ABSTRACT
Violence against women has gained visibility in recent decades in the academic and in the social sphere in general. In its most extreme form, it is what we call femicide, which is the violent and intentional killing of women by the mere condition of being a woman. When thinking of the need for gender discussion leads us to the race discussions, that leads us to other complex issues such as racism in Brazil, mainly noticed by the growth of the black population victimization index. Studies of this proportion are important in order to build a new theoretical reflection on the possibilities which bring out other singularities of domestic violence against women.

KEYWORDS
Gender; racial discrimination; feminist movements; public policy.

Contextualizing
Violence against women\textsuperscript{1} has gained visibility in recent decades in the academic and in the social sphere in general. The high index registered both nationally and internationally implies a greater concern regarding the adoption of public policies in combating violence against women in the private and in the public space. In its most extreme form, what we call femicide - or feminicide - is the violent and intentional killing of women by the mere condition of being a woman occurs and is, mostly, closely linked to violence committed by men who had or maintained an affective relationship with the victim (Machado et. al., 2015).

It is important to consider that femicide is not an isolated event in women's lives; actually femicide occurs as successive violations [including physical and verbal assaults - such as rape, torture, sexual harassment, deprivation of liberty and a wide range of violence] that take place over their lives. When these forms of violence and abuse result in death, they are called femicide.

Thus, it is urgent to propose a change on the discussion about violence against women and turn it into a discussion of gender-based violence, since we are talking about a violence perpetrated by men against women in a power dynamic that in such cases puts women in a

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\textsuperscript{4} In this work it will be considered only violence against cisgender woman, or women whose gender identity is in consonance with the gender that was assigned at birth - the female gender. We know that the rate of violence against trans women in Brazil is quite alarming and deserves special attention, however, to limit discussions of this work, it will not be covered here.
subordinate position, indicating the inequality between genders. To better understand the gender concept, Louro (2000) affirms that:

Social construction made of social differences. Gender refers, therefore, to the way the so-called ‘sex differences’ are represented or prized; it refers to what one say or think about such differences within a society, in a group, in a context. (p. 26)

The process of (de)construction requires rethinking about the representation of places, functions and relations socially constructed as feminine/masculine. Scott (1995) talks about “rejecting an implicit biological determinism when using terms such as ‘sex’ or ‘sexual difference’; the American feminists wish to emphasize, through language, “the social character of distinctions based on sex” (p. 72).

A more detailed explanation, thinking about the need for gender discussion, leads us to the articulation of the race discussions. “Seeks to reflect about the progress of theoretical debate arising from the deep understanding of gender as a social construction and inter-related with other social dimensions such as race” (Garcia, 1998, p. 31).

Gender violence is a symptom of unequal social relations between men and women. In a society where there are still strong remnants of the patriarchy, the woman is placed in a lower position and is, therefore, subordinated to man as his property. Muszkat (1998) expands the understanding of patriarchal culture,

The so-called patriarchal culture - present in the subjectivity of contemporary society - defines men as prestige and power holders, putting women - encouraged to act in gaps of that power through the game of seduction – in a place of weakness and inferiority, making them natural victims of all kinds of prohibition and marginalization. (p. 227)

Violence often occurs because women are not playing the gender roles assigned to them, in other words, when observed transgressions in socially acceptable attitudes and behaviors. There is the social imbalance between men and women, intermediated by power relations that reinforce male supremacy. According to Foucault (1979), violence is characterized by a relation of unequal forces, in which the strongest subdues, exploits and dominates the weakest.

To become man or woman it is necessary to undergo a process called “gender socialization”, based on expectations that the culture has for each sex. And the family, as the primary socializing source, that is responsible for shaping the personalities. In this social space, in the confrontation between generations, sexual roles are defined by power relations at a social, emotional or material level. (Muszkat, 1998, p. 226).

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5 When using the term race, I share the attention of the Black Movement, in the discussion of “situation of black people in Brazilian society, race is the term adopted that can give the true extent of the racism in Brazilian society.” (Gomes, 1995, p. 48)

6 Although we disregard the universal character, totalizing, fixed and timeless patriarchy, it is important to note that Brazil still has strong remnants of an inherited patriarchal family model from colonization and it was adapted to the social organization marked by, at that time, landlords and slavery, going through subsequent periods of history and guiding the Brazilian legal rules. (Gomes, 1995, p. 48)
According to the Map of Violence (Waiselfisz, 2015), approximately 91,000 women were murdered in Brazil in the last 30 years and, among 84 countries, Brazil occupies the 7th position with 4.4 homicides per 100,000 women - standing behind El Salvador, Trinidad and Tobago, Guatemala, Russia, Colombia and Belize. The three Brazilian states with the highest murder rates in 2010 were Espirito Santo, Alagoas and Paraná, with a rate of 9.8, 8.3 and 6.4, respectively.

