


PROCESSO ELEITORAL E A PARTICIPAÇÃO DAS MINORIAS



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Paulo André Martins de Bulhões

Diretor do Instituto Nacional e Educação de Surdos (Ines)

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A Discuss About Electoral Femicide In Brazil

ARY JORGE AGUIAR NOGUEIRA

Sobre o autor:

Ary Jorge Aguiar Nogueira. Mestre em Direito pela Universidade Federal do Estado do Rio de Janeiro (UNIRIO). Analista Judiciário do Tribunal Regional Eleitoral do Rio de Janeiro. Parecerista ad hoc dos periódicos: *Revista Direitos Humanos e Democracia* (ISSN 2317-5389); *Revista Direito em Debate* (ISSN 2176-6622); *Revista Contexto & Educação* (ISSN 2179-1309); *SCIAS. Direitos Humanos e Educação* (ISSN 2596-1772). Autor do livro *Judicialização da Competição Eleitoral Municipal* pela Editora Lumen Juris (2019).

ABSTRACT

The article intends to bring to the debate the concept of electoral femicide by presenting a case study on female candidates murdered in Brazilian elections in the last 20 years. The case study was chosen as the main method of work. The research is justified by the fact that Brazil occupies the fifth-place position in the world ranking of femicides. The research found that 60% of candidates' murders were proven to be due to domestic and family violence. The relevance of the research lies in the need for a correct diagnosis of the problem in order to formulate adequate and efficient public policies to deal with this type of violence.

Keywords: Femicide; Elections; Gender; Domestic violence; Politics.

RESUMO

O artigo pretende trazer ao debate o conceito de femicídio eleitoral, apresentando um estudo de caso sobre as candidatas assassinadas nas eleições brasileiras nos últimos 20 anos. O estudo de caso foi escolhido como o principal método de trabalho. A pesquisa se justifica pelo fato do Brasil ocupar a quinta posição no ranking mundial de feminicídios. A pesquisa constatou que 60% dos assassinatos de candidatas foram causados por violência doméstica e familiar. A relevância da pesquisa reside na necessidade de um diagnóstico correto do problema, a fim de formular políticas públicas adequadas e eficientes para lidar com esse tipo de violência.

Palavras chave: Femicídio; Eleições; Gênero; Violência doméstica; Política.



INTRODUCTION

Political violence in its most specific modality, electoral violence, has been the object of growing interest in international literature (HOGLUND, 2007). On the other hand, while gender-based violence is also widely covered both in academia and in the media in general, there are few studies analyzing violence against women candidates in the electoral context. The main exception is the work developed by the International Foundation for Electoral Systems (BARDALL, 2011).

This article seeks to overcome part of the gap in national academic production by offering a historical study of women candidates murders that took place between the 1998 and 2018 elections. The article is divided into two objectives. The first is to present a new theoretical and interpretative category: electoral femicide. The second objective is to map the socioeconomic profile of these murdered female candidates.

The article is divided as follows: Initially, the work methodology is presented with emphasis on the database construction process. The second section discusses electoral violence as a subcategory of political violence. The next section deals with the concept of femicide and fatal violence in political elections. The last section presents empirical data.

METHODOLOGY

Brazil does not have official statistics on candidate killings during election periods, which is why the database used in the poll had to be built entirely in stages by extracting information from more than one source.

The first step was to collect the relevant data for female candidates who died during election campaigns from 1998 to 2018. This information can be found in the “Candidates” section of the Electoral Data Repository, managed by the Superior Electoral Court (TSE).

Thus, only those women who officially registered as candidates for the Superior Electoral Court or the Regional Electoral Courts of the States were considered in the data. Any pre-candidate murders were not mapped, nor were women serving in political office who were not killed during the campaign.

In the second stage, we sought to identify the female candidate who were victims of fatal violence. The Electoral Court only records information about a candidate dying, it does not provide the specific reason, and therefore, it was necessary to separate violent deaths from those motivated by other causes. The names of the deceased candidates were then consulted in the databases of national newspapers (Folha de São Paulo and O Globo), social networks (condolence posts on Facebook), as well as in the procedural bases of the Courts of Justice. All occurrences were subjected to at least double checking. Thus, when a newspaper headline indicated violent crime, the information was checked against the official databases of the state courts.

