AND WHEN LOVE KILLS? STORIES ABOUT THE CULTURE OF TERROR AND VIOLENCE IN SEVERAL CORNERS OF THE WORLD

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ABSTRACT
This study focuses on marital conflicts when they are presented in public spaces for the denunciation of violence against women, since the enactment of Law No. 11340 - Maria da Penha Law, in order to assess the subjective and social impacts produced in these individuals. Based on the study of some contemporary authors such as Sorj and Monteiro (1985), Grossi (1995), Gregori (1987), Rifiotis (2006), Debert (2006), Spivak (2010), Agambe (1998) it analyzes processing and penalization of the perpetrator of crimes related to marital conflicts. For Debert (2006) processing is the main way of coping with interpersonal and conjugal conflicts within the home environment. In this fashion, one can visualize how many women die in Brazil and worldwide; in reference to India, by investigating collective rape and domestic violence.

KEYWORDS
Violence; Woman; Femicide; Social Suffering.

Introduction
This is part of a text of a doctoral research in Sociology from the Federal University of Ceará (UFC), whose approach focuses on conflicts in amorous relationships, when they are presented in public spaces as a denunciation of violence against women, since the enactment of Law No. 11340 - Maria da Penha Law, in order to assess subjective and social impacts produced within these individuals. This new law reflects how interpersonal relationships became the groundwork for modern public institutions by changing the mechanisms of control exercised over the private, refining behaviors and uses of violence as a result from increased publicity of what was lived as strictly intimate. These new forms of institutional regulation that blame and criminalize practices of domestic violence have already reached limits that deserve the watchful eye of the Social Sciences.

The study’s object is centered on the possibility of evaluating women when they are under stress due to their new situation, from the breaking up of the circle of violence to the

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following path of recovery. In this new path, women try to strengthen themselves by de-nouncing the violence they suffered – what also seems to reveal that the breaking up of an identity, hidden in pain, is capable to weave new social bonds by means of particularizing her feminine self.

The approved law helped women to leave their private world and reveal issues related to the maintenance of violence. It is in this way that women go through a trail from a violated/victimized subject to a defying posture to counter gender-related domestic violence. They leave the area of veiled violence to face the violence that they suffered.

This escape route takes her to an acting role of producing a new historical subject - “the same woman but a more empowered one”. The violent situation does not separate her two case histories, but elaborates and succeeds in reevaluating her extreme posture, letting her to live and reflect on how to overcome her daily predicaments. The act of going to the Police Station is an outrage for some, and awakens wrath in others.

When I leave this place she’s going to pay, the devil is already singing in my head (man speaking at the Women’s Police Station – after being arrest in the act – mar. 11.2013)

Nuts is a dude who trusts in an animal that bleeds for seven days and won’t die (A joke cracked by a man being interviewed at Nuah – May 16.2013)

In the minds of some men, women are perceived as extensions of their proprieties, body or sex, but when one reads Spivak (2006), Das (1997), Foucault (1999), Versiani (2005), Agamben (2004) they show an impaired identity as Goffman (2004) ascertains, or if one considers Spivak (2006) when he says that female subjects cannot be heard or read, we question why this female identity become a subaltern subject including our bodies, our minds or our sex. According to Agamben (2004), in his work State of Exception, the author recognizes the existence of people that are not important to the State, and become known as bare lives.

Men and women of today try to culturally and socially build something beyond the basic, but something erected on gender and not on sex. “Sex is constructed as something unshakable.” This notion interferes with the life and dimension of the male and female.

When one reads Virginia Woolf’s Orlando, one perceives something beyond the common, for she presents so many epiphanies in each paragraph that we see a reality that, for the author in her time, would be overwhelming. The book marks the transition from the nineteenth to the twentieth century, the civilizing process being constituted under norms and standards to be followed.

As Foucault points out in “We Victorians”, it is said that early in the seventeenth century there still prevailed a certain weakness. Practices sought not the secret, words were said without undue reticence, and things without too disguise, there was a familiar tolerance with the illicit. However, Woolf (1928) fled these archetypes, the experiences that would be taken as values of other times and dimensions. The story takes place about 350 years in the past, and involves processes, stories, experiences that emphasize someone and changes occurring at that day and time, a time that can be today, yesterday or tomorrow.

