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COMUNICAÇÃO E POLÍTICAS PÚBLICAS



FEMINICIDE IN THE STATE OF RORAIMA, BRAZIL

MÓNICA MONTANA MARTÍNEZ RIBAS
DEBORAH LUÍSA POMPEO
MYLENA DE AGUIAR MELO



FEMINICIDE IN THE STATE OF RORAIMA, BRAZIL

UNIVERSIDADE FEDERAL DE RORAIMA – UFRR



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Campus do Paricarana – Av. Cap. Ene Garcez, 2413,
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Fone: +55.95.3621-3111 e-mail: editoraufrr@gmail.com

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Revisão

Autoras

Capa

Berto Batalha Machado Carvalho
Elói Martins Senhoras

Projeto Gráfico e

Diagramação

Berto Batalha Machado Carvalho
Elói Martins Senhoras

Organizadores da Coleção

Elói Martins Senhoras
Maurício Zouein

Conselho Editorial

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Sandra Gomes
Sônia Costa Padilha

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EDITORIAL

O Núcleo de Pesquisa Semiótica da Amazônia (NUPS), da Universidade Federal de Roraima (UFRR), criou a “Coleção Comunicação & Políticas Públicas” com o objetivo de divulgar livros de caráter didático produzidos por pesquisadores da comunidade científica que tenham contribuições nas amplas áreas do conhecimento.

O selo “Coleção Comunicação & Políticas Públicas” é voltado para o fomento da produção de trabalhos intelectuais que tenham qualidade e relevância científica e didática para atender aos interesses de ensino, pesquisa e extensão da comunidade acadêmica e da sociedade como um todo.

As publicações incluídas na coleção têm o intuito de trazerem contribuições para o avanço da reflexão e da *práxis* em diferentes áreas do pensamento científico e para a consolidação de uma comunidade científica comprometida com a pluralidade do pensamento e com uma crescente institucionalização dos debates nestas áreas.

Concebida para oferecer um material sem custos aos universitários e ao público interessado, a coleção é editada nos formatos impresso e de livros eletrônicos a fim de propiciar a democratização do conhecimento por meio do livre acesso e divulgação das obras.

Elói Martins Senhoras, Maurício Elias Zouein
(Organizadores da Coleção Comunicação & Políticas Públicas)

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INTRODUCTION

INTRODUCTION

This book, which has been organized amongst three chapters and conclusions, was developed on the subject of gender violence. Its goal is to analyze the historically violent social context for women in the State of Roraima, as well as the expressive exponential increase on the rates of violence against women and several forms, as to verify the invisibility of the female gender before public institutions. Its methodological approach is descriptive and qualitative.

The subject stood out for being a phenomenon which accompanies the structuring of social relations and, despite current institutional highlight, is still perpetuated amongst generations, manifesting in different forms in an increasingly intense and hostile manner towards the condition of the female gender.

The regional study focused in the State of Roraima has indicated that that region may be considered as one of the most lethal in Brazil in terms of gender violence and specifically when it comes to violence against women. On that note, it has been reported that, although there is some implementation of specialized agencies for helping women victimized by violence, as well as the punishment of offenders via the Bill of Law 11.340/2006, the effectiveness of public policies for the prevention and awareness of the population is still precarious.

In that sense, it's worthy of note that Roraima is one of the youngest states in Brazil, and also the most dangerous one for women and girls. That is shown on the high rates of femicide, concept which defines an act of utmost graveness, in an institutional and cultural context of both discrimination and gender violence.

That reality justifies the present thought contribution, for purposes of elaborating public policies for mitigating, controlling, and punishing violent acts against the female gender. For that, founded on that premise, the deductive and descriptive scientific method was used, which, through logical-discursive resources accomplished by surveying, reviewing, and bibliographic and legal researching, have allowed for a comprehensive

understanding of the local scenario, the dire implications of the different crimes described, and also offered reflections on which measures may be taken for facing them.

The results have shown that crimes against women are often accompanied by a set of acts of extreme violence and physical and psychological cruelty which also indicate levels of hatred, when there are subjections to torture, mutilation, insulting, or psychological pressures.

Having considered these phenomena, which are not new at all, it concludes that these socio-cultural issues demand imminent attention from the State, as well as coherent public policies as to assure the safety and the development of women; a legal apparatus and constant improvement of the professionals in the health and legal areas tending to these issues and new mechanisms for male reeducation focused on respecting women's choices and individuality.

The first chapter approaches the tolerance displayed by society when it comes to domestic violence and sexism, as well as the connivance of the State to its occurrence. The lack of effectiveness of Human Rights dictated in legal milestones as well as the lack of accountability of the National States on the subject is also discussed.

The second chapter discusses the legal devices for the protection of women in Brazil, with special attention to the Bill of Law 11.340, commonly known as the Maria da Penha Law, and its impact on how Brazil deals with domestic and familial violence. It also analyzes the forms of gender, domestic, and familial violence.

The third chapter analyzes the history of violence against women, through an analysis of the historical terminology used to describe it, as well as demonstrating the growing rates of femicide and violence against women which have been previously mentioned.

Lastly, it is concluded that, although the issue is rooted in cultural constructs, it is intensified by the omission of the public authorities. The procedures implemented for facilitating the denouncement and repression of violence against women are constantly maturing, and are doomed to ineffectiveness due to lack of inter-agency communication and effective restraining measures for after the reporting of the occurrences.

CHAPTER 1

*Social short-sightedness, gender violence and
responsibility of National States*

SOCIAL SHORT-SIGHTEDNESS, GENDER VIOLENCE AND RESPONSIBILITY OF NATIONAL STATES

Violence against adult women, female children and teenagers, has always existed within societies, nonetheless, the work of epistemic communities, social movements, and the various International Organizations for the Defense of Human Rights, in combination with greater access to information, ensured that this worldwide phenomenon and severe socio-structural issue, underestimated through decades, acquired greater international visibility and debate throughout every sphere, especially by the end of the 1990s.

Facts which demanded research, academic studies, political and legal actions from the National States and greater participations from the civil society, especially represented in feminist studies. In such dimension, it is paramount to highlight that the feminisms and their feminist epistemology were analytical key to begin debating these issues ingrained in cultures, institutions and States (GOMES, 2018). For the effects of this paper, feminism is understood in its plurality expressed by a group of practices developed by women, with the goal of facing a reality that excludes, subjugates or discriminates them.

In an unequal treatment of men and women, violence against women (adult, adolescent and children) has become one of the great social issues that are played down in many countries and continents. Although they are visible under many forms, the consequences of gender violence both in victims and in society as a whole, continue to be ignored, and in some cultures, even justified; at times by matters tied to religion, ethnicity or culture, at times by the patriarchal structure.

The structure of patriarchal societies tends to play down these issues, but, in the past few decades, these subject In the case of domestic violence in its various degrees , it is known to have been underestimated for decades, and it is cyclic, ending in many cases in feminicide. In Brazil, domestic violence is synonym to intrafamilial violence. Conceptually, it

differs from domestic violence, as that has its fundamental element the domestic unit, undermining blood bond. While the latter is based in parentage and such has been debated tied to the safety and well-being of women, adult, adolescent and child alike, as challenges and responsibilities of National States¹.

Facing the increased occurrence and frequency of violence against women and girls, State accountability started being claimed in gender studies, because of the different crimes and acts of violence committed over the mere fact of being a woman. In that matter, it is important to highlight the participation of NGOs, feminist and women's movements, as well as the agency of the means of communication responsible for denouncing the constant violation of human and economic rights and, mainly, the lethality of the violence perpetrated against women, expressed in what are called feminicides, matter to be conceptuality and historically explained in the next section.

The connection established in some papers on this matter have evidenced that for the most part of feminicides the violence happens in cyclic episodes which anticipate the feminicides. On the other hand, feminicide also serves as to silence the sexual violence committed in acts of rape, which may occur throughout the victim's life, or that may occur in vulnerability² conditions with strangers.

¹ The historical-political process of formation of contemporary States has conceived, starting in the 1980s, the current form in which the State is responsible for assuring the order and safety against internal and external threats directed at the population, and seen in a macrospatial dimension, to the National States. From the XXI century, the threats to State order have acquired diffuse natures, which became clear after the events of September 11th 2001, in a way that the term 'security' became the core of political speeches and all subjects became guided by the goal of channeling threats and assuring security and many dimensions, such as human safety.

² By 'vulnerability' one must understand 'the conditions in which the victim does not possess physical, chemical or emotional conditions to defend oneself from violence. For example, mentally disabled people, or people under the influence of alcohol or drugs. There is also the social vulnerability, as in when a woman or girl frequents a predominantly male environment and her present raises, by her way of dressing, libidinous words, actions, or gestures, even so much as rape and feminicide.

In the case of domestic violence in its various degrees³, it is known to have been underestimated for decades, and it is cyclic, ending in many cases in femicide. In Brazil, domestic violence is synonym to intrafamilial violence. Conceptually, it differs from domestic violence, as that has its fundamental element the domestic unit, undermining blood bond. While the latter is based in parentage and such.

Both in cases of intrafamilial violence as in rape cases, accusing the victim of being responsible for provoking the behavior of the aggressor constitutes yet another type of violence: the psychological one. In both cases a distorted view of reality is commonly present due to sexism culture and the prevalence of male over female, bestowing upon men non-existent entitlement over their victims.

In that dimension, it makes due to highlight the possessive feelings of the aggressor over their female partner being socially relativized, and the forms of violence, which may begin with screaming, threatening gestures, hair pulling and slaps to the face, are aggravated by the silence of the victims and their feeling of being guilty and deserving of battering and violence. The relativization of violence against women and girls is what we call social myopia, which contributes to the increase of the numbers of femicides worldwide.

According to the 2018 dossier on Femicides from the Patrícia Galvão Institute, the possessive feelings are also present in cases of relatives and cohabitants that commit sexual violence against girls and women and then go on to also commit femicides. It is also mentioned that it is very common for man to attempt to sexually abuse the woman or girl and, if he is met with resistance, to wound up ending her life.

For that institution, while approaching Brazilian reality, femicide committed by current or former partner, has as a responsible party, besides the perpetrator, the State. That claim takes base because it is the public service that, given its precarious structure, condemns to death

³ In Brazil, for instance, with the Maria da Penha Law forms of domestic and familial violences against women are recognized, as dictated by the 7th article of said law.

foretold thousands of Brazilian women, by not structuring a specialized team capable of providing safety for the women and to hold the men accountable.

