

**WOMEN AND POLICING IN LATIN AMERICA:  
AN ANNOTATED BIBLIOGRAPHY**

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**February 2002**

## INTRODUCTION<sup>1</sup>

Writing on policing and violence against women from a gender perspective is a relatively recent and growing field in Latin America, although the history and richness of debate is much stronger in Brazil than in the rest of the region. Analyses have followed and contributed to actions by the women's movement and later the state to first break the silence around violence against women and then develop a vast range of strategies to prevent and end it.

The most important strategy around violence against women in the juridical field are women's police stations (WPS), specialized units within the police attended by all women staff. In the pioneer model of Brazil, there is limited participation of the women's movement whereas in subsequent models, such as Peru, Ecuador and Nicaragua, there is an increased amount of participation of the women's movement and other stakeholders in both service delivery and administration. Much more recently gender mainstreaming has been introduced to the police, usually as a separate initiative – both conceptually and organizationally – to the WPS. Mainstreaming has been introduced largely based on pressure from donors for the police to become more democratic internally so it can more effectively serve within the citizenship security framework that has emerged as part of the transition from authoritarian rule.

The materials collected here provide an introduction to the literature on violence against women and policing in the region. There are conceptual, policy, academic, and popular documents included, many of which are written either by academics or those who are directly involved in the police stations in some ways. The perspectives brought to their analyses reflect all these points of view, as well as differences between stakeholder groups: police, women's movement activists and researchers, development cooperation, and academics. Although the format of the annotated bibliography does not allow an explicit debate between the works, the summaries of the pieces provide clear indications about the positions taken by the works and their contributions to the debates.

This annotated bibliography has been prepared as part of an initial phase of a project on women and policing in Latin America. It is intended to contribute to the development of an agenda for a comparative research project on women's police stations (WPS) and gender mainstreaming in Latin America. It serves as a companion piece to an analytical piece entitled "Women and Policing in Latin America: A Revised Background Paper" written by the same authors. Although the literature is much vaster than what can be presented or represented here, the authors have selected materials based on their availability and their relevance to the central themes.

The material has been classified in two sections. The first section examines the literature on policing and violence against women in the region as a whole, while the second one concentrates specifically on Brazil. Within these two sections the works have been sub-categorized according to topic: conceptual analyses; analyses of policing initiatives; violence against women; and, in the case of Brazil, popular documents. A separate section on Brazil is merited by the quantity of texts – these are just a sampling of the most important works – and the debates. Issues have been raised in Brazil that have not been discussed in the rest of the region. This difference can be explained by a number of reasons, principally a much larger academic community, as well as differences in laws, and language.

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<sup>1</sup> The authors wish to thank Tracy Fitzsimmons and Cecilia MacDowell Santos for their comments on the paper and generous support during the research and writing process. Translations of Wânia's work were done by Phillip Stuart Couneyeur. We acknowledge the financial support of the International Development Research Centre.

## **A. WORKS ON WOMEN'S POLICE STATIONS AND VIOLENCE AGAINST WOMEN IN LATIN AMERICA**

### **Part A.1. Conceptual Approaches to Violence against Women**

Works in this section represent a variety of approaches to violence against women in Latin America today. There is considerable debate between these approaches and those who use them. Some approaches consider violence against women as an issue of women's rights and empowerment and reject other approaches represented here that seek to integrate violence against women into other frameworks. Integrating violence against women into international financial institutions can also be seen as a tremendous advance for recognizing states' responsibilities to defend women's rights. These works provide the conceptual framework for the materials found in subsequent sections.

Buvinic, Mayra, Andrew Morrison, and Michael Shifter. 1998. *Violence in Latin America and the Caribbean: A Framework for Action*. Washington, D.C.: Inter-American Development Bank.

This framework developed for the IDB links social and family violence with the purpose of making visible family (domestic) violence within the programs of the IDB. It draws on an ecological model to look at the various levels of factors, and elaborates on the different calculations of costs of violence: direct costs of treatment; non-monetary effects (including pain and suffering), economic multiplier effects (labour market participation and productivity) and social multiplier effects (quality of life). It considers a variety of policy responses aimed at prevention and treatment of four contributing factors: learning aggression, substance use, poverty/inequality, and availability of weapons. It argues that prevention is a more effective and costworthy response to violence in almost all cases than is punishment. The recommendations focus on the need for more research on violence to design effective public policy, specifically: magnitude, costs, evaluations of existing interventions and best practices.

Caravaca, Adilia and Laura Guzman. 1994. *Violencia de género, derechos humanos y democratización: Perspectiva de las mujeres. Tomo IV*. [Gender-Based Violence, Human Rights, and Democratization: Women's Perspectives. Vol 4.] San José: UNDP.

This is one of a series of documents prepared as part of a project to encourage debate within the women's movement and between the state and the women's movement as part of preparations for the fourth world conference on women in Beijing. It develops a human rights framework for understanding violence against women of various kinds, including socio-economic forms, women's invisibility in political process, women's control of their sexuality and fertility and impunity around sexual and family violence. It also considers the situation of displaced and refugee women. It concludes that violence against women has increased and that the situation in new refugee or displaced communities is even worse. It also argues on the one hand that the state must enact public policy to deal with these issues and concretize its international commitments, and on the other, that the women's movement must provide the political leadership. Over 100 concrete recommendations are provided.

D'Angelo, Almachiara y Silke Heumann, ed. 1999. *Mal-tratar de hacer pareja* [Trying/Battering to make a couple]. Managua: Imprimatur, 85 pages.

This is a report of a workshop called Methodological-Theoretical Frameworks for Working with Violence held as part of a project called Women, Health and Violence in Central America. The presentations and syntheses of debates address the need for a gender framework focused on unequal power relations to analyze violence against women. They refute both the human rights and citizen security models offered by the state on the one hand and the "helping" and victimizing approach of many women's organizations on the other. A presentation from El Salvador shows that the attention paid to the high levels of social violence renders invisible the distinct issue of domestic violence. The participants argue for an approach that reclaims women's sexual rights and is based on women's subjectivity. They conclude with the need to increase advocacy with the state while maintaining an independent position and impact studies of state and women's movement strategies.

Heise, Lori. 1998. "Violence against Women: An Integrated, Ecological Model," *Violence against Women*, 4, 262-290.

Heise proposes the ecological model to studying the causes of violence against women. She suggests that this model can correct for, on the one hand, the failure of traditional social science to engage issues of power and gender, let alone acknowledge violence against women, and on the other hand, feminist analyses which single out male dominance without providing an adequate causal explanation of why some men are violent and others are not. Heise's approach, like previous ecological models in the literature<sup>2</sup>, is multi-causal: they examine various factors at four different levels and the interrelationships between them. Issues of gender such as identity, control of wealth, and socio-economic status, are raised as elements are raised at each level. Heise extends previous offerings by applying the approach to research from a number of countries on various forms of violence against women. She concludes that the model has an important predictive potential for researchers and activists.

