

Violence against Women in the State of the Espírito Santo

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ABSTRACT: *The phenomenological analysis of everyday life, or rather subjective experience, abstains from any casual or genetic hypothesis, as well as from statements concerning the ontological status of the phenomena to be analyzed. It is important to remember this point, since common sense contains innumerable prescientific interpretations of the everyday social reality that it accepts as certain. Several studies point out that the issue of violence against women gained visibility from the public debate provoked by feminists about the murders of women from the 1970s onwards, since these crimes were hitherto treated as domestic issues and considered natural, justified by the defense of the honor of men. This discussion raised questions about the violence and discrimination that women had lived for centuries in public and private spaces. Violence against women is very broad and can be physical, sexual, psychological, moral, patrimonial, among others, and often, not as excluding women suffer various forms at the same time and can often have as an outcome to their lives, what is typified as femicide.*

KEYWORDS: *Women; Violence; Femicide.*

I. INTRODUCTION

Violence against women as it is defined has become a relevant issue in our state every year (PRATES, 2014), as there is a considerable incidence of femicide. Women who were in some way vulnerable after suffering numerous threats were murdered without proper protective measures being effective and effective. In this sense, it is clear that there is a threat to these women that must end.

Within this theme always sad and controversial and full of ideological nuances we will describe reality from interpretations of our statistical data, taking into account its character of indubitable assumption (BERGER & UCKMANN, 2014).

The evolution of the victimization process, however, is usually accompanied by physical and psychological signs, which cannot be hidden. Concealment begins with medicines, dressings, and the victim delays seeking help, often in an attempt to deny the signs (FIORELLI & MANGINI, 2009).

In pointing to the interrelationship between gender, race and socioeconomic status in the context of patriarchal capitalism, women's vulnerability leads us to the challenge of proposing new understandings and theoretical explanations.

The discussion about femicide is inevitable. Therefore, we must have information that enables us to think about timely and effective intervention strategies that allow us to avoid this kind of crime.

This fact, as a Public Security problem, has taken on such an important factor in our society that it has gained a

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chapter of its own within the Federal Constitution of 1988. However, most of the victims who were and are part of our society have acquired a “guiding fear” regarding activation of the devices or bodies that compose the Public Security, in accordance with Article 144 of CF / 88 (BRASIL, 2012, p.51).

This article presents ways to reflect on the types and scenarios of femicide as well as presenting some proposals for the prevention of these deaths, which are often premature, unfair and preventable.

The term domestic violence is used to refer to what happens at home; family violence is violence that occurs between members of the same family; marital violence is used to express the aggression that occurs between intimate partners or former partners (PRATES, 2013).

For Berger and Luckman (2014), when investigating any concrete institutional order we need ask ourselves, what is the extent of institutionalization in the totality of social actions in a given collectivity.

We can preliminarily point out that violence against women is a chronic event, so resolution demands time and victims need to be attended to accompanied and strengthened in lines of care that may require long periods of time. On the other hand, femicide is an action that can occur abruptly after a threat or conflict, and in this case, women's protection measures need to be timely and rapid.

What we intend to point out in this paper is the theoretical currents and experiences of prevention and control of violence and crime, aiming to contribute to the construction of public security policies based on respect for democratic principles and human rights and for greater efficiency and effectiveness in the area.

We also intend to consolidate the establishment of public security research centers capable of gathering data, formulating problems and making diagnoses on the prevention and control practices of situations of violence and crime in order to favor the use of methodologies and planning tools to monitor and evaluate public policies in Public Safety.

Thus we will encourage the use of different sources of information - social, economic, demographic, infrastructural (urban and rural) - about the distribution of collective equipment and services, as well as the main crimes recorded (victimization and official indicators), with the purpose of supporting the elaboration of projects and programs aimed at the prevention of violence.

This article is a theoretical essay that discusses concepts and characteristics of gender crimes perpetrated against women, currently called femicides.

Since the last decades, urban violence has gained ample space in the public debate that seeks ways of coping and preventing occurrences whose consequences do not distinguish social class. The growth of urban violence, especially in metropolitan regions, led to “a redefinition of the problem as one of the main urban social issues in the late twentieth century, closely linked to the social and urban conditions of these clusters” (ROSA *et al*, 2012).