The economic dependence on the provider and the lack of programs for the inclusion of the victims to the job market, as well as the absence of temporary housing that would take them in and protect them also turn into reasons for these women to turn back to living with their abusers. Hence, the charges of violence are dropped while the occurrence of aggression may intensify, ultimately culminating in homicide.

The link between these crimes and the omission of human rights has given opportunity for several social mobilizations, as well as academic studies and legal reforms which demand political, economic and legal action from the national States towards diminishing the banalization of these crimes against the female gender.

The growing dynamic of acts of violence victimizing women and girls across the different continents should advance towards the responsabilization of National States as, per what has been seen, these kinds of violence are of a structural and cultural nature, and it is not perceived as cyclic violence which could be avoided with effective programs and policies and, overall, which must be fought through societal re-education.

The omission in States management of these new security issues, which affects women and society as a whole, is translated into the increased domestic violence and rates of femicides and rapes. The Brazilian reality fits into this context. The increased number of rapes, femicides, and various types of attacks directed at the female gender are an indicator that the National State's public safety policies are failing.

Perceiving femicides as a failure of the State might bring about more effective social and political changes over gender issues, for it must be understood that National States are responsible for the violence committed and for the lives taken.

This responsabilization, in Brazil's case, has an example in the resources presented before the Inter American Commission on Human Rights, presented in 1998 by a victim of domestic violence, who named the Maria da Penha Law, a legislation that seeks to inhibit, punish and protect women against intra familial violence. From the analysis of the aforementioned case, it is observed that Brazil was liable by the OAS in 2001 for negligence, omission, and tolerance towards domestic violence perpetrated against women⁴.

In many countries family violence is considered “normal”, but must be seen as the precursor to a larger problem, since, for example, children from quarrelsome homes tend to reproduce aggressive behaviors learned from being a victim of violence. Currently, it is known that many feminicides are avoidable when the State fulfills its part, because supporting violence there is societal and institutional connivance. The different forms of domestic violence against women indicate cultural roots with traits that exacerbate the secular machismo.

In this sense, it is fundamental to mention that the non-effectivity of the Rights dictated in the legal milestones, the lack of implementation of specialized treatment services, the acceptance and naturalization of gender and race hierarchies, and the trivialization of a number of previous violences, by the States own institutions, contribute to the continuity of aggressions practiced against women and girls. On the other hand, it must be highlighted that the cycles of violence, in its different forms, are in the core of the feminicides⁵. For instance, domestic and sexual violence to fatal completion, subjects to be furthered explained in the following sections.

The studies by Walker (1979); Oliveira (2012) on intra-familial violence indicate that this type of conduct is still considered a subject pertaining only to the couple. This perception (of non-intromission) has

⁴ Available at: <http://www.institutomariadapenha.org.br/quem-e-maria-da-penha.html>

⁵ Available at: <https://dossies.agenciapatriciagalvao.org.br/feminicidio/capitulos/como-evitar-mortes-anunciadas>.

symbolically legitimized abuse against women, who ended up resigning to the violent acts perpetrated by the provider of the home (INSTITUTO PATRÍCIA GALVÃO, 2013; MONTANA; 2017). The victims often hide the occurrences and the bruises of physical or sexual violence paired with psychological violence. In some cases, the scars from sexual intra-familial and structural violence are hidden away in silence, kept by fear, economic dependence, social shame, or simply because they don't believe the State will protect them.

It has been mentioned that violence is cyclic and, in fact, the frequency of violence against women, children and adolescents practices in various social circles by men, tends to become commonplace to a point where society minimizes and ignores it, prevailing the social myopia before abuse that is rooted in the cultural foundation of sexism and acceptance of social gender labeling⁶. This assertion is supported by Godelier (1982), based on anthropologic data, defending the hypothesis that in every society, even the most egalitarian ones, the hierarchies of power have always existed and have been bestowed upon men, constituting detrimental and legitimately patriarchal societies.

In this distribution of roles, the final structure of power hierarchy belongs to men, giving them a series of advantages and allowances. Therefore, men acquire a status in which use of force is possible, allowed, and even justifiable⁷.

The social structure defining roles and assignments became legitimate nowadays. Combating shouting at, raping, and objectifying women became one of the biggest challenges to be overcome throughout

⁶ It is up for the man to be the provider of the home. The woman must tend to the children and housework. Men may cheat, for they are men. Women must tolerate infidelities to preserve the relationship. Men don't cry.

⁷ An example of that statement finds support in occurrences of female infidelity, in which it is socially legitimized that the man may 'wash his honor' by killing his partner. Some Middle-Eastern and African countries stone women for adultery. For more on the issue:

<http://g1.globo.com/mundo/noticia/2010/09/pena-de-apedrejamento-comeca-a-diminuir-no-mundo-islamico.html>

the continents in the new century, given the invisibility⁸ of women and the prevailing social myopia.

The omission of these issues by the National States contributes to certain behavioral patterns that are detrimental to the psychological and physical safety of women to be played down, and for that, cultural practices still persist in which child marriages, genital mutilation, rape as war weapon, collective rape, besides several other forms of economic and political discrimination against women are still admitted. To overlook the issue and not debating this reality increases the dimension of the graveness of the situation of unsafety of the female gender. For that, appropriate public policies and legal instruments for rigorously combating the different types of gender violence are not (MONTANA, 2017).

According to Montana (2017), gender violence is a learned behavior that develops roots which are hard to sever without the effective part of the State. Scholars on gender violence understand it as a cultural phenomenon⁹ that must be analyzed separately from aggressiveness, which is a biological conduct¹⁰. Those who practice domestic violence do

⁸ This invisibility is due to the social underestimating of women's physical, emotional, political and economic capacities. Which may be inferred by its work implications and in the fulfilment of everyday tasks. The woman must grow as a professional, mother, wife, or in even other aspect, being overloaded physically and/or emotionally. Another form of invisibility is that of the domestic work, which is legitimized as the woman's role, unpaid, but which she must fulfill for being a woman. Economically, it is known that women earn, in average, lower wages than men, even if they are equally qualified and have the same responsibilities in their positions. Politically, the female presence in public offices, and in charge of certain positions dominated by men, the female presence is low (i.e. Presidency, Armed Forces, and so on).

⁹ For Soares, in the case of Brazil, violence appears to be intrinsic to the process of formation of Brazilian society, being present in the authoritarian notions and cultural imposition ever since the colonizing (SOARES, 2015). In that sense, Adorno points out that Brazilian society exits authoritarian regime, corresponding authoritarian structures, generating social tendencies such as increased urban delinquency, violence, and homicides of women, emerging organized criminality and grave violations of human rights, which compromise the consolidation of the democratic political order.

¹⁰ Flores, based on Raine et al. (1996) and Raine and Liu (1998), understands that biology contributes to the phenomenon of violence. The studies of Raine et al. (1996) and Raine and Liu (1998), have identified, from an explosive combination, that "biological fragilities, stimulated by the presence of neurological issues, delay in the neuropsychomotor development and labor complications, combined with an inappropriate family environment, especially during the first year of life. In the analyzed samples, Dutch and North-Americans, the risk of getting involved in criminal behavior was more than double of that of when there is only one factor present – biological fragility or inadequate environment isolate- corresponding to over 2/3 of the total of crimes committed on the observed cut-out". On these

it for reasons that differ from the objective self-preservation of their own integrity. One can, for example, respond aggressively when one's integrity is threatened, and that is considered an instinct of self-preservation and, therefore, manifests a biological response. However, gender violence has been learned from one generation to the next, involving patriarchic roles, and so being perpetuated in societies until becoming a symbolic and usual violence.

Thus, the desire and tendency to cause harm to others, for different reasons, is introduced in a sociocultural system to manifest power, possession or subjugation over someone in a vulnerable or unequal condition. In this sense, social connivance and the very institutionalization of the different forms of violence against women, is considered to be the cause for the increased numbers of feminicides, which may be avoided by the opportune action of the State.

This line of thought is met, for example, by the Brazilian reality which, as analyzed by Oliveira (2012, p. 152), indicates that women, in the name of the sacredness of the family institution, resign to violence. For the author, "this phenomenon which happens in the microsocal plan gains, every day, more support inside various Brazilian homes". The author also highlights that "in face of a scenario of subjugation of the female gender, providing different treatment to the women who are not respected in their own homes becomes indispensable", also noting that the "structuring of a legal apparatus allied to the due diligence of the law by part of the law operators is capable of balancing the stark inequalities amongst sexes and assuring women the minimal conditions to dignity".

The dossier from the Instituto Patrícia Galvão (2013) and Montana and Melo (2018) also point to the importance of an adequate structure and better training of public servants who deal with gender violence. That is because many feminicides may be avoided if intra-familial violence is repressed through legal, educational action and upon

same bases, Flores performed studies sampling 21 violent youngsters, but without criminal convictions in Porto Alegre, identifying three variables which's' presence increased significantly the violence score used: complications during birth, childhood mistreatment, and family history of criminality. Available at: <http://www.scielo.br/pdf/csc/v7n1/a19v07n1.pdf>

the coordination of different public policies (MONTANA, 2017). Although, as aforementioned, the social connivance and institutionalization of violence against women is culturally rooted in sexism, derived from the patriarchal model of organization which is difficult to combat without full awareness from the society about the graveness of these issues and the importance of debating them.

In this line of thought, Andréa Vasconcelos, coordinator of the entity Núcleo de Mulheres de Roraima (NUMURR), understands that, when analyzing Brazil's case, and specifically the case of Roraima, there is a very strong culture of female submission, such a reality is verified by the high number of cases of violence against women and the rising numbers of feminicides.

Women's submission appears as a national phenomenon which, in Roraima, takes particular traits, as pointed by Vasconcelos (2018), due to cultural, social and economic aspects. Culturally, the role of provider for the home has been attributed to men whereas the domestic work has been attributed to women. That entails a fear of positioning oneself against domestic violence, for the woman fears persecution, economic retaliation, and even demoralizing the image of the family. In this sociologist's understanding, "all this is fruit of an emotional dependency caused by the way women have always been treated in Brazil"¹¹.

There are challenges to be overcome in every culture in order to achieve a coexistence that is less violent and threatening to women's integrity. In these matters, the role of the State is fundamental, intervening via public educational and safety policies, persisting in severely enforcing legal precepts in order to combat and punish the different types of gender violence.