Rico, Nieves. 1996. "Violencia de Género: Un problema de derechos humanos" (Gender-Based Violence: A Human Rights Problem"). Serie Mujer y Desarrollo, no. 16. Santiago: Comisión Económica para América Latina y el Caribe, 45 pages.

This paper uses the lenses of gender and human rights to analyze violence against women. Though it argues that violence is multi-causal, it maintains that one is at risk of violence by the simple fact of being a woman. All forms of violence against women are gender-based and are the result of the unequal distribution of power in society. The paper briefly traces how the issue has gained prominence and recognition as a human rights issue over the last thirty years. While the paper focuses mostly on domestic or family violence, Rico does examine other forms of violence, including political violence and sexual harassment, to show that they share the similar quality of being gender-based, while engaging many more sectors of society beyond the domestic sphere. The paper closes with recommendations for several state and civil society sectors that include preventative measures and a focus on initiatives that address the structural causes of violence and ensure women's rights are protected in law and that women know and defend their rights.

Tamayo, Giulia and Maria Ysabel Cedano. 1999. *Género y seguridad ciudadana: Anotaciones conceptuales, abordajes temáticos y selección bibliográfica* [Gender and Citizen Security: Conceptual Notes, Thematic Approaches, and Bibliographic Selections]. Lima: mimeo.

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<sup>2</sup> One of the pioneers of this approach is Jorge Corsi. See Corsi, Jorge, 1994, "Una mirada abarcativa sobre el problema de la violencia familiar." In Paidós, ed., *Violencia familiar: Una Mirada interdisciplinaria sobre un grave problema social*, Buenos Aires:

The purpose of this document is to analyze the existing literature on citizen security in Latin America from a gender perspective. After providing an overview of the historical shift from a national security towards a democratic or citizen security framework in the region, the paper reviews international and national legal provisions for addressing violence and their limits. It also considers how gender identity and relations. Each section is replete with extensive bibliographic references.

## **Part A.2. Gendered Policing Initiatives: Women's Police Stations and Gender Mainstreaming**

These works address both women's police stations and gender mainstreaming in several Latin American and Caribbean countries. Almost all the works are recent; this speaks to the rapidly growing interest in this field of work and study. Many of these works were done as part of project evaluations or within policing projects. Another distinguishing feature is that several have an insider's view as they were written by people directly involved: police, women's movement activists, and donors. There are few examples of academic studies. One innovative work is a prize-winning documentary film on the WPS of Nicaragua. Another is a manual on best practices for implementing gender reforms to the police and judicial systems.

Backhaus, Annette et al., eds. 1999. *Violencia de género y estrategias de cambio*. [Gender Violence and Strategies for Change] Managua: GTZ Proyecto de Promoción de Políticas de Género, 180 pp.

This book brings together both conceptual articles and analyses of concrete strategies for ending violence against women. The conceptual articles provide various approaches for analyzing gender-based violence: human rights, citizen security, and integrated ecological model. It is noteworthy for its discussions of gender mainstreaming in the Nicaraguan police by the then-national chief of police and the technical cooperation representative who worked on the project. It also considers strategies for change within and beyond Latin America, and has a separate section that reports on strategies for working with men.

Centro Nicaragüense de Derechos Humanos (CENIDH). 1995. *Tratamiento policial y judicial a las víctimas de violencia sexual e intrafamiliar* [Police and Judicial Treatment of Victims of Sexual and Family Violence]. Managua: CENIDH, 70 pages.

With the goal of studying women's exercise of their human rights as well as the police and judges' treatment of family violence, this study examined police and court records over a three-month period and carried out selected in-depth interviews in two cities. It finds many problems in the application of the sexual violence law by all the actors in the judicial process. It also finds that the mediation agreements (called Extra-Judicial Arrangements) done in the police in supposed cases of "domestic disputes" were applied more to crimes for which charges must be pressed, therefore contributing to impunity. The conclusions and recommendations focus on the lack and need for a family violence law and related public policy. (A law was eventually passed the year after this document was published.)

Corporación Mujer a Mujer. 1995. *Primer encuentro nacional de ONGs de apoyo a "Comisarias de la Mujer y la Familia."* [First National Gathering of NGOs that Support the Women and Family Police Stations]. Quito: mimeo.

This is a compilation of the reports made by several NGOs and the national women's bureau (DINAMU) after the first year of the WPS functioning in Ecuador. Reports from local NGOs focus on activities undertaken. National-level organizations testify to the considerable advances made in one year around public policy, training of police, and the introduction of legislation on family violence.

Hidalgo, Ana Lorena and Teresita Ramellini Centella. 1998. "Evaluación del proyecto 'Ampliación y fortalecimiento de las Comisariías de la Mujer y la Niñez en Nicaragua' [Evaluation of the Project 'Expansion and Strengthening of the Women's and Children's Police Stations of Nicaragua']." Managua: mimeo, 88 pages.

This final evaluation of the first funding period of seven of the Nicaraguan Comisariías examines the achievement of the project objectives, impact, and sustainability, as well as proposes options for service and administrative models for a possible second phase of the project. Among the successes of the Comisariías are the increased presence of family and sexual violence on the public agenda, greater commitment on the part of the state to deal with the issue, and the ongoing negotiations between the state and civil society, particularly the women's movement. The limits included the lack of a national, consensual strategy to address family violence, tremendous underspending of the project, and the lack of effective coordination mechanisms between the state and non-state project partners. It proposes that a second phase should change to have effective shared responsibility among them for project execution and that donors should jointly fund a single second-phase project with the goal of consolidating the Comisariías.

International Centre for Criminal Law Reform and Criminal Justice Policy (ICCLR). 1999. *Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice: Resource Manual*. [www.icclr.law.ubc.ca](http://www.icclr.law.ubc.ca), 85 pages.

This resource manual compiles concrete policies enacted in different states to comply with the *Model Strategies* approved by the Economic and Social Council of the General Assembly of the United Nations as part of a resolution on violence against women. The underlying concern is applying a gender perspective to the criminal justice system to ensure equal and fair access for women. The strategies are based on a number of principles. Among them are: collaboration between the police, other government agencies and civil society representatives (community, NGOs, universities, etc.); the vital nature of research for evaluating strategies; placing criminal justice responses within a comprehensive and multi-disciplinary approach. It emphasizes the need for consistent and proactive enforcement of all measures (arrest, protection, etc.) by the police based on analysis of the dynamics of domestic violence and risks posed to victims. The text of the *Model Strategies* is provided in an appendix.

Jaguey, Florence, director. 1999. *El día que me quieras*. [*The Day You Love Me*] Managua: Camila Films, 61 minutes.

This documentary filmed in one of the Comisariías of Managua, Nicaragua is made up of several short vignettes of women and children who go to the Comisariía and the results. It shows the interaction between the users and police officers and social workers, as well as the police going to the scene of the crime to detain aggressors. Though many of the women start by pressing charges, they end up withdrawing them and staying with their abusive partners.

