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FEMINICIDE AND PHYSICAL VIOLENCE AGAINST WOMEN: WHEN DO THESE CRIMES OCCUR?

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Abstract: This study aims to analyze the occurrences of femicide and physical violence against women in the state of Santa Catarina - Brazil for months and years. To this end, a cross-sectional survey was carried out from 2014 to 2020, with secondary data from Police Reports and quantitative data to identify the months and years in which these crimes were more frequent and had higher numbers in Santa Catarina. After evaluating 289 notifications of feminicides and 154,376 notifications of physical violence, the results showed that the most frequent months of femicide occurrence were November and December and of physical violence were December and January. The year with the most notifications of femicide was 2020, showing that this type of crime continues to increase over the 7 years investigated. Therefore, it is necessary and urgent for the Brazilian State to assume its role of guaranteeing the fundamental rights of women, in order to eliminate any and all forms of gender-related violence.

Keywords: Gender violence; Physical violence; femicide; bodily injury; violence against women.

INTRODUCTION

Gender-based violence against women involves any conduct, action and/or behavior that negatively affects physical, psychological, moral, sexual, patrimonial integrity and/or that takes life due to the condition of women. The perception of gender violence against women is closely related to historical time, culture and adopted policies. However, it is important to point out that just because this type of violence is part of the culture of many societies around the world does not mean that it does not exist. Often, when there is no liberating and emancipatory education, in the sense that subjects are able to perceive and critically reflect on the phenomena transmitted

from generation to generation in society, they are undersized, becoming invisible in the way of recognizing their negative impacts on the environment, everyday life and relationships. Therefore, there is some difficulty for the subjects to intervene on the phenomenon in the areas of prevention, restraint and eradication.

To recognize gender-based violence against women is not an easy task, as it is necessary to understand that the male gender, to the detriment of the female, still has, in many societies, a superiority of power in the scope of representativeness and decision-making by part of the managers or leaders of the institutions that govern a country. In Brazil, the functions of the State are exercised by three distinct and interdependent powers: legislative, executive and judiciary (BRAZILIAN FEDERAL CONSTITUTION, 1988); however, understanding them under the historical and gender bias, shows how they influenced and influence the constitution of being and being a woman in Brazilian society. This is because the partiality of the three Brazilian powers is based on patriarchal logic, in which the gear is structuring and structural, and acts in a massive and systematically excluding way towards women.

When critically reflecting on how the three Brazilian powers (legislative, executive and judiciary) act within their federal, state and municipal spheres, it is possible to notice that they operate in favor of the gear of production and reproduction of oppression, violence and of the subordination of women to men, demonstrating the existing structural inequality in the foundation and facets of society as a whole. An example of this is the growing increase in gender violence against women in Brazil. Reported cases of femicide in Brazil rose from 929 in 2016 to 1,319 in 2021, an increase of 41.98%, considering this period. In 2021, on average, one woman

was the victim of femicide every 7 hours (BRAZILIAN YEARBOOK OF PUBLIC SECURITY, 2019 and 2022). This growth has been growing even after the enactment of Brazilian Law Number: 13,104/2015, which places femicide on the list of heinous crimes (BRASIL, 2015).

Physical violence against women in Brazil is also worrying, 1.6 million women suffered beatings or attempted strangulation in 2018. Of these victims, 76.4% indicated that the author of violence was an acquaintance. Between 2020 and 2021, calls made to the 190 emergency number also increased by 4%. There were more than 23 thousand calls. In most cases, complaints of bodily injury that occurred within the family environment were registered, where 65.6% of cases occurred (BRAZILIAN YEARBOOK OF PUBLIC SAFETY, 2019 and 2022).

Violence against women has the issue of gender at its core, but it is important to consider that markers of social inequality (class, ethnicity, color/race, sexual orientation, economic status, among others) make some women more vulnerable than others. For others in the context of violence (LABIAK et al., 2022). Likewise with factors related to temporality (year, months, days of the week, etc.), they do not determine the occurrence of violence against women, but make it possible to understand how historical, cultural and political constructions are manifested in everyday life.