In this sense, it is noted that feminicides are avoidable for there is a series of violences and behaviors that constitute them and precede

¹¹ As pointed by the sociologist Andra Vasconcelos in a journalistic piece linked by the regional news outlet G1 Roraima, titled: "Em média, 3 medidas protetivas são concedidas por dia a vítimas de violência doméstica em RR". Disponível em: <https://g1.globo.com/rr/roraima/noticia/2019/02/07/tres-medidas-protetivas-sao-concedidas-por-dia-a-vitimas-de-violencia-domestica-em-roraima.ghtml>

them, such as pointed by the dossier *Feminicide*, by the Instituto Patrícia Galvão, from 2013, which highlights that feminicides are the tip of the iceberg and consequence of the omission of the State in combating sexism, which reveals flaws in assuring the safety of women.

The frequency of the occurrence of intrafamilial violence and the increased rates of gender motivated homicides are directly related to the inappropriate assistance from the State and the rooting of patriarchal culture. According to Oliveira (2012), the persistent abuse by the providers of the home are rooted in the learned patriarchal culture. From that one can deduce that, if this violence is assimilated by the victims and people surrounding them, respect towards women and their rights can be too. That way, in order to avert these two problems and to build a progressive society, female empowerment is paramount, as is the deconstruction of gender roles and socially accepted hierarchies of power, as they imprint deeply imbalanced relations between men and women, derived from the patriarchal culture that characterizes the construction of National States. (ALAMBERT, 1986; MONTANA, 2017).

In patriarchal societies, which are characterized by male domination, relations of superiority and inferiority between the sexes are bred and fed, certain roles and detrimental possessive feelings are established; allowing not only for the arising of prejudices which contribute to the continuity of the practice of gender violence, as well as permeate the objectification of women¹². In this type of hierarchic and dominant structure, unfair and unequal relationships are introduced in social interactions (ALAMBERT, 1986; SCHMITT, 2016). In this manner the urgent need for breaking apart from sexist behaviors and abusive patterns, seen in the several different types of violence perpetrated against women and girls in the National States.

Breaking cycles of intra familial violence and rupturing social connivance is the first step towards preventing the increase in rapes and feminicides. The reform of the State's perspective on these issues would bring about changes in public policies and safety; as well as help take down the structures and culture that establish roles of dominance among

¹² Objectify, as in not recognizing their rights.

sexes. In other words, the State is responsible for preventing gender violence, which is characterized by the occurrence of violent acts motivated by the gender of the people involved. The State is responsible for its restructuring, there is violence because someone is either man or woman and there is violence because one of these individuals makes use of force over the other or coerces them into submission, without the State's effective and efficient interference into restraining the men and protecting the women.

There are patterns of violence that may be annihilated, at first, through not tolerating the acts which strike against women's rights and dignity. Secondly, by recognizing that the fight against gender violence is an obligation of the State. It is vital to recognize the importance of people's active participation in the process of deconstructing sexist thinking. Thirdly, it is necessary to strengthen the institutions, to improve the structure and the care for the victims, which entails investing in training the agents which see to the victims in the different types of violence.

The official recognition of these issues, as well as the recognition to the fact that gender violence is almost synonym to violence against women, has been an achievement of the feminist effort. Women are the biggest victims of use of force or verbal aggression or psychological, physical, or sexual coercions. On that subject, a fragment of the dossier by the Instituto Patrícia Galvão (2013) is enlightening, as it states that in sexual crimes that end in femicide, practiced by strangers to the victim, there is dehumanization of the female body, at many times seen as an object, evidencing hatred and misogyny which lead to disfiguring the victims or mutilating their genitals. In that latter aspect, it should be noted that one of the most sordid cases of violence against women and girls, in relation to rapes, mutilations and femicide, as well as other types of violence, has happened in Colombia, during the 62 years of armed conflict, period during which women's bodies was and is

considered to be ‘war field’ for the armed groups, for the paramilitary, for the State itself and common delinquency¹³.

In another sense, gender violence appears under the expression ‘a woman’s body if a battleground’, this time in France¹⁴. In both cases, battleground or war field, is used for certain conceptions of State, of some men and of a part of society. Behind these expressions one can find hierarchic orders, conflicting power and levels of gender: males (in command/power) submit females (to their will). Power and submission are more than symbolic aspects of violence.

Combating the use of expressions of violence, discriminating and inequality of women became a banner to be defended with greater repercussion in the 1990’s. The theory that feminicides must be considered as the biggest indication of State indifference to the acts of gender violence has acquired greater force in the new century, when the means of communication publicized crimes which impacted society for their extreme cruelty against women, such as impalings.

It should be noted, as it will be seen briefly, there was a widespread debate beginning in the 90’s in the United States, when the term feminicide was appropriated by Mexican women, to denounce the existence of feminicides in Ciudad Juárez, a frontier city in northern Mexico. Afterwards, the theoretical dialogue and denouncements reached several countries in Latin America. Such as pointed by (GOMES, 2018).

The appeals of the late Kofi Annan, former UN General Secretary, also happened at the same decade, as these issues were even discussed in relation to violations of human rights. One of the most emotional speeches by Kofi Annan, given in 1997, highlighted three great world issues of the Cold-War aftermath which are related to the lack of

¹³ That denomination was given by ACNUR, at the beginning of the new century. It is recognized that, in armed conflicts, there are several actors which submit women to all sorts of violence, where the female body is object and ground for war. By not protecting women nor offering assurances for the various crimes to cease, the Colombian State turns into a State actor of violence and feminicide.

¹⁴ Two incidents on the beach called the eye of European society. On one side, a woman is forced by four men to strip nude, in front of them, for considering that she wore too much clothing. On the other side, in front of her spouse and children, a woman is verbally assaulted for being topless in the beach. In both incidents, opposing profiles are set, but complementary to each other.

equality and justice throughout the world and, on the other hand, also have to do with the omission of human rights, and violence, with special mention to violence against women.

Annan, at first referred to the asymmetries of globalization, which stress the global social and economic inequalities. Secondly, he referred to the wars and the conflicts which demonstrate the power of coercion of some States over the others, or even over their own people, specially victimizing women. The promotion of terror and violence hinders peace and the guarantee of liberties, then triggering human unsafety. Lastly, Annan referred to the pandemic of violence against women¹⁵, recognizing that this is a phenomenon that reaches all the social layers, of all National States, regardless of cultural traits, levels of social, economic, or educational development. In his words, it has become necessary to “protect people’s rights and dignity, especially women, which are often stepped on” highlighted by the authors.

The open debate promoted by Kofi Annan and in some academic papers, reports by agencies and NGOs have alerted to the importance of giving the subject it’s much needed and deserved spotlight in the political dialogue. That has opened up a margin so that States may work out preventative and punitive measures, modify their laws and instate more effective programs. Despite these accomplishments, still many reports mark the maps of gender violence and rates of femicide and rape as alarming in some regions, indicating failure of the National States in dealing with these phenomena which neglect women’s rights to feeling safe with enough guarantees to enjoy their human rights.

The increased femicides around the world and many other atrocities committed against gender condition and the fact of being a woman, has led to many National States fortifying their laws. The fact of certain laws being too soft or non-existent for cases of extreme violence against women, their psyche and bodies in an international scope, result in

¹⁵ From the speech: the first consisted of assuring that globalization benefited all, and not only the privileged few. The second was to leave the global disorder which took place after the cold war, replacing it with a truly new world order, a world in which peace and freedom prevailed. The third was for protecting people’s rights and dignity, especially women, which were so often stomped on. Available at: <https://www.unric.org/pt/actualidade/6192>

practices seen as ordinary¹⁶, being accepted in some nations, facing violations of human rights. Child marriages, female genital mutilation in some countries¹⁷, besides crimes such as collective rapes, human trafficking, sexual slavery and rape in armed conflicts, are some examples that appear in list of gender violence that impacts the International Community and must be combated, both for their levels of atrocity and for objectifying the condition and dignity of women. It is noted that sexual abuse, in any case, harms the body and psyche of the woman and girl, not being deserving of tolerance in any society, as well as domestic violence.

Latin America poses as a continent in which sexism is dominant and alongside that phenomenon several violences against women are consolidated, including highly cruel practices¹⁸. The intrafamilial and sexual violence is frequent in Latin-American countries, such as noted by the researches of Contreras et al. (2010), which understand that sexism works as an act of dominance, finding support in the social constructions which helped consolidate women's image as a fragile being – subject to being tamed – which needs a strong hold to guide them or take power over them, subjecting them to one's will.

The Latin-American social and political pillars are marked by a sharp male domination, considering female submission as a quality to be preserved in the social environment. That fact triggered a remarkable system of gender violence; such violence against women, adolescent and children went from being random occurrences to structural phenomena of great weight and local and international concern.

The Interamerican Commission on Human Rights (ICHR, 2017) emphasized that the murders of women in Brazil, for example, are not an

¹⁶ Referring to practices seen as normal or ordinary.

¹⁷ Female circumcision or female genital mutilation consists on the ritualistic removal of part or all of the external female sexual organs. That is performed with a blade and most often without anesthesia. That practice mainly happens in 27 African countries, also in Indonesia, Yemen, Iraqi Kurdistan. It should also be noted that it is practiced in several places in Asia, the Middle-East and in expatriated communities all over the world, such as in Egypt and Ethiopia (UNICEF, 2016).

¹⁸ On that subject: In Latin America, being a woman may be life-threatening. Available at: <https://www.cartacapital.com.br/sociedade/ser-mulher-pode-ser-risco-de-vida-na-america-latina>

isolated problem, but symptoms of a pattern of gender violence directed at them, resulting from sexist values deeply engrained in Brazilian society.

The perception of gender violence, primarily violence against women and girls, has gained ground in the contemporary global debate. Acts of extreme cruelty such as impaling¹⁹, are being reported more frequently in countries such as Argentina, Colombia and Brazil, and several violent acts become more and more known thanks to the means of communication²⁰ and the networks that work in favor of the safety of the female gender.

In South America, it is known that the number of rapes²¹ have increased, as well as cases of deaths of children victims to various types of abuse, sexual among them. Episodes of physical and psychological violence in domestic and work environments have made these issues subject of study and focus of public policies across the continent, which is considered one of the most violent ones for the female gender.

