

Brazilian Outrage

A Brazilian Federal Judge and nincompoop has **ordered a measure** which, in his own opinion, is "absolutely brutal, threatening human rights, violating human dignity, xenophobic and worthy of the worst horrors committed by the Nazis".

Why would he do such a thing? Well, the United States has announced that from 5 January, all visitors who require visas to enter the US will also have their fingerprints taken on entry.

This includes visitors from Brazil. Federal Judge and nincompoop da Silva objects to this measure.

"I consider the act absolutely brutal, threatening human rights, violating human dignity, xenophobic and worthy of the worst horrors committed by the Nazis,"

he ruled, in his court order.

So he has ordered all American visitors to Brazil to have their fingerprints taken too.

Just to anticipate the question that was asked about our previous item, on **Cuban Outrage**: No, we are not arguing that because Judge and nincompoop da Silva is hypocritical, the American measure is justified. We are arguing that because neither Judge and nincompoop da Silva nor anyone else has given any rational justification for his measure, it has not been justified. In addition, we consider his hypocrisy and blind anti-Americanism, like those of the Cuban regime, to be noteworthy features of the current world political scene, and that is why we are pointing them out.

Incidentally, we consider the American measures reasonable and unexceptionable under the circumstances. But that is not our point here. Even if they were misguided or excessive, their motivation is clearly not to humiliate Brazilians but to thwart terrorist attacks and save lives. Judge and nincompoop da Silva's order, by contrast, is designed solely to humiliate Americans, with shrill and ostentatious disregard for the moral context of the measure he is reacting to.

Wed, 12/31/2003 - 10:14 | [digg](#) | [del.icio.us](#) | [permalink](#)

question

he's a judge. how come he can just randomly make a new law like

that?

and also won't it be overturned by some other judge?

-- Elliot Temple

<http://www.curi.us/>

by **Elliot Temple** on Thu, 01/01/2004 - 06:56 | [reply](#)

A JUDGE WITHOUT GOOD JUDGMENT

Nor a fair knowledge of the Nazis, and history. There is nothing to guarantee that all judges come with common sense either. Then too, he might be a Castro worshipper and anti-US no matter what we do.

by **Howard e.** on Thu, 01/01/2004 - 09:11 | [reply](#)

Clear as Mud

I'm sure you'll be shocked to hear I disagree with your logic in excusing the US policy. Putting the judge's retaliatory act completely aside, with 27 countries exempt from the indignity of being treated like common criminals,(and one presumes these are the countries exporting light skinned tourists)this can hardly be called a content-neutral regulation.

Looks to me like a political handslapping by the Bush administration for the Latin American's failure to play along on the trade concessions at the WTO conference.

How can taking fingerprints and mugshots at the airport possibly prevent terrorism? Do you think we have some databank of every terrorist agent to compare it to? They recruit new agents every day and even your link suggests we don't have the capacity to use the information.

An official from the US Department of Homeland Security said at least two of the 19 hijackers in the 11 September 2001 attacks could have been stopped if this security system had been in place.

You don't think 17 could have carried out 9/11? I wish I didn't.

The reason there's a rise in anti-Americanism is precisely because of these kind of ineffective and insulting programs. You call it a safety measure. I call it a human rights violation.

Worrying about them getting into the country is pointless. They are here. They uncover sleeper cells within our borders all the time. The money would be better spent in fortifying the protections of the most vulnerable targets in our infrastructure, like say the nuclear power plants. Or did you forget about those reporters that wandered around one for fully fifteen minutes before they were arrested?

respectfully,

Last One Speaks

by a reader on Thu, 01/01/2004 - 22:00 | [reply](#)

Re: Clear As Mud

!

by [Editor](#) on Thu, 01/01/2004 - 22:13 | [reply](#)

Clear as Mud

Where exactly in my remarks did see a suggestion of a conspiracy theory? It seems obvious that since you don't have an answer to defend the effectiveness of this program, you resort to the usual tactic of simply dismissing my pragmatic concern about the allocation of my tax dollars to programs that are not contributing to the safety of the country by implying I'm some fringe lunatic.

It's not about 9/11, the point is this program would not have prevented it from happening, nor will it prevent a future attack.

You're insulted that Brazil would give you a taste of our own policy on the grounds it's unjustified. I'm saying you can't just say our policy is justified without offering some explanation as to how this outrageous invasion of the privacy of an innocent traveller without probable cause outweighs the results likely to be obtained by that infringement on personal sovereignty.

Last One Speaks

by a reader on Thu, 01/01/2004 - 23:00 | [reply](#)

Re: Clear as Mud

Last One Speaks asked:

Where exactly in my remarks did see a suggestion of a conspiracy theory?