Within the framework of international treaties aimed at protecting specific groups, one of the most relevant with regard to gender inequality is the 1979 Convention on the Elimination of All Forms of Discrimination Against Women.

At the national level, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, or the Belém do Pará Convention of 1994, should be highlighted, because the most used notion of violence against women is that adopted in this convention, which in its Article I defined it as “any gender-based action or conduct that causes death, harm, or physical, sexual or psychological distress to wo

It is important to highlight that when a crime of homicide against women is committed, it is often necessary to establish a more accurate study so that we can define it as femicide. In cases of flagrant offense, in which the perpetrator fulfills the specific conditions of the classification of femicide, it will immediately be configured in the data of the Secretariat of Public Security and Social Defense of Espírito Santo.

There are, therefore, many open surveys, with investigations in full swing that may or may not configure as femicide. It is important to clarify that the Public Security Observatory uses as data source the occurrence reports registered in the DEON system, which report the initial information of the facts.

Confirmation of crimes depends on technical evidence, expert reports and analysis by the Police Authority responsible for investigating the crimes men, both publicly and privately” (PITANGUY, 2002; PRATES, 2013).

II. HOMICIDES AGAINST WOMEN

The years 2006 and 2009 represented the highest rates of homicides against women in Espírito Santo. It is likely that the growth in rates observed during this period is linked to elements of gender and race subordination and socioeconomic status in urban crime contexts, which creates a new victim status for women. A considerable portion of homicides in Brazil during this same period are also related to sexist characteristics. From 2016 there is a sharp drop in homicide numbers and the rates of femicides begin to be computed. And the other homicides come to be related to the dynamics of drug trafficking and use.

It is noteworthy that in Espírito Santo since 2011 was launched the Present State Program that undoubtedly contributed to the reduction of indicators of violence, including homicides against women and femicide.

The murder of women is customary in the patriarchal regime, where women are subject to the control of men, whether they are husbands, relatives or strangers. The causes of these crimes are not due to the pathological conditions of the offenders, but to women's desire for possession, in many situations blamed for not fulfilling the gender roles designated by the culture (MENEGHEL & PORTELA, 2017).

Human society is increasingly divided into groups. Each group with its own characteristic. In a society that is divided by social classes, the less privileged, come to be looked down upon. Thus, it is up to us to analyze this phenomenon, so that we can identify the legal damages, in a sphere on Human Rights, at this moment in a micro view, but giving rise to a macro study.

We know that the historical constitution does not occur as cumulative events, linear and agglutinated throughout history, but as problem-history, riddled with various fields of constitution since in each context in each period transformation occurred.

It is essential to state that, femicide is the final stage of the continuum of violence against women; many of these deaths are announced and vital as our study intends to demonstrate.

In addition to the fear factor, there is discrimination, inheritance from a country that served as a colony of exploitation and prejudice. Bringing these three pillars together: fear, discrimination and prejudice, we can see how much this influences the work of Public Security in their daily lives.

Violence against women comprises a wide range of physical, psychological, sexual and patrimonial aggressions that occur on a continuum that may culminate in death by homicide, a fact that has been termed femicide or femicide. At the 2005 International Seminar on Femicide, Politics and Law, Diana Russell considered it appropriate to translate from English “femicide” into Spanish “femicide” to avoid feminization of the word

homicide. However, authors such as Marcela Lagarde distinguish between femicide, or the murder of women, from femicide, or the murder of women based on gender in contexts of state neglect of these deaths, constituting a crime of harmful humanity.

One should always ask if the woman has suffered / suffers violence, to break the taboos that "this is not talked about". It is necessary to listen without judgment, not to press women to report, to plan care plans, to help build support networks and, especially, to identify when the situation is at immediate risk and, in these cases, to act quickly to protect the victim. In short, draw up a unique therapeutic plan for each woman affected by violence (MENEGHEL & PORTELA, 2017).