This research [from Data Senado] shows that one in five Brazilian women have suffered some kind of domestic or family violence. Husbands, boyfriends and ex-partners continue to appear as the main responsible in 73% of cases. Another worrying statistic reveals that from these women victims of domestic violence, 26% still live with the abuser and 14% continue to suffer such violence. And, according to the Federal Senate (2013), in relation to the aggression suffered in the domestic space, only a third of women notify the abuse to the public authorities.

Waiselfisz (2015) states that majority of feminicide usually occurs “at home” and, according to Global Burden of Armed Violence, it is possible to affirm that “high levels of feminicide will often be accompanied by high levels of violence tolerance against women and, in some cases, are the result of this so-called tolerance” (p. 26). Muszkat (1998) tells us about the difficulty in perceiving this violence, because the violence generated by gender relations happens, in many cases, in the private domain and thus,

[...] it tends to be identified only when there is physical violence, ignoring the psychological abuse that hurt one’s self-esteem, the intercourse practiced by force that leaves no physical marks [...] Violence against women is so naturalized in the culture that many men do not know they are practicing violence, while many women also do not know they are being abused. (Muszkat, 1998, p 227)

In the Violence Map that addressed the question of the race impact on lethal violence, it was concluded that:

a. With few geographic exceptions, the black population is main victim of the deadly violence in the country. b. The white population homicide rates tend historically to fall, while increases the mortality rates among blacks. c. For this reason, in recent years, the black population victimization rate increased drastically. (Waiselfisz, 2015, p. 29)

According to White (2002, p. 148), among the many social representations of black women, their role as victims “is to keep them passive and confused about violence. This stereotype not only influences our intimate relationships, but also our day to day”. This negative construction results in the difficulty of black women in recognizing that their partner

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7 Comparative data of the World Health Organization from 2006 to 2010.
8 In its 6th edition, the Data Senado conducted an interview with 1.102 brazilian women, from June 24 to July 7, 2015.
10 In 1996, the Ministry of Health (MS) introduces in the Declarations of Death the race/color, with huge underreporting by the end of the century. For this reason, we started working the theme from the year 2000. The MS uses the same five categories as Brazilian Institute of Geography and Statistics - IBGE, considering the population, by self-declaration, white, black, yellow, brown and indigenous. In the Violence Maps, two categories were used: white and black, the latter resulting from the sum of black and brown.
are being violent and it prevents the victim to make an accusation against the aggressor. Romio (2013, p. 136) notes that “the woman’s culpability for the violation that they are subject to is not unique to black women, but is also amplified by the racial foundations that defines their womanhood in society.”

The positive construction of black women’s identities is damaged by the constant violence they are subjected to, i.e., the lack of discussion in school or non-school spaces. Furlani (2007) says that

[…] identity only makes sense in a discursive chain of differences: “what it is” is totally dependent on “what it is not”. The cultural difference will depend on many processes of exclusion, “who may or may not occupy certain spaces”, division strategies that ultimately define hierarchies, evaluative scales, categorization systems… These aspects are indispensible questionable in Sexual Education that seeks to question sexism, misogyny, homophobia, the many types of prejudice and exclusion. (p. 272-273)

Understanding identities as social and historical constructions as a relationship process between men and women, we dialogued with Carneiro (2003),

The pressing need to talk about racism at broader issues of women is a historic shelter, because the racial “variable” produced inferior genders, concerning a stigmatized female identity (black women), the subaltern masculinities (black men) with less prestige than female gender from the racially dominant group (white women). (p. 119)

Regarding black women, there is another type of violence, when seeking rapprochement with the considered superior white culture, a whitening process, as pointed out by Carneiro (2003),

The hegemonic effects of “whiteness” in the social imaginary and in the concrete social relations is an invisible violence that leads to negative balances for the subjectivity of black women, slithering in their affectivity and sexuality. This dimension of racial violence and the particularities it assumes in relation to women of non-hegemonic racial groups has aroused careful analysis and recreation practices that are capable of building other references. (p. 123)

The willingness to work with such complex issues [as the facing of racism in Brazil] that happen covertly and demands researcher’s attention and sensitivity to the unveiling, as Gomes (1995) reveals when explaining the “whitening ideology”:

The whitening ideology acts in a ruthless manner. It is through it that in Brazil, thousands of blacks are taken to assimilate values and white group culture as legitimate, denying the heritage of African ancestors, disregarding the actual contribution of the black race in the formation of our society and living to build a fragmented ethnic/racial identity. (p. 83)

It was also postponed in Brazil the discussion about femicide, disregarding gender and race. The difficulties encountered in the official survey data about the death of women - and the context in which it occurs, damage when proposing effective policies to face this kind of violence, considering that most of the data is disaggregated from the victim’s sex and race and it was, before the establishment of the femicide law, considered as homicide. That’s why,
when qualifying a femicide crime, it is important to know the context, to be aware of who committed it, how it was practiced, locale, reason and under what circumstances.