Given these circumstances, the UN has stated that²²:

Condena enérgicamente todos los actos de violencia contra la mujer y las niñas y, a este respecto, de conformidad con la Declaración sobre la eliminación de la violencia contra la mujer, exige que se eliminen todas las formas de violencia de género en la familia,

¹⁹ On that subject: The shocking case of abuse and death of a 16 years old causes revolt in Argentina. Available at: <https://www.bbc.com/portuguese/internacional-37692722>. Accessed in November 15th 2018.

²⁰ On that subject: <http://g1.globo.com/politica/noticia/2016/08/g1-reune-mais-de-4-mil-noticias-de-violencia-contra-mulher-em-10-anos.html> / <http://www.compromissoeatitude.org.br/o-papel-da-midia-na-superacao-da-cultura-de-violencia-contra-as-mulheres-agencia-patricia-galvao-22052015>

²¹ According to the legal definition of the crime of Rape of a Vulnerable person, in the A line of the 217th article of the Brazilian Penal Code, a vulnerable person comprehends minors under 14 years of age, the elderly, disabled, ill, or similarly affected persons. BRASIL. Código Penal. Decreto Lei Nº 2848 de 07 de 1940.

²² Special Report on *la violencia contra la mujer, sus causas y consecuencias*. Available at: <https://www.ohchr.org/SP/Issues/SRWomen/Pages/SRWomenIndex.aspx>

en la comunidad y dondequiera que sea perpetrada o tolerada por el Estado, y pone de manifiesto el deber que tienen los gobiernos de no emplear la violencia contra la mujer, actuar con la necesaria diligencia para prevenir, investigar y, de conformidad con la legislación nacional, castigar los actos de violencia contra la mujer y de adoptar medidas apropiadas y eficaces respecto de los actos de violencia contra la mujer, ya se trate de actos perpetrados por el Estado, por particulares o por grupos armados o facciones en lucha, y proporcionar a las víctimas el acceso a unos medios de reparación justos y eficaces y a una asistencia especializada, incluida la asistencia médica.

Strongly condemns all acts of violence against women and girls and, in this regard, in accordance with the Declaration on the Elimination of Violence against Women, demands that all forms of gender violence in the family be eliminated, in the community and wherever it is perpetrated or tolerated by the State, and highlights the duty of governments not to use violence against women, to act with the necessary diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women and take appropriate and effective measures regarding acts of violence against women, be the acts perpetrated by the State, by individuals or by armed groups or factions in conflicts, and to provide the victims with access to fair and effective means of assistance and specialized care, including medical assistance.

Brazil is pointed as one of the countries with rising indexes of violence against women and girls. This fact has made it so that, in 2013, Brazil took the 7th position amongst countries where the most women are killed in the world and, in 2015, took the 5th position in the same list. Besides this, as evidenced by Montana (2017, p. 144) “the figures in the

UN Report are revealing, for they indicate that the absolute figure for female homicides in Brazil was 4,762 in 2013, which means that, for every day 13 women were murdered”.

More recently, in 2019, the ICHR has manifested concern about the high rates of murder of women in Brazil in the early year, for in January 2019, according to the commission, 126 women were killed for their gender, in addition to the record of 67 attempted homicides²³. Until the month of march 2019 the figures continued to rise. There were 137 attempted homicides for gender related motives and 207 feminicides were, in fact, committed in Brazil²⁴, that is, in less than two months, the number of feminicides nearly doubled in comparison to the figure presented until January of that year. In addition to that, the amount of complaints registered with the protection channels are concerning²⁵, evidencing that many women actually seek specialized support, but not always continue the investigative procedures due to lack of information or even fear of reprisal or retaliation from the aggressor.

The multifaced exercises of resistance of women whom are or have suffered violence in the in the domestic unit reveal a need to make the Brazilian penal system stricter, and makes it imperiously necessary to provide the public agents assigned to their care with greater training in order to assure the well-being of these victims. Os multifacetados

²³ On that subject: <http://www.falaseriocanaa.com.br/2019/02/em-2019-numeros-de-feminicidio-assustam>

²⁴ According to Nascimento, in data provided to the Jornal O Globo, up until the beginning of March 2019: “344 cases of feminicide – 207 consummated incidents and 137 attempted. The rate of lethality is of 60%, 222 victims identified, in crimes in every Brazilian State and the Federal District. The daily average is 5.31 cases a day, that is one every four hours, thirty-one minutes in the first 64 days of the year”. Available at: <https://oglobo.globo.com/sociedade/mais-de-200-feminicidios-ocorrerem-no-pais-em-2019-segundo-pesquisador-23505351>

²⁵ The annual balance performed by the Ministério da Mulher, da Família e dos Direitos Humanos showed that “From January to June of this year, the Sistema de Ouvidoria Nacional de Direitos Humanos (SONDHA) received a total of 46,510 complaints. Among those, threats (1,844), false imprisonment (1,243), feminicide (36), attempted feminicide (2,688), homicide (6), attempted homicide (67), slavery (14), women trafficking (16), violence against religious diversity (11), domestic and familial violence (35,769), physical violence (1,1050), moral (1,921), obstetric (116), police (385), sexual (1,109) and cyber (180) violences”. Available at: <https://www.mdh.gov.br/todas-as-noticias/2019/agosto/balanco-anual-ligue-180-recebe-mais-de-92-mil-denuncias-de-violacoes-contras-mulheres>

exercícios de resistência das mulheres que são ou foram agredidas e/ou violentadas no âmbito da unidade doméstica revelam a necessidade de tornar o sistema penal brasileiro mais rigoroso, além disso, torna-se imperiosamente necessário prover aos agentes públicos destinados à atendê-las maior capacitação para que possam assegurar o bem-estar e o cuidado adequado das vítimas. Besides that, the efficiency in the treatment of the victimized women is an indispensable factor for combating domestic violence, elevating it to a standard of visibility and importance that was formerly looked down upon by the State.

Violence must be prevented and, that way, many feminicides may be averted upon re-educating those who commit the violent act. At the same time, there must be efforts towards bettering the system itself, their agents and physical structures. Only then will we be able to prevent intrafamilial violence to end up increasing the figures on feminicide, in the State of Roraima and in Brazil. In this context, there is also room to highlight the forceful need to empower women, to invest in social and economic programs that would allow them financial and emotional independence from their partners.

For Oliveira (2012), whom analyzed intrafamilial violence, this strictness of the laws must be able to detain or, at least, diminish the expression of domestic violence, no longer intimidated by the bonds of kinship or blood. The scenario of subjugation of the female gender, the granting of a differentiated treatment to women who suffer intrafamilial violence and/or any sort of abuse makes the hardening and rigor of the enforcement of the law essential, so there is an adequate understanding about the violence, by the workers who deal with the victims. IN the first case, Oliveira (2012, p. 152) understands that “only the structuring of a judiciary apparatus combined with the due fulfillment of the law by their operators would be capable of balancing the jarring inequalities between sexes and assuring women the minimal conditions for dignity”.

The frequency of violent occurrences among couples has been a wakeup call for Brazil, the increasing rates of feminicide become worrisome, especially in the northern regions. As an example; in 2015, the NGO Human Rights Watch reported that the rates for the murders of women in Roraima are of 11.4 for every 100 thousand inhabitants. That

behavior was corroborated by the Maps of Violence of 2011 to 2015, in which it is seen that the northern region shows the highest rates in the country. In this picture, there is tendency that draws attention for the effects of academic research and political action: the State of Roraima presented constantly increasing rates, which have also been confirmed in the Maps of Violence of 2018, presented by IPEA in June 2018 (MONTANA, 2017; MONTANA; MELO, 2018).

In the year 2016 a total sum of 4,645 women were murdered, which represents a rate of 4.5 feminicides for every 100 thousand Brazilian women; registering an increase of 6.4% in 10 years, from 2006 to 2016. That document mentions that the rates in Roraima fluctuate a lot throughout that period, but that they “reached peaks of 14.8 in 2013, 11.4 in 2015 and, except for 2011, in the other years the rates of homicides of women was superior to the Brazilian rate” (IPEA, 2018, p. 45).

That same institute revealed that in 20 Federative Units, lethal violence against black women has increased in the time period observed, and the worst rates happened in Goiás and in Pará. Another relevant fact of the 2018 edition of the Maps of Violence, it that it also took into account the administrative records of rape in Brazil. The report indicates that, in 2016, Brazilian policies registered 49,497 *cases of rape, according to data* from the 11th Brazilian Annual Report on Public Safety. The numbers highly differ from the 22,918 incidents of this kind reported by the Unified Health Care System (SUS). According to that research, both basis for information are severely underreported.

If these aforementioned rates are worrisome, the analysis around the field of efficiency and effectivity of the legal provisions is even more alarming, which are responsible for regulating the applicability of the preventative and punitive measures in case of violence against women and feminicides.

Domestic violence is practiced in Brazil and, even though it isn't considered to be grave, it still contributes to the increased rates of feminicides, which are founded at times in the trivialization of verbal and physical aggressions. On the other hand, as pointed out by Oliveira (2012, p. 151), the judicial inefficiency and the outdated treatment provided to

the victims before the 11,340 Law from August 7th 2006 (Maria da Penha Law) were factors contributing to the trivialization of domestic violence and their consequential informal decriminalization. This violence, as previously stated, may precede feminicides.

Notwithstanding some evident achievements, legal wise it is known that there is yet a long path to be trailed. Brazil, as it's been shown, is part of a shameful world ranking of violence and feminicides, demanding more effective laws, efficient state plans of action and reeducation programs, whereas the State of Roraima is a case deserving of special analysis and attention, for the rates of rape and feminicides may be greater that what is accounted for, given the precarity of the structure in that State.