In 2006 was sanctioned in Brazil Maria da Penha Law, increasing and highlighting the rigor of punishments for this type of crime. Regarding this law is understood that there is femicide when aggression involves domestic and family violence, or when it shows contempt or discrimination the condition of being a woman, characterizing crime for reasons of being female.

This, since it brought us a broad aspect of analysis not only criminal, but also political, because it emphasizes that certain homicides result from a system in which power and masculinity are synonymous and permeates an environment hate and contempt for women or the attributes associated with femininity (SEGATO, 2006; CRUZ, 2017).

For Fiorelli and Mangini (2009) built throughout life through the memorization of experiences, thought schemes, criteria for selecting stimuli, builds the individual's worldview, which will be ratified, modified and adjusted by their actions. and reactions in the environment in which you live. Hence the paths to the future will be unequally pleasing to each individual and any attempt to make them satisfactory will be innocuous.

We know from various studies and indicators that the rate of femicide was high in all regions and cities of Brazil, although laws are in place to reduce such crimes, and that the profile of deaths is largely compatible with situations. related to domestic and family violence against women. This is a matter of concern, as femicides are completely preventable events that shorten the lives of many young women, causing invaluable losses and potentially adverse consequences for children, families and society.

People who have had the ability to visit places where violence is only occasional are amazed at the difference in quality of life. Violence against life, ethics or even morality causes ruptures in the fragile epidermis of beliefs, values, and the foundations of social coexistence. For Berger and Luckmann (2014), consciousness is always intentional, always tends towards or is directed towards objects. We can never grasp a supposed substrate of consciousness as such. A detailed phenomenological analysis of these cases would uncover the various layers of each victim's experience and the different processes that led the victim to lose his life.

III. PUBLIC FACING LAWS AND POLICIES

The Law aims to provide shelter to women victims of physical, sexual or psychological violence, at home and family, at imminent risk of death, as well as to their respective minor dependents (up to 14 years old) or incapable.

Access is through CRAS, CREAS and the women's police station, at regular times, and the Women's Specialized Duty at night. The woman may remain sheltered for a period of 90 days, extended for another 90 days.

The formulation of the Maria da Penha Law (Law No. 11,340) in 2006 was one of the legal frameworks for

confronting gender crimes. With the Maria da Penha law, violence was no longer considered as a crime with less offensive potential, it was (conceptualized and typified), being quickly known and incorporated into the discourse of women in the country, regardless of social position.

In 2006, the Ministry of Health implemented the Accident Violence Surveillance (VIVA) system within the Unified Health System (SUS), in two components: surveillance of domestic, sexual, and / or other self-directed and interpersonal violence (VIVA). -Continuous); violence and accident surveillance without hospital emergencies (VIVA-Sentinel).

The Shelter House is in a secret place in Greater Victoria, and the woman and her sheltered children can not go out alone on the streets, nor use their own telephone, contact with the family will be made by phone from the house.

In Brazil, death certificates that are part of the Mortality Information System / DATASUS do not contain data on the cause of crime, and it is impossible to classify female deaths from aggression as femicides or femicides, as they do not have information regarding the aggressor. and the intentionality of the event.

A decade later, in the face of the upsurge in murders against women and the positivization by law of several countries, the discussion begins in the country about a specific law for femicide. Brazil has regulated this law after a series of debates and discussions with various sectors of society, institutions and social movements. The crime of femicide was sanctioned through the Law, which now considers the gender issue as a qualifying circumstance of homicide.

In 2016, the document “National Guidelines for Gender Investigation, Prosecution and Judgment” is published, an adaptation of the Latin American Model Protocol for the investigation of gender-based violence for women.

The Guidelines are intended to help improve police investigation, prosecution and prosecution of violent deaths of women to highlight gender reasons for the occurrence of such deaths. Adopting this perspective is critical for the state to be able to act more effectively to prevent and punish femicide.

The Service Directive No. 006/2017 - PATROL MARIA DA PENHA, established the parameters for the creation, structuring and operation of the Patrol Maria da Penha. The Maria da Penha Patrol consists of a specific garrison of the PMES that will make a reassuring visit to women victims of domestic and family violence, as part of the Network of Assistance and Facing Violence against Women.