That's an interesting question. According to [The World's discussion](#), the central feature of a conspiracy theory is that it alleges that the conspirators are lying about their motives for behaving in the ways that they do, and that their real motives are malevolent. In this case, you are claiming that the US Administration neither intends nor believes that the measures will help prevent terrorism as they publicly claim, but is intentionally diverting resources away from measures that would be effective, in order to further an utterly unrelated, secret intention of punishing Latin American countries for their trade policies, and additionally (if I understand you correctly) they are motivated by the pleasure they take in humiliating dark-skinned people.

Now, this in itself does not make something a conspiracy theory, for it is indeed common for people to lie about their motives. More is required. And in fact, a more conventional definition of 'conspiracy theory' would start from a different criterion: the irrefutability of

such theories. This criterion, too, is met by your remarks, for no conceivable observation would prove them wrong. Contrast that with the straightforward interpretation, namely that the Administration believes what it says about the fingerprinting measure. That interpretation would be utterly exploded by, for instance, a single accidentally recorded remark, when the President thought he was off-camera, of the form "well, that'll show those pesky Brazilians what happens when they cross us at the WTO talks! And can you believe how gullible people are? Security checks at airports deterring terrorists, the very idea, ha ha ha!"

But in my opinion, empirical irrefutability, in itself, is a little overrated as an indicator of irrationality. I would focus on a third feature, also stressed in **The World's** discussion, which is not so much about what a theory says as what it does not say. This is a matter of 'not taking one's own theory seriously'. Space does not permit a full statement here of what it would mean to take the 'terrorism-indifference-and-trade-policy-punishment' theory seriously as an explanation of the reality of the new fingerprint checks. But for instance, I would expect anyone who did take it seriously to be very preoccupied with questions such as: how is the Brazilian government to be made aware of the fact that they are being punished, given that the true motive has to be kept from the public?, by what mechanism does the Administration hope that the humiliation of Brazilian tourists will be translated into Brazilian government compliance at the next trade talks?, are black members of the Administration privy to the policy of exempting white tourists from humiliation? And so on. Your remarks showed no interest in a single such issue, and they therefore satisfy the third criterion too.

And then, fourthly, there is the matter of dupes. In this matter there certainly are dupes (I can testify that I am one of them) i.e. people who consider it highly plausible that these fingerprint measures *will* be helpful. Therefore someone who takes seriously the idea that the Administration does not believe this, would want to explain *how* they know that people with the foul, criminal, concealed motives that you allege, exist at all.

by **David Deutsch** on Fri, 01/02/2004 - 00:48 | [reply](#)

Clear as Mud

Please don't put words in my mouth. I did not address motive at all, perhaps these conspiracy implications you see in my words are your own unacknowledged anxieties speaking.

I'm questioning the fiscal responsibility of this program and the conceivable way to prove its value would be with some credible statistics. It would be a simple matter to produce some empirical evidence proving the humiliation of thousands of innocent tourists will succeed in interdiction of said terrorists, if any such evidence existed.

The only motive I attribute to this waste of my hard earned tax

dollars is political. It's a just another PR ploy in this election year to make you feel secure. It's all smoke and mirrors. It does not make you safer and further will only contribute to the anti-Americanism in the targeted countries. I attribute it to incompetence and indifference, not some evil intent.

still just my opinion,

Last One Speaks

by a reader on Fri, 01/02/2004 - 03:10 | [reply](#)

fun with invalid arguments

well, if "don't put words in my mouth" is a valid argument (you are omniscient WRT yourself, or something, i guess), then i'm pretty sure so is "2 people overrule 1". so i hereby join my voice with David's and assert he is right. he didn't put words in your mouth; his interpretation was entirely reasonable and i believe more accurate than your own knowledge of your views.

-- Elliot Temple

<http://www.curi.us/>

by [Elliot Temple](#) on Fri, 01/02/2004 - 11:04 | [reply](#)

Clear as Mud

"Last One Speaks",

Your story keeps changing.

In your first comment, you seemed to be suggesting malevolent motives for the policy. You noted that 27 countries were exempt and suggested that it was related to skin-color rather than any kind of rational threat assessment.

Then you suggested that it was retaliation for WTO negotiation activity.

Now you say: "It's a just another PR ploy in this election year to make you feel secure."

I think you should forgive us if we're unclear on what your assertions are and why you're making them.

Also, I think you're wrong that "It would be a simple matter to produce some empirical evidence proving the humiliation of thousands of innocent tourists will succeed in interdiction of said terrorists, if any such evidence existed."

In fact, I think that such empirical evidence would be impossible to produce; even if the policy is worthwhile. And, it's not only about interdiction, but there are other security benefits such deterrence and aid in follow-up investigations.