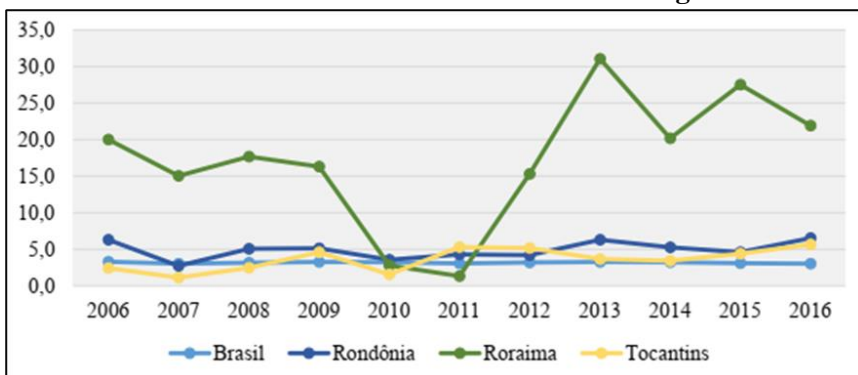
Based on data from Instituto Brasileiro de Geografia e Estatística, IPEA and FBSP (2018), have pointed that the State of Roraima is leading the rates of feminicides of women whom are not black, in a study comparing three federative units in the North of the country; Rondônia, Tocantins and Roraima, as illustrated by graph 1 in the following page.

In the 2018 report, IPEA (2018, p.52) pointed out that “fourteen indigenous women were killed in 2016 and no murders of white or yellow women were recorded, so there is a factor of color/race that is being ignored”. It is also noted that in the period from 2006 to 2016, “the number of indigenous women killed was 98”.

One aspect to be highlighted is that there is no reliability in the data. That is due to the deaths of indigenous women going practically unreported, due to the distance between some indigenous communities and the reporting agencies. On that note, IPEA and FBSP (2018, p. 52-53) indicate that, “although there may be issues on the quality of the data and greater fluctuation of figures due to the small population of the state to be taken into consideration, the information is consistent with the report from the ONG Human Rights Watch (2017)”. A it has been pointed out, that organization has pointed to the State of Roraima as being the most lethal for women and girls in Brazil. To sanction this information the Conselho Indigenista Missionário (Cimi, 2017), notes that Roraima had the largest

number of indigenous murder victims. The numbers bespeak the result of accumulated oppression and violence that black and indigenous women suffer, as affirmed by IPEA and FBSP, 2018.

Graph 1 - Femicides in Brazil and in three federative units of the northern region



Source: IPEA and FBSP (2018). Data: IBGE.

Concerned with the reality of Roraima's gender violence, the ICHR claims that the cases which reached their knowledge demand the instalment of broad strategies from the State for prevention and unabridged reparation to the victims, in addition to "serious, unbiased and effective investigation within a reasonable timeframe", as to allow for the punishment of the perpetrators. One of these urgent measures, according to the ICHR, is training public agent and public service providers from a gender perspective²⁶. Beyond that, it is paramount to note that due to the increase of femicides throughout the country, with special attention to Roraima, it becomes imperious to demand from the State effective monitoring of the pinnacle of violence, which reaps the lives of so many

²⁶ On that subject: CIDH expresses their deep concern before the alarming prevalence of murders of women for gender stereotype reasons in Brazil. Available at: <https://www.oas.org/pt/cidh/prensa/notas/2019/024.asp>

women. The lack of standards and records gets in the way of monitoring the feminicides in the country, as pointed by a survey by G1 in a partnership with the Núcleo de Estudos da Violência da USP (NEV-USP) and the Fórum Brasileiro de Segurança Pública (FBSP), which indicates an increase of 6.5% on feminicides from 2016 to 2017. Ultimately, one must note that laws are not enough, education is necessary. Women become fatal victims maybe as a result of several aggressions, often enabled in silence and dying due to shame and fear of reporting their aggressors.

In order to avoid the rise in the rates of gender violence and feminicides, as the murders might be prevented if the women had solid options and support to leave the cycle of violence, it is also necessary to accomplish structural and cultural changes, which pervade socio-educational policies concerning gender. Changes that reach the law enforcers, the precinct employees, medical staff, that is, everyone who is dealing with the victims. In short, one must see gender violence for what it is: a socio-structural and cultural issue, derivative from social myopia.

The words of the president and rapporteur for CIDH Margarette May Macaulay are highlighted, recognizing the value of the law which defines feminicide in Brazil and, at the same time understanding how paramount it is for authorities to not undermine the graveness of charges pressed by victims, considering it to be “inadmissible that women protected by restraining orders to be murdered, to not be able to count on safe spaces, or for their complaints to not be taken into due consideration. Gender violence against women is a matter of real gravity, and the highest-ranking authorities must face it under utmost seriousness and urgency”²⁷.

In the same manner, it must be noted that in the analysis of the *Human Rights Watch*²⁸, based on data from IPEA e FBSP (2018), in the case of Roraima, light is brought to the lack of structure in local police

²⁷ On that subject: Number of murders of women in Brazil in 2019 worries CIDH. Available at: <http://agenciabrasil.ebc.com.br/direitos-humanos/noticia/2019-02/numero-de-assassinatos-de-mulheres-no-brasil-em-2019-preocupa-cidh>

²⁸ The NGOs Attorney, Maria Laura Canineu in an interview. Available at: <https://universa.uol.com.br/noticias/redacao/2018/06/06/roraima-tem-a-maior-taxa-de-feminicidio-desde-2010-entenda-o-porque.htm>

precincts, as well as lack of training of the agents, for being factors which contribute to the increase in feminicides in the state. The trivialization of complaints of domestic violence previous to the feminicides is also a factor in the reality of Roraima.

The role of the State as a creator of public policies to brake the escalation of violence is prime, such as stated by Montana and Melo, 2018, authors that bring attention to the responsibility of State Government to improve physical structure since, as of 2019, the State only provides for one single specializes precinct for women, which deals with around 255 thousand women in work hours limited to business hours Monday to Friday. That makes it clear that, if the State won't help women to stop the progress of violence, the victims next stage will be facing death.

CHAPTER 2

*Legal devices for protection
against violence and feminicides in Brazil*

LEGAL DEVICES FOR PROTECTION AGAINST VIOLENCE AND FEMINICIDES IN BRAZIL

According to data from the UN's Gender Equality Observatory for Latin America and the Caribbean (OIG), 2,089 women were victims of feminicides in Brazil (MONTANA, 2017). The historic course between prediction and setting of judicial mechanisms for the protection of women in a national scope is bruised by years of silent suffering and impunity. Due to that, the contemporary notions have given space in the Brazilian legal order for instruments which seek to assure the protection of women, especially in the family environment. In that sense, it is observed that the provisions in the Bill of Law 11,340 of August 8th 2006, also known as the Maria da Penha Law, which was consolidated in a national level from the analysis of Maria da Penha's case, numbered 12,051 taken to the appreciation of the Interamerican Commission for Human Rights²⁹.

Among the legal actions aimed at assuring the prevention and punishment of domestic attempts against women is the Maria da Penha Law and the Bill of Law 13,104 of 2015, which are responsible for including in the Penal Codes 121st article the form of qualified homicide named feminicide. However, it is still noticeable that the high rates of aggression involving extreme cruelty towards women are a result of the ineffectiveness of current laws which, in spite of presenting itself as an advancement legal wise, is still subject to blunt criticism.

In that dimension, several forms of violence against women and girls rest strategically on the pillars of sexist and authoritarian notions³⁰, on top of which contemporary society was built, such as described by

²⁹ On that subject: INFORME N° 54/01 CASO 12.051 MARIA DA PENHA MAIA FERNANDES BRASIL. Available at <http://www.cidh.org/women/brasil12.051.htm>

³⁰ For the authors "Gender violence is present in the culture of every county, regardless of its level of development, expressing in greater or lesser scale. It is culturally reproduced through thoughtless behaviors, historical and socially learned in institutions such as churches, schools, family, and State which directly contribute to masculine oppression over female". BALESTRO, Gabriela Soares. GOMES, Renata Nascimento. VIOLÊNCIA DE GÊNERO: uma análise crítica da dominação masculina. Revista CEJ, Brasília, Year XIX, n. 66, p. 44-49, May/August. 2015, p. 45

Balestro and Gomes (2015, p.45). Besides, it is widely known that the rates of rape against vulnerable people have increased and the occurrences of domestic assault and feminicides in the country are growing more and more frequent. That makes Brazil display an ever-growing dynamic of violences which strike women, as shown in the previous section.

For Montana and Melo (2018), based on the perception of Amartya Sen (2008, p.10), violence is a result of “cultivating a perception of the inevitability of a presumably sole identity (...)”. For these authors, ancient societies had a history of exacerbated violence, with it being considered common practice and the affirmation of power. They note that one was considered to be strongest if one shows to be the most violent. These practices still inflict traces in current days, and continue to be a determining factor in social relations, making individuals desires to subjugate others, considered to be less strong or more vulnerable, via violence.

The acts of violence, it’s degree, intensity and frequency, have allowed for legal instruments to be elaborated in the attempt to stop it and penalize it, because of the conclusion that it must not be tolerated (MONTANA; MELO, 2018). Nationwide, in the face of the increase of violence and feminicides, these factors forced the State to follow up in the legal field, through Criminal Law. This branch of Law is designed to “protect the most important and necessary assets for the very survival of Society” (GRECO, 2017, p. 2). With that notion, violent acts against women were primarily treated residually, building up a core of typified crimes³¹ determined in the Brazilian Criminal Code.

On understanding the concept of violence in current legal order, Nucci (2015, p. 776), claims that it may be characterized as:

(...) qualquer forma de constrangimento ou força, que pode ser física ou moral. Entretanto, em termos

³¹ By typified crimes, meant as the offenses structured in the Penal Code. With that, it is seen that aggressions towards women, as of before the instalment of the Maria da Penha Law, were subjected to the residual trait of typical crimes defined by the law, disregarding the fact that violent incidents involving female people had a common denominator: domestic conviviality.

penais, padronizou-se o entendimento de que o termo, quando lançado nos tipos penais incriminadores, tem o condão de representar apenas a violência física.

(...) any form of constraint or force, which may be physical or moral. However, in penal terms, the understanding of the term has been standardized so that, when used for criminal typification, it represents only physical violence.

Therefore, one may deduce that the physical safety constitutes a Right to be protected, thus being a relevant legal asset, constituting a juridical advancement on understanding violence. For Montana and Melo (2018), the word violence must not be limited to the notion of physical assault, as will be further explained in latter sections.

On the subject of domestic violence (broad concept which comprehends intrafamilial violence), such as previously exposed, it must be understood as a concept linked to gender, from which several forms of aggression. So, a brief introduction of what is characterized as violence in the Brazilian legal order was necessary, as the types of violence, as well as their legal implications, will be guiding this section.