The difficulty in collecting data on this type of crime reflects the existence of few studies approaching the discussion of violence against women [particularly black women], common in our society. Facing the silencing of the problems, violence remains and becomes a daily issue. Thus we highlight the importance of recognizing the political dimension of criminalization of femicide crime because it allows greater visibility to a violence resulting of discrimination based on gender and race.

Romio (2013, p. 139) talks of national and international efforts from the control practiced by the population, “to change this situation, in addition to designing violence against women as a process that is not static but metamorphosed in time and space”. Moreover, feminist movements are in a constant effort in these areas, showing the need to consider violence against women a public health problem that must be fought and brought to public what was once treated only in private. Inclusion of the “race” in the documentation of health institutions is part of the struggle of black feminists against violence suffered by black women, in order to identify this group and consequently to help developing a public policy that is vigilant and committed to the elimination of different violence.

Pasinato (2011) tells us that femicide has gained ground in Latin American debates since intense murders of women in Ciudad Juarez - Mexico, in the 90s, as well as the implications that motivated these crimes. The author also explains that the term “femicide” originated in English by Diana Russell in 1976. Years later, Russell published a book in partnership with Jill Radford to address this issue.

According to the literature, Russell and Radford used this expression for the murders of women that have been caused just by the fact that they were women. [...] According to the same authors, another defining characteristic of femicide is that it is not an isolated event in the lives of victimized women, but it is present as the end point in a horror continuum which includes verbal and physical abuse and wide range of manifestations of violence and deprivation to which women are subjected throughout their lives. Whenever such abuses result in the death of women, they should be recognized as femicide. (Pasinato, 2011, p.224)

In Brazil, feminist movements, also of black women, articulate and claim more attention from the government for solving and addressing issues related to violence against women. According to Bandeira and Melo (2010):

The effervescence of the women’s movement from the second half of the 1970s was marked by the diversity of feminist agendas, and violence against women has gained space in the media, especially after the murders committed by husbands and partners. Nationally, echoed about the deaths of Ângela Diniz (RJ), Maria Regina Rocha and Eloísa Balesteros (MG) and of Eliane de Gramont (SP). (p. 26)

With violence becoming more and more present on the agenda in the country, the Brazilian government was cornered by the popular movements pressure, that effectively exercises control, monitoring and demanding the creation of police stations with specialized care for women,

The creation of the Specialized Police Stations for Assistance to Women (DEAMs) was the first major innovation in public safety for women in Brazil, as a framework for the under-
standing of practices involving the prevention and attention to violence against women. A
decade later, the Brazilian Government ratified the Inter American Convention on the Pre-
vention, Punishment and Eradication of Violence Against Women, in 1994, assuming the
commitment to adopt necessary measures to confront and eradicate violence against
women. (Bandeira and Melo, 2010, p. 26)

Thus, it was instituted, in 2006, (Law 11.340, 2006), popularly known as Maria da Penha
Law, which creates measures to provide protection and assistance to women victims of do-
mestic violence, it also creates preventive measures and punishment for aggressors, becom-
ing a key milestone in the Brazilian system, since it aims to consolidate a policy that ensures
the women’s right to physical integrity and the right to life, giving visibility to this issue, and
establishing more assignments to state agencies.

However, according to a research conducted by Ipea11, when comparing the periods be-
fore and after of the law institution, it was observed that there was no impact on mortality of
women victims of violence in Brazil (Garcia et. al., 2013). On the one hand, this problem of
not reducing violence can be attributed to the failure of the government, on the other hand
it should also be noted that the significant increase in complaints made during the rule of
law may have interfered in the rates - since the Maria da Penha Law brought greater visibility to
violence at home/family/private and now more women started reporting such violence.

In 2012, the Senate established the Joint Inquiry Committee on Violence Against
Women, “in order to investigate the situation of violence against women in Brazil and inves-
tigate omission of complaints by the public authorities regarding the application of estab-
lished instruments in law to protect women victims of violence” (Brasil, 2013). When noting
that the incidence of violence against women remained high, it was instituted the Senate
Law Project number 292/2013, in order to change the writing of the Criminal Code in order
to insert femicide as a qualifying circumstance of homicide crime. Finally, after strong pres-
sure from society and feminist movements, it was sanctioned by President Dilma Rousseff
the law which altered the Criminal Code, including the femicide crime, with Law - Number

We realized when reading the law, the resistance of social movements pressing the gov-
ernment since 1940. The learning of human rights instigates us to new conflicts from the
commitment with groups that make us rethink. According to Gallo (2007) the active and con-
scious participation in the social group that makes us effectively citizens.

Final Considerations

Even though there are feminist movements demanding the recognition of racism, racial
discrimination and gender and race inequalities, there still is a silence regarding the racial
issue of women in vulnerable situations. Scott (1995), when studying gender related to racial
issues, marks the commitment to an exclusion history of black population.

Finally, there is the importance of these studies, considering the intersection of gender
and race to build a new theoretical reflection of possibilities that bring out other singularities
of domestic violence against women.

11 Institute of Applied Economic Research (Ipea)
References