Jubb, Nadine. 2001. "Enforcing Gendered Meanings and Social Order: The Participation of the National Police in the Nicaraguan Women's and Children's Police Stations." Prepared for the Latin American Studies Association meeting, Washington, D.C. September 6-8, 17 pages.

This paper based on dissertation research examines police procedures and the institutionalisation of the Nicaraguan WPS, as well as gender mainstreaming. It's purpose it to determine whether the police contribute to defending women's democratic and citizenship rights. It argues that the principal outcome of the WPS is not women's increased access to justice, but that police use their authority to enforce a moral regulation of gender and the social order. It concludes that the WPS have ambiguous consequences for Nicaraguan women. Because of the lack of specialized procedures and the use of mediation between couples in the WPS, what appears to be a success because violence against women is now on the public agenda results, instead, in pacifying women users and maintaining the issue in the private sphere.

Jubb, Nadine. 1999. "Creating Space for Feminist Subjects: The Women's Network against Violence and the Women's and Children's Police Stations in Nicaragua." Paper presented at the conference of the Canadian Association of Latin American and Caribbean Studies, Ottawa, September 29 – October 1, 37 pages.

This paper examines the inter-sectoral relations between the three national partners involved in the Nicaraguan WPS – the police, the state women's machinery (INIM), and the Women's Network against Violence – and their relations with the donors. By using a theoretical framework of discursive space, the author argues that the WPS are unstable because the national partners are engaged in an ongoing struggle to be the exclusive owners of the WPS. The paper examines the discourse of each partner as produced through their institutional practices and policies and inter-sectoral relations. The author concludes that what might seem like a victory for the Women's Network during negotiations for a second phase is likely to become unstable again in the second phase. Theoretical conclusions examine how power sets the terms of discourse for examining the power struggles among the national partners.

Policia Nacional de Nicaragua. 1999. *Respondiendo a necesidades de seguridad ciudadana de mujeres y hombres. [Responding to Women's and Men's Citizen Security Needs]* Managua: Proyecto de Promoción de Políticas de Género GTZ, 92 pp.

This is a manual designed for police officers of all ranks to decrease officers' use of discretion and improve prevention by identifying the different security needs that men and women have. After briefly explaining the history of mainstreaming gender within the Nicaraguan national police, the book presents key concepts of the gender perspective and the police's official commitments to gender equality. These are the basis for explaining gender violence, a gender perspective on citizen security and a new model for policing practice. The text highlights the differences between the traditional and new approach: repression to prevention; delinquent to victim; police work in public sphere only, whereas most violence against women happens in the home or by someone known to the victim; male police officers only to women and men. It also overviews the changes in the police with the mainstreaming of gender, including that increased women's presence has improved the force's image. Out-of-court settlements are singled out as being illegal and taking away women's rights.

"Police and Women: Historical and Contemporary Problems." 2001. Special issue of *Policing in Democratic Societies*, 1:6 (January), 36 pages.

This issue is dedicated exclusively to three issues regarding policing and women: contemporary and historical experiences of hiring women, personal experiences of women police officers, and specialized services for women. The themes address experiences in both the north and the south, focussing in particular on Canada and Brazil. All of the articles highlight barriers encountered within the police. One editorial calls for “arresting” gender-based stereotyping in both the police and society as the key to ensuring women’s equal treatment.

Rivera Flores, Sandra. 2000. *Informe de la encuesta a mujeres policías (Policía Nacional Civil)*. [Report on the Survey of Women Police (National Civil Police)] San Salvador: Imprenta Public, 83 pp.

The objective of this survey of all the women of the Salvadoran civilian police or PNC (approx. 1000 women or 6% of the total) was to determine whether discrimination and violence against women exist within the police force as the basis for developing equal opportunity policies. Though numbers varied greatly between ranks, 64% of women considered they had been discriminated against and 54% had been a victim of violence in the workplace. Only 32% of those who had suffered violence had filed a complaint either in the police or another institution. One conclusion is that the police need to take appropriate measures to make sure that women police have equal opportunities to men police, for example in terms of professional development. The police force must also guarantee its female employees the right to non-discrimination and their physical, psychological, and sexual integrity in order to be truly democratic. Those interviewed proposed, among other things: training in gender, human rights and human relations; provision of the necessary infrastructure and scheduling for women to exercise their rights and freedoms; a body to investigate and sanction violence against women.

Tamayo, Cecilia. 1998. *Entre la Sombra y la Esperanza: Investigación de impacto de las Comisariías de la Mujer y la Familia*. [Between Shadow and Hope: Impact Study of the Women and Family Police Stations]Quito: Centro Ecuatoriano de Promoción y Acción de la Mujer (CEPAM).

This study provides an in-depth profile of users of the Ecuadorian WPS, including their situation of violence, beliefs/attitudes around violence, and results from going to the WPS. This study finds that women become more self-confident to denounce violence as they grow up and reach middle age. Although 72.9% of women believe their life has improved as a result of going to the WPS, only 14% of cases show clear indicators that their relationship with their male partner has improved. One of the main successes of the Ecuadorian WPS is their comprehensive vision due to the participation of various state and non-state actors, as well as the multi-disciplinary services provided. The author underlines that legal and juridical solutions are not sufficient to address family and gender-based violence and can only be addressed successfully when unequal social relations are the focus of inter-sectoral responses.

Tamayo, Giulia, Silvia Loli, Ivonne Macassi, Lilia Portillo. 1996. “Delegaciones Policiales de Mujeres y Secciones Especializadas.” [“Women’s Police Stations and Specialized Delegations”] Lima: mimeo, 27 pages.

The purpose of this diagnostic study is to contribute to a proposal for strengthening these initiatives. It examines the historical emergence of the police stations in general and women’s use of them in particular as a product of the growing rapprochement between the state and civil society in the 1980s. The study details the functions and attributes of the various kinds of specialized units that exist in Peru, which owe in part to the rank of the officers who



work in it. The authors, members of a women's group that collaborates with the WPS, points out a number of unresolved issues between the police and the women's movement, including the low quality of service by the police officers and the use of mediation instead of pressing charges. The authors also impress on the importance of civil society participation in the WPS both for their set-up and their sustainability. They find that despite legislative and police services reforms, convictions have not increased. Recommendations to the police include developing a new registration system, increase women on the force (especially as offices), and training.

Torres Silva, Ileana, Ivania Quintero S., and Julia Vargas Cuadra. 2000. *Diagnóstico uso de arreglos extrajudiciales en las Comisarias de la Mujer y la Niñez, Policía Nacional [Diagnostic Study on the Use of Extra-Judicial Arrangements in the Women's and Children's Police Stations, National Police]*. Managua: Policía Nacional y Movimiento de Mujeres "María Elena Cuadra," pp. 59.