All of her was darkened and harmonized, as when it is added the stroke necessary to highlight and make solid a surface, and that what is shallow becomes deep and next distant; and
all of it is contained like water by the walls of a well. In such a way so darkened and quiet now, and converted with the addition of this Orlando, so much so, rightly or wrongly, that is called an only me, a real self. And she was silent. For it is possible that, as when people talk loudly, the selves (of which may be more than two thousand) having a division of consciousness and striving to establish communication, become in fact silent. (Woolf, 1978, 176 and 177)

One speaks not only of the construction of the plot, but of the need to be absent from chronological time in order to talk about the coming time of personal transformation, the transformation of subjects and subjectivities. When one starts reading the book one sees the need to work with this construction of gender that goes beyond sex, which recognize men and women as something plastic and malleable, even with so many differences and inequalities, as female beings, male beings, heterosexual, homosexual, trans but under construction (...), soon recognizes “Orlando as man - him - because there was no doubt as to his sex, though the fashion of the time would strive to hide it” - but his positions showed a being constituted as male, thoughts, actions and reactions. On the other hand, part of him led Orlando do to things proper to boys. But as he was only sixteen, and was too young to ride with them to Africa or France, he fled from his mother and the garden peacocks, and went to the attic to attack, cross and slice the air with his sword (…) (Idem, 07). It is recognized here as the author conceived her autobiography, establishing the need to experience the masculine side and take advantage of this position both fictional and interpretive. The dimension of the other’s position, the experience of being the male even if idealized, by giving herself the experience of being someone who is far from her, being the other. We see how it is difficult to think of how the other feels, but in the reality of men driven by the law, that’s where a new dialogue becomes possible.

It is in this position that one seeks to mediate Woolf with the object of study, coordinating positions of each of the interlocutors, being they women or men.

In some cases the request for application of the Law 11340/2006, within our reality, is regarded as an affront to the aggressor who reacts violently and increases his anger. In the empirical case we presented, we had the complaint against and arrest of the perpetrator, and after his release by payment of bail, the woman was beaten badly by him, a count of more than 33 blows, and left almost dead by the aggressor.

Upon arriving at Zamia’s house, I noticed that all were beside themselves, so we interviewed her in her bedroom. As the cuts had been in several and large areas of the body, healing had to occur in the open, so it was possible to see that head, forehead, cheeks, arms, legs, fingers all had knife cuts, the more impressive being the nose that had been carefully stitched in a plastic surgery. (Diary - 28.Mar.2012)

In the book The Germans, in the analysis of the Nazi genocide, we find a critical eye on the death of Jews and the validity of the theory of Elias (1990 [1897]) about the civilizing process. Consciousness of people marks the twentieth century, the killing of the other being

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7 We use here the word request because it is a native category among users of the law, and its operators.

8 The Maria da Penha Law does not foresee the payment of bail, only through withdrawal of complaint by the battered woman, payment is possible. We will work this data in Chapter III.
a permanent problem, genocide being divided into several important points in history: Stalin, Uganda, Cambodia, Rwanda, and Bosnia. Some sociologists prefer to call the category modern genocide, others would call it ethnic cleansing. We can demonstrate in numbers those deaths, the Syrian conflict entering negatively to demarcate those statistics when we talk about the deaths of women in Brazil and Latin America.

Each action was overseen by police officers of the northern region, with measurements of the prohibition to stipulate bail to men arrested due to domestic violence. But these considerations do not validate protective actions for women.

For Spivak (2010) in the encounter between patriarchy and imperialism, in the creation of a subject and the formation of the object, the figure of the woman disappears not in a pristine emptiness, but in a violent pitch that is a displaced configuration of the third-world woman, caught between tradition and modernity.

For Butler (2009, in Las Vidas Lloradas, we can see an endorsement of death and life of people, especially after the September 11 attacks. But the author determines that the lives of people in certain social groups are less important than others, and cites the HIV patients and deaths in war. Thus, we can evaluate the extent to which the life and death of women are important to us, we being a democratic society that respect their rights as individuals:

The author argues that death can and should be mourned in a state of war, terrorism, attacks; death arises from speculation, that events mark the dying, the self, or rather the identity of the person or group may be the engendered point in killing and dying. That some lives or deaths may be socially cried or not depend on the approval of the social group.

Is the Maria da Penha law to be seen as anything beyond our time and actions? In order to express intolerance and tolerance to these facts called Violence against Women, we evaluate some paradigmatic cases in world history.