DOMESTIC VIOLENCE AND GENDER VIOLENCE AS A FORESHADOWING OF FEMINICIDE

The societal outlook took to new names and specific meanings, as pertaining to the types of violence perpetrated against women. Residual jurisdictional appreciation of domestic violence does not live up to the specific approach of the issue, making it necessary to tend to the peculiarities which involve the gender issue, that is due to the demands on the subject needing treatment and legislation not only aimed at punishment, but also and mainly towards prevention.

For Oliveira (2005, p.13), the new language was socially built and, that way, it was subjected to social-historic phenomena, that is, the perceptions surrounding the issue gained force due to the exponential rise in aggressions perpetrated against women. The debate around issues of gender and violence, in their different forms, is still taken reluctantly in the social environment. On that note, Saffioti and Almeida (1995), citing Scott (1990), state that gender is the first way of attributing meaning to relations of power. Note that the docking of meanings and perceptions which compose the core of what gender comes to be has, at times, limited itself to portraying an image of men above women, a fact which triggered a series of violent episodes against women in an attempt to overpower them into submission.

Recently the Conselho Nacional de Justiça (CNJ) has conceptualized gender violence as that which is suffered due to being a woman, disregarding race, social class, religion, age, or any other condition, produced by a social system which subjugates the female sex. The image of women as a constant victim of various kinds of violence and atrocities³² has made it so that specific mechanisms were created³³ on the attempt of inhibiting such behaviors. The violations of the law are frequent, for the cycle of violence tends to repeat itself, and with the recognition of women as entitled to right, even in the international level, as well as special protection of Human Rights³⁴, women continue to be murdered.

³² Acts of extreme cruelty.

³³ In the sense that, after the instalment of Maria da Penha Law, there was a shift in perception and punishment of aggressions perpetrated against women. Before that law, domestic violence was treated residually, that is, judged and analyzed as common offenses. With the instalment of the law, it gained specific procedure, as well as punishment, and protective measures were created, in recognition that the battered woman was a victim not only of her aggressor, but of a social construct, which demanded from the State a specific and directed protection.

³⁴ DECLARATION ON THE ELIMINATION OF VIOLENCE AGAINST WOMEN, 1993 – Article 3 Women are entitled to the equal enjoyment and protection of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. These rights include, inter alia : (a) The right to life; (b) The right to equality; (c) The right to liberty and security of person; (d) The right to equal protection under the law; (e) The right to be free from all forms of discrimination; (f) The right to the highest standard attainable of physical and mental health; (g) The right to just and

In the social and cultural context in which violent attempts against women occur, the female image goes, once again, through the consequences of male oppression, of sexist notions and patriarchal organization of the National States (NARVAZ; KOLLER, 2006). The matter of violence and feminicides began to be treated as legally relevant subjects after international intervention. In the national level, it was in that manner in which gender related cases of violence began being differently treated in a lawmaker stand ground. The reflection of the subject over domestic violence, for example, in a legislative plane, helped with the visibility, although yet shy, of the harmful consequences of solidifying a social system which oppresses women, bringing to light abusive socio-cultural practices against children, adolescents and women.

For Montana and Melo (2018), the legal advancements on the debates pertaining violence against women, which were yet to be perceived as gender violence per se, happened in Brazil after the year 2006, with the passage of the Maria da Penha Law, which dictates the procedural rites and mechanisms to refrain and prevent domestic and familial violence against women³⁵, such as treatment, assistance by Law Enforcement, restraining orders and representation by the State Prosecution. Although this regulation verses on issues related to violence against women perpetrated due to gender vulnerability, the terms used in the legal text are “domestic violence” and “familial violence”, which characterize different situations from gender violence, as it was highlighted in the first section of this paper since, according to the CNJ, domestic violence is deemed as the one which happens at home, in the domestic setting, or in a familial or affective or cohabitational relationship, as the one which happens within family, that is, in the relationships

favorable conditions of work; (h) The right not to be subjected to torture, or other cruel, inhuman or degrading treatment or punishment.

³⁵ Bill of Law 11.340/2006 1st article This Bill of Law creates mechanisms for restraining and preventing domestic and familial violence against women, in the terms of the 8th paragraph of the 226th article of the Federal Constitution, the Convenção sobre a Eliminação de Todas as Formas de Violência contra a Mulher, the Interamerican Convention for Prevention, Punishment and Eradication of Violence Against Women, as well as other international treaties ratified by the República Federativa do Brasil; disposes about the creation of Juizados de Violência Doméstica e Familiar contra a Mulher; and establishes measures of assisting and protecting women in situation of domestic and familial violence.

between members of the family community, formed by bonds of natural kinship (father, mother, children, etc.) or civil kinship (husband, stepfather, in laws, etc), of affinity (cousins, or spouses relatives, etc.) or even friendship (friends which cohabit the same living facilities)³⁶.

According to Montana and Melo (2018), gender violence acts in a broader field and comprehends acts of violence that, overall, are perpetrated against women, removing the conditioners of conjugal or familial approximation or domestic context.

Izumi *apud* Saffioti (1987), understands that gender violence is a category of general violence, which may encompass domestic and intrafamilial violence, reporting that gender violence happens in a more commonplace manner when men are the aggressor, but that does not prevent it from being perpetrated by a man towards another or even by women.

The theories raised as for the quality of the active part when it comes to domestic violence, in other words, the one responsible for practicing the aggression, have come to admit a broad concept based on the gauging of the victim's vulnerability. On that subject, the Superior Tribunal de Justiça (STJ) has taken positioning as to define the woman in situation of vulnerability as subject to guardianship of the Bill of Law 11.340/2006, notwithstanding if her aggressor is a spouse, partner, or any other person whom composes the family environment, irrespective of gender³⁷. That way, domestic violence is characterized, in the Brazilian setting, as the new structure of national positive law, which began to gauge the social and behavioral aspects of both victim and assailant, which, legal wise or formality wise represents and advancement for the current legislation (MONTANA; MELO, 2018).

³⁶ Available at: <http://www.cnj.jus.br/programas-e-acoas/lei-maria-da-penha/formas-de-violencia>

³⁷ On that subject: There is a judicial decision which, in short, defines the possibility of the application of the Maria da Penha Law in non-male/female relationships. The case decided was one of mother/daughter in which the judge understood there was a vulnerability which characterized that of the Maria da Penha Law. The decision is on the HC 277.561-AL, Rel. Min. Jorge Mussi, judged in November 11th 2014.

This section approached topics in relation to domestic and gender violence, as well as their legal inclusion through legislative, jurisprudential and doctrine analysis which may be considered to be legal advancements. Although that is a reality, there is still restlessness as for the effectiveness of the norms, since feminicides continue to grow both globally and in Brazil, whereas that shall be the next topic, approaching the reality of Roraima.

CAPÍTULO 3

From femicide to feminicide

FROM FEMICIDE TO FEMINICIDE

Acts against women are a legacy from a patriarchal society which presents itself, even before the legal advancements, to be incapable of eradicating the various acts of aggression and deaths of women and girls across the world.

In Europe, in 1976, the term “Femicide” came to be used in the International Court of Crimes Against Women, in the voice of Diana Russell, in England. Its origin derives from the social sciences and it is a broad term with implied legal implication which some authors support and others criticize due to its broadness. The term Russell used would come to be recorded in an article by Jane Caputi, in 1990, under the title *Femicide: Saying the Unspeakable*. That article came to be published two years later by Diana Russel and Jill Radford, in the book “*Femicide: The Politics of Woman Killing*” (TOLEDO, 2009; SANTORUM, 2014).

It is worth it to point out that the Central American and South American context, around that same period, several abuses against women were committed, but only few of them had significant legal transcendence. In that situation, the lives of several women were reaped without debates that imbued the National State with the duty of protecting the victims of violence which culminated in death.

In 1993, for instance, came to light through the means of communication a phenomenon of violence against women, which had been evidenced for years. The case of Juarez, in Mexico, contributed to the debate surrounding issues related to the networks of human trafficking, sexual slavery and murders of women.

According to Santorum (2014 *apud* CAPUTI, 1990; RADFORD, 1990; MONÁRREZ, 2009), upon this term it was made possible to define the murder of women “*como un crimen fálico de supremacía masculina y terrorismo sexual contra las mujeres tolerado por el Estado y otros grupos de poder*”; “as a phallic crime of male supremacy and sexual terrorism against women being tolerated by the State and other groups of power”.

Diana Russel and Jill Radford, based in Radford (1992, 2005) came to characterize that dynamic as “*el asesinato misógino de mujeres por hombres*”; “the misogynistic murder of women by men”. Caputi (1990) goes on to state that femicide is a term which entrails the patriarchal force, as being “*una expresión extrema de la ‘fuerza’ patriarcal*”; “an extreme expression of patriarchal ‘force’”.

Santorum (2014) claims that, through that line of thought, several aggregated variables may be identified, as the link between violence, pleasure, and power. That author states that: in this current theory, there is a link between violence and pleasure “*se enfoca el análisis de la sexualidad en el deseo del hombre por el poder, el dominio y el control sobre la mujeres –pero sin dejar a la deriva el deleite que puede o no experimentar quien ejerce el sufrimiento en el más débil*”; “the analysis of sexuality focuses on men’s desire for power, dominance, and control over women – although without disregarding the pleasure one may or may not experience by inflicting suffering in the weaker”. Femicide, as is his understanding, refers to the violent death of women, due to the fact of being women³⁸, or may also refer to the murder of women for reasons related to their gender (Santorum *apud* CARCEDO; SAGOT, 2002).

In 1999, in conforming to global changes, the international debate focused on new subjects, agendas, and new threats to human safety. It also centered itself around the power and action of several criminal organizations beyond borders. In that scenario, in addition to Kofi Annan’s appeals around that same time, the issues of violence against women came to be debated in the international arena provoking significant local impacts³⁹.

The occurrences in Juarez, on the frontier of Mexico and the United States, had influence in popularizing the term, such as pointed out by Santorum (2014). The means of communication began to pay more attention to this dynamic in the borders and tried to name the murders of

³⁸ Chejter, S. (Ed.) Femicidios e impunidad. Buenos Aires, Argentina: Centro de Encuentros Cultura y Mujer. 2005.

³⁹ The murders of women in Juarez revealed to the world a criminal facet victimizing women.

women, sexual violence, misogyny and abused which culminated on the death of these women. It seemed as femicide contained all these types of violence against women, even the disappearance of bodies. In 1999 this issue gained international and diplomatic attention, thanks to the mobilization of the press and organized civil society, especially groups of feminist women.

