analysis of this document as we understand that its analysis would not add to the debate we are focused on in this article.

⁸ The inclusion of race (categorised as white, black, mestizo, other) in the aforementioned study draws attention to the contradictions surrounding this type of debate in the Portuguese context, where at the same time the state has avoided the demand of the black movement for the inclusion of certain information (such as health, prisons, education) in its official data (cf. Henriques 2019). We came across this official study that gathers information from hospitals, regional social security centres, commissions for the protection of minors, schools, and private social solidarity institutions from all over the country on the race of the families investigated even in the 1990s.

⁹ For an analysis of the process through which the migrant category was consolidated as a synonym for black/African/Afro-descendant throughout the 1980s and 1990s, see Maeso et al. (2021).

¹⁰ On the discussion about labour rights, see Ferreira (2010).

¹¹ On single-parent families as part of the groups most vulnerable to dangerous situations, see Lucchini (1997a, 1997b), Carvalho (2003, 2010) and Tomás and Fonseca (2004).

¹² It concerns, for example, the temporary abandonment of the child only at home or in the custody of younger siblings or even with inadequate nutrition.

¹³ Within the scope of the agreement of cooperation and the Santomense Association for Family Planning, the Portuguese state, and the Association for Family Planning.

¹⁴ It is also important to mention that, in the first year of work, the CPPIOF built a Network of Parliamentary Committees for Equal Opportunities and Family of Portuguese-speaking countries that intended to act in the scope of “cooperation” to, among other objectives, offer “advice” and evaluation of policies within this scope (Assembleia da República 1996:222).

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