If your concern is genuinely that the costs of this policy exceed its

benefits, then one would expect you to be happy that an analysis has determined that it's wise to exclude visitors from lower risk countries from these "humiliations". Instead, you react in the opposite direction, and perceive it as another problem (and imply irrational prejudice).

I, with you, am not certain that this policy is worthwhile. But, I acknowledge that it has *some* security benefits, and I deny that everyone has a "human right" to enter the United States without being fingerprinted.

Gil

by **Gil** on Fri, 01/02/2004 - 18:57 | [reply](#)

One More Point

I also think that "mak[ing] you feel secure" is a worthy goal.

It doesn't justify every conceivable policy, but it justifies some; and, perhaps, it helps to justify this one.

Gil

by **Gil** on Fri, 01/02/2004 - 19:09 | [reply](#)

Re: Clear as Mud

Gil said to "Last One Speaks":

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Now you say: "It's a just another PR ploy in this election year to make you feel secure."

I think you should forgive us if we're unclear on what your assertions are and why you're making them.

Yes. Note also that the title of the thread, "Clear as Mud", chosen by "Last One Speaks", can only be referring to **The World's** claim that:

Even if they were misguided or excessive, their motivation is clearly not...

Why would someone forget, and indeed vehemently deny, that they had just made four separate references to motivation? Because, as

he rightly says, calling them that is putting words in his mouth. Or

in other words, it is taking his assertions seriously as statements about reality. It seems perplexing that someone would object to this, but maybe we can understand it like this: *in a conspiracy theorist's world view, theory is parable*. Thus it makes no more sense to "put words in his mouth" than it would have to demand that Jesus explain why the events in some of his more **implausible parables** had not been heard of before. The object of the formally factual assertions in a parable is not to achieve *correspondence* with reality, but to express a sort of transcendent understanding of it, or to feel a certain way about it. That is what the author of a parable is trying to achieve when he says "Then said the king to the servants", or "Bush lied".

by **David Deutsch** on Sat, 01/03/2004 - 06:05 | [reply](#)

A Thought

My little thought is not so much about Brazil or U.S. and motives. I don't think the idea of fingerprint checks and maybe mug shots at ports of entry is all so bad. However, are there not 23 countries for which the U.S. does not require this? List those countries. Can we trust that every citizen of those countries is not a terrorist or at least not hostile to the U.S. with intent to do harm? Are they safer than Brazilians and how does one know that? And why not returning U.S. citizens? Are we sure they are who they say they are, its possible to forge a passport. Maybe I read that wrong about exemptions, but it did sound like there is a gaping hole in the security measure.

Everything else I agree with. The Brazilian judge is a nincompoop. Last One Speaks is likely not a conspiracy theorist, arguments to the contrary.

by a reader on Sat, 01/03/2004 - 16:28 | [reply](#)

Gaping Holes

I'm really perplexed by this criticism of the policy.

We don't want security with no holes (in fact, it's impossible). We don't want to live in a prison. We want a balance between security and civil rights. We should want our limited security resources focused on the higher risk threats; and limit impositions on civil rights. This is **good** discrimination.

Why do the same people who complain that the policy puts a burden on visitors that is not justified by security benefits also complain that some of the visitors are not subjected this burden?

Why assume that both the policy is bad and the inequality is bad, rather than the more plausible theory that authorities are also interested in balancing security and dignity and have just drawn the line in a different place?

Gil

by **Gil** on Sat, 01/03/2004 - 22:10 | [reply](#)

Not a complaint

I would be for a policy of being electronically fingerprinted and digital mug shot, shoot, both upon entering and leaving the country. It would seem to make sense to me and would be less invasive than many other security measures to identify that I am who I say I am and am not a security threat. Please add to that, Have a nice day. Enjoy your travels. Seriously. Let me back in tho please.

by a reader on Sat, 01/03/2004 - 23:03 | [reply](#)

Still Clear as Mud

Hello. One of my readers just pointed out that this thread was still going. Forgive my inattention. I'm new to this form of discussion and I just assumed the thread would end more quickly.

In any event, it's an interesting form of communication. I have never had so many people tell me what I'm really thinking, instead of responding to what I actually said. Since you know my meaning so well, perhaps you'd be willing to call my mom. She loves hearing from me.

Otherwise I can't fail to notice that not one of you can offer a practical defense to a **fiscally irresponsible** and (yes) racist policy that accomplishes practically nothing in the way of homeland security. Excuse me for bitching but I work damn hard for the tax dollars they are squandering on this dunderheaded program and last I looked the Patriot II Act has not quite managed to take away my right to do so.

All I ask is that you think about it.

in peace,

Last One Speaks

by a reader on Sun, 01/04/2004 - 05:49 | [reply](#)

Ideas Have Consequences

A wonderful forum, and as Last One Speaks notes, "All I ask is that you think about it." Several interesting ideas here in these comments above. As close or as far from the truth each of them may be, they do present a spectrum of ideas, scattered somewhat, but a spectrum.