The study by Labiak (2012), which included 721 women assisted at specialized police stations in the state of Minas Gerais – Brazil, showed that about 68% of women filed a police report on Mondays. Among the reasons listed was having suffered physical aggression on Saturday and/or Sunday by a partner, ex-partner or someone with some kind of affective-sexual bond. Among the reasons for making the complaint on

Mondays, the following stand out: the absence of the perpetrator of the violence at home (his return to work); and the encouragement of co-workers to make the complaint (for women who worked outside the home). It is considered, therefore, that it is not the day of the week that leads to domestic violence against women, but the day, month and year offer clues to understanding the contexts and manifestations of this type of violence.

With a view to understanding whether factors related to temporality can make women more vulnerable in terms of gender violence, this study aims to analyze the occurrences of femicide and physical violence against women in the state of Santa Catarina - Brazil, by months and years (2014 – 2020) to observe whether there are more frequencies and larger numbers of such crimes in certain periods. To materialize this study, data on femicide and physical violence against women, in the state of Santa Catarina - Brazil, from 2014 to 2020, were selected to identify the months and years with the most notifications of these crimes.

METHOD

This is a quantitative and cross-sectional study, based on secondary data from police reports (BO) made available by the Department of Public Security of the State of Santa Catarina (SSP/SC, 2021). According to these data, in the period from 2014 to 2020, there were 289 occurrences of femicide and 154,376 occurrences of physical violence. Occurrences of femicide were categorized by the SSP/SC based on Brazilian Law Number: 13,104/2015 and occurrences of physical violence were categorized by the authors of this study according to Brazilian Law Number: 11,340/2006, popularly known as Maria da Penha Law. Therefore, femicide and physical violence could be analyzed by their numbers in each month of the year. It must be noted

that when physical violence against women was categorized, intentional and culpable conduct was accounted for, since, as this is gender violence, it is problematic to say that the perpetrator of violence (such as bodily injury) did not intend/ wrong to practice it.

RESULTS AND DISCUSSION

The results show that the numbers are devastating when it comes to femicide, especially because in this number of 289 cases from 2014 to 2020 (Table 1) there was underreporting. This underreporting can be distinguished into two areas: the first refers to the fact that, for the murder of a woman to be criminalized as femicide, according to Brazilian Law Number: domestic and family life, contempt or discrimination against women. Thus, not all murders of women are considered feminicides, as the public security agent assigned to register the police report must have adequate training/qualification to distinguish the murder of a woman due to her gender condition. Preventing this type of crime from being mistakenly classified as homicide or suicide. In Brazil, this training or qualification is practically non-existent, due to the omission of the 3 powers (legislative, executive and judiciary), which is

essentially sexist, masculine and producer of discriminatory identities.

The second aspect related to underreporting is also a consequence of gender subjectivation found in the three Brazilian powers, specifically in the executive power (destined to execute, supervise and manage laws), which does not require public security to provide adequate records for femicide. That is, according to Brazilian Law Number: 13,104/2015, attempted femicide is also femicide. However, in the official data made available by public security in the state of Santa Catarina, as in all of Brazil, the rates of feminicides released are of consummated cases. This infers that the numbers for this type of crime are much higher than those reported, if attempts were counted. Aspect that masks reality, as well as hinders the creation and implementation of adequate public policies to face this phenomenon.

In table 1, it is possible to visualize the distribution of notifications of cases of femicide over the months of each year investigated. Furthermore, the increase in cases of this crime in the research period is notorious, about 144.4% in the state of Santa Catarina, from 27 cases in 2014 to 66 cases in 2020.

Femicide in Santa Catarina – Brazil

Year	Months												Total
	Jan	Feb	March	Apr	May	June	Jul	Aug	Sep	Oct	Nov	Dec	
2014	0	3	2	0	0	2	1	1	1	3	7	7	27
2015	5	6	2	1	0	2	1	2	2	1	5	1	28
2016	4	3	2	7	3	1	1	4	0	1	2	7	35
2017	1	1	2	3	4	2	5	1	3	7	2	2	33
2018	3	1	3	3	6	1	1	3	6	2	1	5	35
2019	4	8	7	11	5	2	5	4	1	7	9	2	65
2020	1	6	6	6	2	4	8	3	6	4	12	8	66
Total	18	28	24	31	20	14	22	18	19	25	38	32	289

Table 1: Distribution of femicide cases by months and years.

Source: prepared by the authors based on the SSP/SC database (2021).