This study examined over 1,000 extra judicial arrangements (AEJs) signed in the Nicaraguan Women's and Children's Police Stations to determine how they contributed to women's full exercise of their rights and the prevention and eradication of violence against women. It was found that they are used in cases of spousal abuse by a partner, husband, or ex. The study found several contradictions between how they are supposed to be applied and how they are used in practice. Although they are supposed to be used when a misdemeanor (and not a crime) has been committed, or "domestic disputes", they are often used in cases of more severe acts of violence or unilateral violence against the woman – cases where charges should be pressed instead. Users interviewed generally believe AEJs positive impact on reducing violence yet the authors, including the then-national chief of the Comisarias are critical of the use of the AEJs. They note that they are still being used in some Comisarias despite an order to stop using them because they infringe on women's rights by not sending the cases to court.

UNICEF, comp. 1995. *La institución policial y los derechos humanos de las mujeres. [The Police Institution and Women's Human Rights]* Quito: UNIFEM, 197 pp.

This is a compilation of the presentations made during a seminar of the same title in Quito in December 1994. Representatives of the police and the women's movements from the nine countries of the Andean region came together for the first time to discuss two themes: the police, civil society and human rights; and the police and its treatment of violence against women and children. The document ends with a summary of successes and difficulties of police initiatives to date, resolutions, and a regional action plan. Above all the document emphasizes the need for collaboration between the police, other state institutions and civil society, particularly the women's movement. Other highlighted suggestions include: the creation of more specialized units for addressing violence against women, the need for a budget for these units and adequate funds, and training both for the police (on human rights and violence against women) and civil society (on the mandate and functioning of the police).

### **Part A.3. Violence against Women Studies**

These works represent a broad range of approaches to the study of violence against women as well as the country under focus. The research methodologies used include various quantitative and qualitative approaches, and some works combine both types. These works draw from the conceptual approaches presented earlier and apply them to look at how women experience violence and the choices they make, struggles to end violence

against women, the political context in which violence against women occurs, public policies to end violence against women, and evaluations of registry systems within the police, health, and other sectors. The works do not present a balanced sketch of violence in any one country or of a particular debate, but together they point to the diversity of research that has been carried out.

Camacho Zambrano, Gloria. 1996. *Mujeres Fragmentadas: Identidad y violencia de género* [Fragmented Women: Gender Identity and Violence]. Quito: Centro de Planificación y Estudios Sociales (CEPLAES).

This study uses both quantitative and qualitative methods to examine spousal violence in popular neighbourhoods of Quito. The research was carried out as the first step of a popular education program designed for the urban popular women's movement. Socio-economic factors were found to not be sufficient cause for explaining domestic violence. Instead, the research shows unequal relations between men and women as a major cause and that the gender identities women learn as mothers and wives cause the women to be ambivalent about the violence and leaving the relationship. The research provides a detailed quantitative and qualitative profile of survivors. One important finding was that none of the women who had suffered violence went to the authorities. The study concludes that change is a long-term change process facilitated through self-reflection and building women's self-esteem.

Ellsberg, Mary Carroll. 2000. *Candies in Hell: Research and Action on Domestic Violence against Women in Nicaragua*. Umeå (Sweden): Umeå University and Nicaraguan Autonomous National University.

The aims of this published dissertation in Epidemiology are to examine the magnitude and characteristics of spousal violence as well as to study the impact of methodology on the quality of research. It is based on a cross-sectional representative survey of adult women in Nicaragua's second largest city, Leon, selected in-depth interviews, and focus groups. The study found that spousal violence is a serious public health problem in Nicaragua: lifetime prevalence was 52% and current prevalence (previous 12 months) was 27%. The research showed that, although women do not leave violent relationships immediately because of feelings of shame and isolation, most eventually do. Factors that led to them ending the relationship included getting help and temporary absences. Another finding of the research is that ethical and methodological measures can be used to decrease under-reporting. The research was also used to contribute to advocacy around reforming the Nicaragua criminal code to include sanctions and preventative measures for domestic violence.

Ellsberg, Mary, Rodolfo Peña, Andrés Herrera, Jerker Liljestrand, and Anna Winkvist. 1998. *Confites en el infierno: Prevalencia y características de la violencia conyugal hacia las mujeres en Nicaragua* [Candies in Hell: Prevalence and Characteristics of Conjugal Violence against Women in Nicaragua]. Second edition. Managua/Leon (Nicaragua): Red Nacional de Mujeres contra la Violencia and Departamento de Medicina Preventiva y Salud Pública, UNAN-Leon, 76 pages.

The purpose of this document is to provide representative quantitative data on violence against women to various Nicaraguan sectors so it can be used in public policy design and advocacy. The second edition updates the theoretical literature and provides a broader explanation of the data. The study found greater violence in the lives of poor, urban women with more than four children, but no correlation between violence and age, education, woman's occupation. Of a research universe of 360 women, 188 had suffered violence at some point: 97 suffered violence in the last 12 months, while 91 had suffered abuse in the past. The authors conclude that the high prevalence rate points to violence

being a problem of the entire society, not just a small sector. Furthermore, the study shows that very few women access services available, despite the fact that Nicaragua has the greatest amount and diversity of specialized services. Therefore, they make a call for all state and social sectors to become involved in a multi-dimensional fight to end domestic violence, including long-term strategies such as sensitivity training of the general public and learning one's rights.

Fuller, Anne. "Challenging Violence: Haitian Women Unite Women's Rights and Human Rights." [www.windowsonhaiti.com/w99351.shtml](http://www.windowsonhaiti.com/w99351.shtml)

This article examines the history of the Haitian women's movement organizing around violence against women, particularly since the late 1980s. It provides as a context the international and national legal framework and statistics on violence against women. It pays particular attention to the rise of rape and other forms of violence against women during the 1991-1994 dictatorship as political crimes. Since 1995 the women's movement has mobilized around violence against women from a human rights perspective, raising the profile of the issue through both the Truth and Justice Commission in 1996 and an international tribunal in 1997. The author concludes that although the women's movement has thus far had few but significant successes, it is likely to have continued success because of its mobilizing tactics.

Instituto Nicaragüense de Estadísticas y Censos (INEC). 1998. *Encuesta Nicaragüense de Demografía y Salud (ENDESA-98)* [National Demography and Health Survey], Managua: INEC:

This is one of a worldwide program of national demography and health surveys funded by the US Agency for International Development (USAID). Three surveys were done: household, individual men and individual women. The study found that 29% of women had suffered physical or sexual spousal violence at some point in their life, 43% of who had experienced it in the last 12 months. The study found that a contradiction existed between favourable attitudes towards equality in spousal relationships on the one hand and the experiences of the same women in relation to their access to material resources and their right to emotional and physical integrity. It concluded that public opinion had been influenced by many preventative campaigns by state and non-governmental actors, but that behaviour had yet to be modified.

Larrain, Soledad. 1997. *Violencia doméstica contra la mujer en América Latina y el Caribe: Revisión de dos décadas de acción* [Domestic Violence against Women in Latin America and the Caribbean: A Review of Two Decades of Action]. Presented at the Inter-American Development Bank's conference "Domestic Violence in Latin America and the Caribbean," Washington, D.C., 20-21 October, 165 pages.