In that manner, the word ‘femicide’ became known, and took nearly a decade to secure its place in replacing ‘femicide’, which is still accepted for its legal implications. In Brazil, femicide, in its most commonplace meaning, may be defined as the homicide of a woman due to persecution of the female sex.

However, some feminist groups consider that definition to be incomplete, for as they understand it, femicide does not only comprehend homicides, but a whole series of violations of women’s human rights because of their gender. That way femicide would also encompass mistreatments, rapes, and sexual exploitation.

On a national level, it is inferred that the implemented measures, along with the concepts and analysis of cases shaped contemporary criminal policies, as is the case of the Comissão Parlamentar Mista de Inquérito sobre Violência contra a Mulher (CPMI-VCM), which boosted the elaboration of the Bill of Law 13.104/15, which altered the Penal Codes 121st article to include femicide, interpreted as the killing of a woman for reasons based on the condition of the female sex.

As it often happens in Brazil, the criminal consolidation of femicide took place facing terrifying results shown in the Maps of Violence from 2015 – a true female genocide every year -. The legal device included in the Penal Code represents a qualifier of the crime of Homicide (Art. 121, CP), and in addition to increasing the sentence of the criminal type, to 12 to 30 years’ incarceration⁴⁰, the typified conduct also

⁴⁰ Simple homicide, article 121. Killing someone: penalty – incarceration, six to twenty years. (...) Femicide (As included by the Bill of Law 13,104 of 2015) VI – against women for reasons of the condition of the female sex: (Included by the Bill of Law 13.104/2015). (...) § 2o-A It is considered to be reasons of the condition of the female sex when the crime involves: (Included by the Bill of Law 13.104/2015) I – domestic and familial violence; (Included by the Bill of Law 13.104/2015) II –

came to be a part of the row of heinous crimes, that is, subject to the Bill of Law 8,072/90⁴¹.

It has been pointed out that Brazil is one of the countries with growing rates of violence against women, that some legal devices have been created, but the laws end up as dead words when faced with the insufficient public policies aimed at the treatment of women, and with the regions that demand the most care from the State, as is the northern region, when one considers the dynamic and frequency of these homicides. On the other hand, the effectiveness of these laws is correlated to the structure, which is often times precarious, of the institutions for breaking the cycles of domestic violence that culminates on death (MONTANA 2017; MONTANA; MELO, 2018).

When the State, and its authorities assigned to preventing and eradicating these crimes, are negligent, inefficient and prejudiced, and paired with a gender blindness or sexist and misogynistic prejudices by its society, the setting for feminicides is created and it becomes a crime perpetrated by the State.

The rates of gender violence require coordinated dialogue between the organs and institutions in order to establish records that reflect the reality, as the institutional and structural precariousness is evidenced in the State, hindering effective and efficient monitoring of feminicides. In that latter aspect, combating feminicide necessarily entrails knowing the real levels of the issue, so that the effectiveness of the public policies on safety may be addressed.

On the study performed by Montana and Melo (2018), on the counting of forms of domestic violence in the State of Roraima, the

contempt or discrimination towards the condition of being a woman (Included by the Bill of Law 13.104/2015).

⁴¹ According to CUNHA: “Before the Bill of Law 13.104/15 this form of crime already qualified homicide, but for its turpitude, being equally labeled as heinous. The change, therefore, was merely topographical, moving the offensive conduct from the article 121, § 2o., I, to the same paragraph, but on the item VI. The reason for that change lies in its symbology, that is, in the alert it makes of the existing need for more strongly and rigorously fighting violence against women due to the condition of the female sex”. CUNHA. Rogério Sanches. Lei do Feminicídio: breves comentários. Available at <https://rogeriosanches2.jusbrasil.com.br/artigos/172946388/lei-do-feminicidio-breves-comentarios>

authors point out that the correct counting of the violent acts must be taken seriously in order to combat this phenomenon, as well as the sharing of information between linked institutions as to promote higher reliability. That claim is a result of the fieldwork accomplished by the authors in which the inexistence of sharing of information between institutions was detected, resulting and non-matching data.

Table 1, presented in the following page of this book, summarizes the types of violence recognized by Brazilian law and, based on data collected by CHAME (Centro Humanitário de Apoio à Mulher) in Roraima.

Table 1 – Calls responded by Chame- State of Roraima

<i>Type of Domestic violence</i>	<i>Legal Concept from the Maria da Penha Law (2006)</i>	<i>Numbers</i>
<i>Sexual*</i>	Compel to witness, to maintain, or to participate in, unwanted sexual relation, through coercion, threat, or use of force; any act which interferes with the reproductive freedom and sexual rights.	19
<i>Patrimonial*</i>	Acts that configure retaining, subtracting, partial or complete destruction of their personal belongings, work instruments, personal documents, assets, valuables or economic resources including the ones destined to fulfilling their basic needs.	61
<i>Moral*</i>	Practice of acts that consist of slander, insult and defamation.	142
<i>Physical*</i>	Any form of conduct that harms bodily integrity or health.	88
<i>Cyber**</i>	No legal definition.	12

Source: MONTANA; MELO (2018). * Domestic and familial violence listed in the 7th article of the Bill of Law 11.340/2006 (Lei Mara da Penha). ** Cyber violence was listed among the aggressions reported by the victims that reported to CHAME- Boa Vista-RR and, according to explanations from the organs Coordinator, it is related to the social media attacks performed with the intention of exposing the victims intimacy, in the case it doesn't constitute crimes of moral violence as slander, and defamation. Cyber violence against women with the intent of exposing the victim has yet to be specifically treated by the law.

The State of Roraima presented itself in the last few years as the most lethal one for women in the country, for having the highest records of feminicides in Brazil. That phenomenon demands action from the National State and the Federative Unit, towards implementing blunt actions for assuring protection of women, as well as the immediate need to train, capacitate and update the staff through a gender perspective, that is, providing them with tools both for tending to the different types of violence and to provide adjustments to the very policies from the cases presented to them, developing strategies for women to feel safe and protected, to act as a factor in breaking the cycle of domestic violence preventing its lethal outcome⁴². Table 2, presented in the following page quantifies the violence which culminates in feminicides.

For concluding, it must be noted that, although the above-mentioned study takes into account official data collected up until 2016, the research taken with the institutions acting in the State of Roraima, in September 2018, has shown that the situation is still worrisome, and that may be proved by the account of the nurse responsible for the treatment of women and children victims of intra-familial aggression in the Instituto Médico Legal (IML), which points to an average of 40 counts per month involving physical and sexual violence.

The quantitative analysis of judicial and extrajudicial proceedings which are being tread by the Vara de Crimes Contra Vulneráveis, points to a total of 275 extrajudicial proceedings, responsible for the investigative pursuit of crimes against vulnerable people, including children and adolescents up to 14 years of age, the elderly, the disabled, the ill or similarly stricken, which compose the heap of around 1083 ongoing active legal processes until 2018.

⁴² There is knowledge of cases of victims in the State that sought protection from the responsible institutions and were met with answers from the public agents trivializing violence, saying things as “But it was just a hair pulling, only a slap!”. That points to the need of training the employees so they will push aside their own prejudices and tend to the victims devoid of their own sexist notions. In that, the role of reeducation is essential, as the current social construction took place under predominantly sexist topics, assigning women with roles that evidenced their submission, so for that one of the viable means for preventing violence against women is supported in promoting social re-education, which must involve all who take part in society, of all age groups.

Table 2 – Homicides of Women in Brazil's Federative Units

	Homicide rate /100 inhabitants											Variation (%)	
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2006 - 2016	2015 - 2016
Brazil	4,2	3,9	4,1	4,3	4,4	4,4	4,6	4,6	4,6	4,4	4,5	6,4%	1,6%
Acre	4,5	5,2	3,7	4,4	5,2	4,8	4,2	8,2	5,1	4,7	5,7	27,2%	20,0%
Alagoas	6,7	6,7	5,1	6,7	8,2	8,2	7,8	8,2	7,3	5,4	5,9	-12,6%	7,5%
Amapá	4,2	3,7	4,0	3,6	4,7	5,4	4,6	5,1	5,3	4,7	4,4	5,0%	-5,8%
Amazonas	3,2	3,1	3,6	3,8	3,6	4,4	6,3	5,0	4,1	5,9	5,9	80,3%	-0,4%
Bahia	3,3	3,4	4,3	4,6	5,8	5,8	5,7	5,5	4,9	4,9	5,7	70,3%	17,6%
Ceará	3,2	2,9	2,7	3,1	3,9	4,2	4,8	6,1	6,3	5,6	4,8	51,2%	-14,7%
Distrito Federal	3,9	4,3	4,8	5,6	4,8	5,6	5,4	5,2	4,1	3,8	4,1	5,1%	8,3%
Espirito Santo	10,3	10,2	10,3	11,6	9,2	8,6	8,5	8,7	7,0	6,9	5,2	-49,3%	-24,1%
Goias	4,9	4,7	5,3	5,3	5,7	8,1	7,6	8,4	8,7	7,5	7,1	45,4%	-5,1%
Maranhão	2,1	1,9	2,5	2,6	3,5	3,8	3,4	3,8	4,2	4,2	4,5	114,9%	6,8%
Mato Grosso	4,9	6,6	5,9	6,3	5,3	5,7	6,4	5,7	7,0	7,3	6,4	30,3%	-11,4%
Mato Grosso do Sul	4,7	5,6	4,8	5,2	6,0	6,0	6,0	5,7	6,4	4,3	6,0	28,6%	38,8%
Minas Gerais	3,9	4,0	3,7	3,9	3,9	4,4	4,4	4,0	3,8	3,9	3,6	-8,0%	-9,2%
Pará	3,9	4,0	4,6	4,8	6,0	4,8	5,9	5,8	6,2	6,4	7,2	85,3%	12,4%
Paraná	3,3	3,6	4,5	5,0	6,0	6,9	6,7	6,1	5,7	5,3	4,2	57,7%	-2,6%
Paraíba	4,7	4,5	5,6	6,0	6,1	5,1	5,7	5,0	5,0	4,3	4,2	-10,4%	-2,3%
Pernambuco	6,9	6,4	6,5	6,5	5,3	5,5	4,5	5,3	4,9	4,8	5,8	-15,2%	21,8%
Piauí	2,0	2,2	2,4	1,9	2,5	2,0	2,8	2,9	3,8	4,1	3,0	50,0%	-25,8%
Rio de Janeiro	6,1	5,0	4,4	4,1	4,0	4,2	4,3	4,4	5,3	4,4	5,0	-17,8%	13,0%
Rio Grande do Norte	2,6	2,6	3,6	3,5	4,2	4,4	3,8	5,2	5,7	5,1	5,7	114,8%	10,9%
Rio Grande do Sul	2,9	3,5	3,9	4,0	4,0	3,5	4,3	3,6	4,3	4,9	5,4	84,0%	9,8%
Rorônia	6,6	3,5	4,8	6,2	4,4	5,7	6,1	6,1	6,4	7,2	6,2	-6,3%	-14,0%
Roraima	6,4	8,9	7,1	10,6	4,8	4,3	7,1	14,8	9,5	11,4	10,0	56,8%	-12,8%
Santa Catarina	3,0	2,3	2,7	2,9	3,4	2,3	3,1	3,0	3,2	2,8	3,1	3,5%	10,8%
São Paulo	3,7	2,8	3,1	3,1	3,1	2,6	2,8	2,7	2,7	2,4	2,2	-40,4%	-7,3%
Sergipe	3,9	3,2	2,8	3,3	3,9	5,4	5,5	5,0	6,5	6,0	5,2	32,2%	-13,9%
Tocantins	3,3	4,1	3,1	4,5	4,8	6,8	6,6	5,3	4,7	6,4	6,0	81,5%	-6,9%