The third stage sought to identify the perpetrators of the crime, establish their motivations and to seek their possible condemnation via consultations with the procedural databases of the State Courts of Justice. The main objectives of this stage were to identify the effectiveness of the state apparatus on investigating these crimes as well as to separate clearly politically motivated feminicides from other common crimes.

However, even after careful analysis, there was still a large margin of doubt regarding certain crimes, and it was not possible to define how decisive the electoral/political component was for the crime. To ideologically situate the parties in left, center and right positions, the criterion of Kinzo (2007) was used. Minor adaptations were made to accommodate recent party expansion.

When the existence of a political party came about as the result of simply changing the name or splitting up another party, the alignment of the original party was considered. When the party was effectively a new player in the political arena, its most common alliances as well as positions on substantive issues were considered (KINZO, 2007, p. 153).

CONTEXTUALIZING ELECTORAL VIOLENCE

Violence has always been a point of relevant social concern and much of the thought about state formation touches upon this issue as a fundamental point. After all, there is no human society devoid of manifestations of violence (RIVERA; HERREROS, 2010, p. 7). Each constituted human group produces values, norms, rules and rites that together (in the form of customs and law) contribute in a general way to their own survival, acting as a system of regulation. (BESSETTE, 2011, 61).

Political violence would, therefore, be an immediate result of the presence of ideologies that justify it and would normally constitute violence perpetrated by the state against social groups or movements of contestation (DELLA PORTA, 1995). This position is corroborated by Dumouchel (2012, p. 120), for whom the main difference between social violence and political violence would not be in the nature of the causes, in the agents' intention, nor in the types of actions committed, but in the fact that the success of the action is now recognized as legitimate violence simply because it has been committed.

For others, however, political violence would not be solely this mode of use of state power, because in fact, violence would be part of the conditions, means and ends of politics (BALIBAR, 2015). Some governments would use violence before elections to win them; others, after the elections to stifle challenges (MUYOMBA-TAMALE, 2015, p. 1). If violent conflict and electoral politics are complementary, politicians could strategically use violence, in part, to advance their electoral goals. For Dunning (2011, p. 2), the distribution of electoral support could even shape the patterns of violence.

Electoral violence is a subcategory of political violence, which has received little theoretical and methodological treatment (HOGLUND, 2007, p. 423). Its meaning, taken in a generic sense, has been used in two research ways: in the first approach, electoral violence is seen as a subtype of activities in a larger political conflict. In this case, it is extensively studied in ethnically divided societies. In the second approach, electoral violence is seen as an extreme type of electoral fraud (LEHOUC, 2003, p. 233). Like other types of violence, the definition of electoral violence becomes a problem of characterization of actors, activities, time and motivation (HOGLUND, 2007, p. 415). However, electoral violence is different from other forms of violence due to the combination of time, i.e., violence is carried out during the electoral period; and motivation, i.e., because the purpose of electoral violence is to influence the process of electoral dispute and manipulate its outcome (ISLAM, 2015, p. 362).

As for the effects of electoral violence, although Goldsmith (2014) and Lindberg (2006) stated that violence would have minimal impact on election results, the work of Gregory Wallsworth (2015, p.27) reports that people react even at low levels of electoral violence, demonstrating that fear can be an important component of voter absenteeism.

For Harish and Little (2017), violence, as well as nonviolent political action, would become more effective during electoral periods, which encourages its use. Other research points out that homicide rates in the general population would be higher where electoral processes are defined by extremes of competition (in very or not very competitive elections), as well as where political power is highly concentrated (HOELSCHER, 2014, p. 37), which would indicate a spillover effect of violence to other social strata.

At the electoral level, which forms the core of this work, women are more frequently victims of intimidation and more frequently identified as victims when they play a public role. Party leaders, candidates, and political activists make up more than 48% of victims of electoral violence (BARDALL, 2011, p. 1). Changes in the legal status of women over the past sixty years have had a major impact on the development of their rights. However, many obstacles remain, especially for victims of gender-based violence (HEIM, 2017, p. 40). As Mattucci (2017, p. 42) points out, working a gender story is a cognitive challenge that also calls men to think beyond patriarchy.