This document was researched with the goal of providing an overview of policies, programs, and legal reforms enacted in the issue of domestic (spousal) violence against women enacted in Latin America and the Caribbean by the state and the women's movement during the 1980s and 1990s. The author notes various phases over the period, from sensibilization, helping strategies and research in the 1980s to juridical and state institutionalization strategies in the 1990s after democratisation in the region. The document first examines changes in the conceptualisation of family violence, and then it reviews the most important research on the topic. The final section considers advances made in interventions over the period by the state and the women's movement in the fields of legislation, direct victim services, and prevention. She concludes that a contradiction exists between all the concrete actions undertaken and the continued marginalizing and

minimizing domestic violence and calls for a change in state human rights policies and cultural politics (such as questioning the family structure) as the way forward.

Morrison, Andrew R. and María Beatriz Orlando. n.d. "El impacto socio-económico de la violencia doméstica contra la mujer en Chile y Nicaragua" ["The Socio-Economic Impact of Domestic Violence against Women in Chile and Nicaragua"]. Washington, D.C. Inter-American Development Bank, 54 pages.

The purpose of this document is to estimate the socio-economic costs of violence against women on the state. It focuses on spousal abuse, particularly physical, sexual, and psychological in two socio-economically dissimilar countries, Chile and Nicaragua. Three kinds of repercussions were chosen: women's labour force participation and remuneration, use of health services, and education of their children. To calculate labour force participation the authors choose as the unit of analysis a negotiated household model instead of the individual. The study revealed more violence in Nicaragua than in Chile, but attributed this not to socio-economic difference but to institutional, cultural, environmental and legal differences. The authors conclude that total costs of violence would be much greater than what calculated in the study if macroeconomic multiplier effects were studied. They recommend that polices and programs related to violence against women should be a top concern for government, international organizations and NGOs because of the very high costs to the economy.

Programa Salud y Desarrollo, OPS/OMS. 1999. "Informe sobre el estado del registro de la violencia intrafamiliar y sexual en el sector salud, judicial y policial de Nicaragua [Report on the State of Records on Family and Sexual Violence in the Nicaraguan Health, Judicial, and Police Sectors]." Managua: mimeo.

This brief report compares the records kept on family and sexual violence in three state sectors. It finds that only the police keeps track of family and sexual violence, though lack of resources has caused serious problems in investigations and the collection and processing of data. In the health sector, despite having a policy for treatment and prevention of violence and abuse, no statistics are kept at the central level. The judicial system does not keep track of family violence (legally a misdemeanour) because it considers it to be an aggravating circumstance for crimes. No systematic inter-institutional communication exists.

Reyes Salazar, Natacha and Gloria Camacho Zambrano. 2001. *Violencia de género contra las mujeres y las niñas: Situación del Ecuador, 1995-1999*. [Gender-Based Violence against Women and Girls: The Situation in Ecuador, 1995-1999] Quito: UNDP and Consejo Nacional de las Mujeres (CONAMU), 121 pp.

This is a comprehensive, updated study of the Ecuadorian WPS that presents background information about Ecuador and the institutional set-up and legal framework of the WPS. It examines the incidence and registry of gender-based violence, public policy, the criminal justice system, and services provided. It is based on a variety of methods, including compiling secondary materials as well as interviews, questionnaire and a workshop with representatives of government and non-government organizations, as well as key informants and experts. The study finds a disjuncture between legislation and the administration of justice, particularly around the use of preventative measures. Important steps have been taken in increasing the number of WPS to all provincial capitals and expanding public policy, but it is still impossible to determine whether violence has decreased because of the lack of base-line studies. The authors raise concerns regarding impunity due to the limited focus of the WPS on family violence only as well as hoes and unfamiliarity with the legislation.

Servicio Nacional de la Mujer (SERNAM). 1994. "Denuncias de violencia intrafamiliar en CIDEM, postas y comisarías: Estudio comparativo." Working paper no. 31. Santiago: mimeo, 30 pages.

This forms part of a diagnostic study on the prevalence of violence against women and reporting systems in Chile. The research was carried out for two months upon the establishment of the Information Centre for Women's Rights (CIDEM) by SERNAM to compare reportings of family violence at the CIDEM with those made at local emergency health services and the police in five cities. Part of the purpose of the study, was to use the information gathered as a base line for future research on the effectiveness of SERNAM policies. One of the findings of the study was that as soon as the CIDEM were established there was a strong demand for its services. Another is that 65% of women clients of the CIDEM did not go to other public-sector services. The paper ends with recommendations for improving data collection and the forms used.

Tamayo, Giulia. 2000. "Derechos humanos de las mujeres, violencia contra la mujer y paz en la región" [Women's Human Rights, Violence against Women, and Peace in the Region]. Document prepared for delivery at the regional Beijing+5 meeting of Latin American and Caribbean NGOs, Lima, 5-7 February, 57 pages.

This document was prepared as a survey and update on actions taken to implement the Beijing Platform for Action (PAM) in the region. It was prepared based on information provided by the national chapters and representatives of CLADEM (Latin American and Caribbean Committee for the Defense of Women's Rights). The first section presents the starting point of all three themes: women's human rights, violence against women, and peace. Second, it evaluates actions taken by states between 1995 and 2000 in relation to the guidelines defined by the PAM and commitments made by states. Third, it identifies future challenges to meeting strategic objectives. The report finds that almost all state action was done in the area of violence against women, and more specifically legislative changes around domestic violence. No actions were taken around women and armed conflict. It concludes that there is a severe lack of application of laws on women's human rights and that, in the main, states have taken actions drawing on international cooperation, without committing public funds.

## **B. WORKS ON WOMEN'S POLICE STATIONS AND VIOLENCE AGAINST WOMEN IN BRAZIL**

### **Part B.1. Historical Approaches to Analyzing Violence against Women**

There have been twenty years of academic and activist production regarding violence against women in Brazil. There are at least two works that must be highlighted from the 1980s because they revolve around common theoretical references in the field of studies that were consolidated from that point on.

Azevedo, M.A. *Mulheres Espancadas. A violência denunciada.* [Battered Women: violence denounced] São Paulo: Ed. Cortez, 1985.

This is a pioneering work in utilizing police files. The research is based on 2316 blotters and dockets registered in 50 São Paulo municipality police districts prior to the setting up of special women's police stations. They are cases of beatings in conjugal relations. Conclusions: the factors pinpointed in the literature (feminine condition, machismo, patriarchal family, sex-differentiated education) are not determinants of violence; in all cases it is the women exposed to them who are the victims of the violence. The violence against women can be explained by two groups of factors: conditioners (socio-economic oppression, discrimination against women in the family, justice system, etc., machismo ideology, differential education, representation of relations between the sexes) and precipitants (alcohol, toxic substances, and stress). It suggests that violence against women is sexist in nature, but attributes the role of victim to the woman, and responsibility for the violence to the man-macho-dominator. Moreover, women who defy male violence in any situation would find few opportunities for escape.