The byline is right tho, Ideas Have Consequences. Fingerprinting and mugshots for visa holding foreigners represents one of those ideas. An idea such as that can be enforced by fiat. It may need to be. Do it. Start now.

However, it would seem most of all from the discussion that not all

the consequences of such an idea have been explored. No one said that this forum is the place for it or must be, but I appreciate the opportunity to think about it as part of an overarching question. It affects me either way and along the whole spectrum once a decision has been made to put the idea into action. I know that the original post or must assume anyway that the intent was only to rightly call into question the Brazilian judge nincompoo. However the larger question of fingerprinting and mug shots at ports of entry has been raised by the implementation of a specific policy. It started as someone's idea. Ideas do have consequences. Sometimes ideas have consequences that may go far beyond the initial intent.

The judge is an inconsequential nincompoo and the world is little affected by his stupid ranting about Nazis and such.

The larger question is about security and freedom and the ideas as to how to balance the two in a free and democratic country where sometimes ideas are carried into action by fiat. The jury is still out on that one, what are our best ideas about security and freedom in a changing world? Of course its not a jury, just a right to think about it and discuss without throwing things. This is as good a place as any to do that, since after all **Setting the World to Rights** seems to understand more than than authors of most forums that Ideas do Have Consequences.

by a reader on Sun, 01/04/2004 - 16:16 | [reply](#)

Ideas have consequences?

The judge is an inconsequential nincompoo and the world is little affected by his stupid ranting about Nazis and such

How could his idea be dismissed so easily when the original theme is about idea carrying consequences? Is there any possibility that the idea of an important person, A JUDGE, could be used to flame an intensive anti-American of those "asking why they hate us" to say the least, not to mention of those even more fanatical. Perhaps you would say that his idea has less important consequences as compared to our consequences? If it's so, then you must be aware of the 2nd level of ideas having consequences, that is how well one's aware of one's own quality of reasoning, the pros & cons of such consequences, the premises and principles those such idea has built upon, the contradiction between principles that applied to such idea. And with that, I suggest that the quality of reasoning of Gil is superb as followed

...We don't want security with no holes (in fact, it's impossible). We don't want to live in a prison. We want a balance between security and civil rights. We should want our limited security resources focused on the higher risk threats; and limit impositions on civil rights. This is good discrimination...

Maybe, you can start from there to outline your lines of why the jury is still out there. It's your idea that we are listening to, if you think it's more probable than the "jury", since if it has the highest

truth, you should be willing to defend it with your life, right? That's one consequence one should think of too.

Words can fool men but nature doesn't give a damn!

by [Lan Nguyen](#) on Sun, 01/04/2004 - 19:03 | [reply](#)

The Judge

I'll let the words of the Brazilian Judge speak for themselves.

As to the second point, Gil does have a superb quality of reasoning. We both are concerned about the proper balance between security and freedom. The jury is still out because that is an everchanging scenario. I want my security measures adaptable to the times and in balance.

I have no need to defend my short post with my life. Some other time maybe.

I happen tho to think that it is not unreasonable to fingerprint electronically and take digital pictures at points of entry. Everyone. Security is security. Its not a half measure. I have no particular reason to question why our government has required this of citizens of other countries. I don't care what your nationality or race is. This is not Brazil and we have been burned badly.

So do it for everyone if it protects my freedom. If it doesn't, don't. Personally I have nothing to lose other then a minor inconvenience. We have the technology and it is pretty good and getting better, and it is alot less intrusive than luggage or body patdowns and x-rays. So include me electronically and digitally and make sure that I know it. They already have my fingerprints and my mug shot a thousand times over. I'm on every ATM film and a whole lot more.

After all I am a U.S. citizen and this time i'm on the passenger manifest. I like that they know that I am who I am when I return to this country. I just don't know that "they" are who "they" say they are, you know? Exempted country? What does that mean? Wave them on through like a flag is some kind of pass go badge? So do it. If its good enough for them its good enough for me too.

by a reader on Mon, 01/05/2004 - 04:19 | [reply](#)

I see your point now. It's no...

I see your point now. It's not against security measure based on "human right" principle as other does but you rather have everyone digitally captured and no exempt. I would yield to that small annoyance with a constant awareness that measure could be used for dark purpose too. For now, I give our government the benefit of the doubt.

Words can fool men but nature doesn't give a damn!

by [Lan Nguyen](#) on Mon, 01/05/2004 - 19:18 | [reply](#)

So, Brazil is - "Outraged"!!!!

Good for them - add it to "Irrelevant" and "Impotent"...

by a reader on Tue, 01/13/2004 - 04:00 | [reply](#)

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