Table 1 shows that the years with the most notifications of feminicides were 2020 (66 cases) and 2019 (65 cases). As of 2018, notifications have increased considerably, from 35 notifications in 2018 to 65 in 2019 and 66 in 2020, an increase of 88.6% of records in 3 years. Notifications of femicide occurred every month in the seven years investigated. This indicates that because it is a gender-related crime, it is subject to happen at any time. However, it is observed that the months of November (38 cases) and December (32 cases) had a higher number of notifications of femicide in Santa Catarina. November and December were also the most frequent in terms of the largest number of notifications of femicide in each year, namely: in 2014, November (7 cases) and December (7 cases); in 2015, February (6 cases), January (5 cases) and November (5 cases); in 2019, April (11 cases) and November (9 cases); in 2020, November (12 cases), July (8 cases) and December (8 cases).

Is it a coincidence that November and December had the highest concentrations of feminicides reported? What might be hidden in the demonstration of power over women's bodies in these months? Answering these questions is not an easy task, because it would be necessary to map all the possible scenarios in which the women were murdered, and the data made available by the SSP/SC do not allow for this diagnosis. However, in order to critically reflect the data, without making a direct cause and effect relationship, it is considered that it is precisely in the months of November and December that the mobilization of feminist movements in Brazil takes place in the 16 days of activism against violence gender (begins on November 25, International Day for the Elimination of Violence against Women, and ends on December 10, Human Rights Day) on the initiative of the General Secretariat of the United Nations (UN).

In this period of activism, there has been an effort by feminist groups to make everyone aware (without distinction of gender) of the existing inequalities between genders, to encourage women to leave the situation of violence in which they find themselves, to remove the invisibility of the violence that plagues so many women, among other demands. However, the Brazilian State has not been engaged with effective actions to support this movement or the elimination of these gender crimes. In view of this, it is important to reflect critically that identifying violence and denouncing it is part of the process, but does not solve the problem. Both women and the population know that reporting violence to the police authorities can increase the risk of death. Furthermore, encouraging women to leave the situation of violence, but not offering an adequate support and protection network, can also increase the risk of them being murdered.

What is meant is that the records of femicide notifications show that without engagement by the State (in the sphere of the three powers) and society, women are sentenced and condemned to violence and death. Women are not passive subjects, on the contrary, they are active subjects capable of resisting and (re)writing their history, however, one cannot lose sight of the fact that the Brazilian State needs to do a part to contain the structural and structuring gear based on patriarchal logic, in which it operates in a massively and systematically excluding and violent way towards women.

Allied to the growing numbers of femicide records, physical violence against women in Santa Catarina has also been negatively highlighting the number of occurrences, there were 154,376 cases in seven years. Table 2 shows the distribution of cases in these records between the years 2014 and 2020 in the state of Santa Catarina.

Physical violence against women in Santa Catarina - Brazil

Year	Months												Total
	Jan	Feb	March	Apr	May	June	Jul	Aug	Sep	Oct	Nov	Dec	
2014	1.940	1.887	1.892	1.592	1.442	1.315	1.405	1.603	1.496	1.790	1.934	1.805	20.101
2015	1.895	1.675	1.883	1.553	1.434	1.245	1.251	1.630	1.362	1.553	1.607	1.765	18.853
2016	1.764	1.707	1.752	1.620	1.447	1.271	1.438	1.268	1.432	1.599	1.668	1.794	18.760
2017	1.888	1.843	1.794	1.680	1.452	1.434	1.572	1.591	1.762	1.765	1.757	1.927	20.465
2018	1.750	1.652	1.822	1.714	1.510	1.323	1.338	1.398	1.438	1.508	1.578	1.860	18.891
2019	2.497	2.693	2.960	2.441	2.298	2.318	2.048	2.258	2.536	2.672	2.649	2.999	30.369
2020	2.685	2.629	2.271	1.599	1.763	1.640	1.598	1.851	2.021	2.283	2.298	4.299	26.937
Total	14.419	14.086	14.374	12.199	11.346	10.546	10.650	11.599	12.047	13.170	13.491	16.449	154.376

Table 2: Distribution of cases of physical violence against women by months and years

Source: prepared by the authors based on the SSP/SC database (2021).