Chauí, Marilena. *Participando do Debate Sobre Violência Contra Mulher* [Participating in the Debate about Violence against Women]. In *Perspectivas Antropológicas da Mulher. Sobre Mulher e Violência*, nº 4 Rio de Janeiro: Ed. Zahar, 1984

This work offers a definition of violence according to which differences are converted into inequalities, serving in that way domination, exploitation, and oppression of women by men. According to its hypothesis, the feminine subjectivity would be constituted heteronomously (externally to women through a masculine discourse). It is understood not only as that which speaks from the outside about women, but as that whose existence is possible thanks to women's silence. (Chauí, 1985:45). Hence, like Azevedo, this author's goal isn't to point to exits to modify the feminine condition and give voice to women.

## Part B.2. Women's Police Stations

In this item works will be presented whose goal was to analyze women's police stations. The approaches and objectives are diverse. Some studies are concerned with the stations as a political project. They analyze the context of their creation, their operations, or preparation of police and answers presented to problems of violence against women. Other studies target the police registries compiled in these stations; they give quantitative descriptions of victims and their attackers, of the context of the attacks, and they attempt to understand the behavior of victims following a denunciation. As well, some studies have worked on both approaches, emphasizing these cases, the political response, and the process of criminalizing violence against women.

In 2001, the National Women's Rights Commission carried out a study [*Pesquisa Nacional Sobre as Condições de Funcionamento das Delegacias Especializadas no Atendimento às Mulheres existentes no país*<sup>3</sup> (National Research Study on the Functioning of the Stations Specialized in Attending to Women, existing in the country)]. This is the first time such an effort was carried out. The obstacles met in carrying out the research pointed to the problems that these stations confront in their daily functioning: lack of standardized procedures, lack of equipment, and lack of personnel trained for this work. The results of this study were presented in two articles (Silva, 2001 and Machado, 2001).

Bandeira, Lourdes. "Um recorrido pelas estatísticas da violência sexual no Distrito Federal," ["A trip through the statistics on sexual violence in the Federal District"], in Suarez, Mireya e Bandeira, Lourdes (orgs). *Violência, gênero e crime no Distrito Federal [Violence, Gender, and Crime in the Federal District]*, Brasília: Editora UNB/Paralelo 15. 1999. Pag. 431-496.

Quantitative research in which the occurrence of sexual crimes (rape, attacks on decency, and seduction – registered in the *DEAMs* of the Federal District, 1987 and 1994) is analyzed. It analyses the social profile of victims and attackers, and the kind of relationship involved. It provides a description of the scenario of the crimes, seeking to verify the presence of elements that indicate a pre-judgement or prejudice by the police in relation to questions of gender, race/color, and how those elements might influence police action. It concludes that, even in the *DEAMs*, sexual violence is both the source and the butt of the prejudice, as shown by making the victim responsible for the violence she suffered.

Brandão, Elaine Reis "Violência conjugal e o recurso feminino à polícia" ["Conjugal violence and feminine recourse to the police"] in Bruschini, C.e Hollanda, H. B. (org) *Horizontes Plurais. Novos estudos de gênero no Brasil*. 1998. São Paulo: Fundação Carlos Chagas/Ed. 34. Pag. 53-84.

A study based on observation of police attention in a *DEAM* in Rio de Janeiro, on archived dockets, and on interviews with 32 women victims of bodily injury and threats in conjugal relations, all women who had gone back to the police to solicit suspension of their complaints. The analysis approaches the suspension of complaints from two angles: (1) the institutional context that gave rise to them, focussing on police attention to victims; and (2) the socio-cultural universe shared by victims. Conclusions: Women recurring to *DEAMs* establish a peculiar mode of utilizing police resources, enabling an understanding of withdrawal of complaints as being inserted into a bundle of resources that they mobilize in order to manage a conjugal or family crisis. In demanding a corrective measure against a partner, women are not looking for specific punishment for the denounced offence, but a

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3 CONSELHO NACIONAL DOS DIREITOS DA MULHER. Pesquisa Nacional sobre as condições de funcionamento das Delegacias Especializadas no Atendimento às Mulheres. DF: Brasília. 2001. [www.mj.gov.br/cndm/pesquisanacional](http://www.mj.gov.br/cndm/pesquisanacional)

restructuring of an entire order that will make sense not only of that relationship, but also of her social existence.

Camargo, B.; Dagostin, C.G. e Coutinho, M. "Violência denunciada contra a mulher: visibilidade via delegacia da mulher em Florianópolis" ["Violence against women denounced: visibility through the women's station in Florianópolis"]. In *Cadernos de Pesquisa*. Fundação Carlos Chagas, São Paulo (78), agosto de 1991, pag. 51-58.

A quantitative research based on 2136 complaints registered between 1986 and 1988 in the Florianópolis women's station (Santa Catarina, South Region). Objective: sketch a profile of victims and attackers, and of the context of the attacks. It evaluates procedures for filling out the registry of events and points out the lack of care in how information was registered, making later analysis difficult. Conclusions: the visibility acquired for violence against women in these stations is only partial. This partiality would be decurrent from: (1) the lack of preparedness of police women in filling out the registry of events; (2) the situation of the complaint itself, at which time women can omit or distort information regarding it, about the attackers, and about the attacks.

Cancao, Maria Elena Ruschel; Silva, Marlise Vinagre e Almeida, Sueli Souza. "Violência conjugal. Silêncio e Repressão" ["Conjugal Violence: Silence and Represión"]. Paper presented in XV Encontro Anual da ANPOCS, 1991. (mimeo) 38 pages.

Description of provision of social services in police stations in the state of Rio de Janeiro in the 80s, prior to the establishment of women's police stations. The authors argue that behind the discourse about the need to humanize the police was the intention of transferring to these professionals attention to demands that had no prestige in the police: conjugal violence, conflict between neighbors, giving them a more social, less juridical character. There is a description of the rise of women's police stations from the viewpoint of women victims and women police officers working in the *DEAMs* during the period of the study. They suggest that the efficacy of *DEAMs* is directly linked to training women police and developing their sense of awareness of gender issues.

Fiocruz. "Violência contra a mulher: é preciso denunciar! Acabar! FIOCRUZ/ENSP/ Claves/ Escola de Serviço" ["Social-Social Service School"] (UFRJ) / CEPEBA. Rio de Janeiro: 1991 [Violence against women: it must be denounced! No More!]

Research published in a primer whose goal is to clarify for women what their rights are and to stimulate denunciation of attacks to the police. Through illustrations and simple language, the authors explain the procedures used to register a complaint. This study was based on 1452 events registered between January and June 1989 in a women's police station and four police districts that had a social assistance service, all located in the municipalities of Baixada Fluminense (Metropolitan Region of Rio de Janeiro). The primer also offers a guide of addresses of stations, hospitals, and women's NGOs, to which women can resort to make their complaints.