ELECTORAL FEMICIDE

The research aims to introduce to the debate the concept of electoral femicide, which is fatal gender violence practiced in the electoral context. In other words, electoral femicide is the fatal violence committed against a woman because she is female but committed in the context of a political election.

One of the emerging controversies in everyday feminism focuses on defining the murders of women (SEGATO, 2006, p. 6). Gomes (2017, p. 2) points out three strands about the phenomenon: one generic, which recognizes the phenomenon from all violent deaths of women, whose occurrence is caused by discrimination and gender inequalities; a specific aspect that recognizes the phenomenon from the murders of women and a judicializing aspect, which presupposes the whole debate about the judicialization of gender violence.

The classic "Femicide" (CAPUTI; RUSSEL, 1990, p. 15) has a strong formulation. Another possible dimension would be to characterize this type of crime as hate crime, like the way racist and homophobic crimes are classified. In this sense, crimes of patriarchy would be crimes of power, whose dual function would be the retention and reproduction of power (SEGATO, 2006, p. 4).

The United Nations, in Article 1 of the Declaration on the Elimination of Violence against Women of December 20, 1993, defines as violence against women any act of gender-based violence that results in, or may result in, harm or suffering, physical, sexual or psychological harm to women, including the threats of such acts, and the coercion or arbitrary deprivation of liberty occurring in public or private life.

Therefore, starting from a judicializing view, it appears that femicide emerged as a new qualifier of homicide from the change of Article 121 of the Brazilian Penal Code, promoted by Law n. 13,104, of 2015.

Law n. 13,104 of 2015 amended paragraphs 2 and 7 of Article 121 of the Brazilian Penal Code to include one more form of qualified homicide: femicide, when the crime is committed against women for reasons of female gender, as well as including it as a cause of penalty increase. In addition, it amended Law n. 8,072 of 1990 (Heinous Crimes Act) to include femicide in the list of heinous crimes. It should also be noted that the law provides for the presumption of femicide when death results from domestic and family violence.

Official statistics on femicide in the country are still almost non-existent and when consolidated are often incomplete and with clear underreporting when confronting police inquiries, cases pending before the judiciary and death records consolidated by the Ministry of Health. (NOGUEIRA, 2019). The 2015 violence map estimates that of the 4,762 homicides of women registered in 2013, at least 50% were perpetrated by a family member. In addition, approximately 33% of all female homicides, or 1583 women, were killed by their partner or former partner (WAISELFISZ, 2015, p. 69).

The 2019 Atlas of Violence (IPEA; FBSP, 2019) indicated a growth in female homicides in Brazil in 2017, citing approximately 13 murders per day. In total, 4,936 women were killed; the highest number since 2007.

An important question arises: How many deaths are femicides, since the databases are not fully consolidated? As the Atlas of Violence (IPEA; FBSP, 2019) points out, police records may be incomplete. And health data would not allow clarification as to the cause of death, because it does not deal with the motivation that generated the aggression in the first place.

Therefore, considering that international literature points out most intentional violent deaths occurring within households are perpetrated by known or intimate persons of the victims (CERQUEIRA, 2014), the rates of intentional lethal incidents against women occurring within households would be a good proxy for measuring femicides.

Thus, even if the actual number of femicides is not equal to the number of women killed in households, this index could serve to highlight the evolution of femicide rates in the country. Of the total homicides against women in 2017, 28.5% occurred within the household (39.3% if we do not consider deaths where the incident was ignored). Most likely these would be cases of intimate femicide that result from domestic violence.

Domestic violence, in turn, despite making up a large proportion of violence against women, is a widespread phenomenon for which there is no universally accepted definition (CREMONINI et al, 2017, p. 25). Therefore, for the purpose of this research, we opted for the definition established in Article 5 of Law n. 11,340 of 2006 (Maria da Penha Law), which configures as such: any action or omission based on gender that causes any harm to women within the domestic unit, within the family, or within any other intimate relationship of affection. Femicide is almost always the result of an obsessive-compulsive dynamic of jealousy and a sense of possession over the female victim. (PASCALI, 2015, p. 76).