Source: MISSVCS/GIAE

In reasoning all that has been presented, one must highlight that the cycle of domestic violence against women constitutes a lethal instrument to their safe participation in society. Besides, the broadness of the devices provided by national legislation is tainted, due to the complexity of the issue and the misogynistic practices ingrained within the State itself, which manifests latently in the person of their agents, responsible for tending to the wellbeing of the victim and her family, and in the very society which trivializes aggressions characterized as domestic violence.

Facing the issue of gender violence in the State of Roraima means to establish commitments and responsibilities to implement actions and measures articulated between services of different sectors. For that, there is importance in approaching and going deeper in the issues of gender as to cross-cut the public policies from a gender perspective, based on the safety and protection of women.

That is essential given the confirmation that Roraima is the most lethal State for women in Brazil. The constancy of the State in surpassing the national averages of murders of women in the last 6 decades and registering other and constant forms of violence, as the intra-familial and sexual ones, provides enough basis for asserting that gender violence in the State demands immediate and radical changes in the way we perceive and approach these issues. That is because, in this unsettling reality, and the fact that the rates of femicide display growing yearly dynamics, set a profile of the sum of factors that demonstrates failures by the State in assuring the safety of victims which are killed by gender violence, be it for the absence of public policies, be it for their ineffectiveness and inefficiency.

It has been widely explained that femicide is preceded by other forms of violence, in a way that every violent death of a woman or girl was avoidable, and also fully possible, given the context of State omission and social context in which a system of domination-exploitation is present, supported by a patriarchal, racist, capitalistic society which strikes women and men differently (GOMES, 2018).

The case of Roraima, in this scenario, is worthy of particular attention, for if the gender violence is jarring, that reality takes even greater proportions when the subject is indigenous women, being deprived of a series of rights, and subjected to different forms of structural, institutional, psychological and sexual violence. In these kinds of context, the words of Gomes (2018) apply, whom asserts that social relations are marked by deep inequalities, which go beyond gender condition, mingling conditions of social class, of race/ethnicity, and even sexual identities, generational belonging, religious matters, socio-territorial experiences and culture.

Considering that, controlling and combating the rise in gender violence within the State, although a priority, in the case of the indigenous population is even more complex, both in legal and in practical terms, as a significant portion of Roraima is composed of indigenous land, comprehending different peoples, as the Yanomami and Waimiri Atroari, groups which keep either geographically isolated, or isolated by the presence of State. In that manner, there is likelihood of inconsistency of information and reality.

In a tangible manner, the real numbers of intra-familial sexual violence is unknown, as it is believed that many cases go unreported and unregistered. An excerpt from the Instituto Patricia Galvão, 2013, based on the research by Jackeline Aparecida Ferreira Romio indicates that:

The rates of homicides of black women is twice that of white women, that is in national average, as there are States in which racial inequality is higher. Besides, the indigenous women's issue is often ignored in the elaboration of these reports on the grounds of low volumes of deaths in this population. When calculated proportionally it is observed that the rate has been increasing, approaching that of black women, demonstrating that being a victim of homicides is related to ethnic/racial inequalities.

There is a will by some leaderships to bring these violent realities to discussion. In 2018, for example, happened the Encontro de Mulheres Indígenas do Triângulo Tukano, with the goal of addressing violence and greater participation of indigenous women in politics.

Excerpts from an interview published by the Instituto Socioambiental (2018) on the leadership of indigenous women, in the voice of Elisângela da Silva Baré, of the Terra Indígena (TI) Cué-Cué Marabitanas, near the Venezuelan borders demonstrate that they also awakened to the need of fighting for their rights. In a snippet of the interview, she affirms that “white and black women have been fighting for their rights, but indigenous women are yet to be seen. We want to have our voice heard too, for the problems other women face, we also face, and oftentimes with greater struggle”.

If the issue of violence against women is a sensitive and yet underdiscussed matter, as it was show, this phenomenon becomes even more complex when discussing indigenous communities, where women’s place of importance is reduced to submission.

In that line of thinking, the cross-cutting of public policies on gender requires that all implemented public policies, from the moment of identifying the issue and planning a solution, must have a gender perspective, that is, the awareness that the issue may affect men and women differently and, therefore, the solutions must have different impacts.

It is important to point out, that there is need for fortifying public policies and legal mechanisms regionally, so that the issue may be addressed in its origin, reaping away impunity installed among the perpetrators and, in that way, providing the proper care and treatment to the victims. In that State, there are no support homes for women and, overall, men are the providers of sustenance. Under these conditions, the victims of intra-familial violence end up returning to living with their offender due to negligence and impunity. In that sense, the post-doctoral field research, performed from 2017 to 2018 indicated that 75% of women who suffered intra-familial violence are financially dependent on their

husbands (MONTANA, 2017). After resuming living together 83% were battered again and 22% joined the death rates in the State.

In an interview granted by the state public employee, the nurse responsible for the care of victims of sexual violence at the Instituto Médico Legal in the State of Roraima, an increase from the previous years was detected, setting an average of 48 assistances to victims of physical or sexual violence a month, throughout the year 2018, pointing to the fact that the rates of gender violence are exponentially growing in the region and, for their geographic position, comprehends a great socio-cultural plurality, fact which implicates legal dynamic and public policies.

In short, throughout this article it was noted that there is a series of violations to women's rights in the contemporary historic context, which gave rise to a discussion on the issue in an international level and, consequently, had large national effects and the coverage and plurality of gender violence and femicide are characterized as matters of public safety, as well as the gauging of the effectiveness of already implemented public policies, either in an international setting, or a national one.

Eradicating the crimes of gender violence in every aspect and level is an obligation of the State. Ignoring that reality in present times proves to be impossible. Combating sexist and misogynistic prejudices is paramount, for these prejudices are the nurturers of feeling and identities of power and subjugation of higher hierarchic stand ground associated with the male image in the social organization, which deeply affect women, particularly indigenous women of local communities.

Although the indigenous reality hasn't been approached by this research, given the legal and institutional peculiarities when it comes to indigenous matters, in requiring a more specialized perspective, one must not that both the Human Rights Watch (2017) pointed to Roraima as the most dangerous and lethal State for women and girls in Brazil, and the Conselho Indigenista Missionário in 2017 described Roraima as the Federative Unit with the highest number of murdered indigenous victims. The realities which were presented here indicate the immediate need for reform of public policies in the State and of the laws, as to more severely punish offenders.

Ultimately, one must recognize that a growing number of women and girls are facing their fears and, implicitly, the fear for their aggressors, for even given their precarious condition, these women and girls are gaining courage to denounce the different forms of violence. In the case of Roraima, that is evident by the restraining orders being issued and the charges pressed before law enforcement.

FINAL REMARKS

FINAL REMARKS

Upon pondering what has been exposed throughout the research, the fact that social representations evidence the cycle of violence against women, overall due to gender, demonstrates that the issue possesses a culturally engrained strand rooted in contemporary society, but one that is also intensified by the omission of public entities.

Effectively, it is a subject which still awakens several criticisms to be made in Brazil and its different states, especially due to gender violence being an issue of concrete seriousness which, even after legal advancements, determining factors still overcome prevention and punishment of perpetrators.

During the studies which formed this research, one could notice the scarcity of public policies focused on the effectiveness of measures aimed at protecting women victimized by violence; In the situations experienced, one can notice that formalities are fulfilled only when the victimized woman presents herself physically before the protective organs comprehended by the Ministério Público Estadual, Delagacia da Mulher, Instituto Médico Legal, Casa da Mulher Brasileira and Centro Humanitário de Apoio à Mulher. These institutions, with the exception of the Casa da Mulher Brasileira, work limited hours, which hinders the unabridged protection of women under risk, as the states demand is quite expressive.

Throughout the discussions illustrated in this book what is perceived is that the procedures implemented for facilitating the proceedings for denouncing and repressing violence against women are constantly maturing, and therefore doomed to not reaching effectiveness, mainly due to lack effective communication between agencies and measures fit to keeping the aggressor away from the victim after the reporting of the facts to the authorities.

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ABOUT THE AUTHORS

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Mónica Montana Martínez Ribas is bachelor in International Relations, master in Latin-American Integration and doctor in International Relations. Postdoc and visiting professor at the Federal University of Roraima. E-mail: monicamontanabr@yahoo.com



Deborah Luísa Pompeo is Bachelor in International Relations and also in Law. Graduate Student in Civil Process Law at the Franciscana University. Attorney-at-Law and researcher on International Humanitarian Law. E-mail: deborah.pompeo@gmail.com



Mylena de Aguiar Melo is bachelor at Law at the Federal University of Roraima and graduate student in Public Law at the State University of Roraima. Attorney-at-Law as well as researcher on Human Rights and Constitutional Law. E-mail: mylenaaguiar08@hotmail.com

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