Table 2 shows that the years with the most reports of physical violence against women were 2019 (30,369 cases) and 2020 (26,937 cases). In view of annual fluctuations, an increase of 51.08% is identified in the notifications of cases of this violence in the period from 2014 (20,101) to 2019 (30,369). From 2019 to 2020, there was a reduction of 11.30% of these notifications. It is worth considering that in 2020, the Covid-19 pandemic made women in situations of violence even more vulnerable, as they began to spend more time in their homes with the perpetrators of violence and, often, were unable to access services audiences and support networks (LABIAK et al., 2021).

With regard to the months per year with the highest reports of physical violence against women, two months stood out: January in 2014 (1,940 cases) and 2015 (1,895 cases) and December in 2016 (1,794 cases), 2017 (1,927 cases), 2018 (1,860 cases), 2019 (2,999 cases) and 2020 (4,299 cases). The months of December (16,449 cases) and January (14,419 cases) also had the highest numbers of this type of violence in the seven years analyzed.

Among the notifications categorized in the incident reports as physical violence, the following are listed: firearm discharge,

mistreatment, physical torture, bodily harm, etc. Brazilian Law Number: 11,340/2006 describes physical violence in Article 7 as “any conduct that offends bodily integrity or health” (BRASIL, 2006, s/p). It can be practiced with the use of physical force, which hurts the victim in various ways, or with the use of weapons. Cases of notifications involving bodily injury occupy a slice of 98.96% (152,768) within the amount of 154,376 cases. When breaking down the cases of bodily injury by months, the months of January and December are identified as the most frequent.

Reflecting critically on the months that allocate the highest amounts of physical violence against women in Santa Catarina, in the period from 2014 to 2020, is important because it allows us to raise hypotheses that may make women more vulnerable to gender violence. In the months of December and January, many parents are on vacation from work in order to combine it with their children's school holidays, or even, some work institutions organize themselves to take a break between Christmas and New Year. As this is gender-related violence, which occurs on a *continuum*, the longer they are together, the more opportunities for violent practices to occur. In this sense, there is a tendency that

when men stay at home longer, they are more likely to attack and/or threaten their partners and children.

Another point that can be raised is that at the end of the year festivities and during the summer vacation periods, the increase in consumption of alcohol and/or other drugs tends to be greater, contributing to accentuate in men the power legitimized by the State to use of violence to exert control over women's bodies. That is, violence against women finds part of its strength in the supposed legitimation that derives from the discourse itself established as sovereign of the State, which is to exercise the power of coercion, punishment and violence (NÚÑEZ, 2021). An example of this is the feeling of impunity on the part of the perpetrators of violence against women, especially during this period of recess between Christmas and New Year, because due to the festive atmosphere at the end of the year, people's attention, including public security agents, are concentrated in the Christmas and New Year celebrations.

FINAL CONSIDERATIONS

In the quest to critically and reflectively analyze when feminicides and physical violence against women occur, it was possible to perceive that these crimes happen every day and month for years, making up a historical trajectory of disrespect for women's rights to life, security, freedom, dignity, education, work, etc. Gender violence against women has increased significantly in Brazil, even with the Brazilian State seeking to camouflage the real rates. Women die and suffer various forms of violence due to their condition as women, there is no right time or place for these attacks, because these facts are intrinsically linked to the culture of inequality, discrimination, submission, subjugation and objectification of women.

The concentration of notifications of feminicides and physical violence against women in certain months of the year in Santa Catarina, in the period comprising 2014 and 2020, sheds light on the central question of this study, in the sense of enabling the understanding of how the Brazilian State operates to (re)production of the structure of gender inequality. The data presented and discussed in this study communicate a relevant message to society in the sense of disapproving oppression, violence and crimes committed against women; and opens up the possibility of questioning: how can and must the Brazilian State contribute to changing the reality of gender violence against women? For even being vulnerable to violence due to their condition as women, they are active and productive subjects, and continue to resist and fight for the liberation of their bodies, minds and lives, which is worth all the investment in public policies for the effective conquest of rights. their fundamental rights.

Regarding methodological limitations, considering that this is a study carried out with secondary data, only the information available in the records of police reports in Santa Catarina were analyzed. However, in order to identify the possible risk factors for the occurrence of gender violence against women, a multifaceted and multidimensional phenomenon, it is necessary to consider multiple sources in order to better evaluate the studied phenomenon. Thus, it denotes the importance of carrying out new studies in different regions and states of Brazil to better identify the periods in which this phenomenon occurs most, seeking to analyze the main risk and protection factors for women.

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