As already mentioned, electoral violence is different from other forms of violence in that it occurs during the electoral period, is electorally motivated, or has an impact on elections. Evidently, removing a candidate from the electoral dispute, regardless of the reason and the circumstances, has a clear impact on the electoral process, and therefore the crime can be classified as electoral femicide.

ELECTORAL FEMICIDES IN BRAZIL

The research found five murders of female candidates in elections over the past twenty years, distributed in three separate municipal elections (2008, 2012 and 2016). There were no murders of candidates during the 1998, 2000, 2002, 2004, 2006 and 2018 election campaigns. Only female candidates running for councillorship positions were victims of this extreme violence, and no candidate murders were found in general elections for governor, president, deputy or senator positions.

During the 2008 campaign, the candidates for city councilor Fabrícia Dourado Cerqueira da Silva and Maria do Socorro de Mesquita Martins were murdered, respectively in Cariranhá/BA and Ipu/CE. The first was a teacher of the municipal public network and was running for the first time as councilor for the Brazilian Labor Party (PTB). Maria do Socorro, in turn, came from three consecutive terms as city councilor and was vying for reelection by the Progressive Party (PP).

In 2012, Sandrimeire Pereira da Silva and Keila Fernandes Oliveira were murdered during the election campaign in the cities of Valparaíso de Goiás/GO and Fortaleza do Tabocão/TO. Sandrimeire, known as “Sandra,” was running for the second time as a councilwoman for the Christian Social Democratic Party (PSDC) and was murdered in an

ambush of more than ten shots. Keila was known as “Keila da Saúde” and was a municipal civil servant, working as a nursing technician. She was running for the first time as a councilor for the Progressive Party (PP) and was stabbed to death by her former partner.

In 2016, candidate Marelaine dos Santos Rodrigues Vaz was murdered in the city of Nova Prata/RS. Marelaine was a nursing technician and was running for the first time as councilor for the Brazilian Social Democracy Party (PSDB). Her husband stabbed her to death with a screwdriver.

As pointed out by Borba and Nogueira (2018), electoral violence is a predominant phenomenon of small municipalities. Of the cities in which there were electoral femicides, three are characterized by the Brazilian Institute of Geography and Statistics (IBGE) as municipalities of Small Size I (population below 20,000): Fortaleza do Tabocão/TO; Carinhanha/BA and Nova Prata/RS. The municipality of IPU in Ceará is considered Small Size II (with a population of fewer than 50,000 inhabitants). Only one of the municipalities studied has a population of over 50,000, being classified as Medium Size: Valparaíso de Goiás/GO.

The victims were between 33 and 47 years old at the time of their deaths. Fabrizia, Sandrimeire and Marelaine were each married, Maria do Socorro was divorced and Keila was single.

Fabrizia and Maria do Socorro had completed their higher education, while the others had completed at least high school, placing them all in a higher-than-average position within the Brazilian female population, according to the study: “Gender Statistics - Social Indicators of Women in Brazil,” prepared by the Brazilian Institute of Geography and Statistics (IBGE, 2018). The mentioned survey points out that in 2016, approximately 53% of the Brazilian female population had not yet completed high school.

As for the professions informed by the candidates, both Marelaine and Keila were nursing technicians, Maria do Socorro was a city councilor and Fabrizia was a high school teacher. Candidate Sandrimeire Pereira da Silva did not report a profession upon her registration in the electoral database. The preponderance of professions traditionally associated with caring and, therefore, linked to women working within Brazil’s patriarchal system is significant. That nursing is considered a profession of minor relevance in the medical field and, therefore, relegated to the female is widely mapped in literature (SPINDOLA, 2000; SPLENDOR; ROMAN, 2013; COELHO, 2005).

Of the murdered candidates, only Maria do Socorro de Mesquita Martins presented a career trajectory in politics, running for the fourth consecutive warrant as councilor. Sandrimeire Pereira da Silva had run in the previous election but had not been elected. As already mentioned, the other candidates were competing for the first time in the elections during which they were killed.

Deaths are concentrated in right-wing or center-right parties, according to KINZO’s classification (2007, p, 153). Two candidates competed for the Progressive Party (PP), now Progressives; one by the Brazilian Labor Party (PTB); one by the Brazilian Social Democracy Party (PSDB) and finally one by the Christian Social Democratic Party (PSDC), the current Christian Democracy.