The training was offered by the State Secretariat of Public Security and Social Defense (SESP) and lasted two days. The objective was to instruct the military policeman on how to properly accommodate women victims of domestic violence. Fifty-three military police officers from various PMES Units attend the course.

Other training sessions were held in the southern and northern regions of the state. The first covered the CPO-S and took place in Cachoeiro de Itapemirim. The second was held at the CPON area, in the auditorium of the 13th Battalion of the São Mateus Military Police.

Human Rights and Community Police Directorate (DDHPC) of Espírito Santo held a meeting with the Metropolitan, North, Northwest, South and Serrano Ostensive Police Commands in order to improve data alignment with the Patrulha Maria da Penha.

The program was instituted by state law No. 10,585 of October 26, 2016 and has been providing reassuring visits to women victims of domestic violence throughout Espírito Santo. At the meeting, data collection instruments, monthly reporting routines by each CPO were presented and the ongoing activities at the DDHPC

were updated. Participants must replicate the information to each of the 23 PM Units that cover the entire territory of Espírito Santo.

For Prates (2013), in the case of violence against women, it is considered, for example, to consider, in a simplistic and opposite way, “victims” and “tormentors” or, on the other hand, to intervene without judging a given case, in which those involved are related subjects and not unknown. In short, it is about seeking to innovate their practices in judging complex cases, such as violence against women, whether in the application of penalties or in the referral of subjects to relevant services, as proposed by the Maria da Penha Law. Thus, justice, in the sense not only of the legal operators, but of their own system, needs to be rethought as an instance that currently has the responsibility to accept and respond to this type of demand. The challenge is to rethink and adapt to the complexity of reality and the specific law that represents such reality, that is, the Maria da Penha Law.

Another program created and executed by the civil police psychosocial team “PROJECT MAN THAT IS MAN”, has as its public men perpetrators of violence, with procedures in progress at the Specialized Police Service for Women in the metropolitan region.

The project is developed through reflective group meetings that include gender relations, deconstruction of sexist and sexist ideas, encouragement of peaceful ways of dealing with conflicts, identification and reflection on violence in relationships, aspects related to family relations, proposing to think about the subjective space occupied in the community.

Faced with the financial difficulty of men to fund their travel to attend the meetings, SESP is open process to purchase social vouchers, so that they are offered to project participants moned by the Police Authority to attend the first meeting.

The group work men who are men directed to the perpetrators of violence against women, therefore, proves to be a promising initiative and reveals possibilities of success, when well conducted and can reach different forms of intervention.

IV. CHALLENGES

Even after the creation of this system, the violence has been little reported, especially those against women. Monitoring of femicide in a territory requires reliable information.

Other documents that refer to but do not typify female deaths from aggression are emergency service records, expert reports and expert inquiries, but access is restricted, handling is difficult and may require a long time to complete.

However, the ongoing research has allowed the construction of a consistent material whose analysis requires continuity. The identification of the six-year period of femicide refers to the need to build a historical series, where it will be possible to verify whether, for example, there was an increase or decrease in femicide cases with the promulgation of the Maria da Penha Law and the Femicide Law. Thus, together with these brief theoretical and methodological explanations, it is clear that contemporary women, despite the many achievements in the field of law, education, politics, economics and even society and culture, still suffer greatly from violence, especially within the domestic environment.

Much has been discussed about the issue of gender violence (especially by the feminist movement) present in the daily lives of women who are economically dependent on their husbands and women who have long since

freed themselves from this dependence. This means that the achievements of women did not soften the situation of violence that has settled in human society nor the cooling of them from the enactment of sanctioned laws, bringing to light the fact that, unfortunately, for a long time, violence will be still present (PRATES, 2013).

Exposing and discussing femicide information is hard work. However, there are methodological obstacles - the non-existent data disaggregation policy based on a gender perspective, the access to the institutions that make up the criminal justice system whose dynamics are not open to field research and the dissemination of information, stored in different spaces. of a same system that does not have a clear dialogue between its constituent instances or even the adaptation to spaces such as the police station where the theme of violence is treated as something ordinary and the handling of weapons are done as a simple accessory. Pray for the feelings that emerge when facing stories permeated by violence, suffering and pain. It has been a big challenge dealing with the density of the collected material (CROSS, 2017).