Izumino, Wânia Pasinato "Gênero, Violência e Direitos Humanos: as Delegacias de Polícia de Defesa da Mulher" (1998) ["Gender, Violence, and Human Rights"], paper presented to the Human Rights Research and Education Center (HRREC). University of Ottawa<sup>4</sup> (mimeo). 46 pag.

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<sup>4</sup> This paper was presented in the framework of the agreement between the NEV/USP and the HRRC/Ottawa University, in the 1997/1999 period.



This paper deals with the history of the creation of the *DEAMs* and their expansion in the state of São Paulo beginning in 1985. It describes the socio-political context in which they were created, evaluates the performance of the stations in terms of the preparation of policewomen and of infrastructural conditions and existing human resources. It characterizes existing demand from the qualitative and quantitative point of view. And it questions the role of the *DEAMs* since the new juridical reality created by Law 9099/95 that set up the Special Criminal Courts (Juizados Especiais Criminais). Conclusions: despite characterizing itself as an important body that gives visibility to the problem and makes possible the institutionalization of prevention and repression of cases of violence against women, the special stations were not adequate to achieve a reduction in the occurrence of violent acts. This shows the necessity of their re-evaluation as a political project.

Machado, Lia Zanotta. "Eficácia e Desafios das delegacias especializadas no atendimento às mulheres: o futuro dos direitos à não violência." ["Efficacy and Challenges of police stations specialized in attending to women: the future of rights to non violence"] Pag. 32-57.

The author analyses the results of the National Study on the Functioning of Stations Specialized in Attending to Women. Questions: What impact have *DEAMs* had on violence against women? How have the experience and consolidation of the functioning of constabularies been effective as a measure to fight violence against women? How do *DEAMs* see the impact of the Special Criminal Courts? It analyses the self-representation of *DEAMs* according to attributions, practices, and difficulties. It concludes that there was a dislocation in the focus of attention, shifting from the struggle against impunity to the right of women to live without violence. This change implied a summation of new elements to improve the efficacy of the *DEAMs*: incorporation of a psychological attention service, the judicial system as a whole has to be better prepared to attend to violence against women; evaluation of measures applied by the special criminal courts in these cases.

Massuno, Elizabeth "*Violência de gênero: delegacia defesa da mulher é necessária?*" ["Gender violence: is a women's police station necessary?"] Núcleo de Estudos da Mulher e Relações Sociais de Gênero – NEMGE/USP. 1999 (mimeo)

The author is a woman police officer. The paper evaluates the existence and efficacy of the *DEAMs* based on different elements related to their operation in the state of São Paulo: composition of the teams, the number of police of the female sex in the civil police force, the movement of the entry of women into this body, the availability of human and material resources, the attributes of the *DEAMs* according to the decrees that regulate their functioning, the training courses, and demand as expressed in the number of cases registered. It concludes that, given the increase in violence against women in Brazil, these stations are extremely important to combat and repress it, but that they must be restructured and provided with equipment for their operation. She proposes a series of short and medium term measures that could help to greatly improve the performance of these stations. Among them: incorporation of courses on statistics and gender into police training programs; creation of a center of studies and restructuring of the *DEAMs* within the structure of the civil police, to become a unit with its own budget.

Muniz, Jacqueline. "Os direitos dos outros e os outros direitos: um estudo sobre a negociação de conflitos nas *DEAMs/RJ*" [The rights of others and other rights: a study of conflict negotiation in the *DEAMs* in Rio de Janeiro], in SOARES, L.E. at al. *Violência e Política no Rio de Janeiro*. Rio de Janeiro: Iser/Relume Dumarã. 1996. Pag. 125-164

Analyses interviews carried out in the study cited in SOARES (1996). Conclusion: a large part of complaints require solutions distinct from those offered by the logic used in the

formal juridical world. Although they have a relation of lack of confidence in the police and a certain fear in relation to the juridical world, women recognize the *DEAMs* as a space for conflict resolution. In a moment in which debate about informalization of justice was discrete in Brazil, the police agencies, above all the *DEAMs*, came to play this role, democratizing justice and helping the judicial system to the extent that they absorbed part of the social conflict. The *DEAMs* functioned as a sort of filter for those who should be processed and judged in the judicial system. For clients this negotiation did not seem to be illegal because it was part of justice (they belonged to the world of legality) and had the seal of the police.

Nelson, Sara. "Constructing and Negotiating Gender in Women's Police Stations in Brazil." *Latin American Perspectives*, Issue 88, vol. 23 n° 1, winter 1996, 131 – 148.<sup>5</sup>

This article deals with the history of the creation of women's police stations in São Paulo, evaluates their status and the varied policies and structures that affect their performance, distancing them from the initially-proposed model that predated the adoption of a feminist agenda to confront violence against women. Standing out among the variables are: the deterioration of the relationship between the CECF and the police; an increased institutionalization and bureaucratization of the *DEAMs*; reflux of changes occurring in the political realm (change of governors, ministers, etc.) and in the operational structure of the *DEAMs*; lack of prestige of *DEAMs* compared with other specialized constabularies. It concludes that, although the women's police stations represent a big gain for the women's movement in Brazil, their place within the structure of the civil police leads to some political contradictions; for example, the fact that the women police officers carry out roles that are ambivalent and mutually exclusive. They are police, but not considered to be so by their male colleagues. They defend the interests of women, but are not considered to be feminists in the written sense of the word. To improve their effectiveness, the special stations should include a social service and women police officers should go through preparatory courses to facilitate attention to women victims of violence.

Saffioti, Heleieth I.B. e Almeida, Suely Souza de. *Violência de Gênero. Poder e Impotência* [Violence, Power, and Impotence]. Rio de Janeiro: Reviter. 1995.<sup>6</sup>

A collection of articles from various sources, in which women authors analyze qualitative and quantitative data obtained from studies carried out over a six-year period. In all the studies, they emphasize that gender violence constitutes a phenomenon

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<sup>5</sup> Cf. also Nelson, S. 1995. Combating Violence Against Women in Brazil: the effectiveness of Women's Police Stations. Paper presented in the Symposium on Poverty and Urban Violence in Latin America and the Caribbean. North-South Center. University of Miami. February 3-4, 1995.

<sup>6</sup> Heleieth Saffioti is recognized as one of the major students of the theme of violence against women and relations between men and women in Brazilian society. In her work she adopts the perspective of masculine domination culturally rooted in patriarchal relations and in a model of social interaction, which fits man in the role of macho provider-dominator, and the women in a correspondingly submissive role. She published various works on this theme. For this bibliography I chose this work, considering it to be the most inclusive because it brings together different articles on the problematic of violence against women viewed from different angles. In addition to this article, we should recall as well: *O Poder do Macho* [Macho Power]. 1992. São Paulo: Ed. Moderna; *Rearticulando gênero classe social* [Re-articulating gender-class-social] in COSTA, Albertina and BRUSCHINI, Cristina (orgs). *Uma Questão de Gênero* [A Question of Gender]. Rio de Janeiro: FCC/Ed. Rosa dos Tempos. 1992.

democratically distributed across Brazilian society. It has cultural roots stemming from patriarchal ideology and machismo that gives rise to the social relations between sexes. Thus, the violence committed by men against women counts on the indulgence of society. Women's enemy is not men, but rather the social organization of gender that is fed by men, but also by women. They reinforce the transversal nature of gender violence in relation to other categories, such as social class, race and ethnicity. The authors examined an extensive range of data on violence against women in different countries. Their analysis was also based on interviews with women victims of violence, recovering in their individual trajectories a common experience of gender violence. In addition, they used data from police stations brought to light in the study *Vitimização* [Victimization] (PNAD/IBGE. 1988).