Criminal actions were identified, to the detriment of the perpetrators of the crimes committed against Fabrizia Dourado Cerqueira da Silva and Keila Fernandes Oliveira. In both cases, the perpetrators are serving. The perpetrator of the crime against Marelaine dos Santos Rodrigues Vaz was killed after the commission of the offense. In all these cases, the criminal investigative bodies understood that there was the practice of domestic violence against women and that the perpetrators were companions or former companions of the victims.

It is not possible to state peremptorily that the political action of the victims was decisive for the crimes. However, it is known that in the context of domestic violence, any attitude of female liberation can contribute to a violent response from partners with a history of aggressive behavior. A survey conducted by the Perseu Abramo Foundation, in partnership with the Social Service of Commerce, in 2010, indicates that 19% of the women interviewed point to the affirmation of autonomy as the reason for the latest violence. Among men, 17% point the same fact as the cause for the last aggression perpetrated (VENTURI; GODINHO, 2013).

As for the other crimes, no lawsuits were found, nor were there any convictions of alleged perpetrators. Due to the characteristics of the crime committed against Sandrimeire Pereira da Silva, which took place in the form of an ambush, combined with the fact that the candidate had lost her husband and son to murder months before her death, domestic violence is ruled out as a possible cause, but the possibility that it was an electorally motivated crime still exists. On the other hand, the circumstances of the death of Maria do Socorro de Mesquita Martins, allegedly murdered at her residence after a political event, also do not rule out the electoral/political motivation.

CONCLUSION

Male violence against women is a constant in history. The phenomenon knows no borders and constitutes the highest expression of patriarchy, which is the result of inequality and discrimination (CORTI, 2017, p.157). Most manifestations of violence are undervalued in the context of a patriarchal society where violence is not always viewed as a crime and often the victim is economically dependent on the perpetrator (SICURELLA, 2012, p. 9-10). As Gomes (2017, p. 4) points out, femicide is the violent death of a woman.

Far from exhausting the theme, the main intention of this research is to contribute to the scientific debate about fatal gender violence in the electoral arena. It brings to the forefront the concept of electoral femicide, which constitutes the most perverse facet of violence against women, since it obstructs women's access to the primary mechanism for gaining political power in democratic societies: candidacy for public office. When pointing out the main reasons why elections fail, Norris (2015, p. 8) points out the break in equality between men and women as being significantly relevant.

Female participation in Brazilian politics is still one of the lowest in the world (SABINO; LIMA, 2015) and Brazil remains a very male-dominated nation (VENTURI; GODINHO, 2013). These two realities feed on one another and by doing so, help to keep the situation caught in a spiral of silence. Women who decide to face political strife are more victims of fatal domestic violence than the general population. It is emblematic that 60% of the female candidates murdered in campaigns in Brazil were victims of domestic violence.

Similar research conducted by Borba and Nogueira (2018) shows the huge discrepancy between the death crimes committed against male and female candidates in elections in Brazil. While men are victims of clearly politically motivated crimes, murders and homicides for pay or reward, most women are murdered by their own partners. The obsessive-compulsive dynamics of chauvinistic behavior that views women as the object of possession seems to explain how fatal violence differs between the sexes.

A society that seeks to be effectively democratic will need to address the issue of gender equality sooner or later. Women are often treated only as objects of criminal policy (MENDES, 2014) and hardly have room to act in formulating public policies.

For centuries, legal discourse served the purpose of giving voice only to male interests and acted as a legitimizer of female subjugation. Monteiro (2003), for example, points out that the first major Brazilian public policy with a direct reflection on the regulation of citizens' private lives was the 1916 Civil Code, which was permeated by deeply unequal legal institutes for men and women. Therefore, the first line of battle for the formulation of effective public policies in favor of gender equality is the elaboration of a new legal discourse.

As Biroli (2018, p. 204) points out, the "moral" crusade of conservative groups in Brazil today against the agenda of gender equality and respect for differences channels people's insecurities towards changes in sexuality, conjugality and family life.

Unaccountable problems remain invisible and silence is the hallmark when public policy touches on gender in the country. Hopefully, future studies and increased public awareness of electoral violence against women will help pave a new, less violent road towards their equality in political arena.

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