For Garcia (2004), it has been observed that low-income families living on the outskirts of large cities often have a family organization in which the absence of the parent - by abandonment or other motivation - causes displacement in the usual division of roles, if we have model the family traditionally centered on the father figure. The mother now occupies a *sui generis* situation, which is solely responsible for the children, being called the head of the couple.

Thus, from modernity, the struggle for the recognition of women as a subject of rights, as postulated by feminist social movements, introduced significant legislative changes in favor of human rights and female citizenship. However, legislation and public policies for the promotion and protection of these rights do not guarantee the reduction of violence against women, nor their empowerment, in order to refute this type of situation. In an attempt to minimize violence against women, the Femicide Act came into force in March 2015, classifying women's homicide as a heinous crime if it results from domestic and family violence or because of contempt or discrimination against women. For Moscovici (2010), reactions to events, our responses to stimuli, are related to a certain definition, common to all members of a community to which we belong.

Similarly, our collectivities today could not function if social representations based on the trunk of ideological theories were not created, so we could not explain the deaths is motivated by the fact that women are not playing their gender roles properly, since women symbolically traditionally the function of caring for the house, the children and the husband and when would be, and so in the male conception if it does not fulfill its role, the man feels the right to penalize her.

Although punctual, there are successful experiences, projects and programs, especially when there are networks, partnerships with social movements and women's protagonism. An example of this type of intervention was the Maria da Penha Patrol, organized in 2012 in the state of Rio Grande do Sul to serve regions of high social vulnerability. The patrol was an intersectoral action created by the Secretariats of Public Security and Policies for Women, operated by the Military and Civil Police Brigade, overseeing compliance with the urgent protective measure requested by women victims of domestic violence.

V. FINAL CONSIDERATIONS

Another strong ally would be community policing as defined by Skolnick and Bayley (2006), which predicts profound changes in customary police roles. Community policing makes the public an interest group for the police. A key feature of community policing is the relocation of police personnel to encourage regular, routine interaction with the public and not just the emergency. This is accomplished through walking patrols, park-and-walk patrols, and fixed police stations. Police are now closer to the community so that they can predict and probably prevent the emergence of crime and public order problems.

Train specialists to work - both in direct intervention, as well as in the management and construction of public policies in the public or private security sector. The training is intended to be conducted through an interdisciplinary perspective of activities involving the construction of policies and actions aimed at the promotion, prevention and control of issues related to human rights, citizenship, violence and crime.

The violence practiced against women is historical and its origin goes back to a system of domination-subordination that determines the roles of each sex in society, based on subjectivities, representations, behaviors that must be obeyed and that have long been grounded. In essentialist discourses - as if, by biological determination, the way of feeling, thinking and perceiving the world was predefined a priori, therefore, undisputed and definitive. Women would be left with only obedience in the name of a supposed family and social balance, often internalized and reproduced by women themselves. As a result, this social model has imported rights violations and imposed on women the condition of inferiority over men, externalized mainly through vast types of violence, from physical and sexual subjugation to the realization of death - femicide (MENEGHEL & PORTELA, 2017).

In 2009, Espírito Santo was the state with the highest number of occurrences related to domestic violence. Throughout 2017 around 5,000 occurrences of reassuring visits were made. In addition to accounting data, the activities developed have significant complexity regarding the process of listening to victims who requested visits, with guidance and referrals.

Therefore, the creation of a legislation in Brazil that typified the cases of femicide was of fundamental magnitude, so that before society in general, through the researches carried out, information on the reality experienced by so many women in our country was introduced, as well as the need for a change and breaking of dominant paradigms, if I may say so.

Effective prevention is achieved through the consolidation of community guards within Espírito Santo municipalities and the implementation of public security programs that combined preventive actions and qualified repression prioritizing territories marked by socioeconomic vulnerabilities and high criminal rates.

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