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9 Perhaps this liability can only begin to be realized through a critical reflection on these exclusion rules by means which certain recognizing fields are constituted, some fields that are implicitly invoked when, for a cultural reflection, we mourn for some lives and react coolly to the loss of others. Prior to suggest a way of thinking about the overall responsibility during this time of war, I want to distance myself from some wrong ways to approach the problem. Who, for example, make war on behalf of the common good, who are those who kill in the name of democracy or security, making inroads into other sovereigns in the name of sovereignty; they all think they are “globally acting “, and even exerting some “global responsibility”. Not long ago, in the United States, we have heard of the need to “bring democracy” to countries where it apparently shines by absence. (Butler, 2009, 56)
The Jyoti Singh Case

The documentary recalls the collective rape of the student of Medicine, Jyoti Singh in 2012, and the popular uprising that followed. As we see, Das (2011) refers to it as a critical event. In India\(^{10}\), the fact became a commotion as many reported: “Silence was broken”. Still a child, the girl wanted to be a doctor and told her father that if he was saving money for her wedding, she would rather have him pay for her medical studies. When her parents were convinced of Jyoti’s desire, they sold their land and paid for her studies; her father’s brothers, however, were not happy at all with the sale, but had to accept it. Jyoti said that the biggest problem in India is the people’s mindset; distinctions between boy and girl are imposed from birth (...) if we hear these things from both sexes, this view is indeed generated within our own society.

With the documentary running, the interview with the bus driver on the day of violence shows him in his report saying: “It is impossible to clap with only one hand, you need both to do it”, claiming that he did not get involved in the rape because he was driving. And goes on defending himself: “a decent woman would not walk around at night. Women are much more responsible for rape than men, man and woman are not equal, women should do the housework, and not walk around to bars and clubs at night, doing wrong things and using wrong things” ... The defense lawyer contributes some with his report”: “the woman is a flower, she presents herself in a pleasant and subtle way and the man is like a thorn, raw, and if she falls in the gutter she collapses, she’ll always need protection; if she presents herself in a temple she will be worshiped. In our society, a woman is not allowed to go out with a stranger; we do not allow our girls to leave home by 18:30 or 19:30 or 20:30; they forgot Indian culture and surrendered to the fantasies of movies, where you can do anything”. In their testimony the accused said that “it would not be the first group rape, I use to do these things when I drink”. The second defense lawyer put it: “If you must go out, have the company of a relative, an uncle, father, mother, grandfather, grandmother, and so on, but not go out at night with a boyfriend”. And her own mother says: “No matter what crime it was; she was guilty, should not go out at night, and should not walk around at night. And not wear clothes and such (...). But the men should be accused and answer for what they did, they cannot do that”. And she goes on: “We did not know we were so attached to her. We do not know how to return to life and where to start”.

Jyoti studied, but even so, she worked part-time and had a night shift from 8pm to 4 in the morning at “call centers” making charges for US companies. On asked how she managed she would say, “I need it, then I can”. She had a dream to help poor people like her, and used to say ”a girl is capable of many things”. Indeed, considering that she could do anything, she was right she could make a big thing, that is, a revolution...

Das (2011) shows that violence is not any kind of violence, but one that creates a detour in the lives of both those who have suffered it directly and those who imaginarily and historically worked for it.

The placement of the speeches of those involved in the case leads us do think about several points of view on our society; we live in a democratic country like them too, and that people can go to and from any location, our rights are guaranteed by our Constitution as

\(^{10}\) In India, at each 10,000 abortions, 9,999 are girls.
theirs also. So why did we have a spike in homicides, and domestic violence does not stop? These questions are “sui generis”, so much so that the theme for the writing test of Enem, 2015, was “The persistence of violence against the woman in Brazilian society”. We have detected some civilizing advances in relation to other cultures, if one ponders on comments by men in another macho-dominated country, we wonder where the error is, is it in our gender configuration, our educational perspective, is it in accordance with the standards we aim at? It is by this that we see how important Veena Das’ contributions are.

The author analyzes violence as critical events instead of considering violence as a social element whose causes are distant and undefined, interacting with the authority of the subject and its pathology. Das pursues the effects that certain critical events tout in the speeches and the bodies of those who are usually constructed socially. In this case, we can say that the main and the first to be victimized by State and family violence would be women and children.

Working primarily with women, even with those who have not suffered in their own skin the violence of a disruptive social experience, but having knowledge of it anyway makes us aware that they try to circumvent the meaning of their lives and their bodies in everyday life it is a complex expression. To understand the meaning proposed by Das (1997, 1998), one is directed to Wittgenstein and to contributions by the American philosopher Stanley Cavell (1999). This paper presents the experience of women subjected to critical events, with the introduction of new possibilities amid a fragmented social and family-related situation caused by these circumstances; one needs to recover, even briefly, what the author suggests as something to ensure a subjective and social existence.

Violence is often misunderstood by its reasons, it being external to the process of civilization. This violence cannot be recognized as “human” because it invalidates the civilized status of the perpetrator leaving him speechless. What happens to this violence, to the memory of this violence? How is this violence to be retrieved and how it acts on the subject, building or not an identification space with itself?

For Das, the direction of the actions is in everyday life, a knowledge that is present in the environment and which would not express itself through language only. It is seen in images and aesthetic features that are enacted by language and also by the body. The main role in daily life is the expression and recovery of meanings embodied by individuals, emotions and conflict. Violence and exclusion can only be understood if they have been attached to actions that are expressed as social suffering positioned as individual practices, seen on a daily basis, as free and unintentional choices. Everything we choose has other possibilities.

But this focus on the everyday is not meant to indicate that there is someone who resists in everyday life, for there is not necessarily this resistance agent: at least one should not speak of a calculated resistance but of a possible existence. This does not mean that there is no subject that interferes with reality, and that this is a mere submission to language games.

For this reason, speech will be understood as the prioritized strategy and will aim at evaluating from inside, (to the extent that defines and clarifies a social space, comprising individuals who play their roles), within an anthropological perspective, the institutional “logic of practice” involving control and accountability of police activity. It should then be emphasized that:
( ... ) Speeches [what is said, the talking] are made of signs [referring to contents and representations]; but what they do is more than use these to describe things. It is this item that makes them irreducible to the language and to the act of speech. It is that “more” that must appear and needs to be described (Foucault: 1986, p. 56).

So that reports can describe what we live today in Brazil; the law, in a way, was a major breakthrough. Women may resort to the Maria da Penha Law, but do these subjects have learned to be men and women have another aim at life beyond be married, stay at home and serve their husbands? Women’s bodies are tamed into what men want them to be, but things are changing. This woman denounces ill treatment and this man has already perceived that women cannot live in archaic and religious fundamentalism; stories are beginning to be told otherwise. We can demonstrate this in numbers when we talk about deaths of women in Brazil and Latin America.

Feminicide / femicide is a concept under construction, in development and, as stated by Gómez (2010), based on Sandoval, “the murder of women must be questioned within the core of those large structures of patriarchy and misogyny” (p. 22).

Several countries are trying to work with the criminal characterization of feminicide / femicide, meaning to define it as an autonomous crime, other than homicide, with its own penalties. To Mota (2012) the challenge is to define what kind of murder of women can be named feminicide / femicide. In the view of Diana Russell and Jill Radford (1992) who analyze this crime, it is a homicide aggravated by the fact of it being committed against a woman, “in a social and cultural context that places women in subordinate positions, roles, functions, and contexts, therefore, exposes them to multiple forms of violence”, “explains Vásquez (2008, p 203). To Mota (2008) femicide occurs due to:

(...) The gears that shape culture female subordination and violence against women appear to have deeper roots than we thought. It is in the formation of subjectivity of social subjects that one can understand submission and domination as constituting elements of these subjects. The resilience of dominating and violent men must be sought not only in the individual history of each subject, but especially in the state, society, whose discourses and practices validate the male in the dominating and controlling role while the female in a position of subjection and dependence. What factors and feed such interpellation of being male and controller and female and subordinate and dependent? The next step could be to attack with prevention, school matters on human rights and gender relations, from kindergarten to the upper level as positive actions of public policy, to secure recognition of values, diversity, human rights and citizenship. Not only to do a lesson, a lecture or workshop, but create a teaching content to a new way of being a man and being a woman on the basis of an experience modeled by a practice of full citizenship.

These questions reflect that modern, rational societies producing civilizing actions tend to lose permanent performing as a final state dominated by law.

The armor of civilized conduct would be quickly undone if, through a change in society, the degree of uncertainty that existed in the past would overcome us again, and the danger to become as incalculable as it was before. Corresponding fears would soon knock out the limits that today are imposed on them. (Elias, 1993:253)
We are not living in a time of open war, as Elias puts it, on a violent uncivil outbreak as at the time of Hitler, but he warns that attention should be given to avoid the build-up of a State in a long time span as a promoter of a gaping space where we would witness deaths increasingly appalling, and I ask if the problem of domestic violence in a certain way does not characterize a genocide, or rather, femicide, open for all to see.

Biographic References