Santos, Maria Cecília MacDowell dos. *The State, feminism, and gendered citizenship: constructing rights in women's police stations in São Paulo*. Dissertation for the degree of Doctor of Philosophy in Sociology. University of California, Berkeley, 1999. Cf.

In this work the experience of women's police stations is taken up in order to exemplify the way in which *gendered citizenship* was constructed in the city of São Paulo. It discusses theories about the state and gender to demonstrate that, in this case, the state is a multifaceted and internally contradictory actor. It analyses the role of the state in the construction of women's rights, looking at the actions of women police working in the women's police stations. It demonstrates that the discourses and practices of these officers regarding violence against women are influenced by different factors: the political context, proximity to feminist discourse, or contact with social movements defending women's rights. It analyses cases considered to be emblematic: conjugal violence, police violence, racial discrimination, sexual harassment) in order to define the work of the *DEAMs* in relation to criminalization of violence against women, showing that the result is a contradictory citizenship – one that is not universal.

SANTOS, Maria Cecília MacDowell dos. "Cidadania de gênero contraditória: queixas, crimes e direitos na delegacia da mulher em São Paulo." In Junior, Alberto do Amaral & Perrone-Moisés, Cláudia (orgs.) ["Contradictory gender citizenship: complaints, crimes, and rights in women's police stations"]. *O cinquentenário da Declaração Universal dos Direitos do Homem* [Fiftieth Anniversary of the Universal Declaration of Men]. São Paulo: Edusp/Fapesp, 2000. Pag. 315-352.<sup>7</sup>

In this article she examines changes that have taken place in relations between state and society, and the construction of a gender citizenship, through the experiences of *DEAMs* in São Paulo. She argues that the state, through these specialized police units, has promoted relative changes for women – broadening their access to legal protection. But it has also served to control and limit the exercise of women's rights, defining what kind of violence against women should be subject to complaint. This classification is made based on certain social categories, the most important of which is gender, the only category socially recognized as legitimate for formulating complaints about violence against women. Other social categories – race and class – that enable the politicization of various forms of violence

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<sup>7</sup> Cf. Also in SANTOS, M. C. M. dos *Gender, the State and citizenship: Women's police stations in São Paulo, Brasil*. In POGGIO, Sara e SAGOT, Montserrat (comp). *Irrumpiendo en lo público: seis facetas de las mujeres en América Latina* [Breaking to the public: six facets of women in Latin America]. Maestría Regional en Estudios de la Mujer/ Universidad de Costa Rica. 2000. Pag. 63-92

- do not enjoy the same status. Consequently, it creates a contradictory gender citizenship, one that cannot be exercised by all women given that the only form of violence against women that is criminalized is that which occurs in conjugal relations.

Santos, Maria Cecilia MacDowell dos. "Delegacias da Mulher em São Paulo: percursos e percalços." ["Women's Police Stations in São Paulo"]. In *Direitos Humanos no Brasil 2001 [Human Rights in Brazil 2001]*. Relatório da Rede Social de Justiça e Direitos Humanos em parceria com Global Exchange. 2001 [Report of the Social Justice and Human Rights Network in partnership with Global Exchange], Pag. 185-196.

In this article the author offers a balance sheet of the operations of women's police stations in São Paulo, emphasizing changes that have occurred over the 16 years of their existence. Defined as the key public policy in prevention and combat against violence against women, she takes up the main changes that transpired in this period and that modified the original political project. She moves on to emphasize the need for new investment, not just material but in professional development for those working in these stations. She analyses the work of the stations in the new juridical context implemented since the adoption of law 9099/95.

SEADE. *Um Retrato da Violência Contra a Mulher: 2038 Boletins de Ocorrência [A Sketch of Violence Against Women - 2038 docket reports]*. São Paulo: SEADE/CECF, 1987<sup>8</sup>.

This quantitative study is based on 2038 police dockets registered between August and December 1985 in Station 1 of the São Paulo municipality. Objective: sketch complaints based on profiles of victims and attackers, to help planning in the government sphere and formulation of public policies. Conclusions: sounds an alarm over the fact that already in its first months of operation the station had overstepped its competence, registering criminal events that were not foreseen in the decree mandating its creation. Points to the necessity to set up other stations and to broaden their mandate.

Silva, Kelly Cristiane. *As DEAMS, as corporações policiais e a violência contra as mulheres: representações, dilemas e desafios* The *DEAMS, police corps, and violence against women: representations, dilemmas, and challenges*. Pag. 5-31

Analyses data obtained from the National Study on the Operations of Police Stations Specialized in Attending to Women. Objective: Provide information to the Public Authority to help it plan and improve its actions in the area of public safety and promotion of gender equity. The study consists in a mapping of the number and locations of *DEAMs* existing throughout the country. Among problems diagnosed are the lack of standardization of procedures, and lack of material and personnel resources. A question is put regarding obtained results and what is expected from the *DEAMs*: are they just a policing body (register and investigate complaints) or should they be transformed into centers that attend to women victims of violence (with psychological and social attention services)? Whatever the case, it is necessary to equip the stations and to make their structure adequate to desired function, standardizing adopted procedures.

Soares, Bárbara Musumeci. "Delegacias de atendimento à mulher: questão de gênero, número e grau." ["Women's Police Stations: question of gender, number, and scope"] In Soares, L.E. at all *Violência e Política no Rio de Janeiro [Violence and Politics in Rio de Janeiro]*. Rio de Janeiro: Iser/Relume Dumará. 1996. Pag. 107-124.

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<sup>8</sup> Data from the studies were also presented in Feiguim, D. e Bordini, E. *Reflexões sobre a violência contra a mulher*. Revista **São Paulo em Perspectiva**, 1(2); jul/set. de 1987, pag. 39-44,

Analyses the qualitative results (participatory observation and interviews with women victims) obtained through another stage of the study cited in Soares (1996). Conclusions: the *DEAMs* are a space for negotiation, to give the positive side of this experience, given that many of the conflicts that are brought to the *DEAMs* require police intervention based on a form of mediation of interests and regulation of informal rights, and not as part of the juridical world. It emphasizes the necessity of understanding complaints based on the context in which they occur. The discourse that emphasizes punishment of violence against women follows the juridical discourse and loses sight of two important elements: (1) the particularity of the stories related by women; and (2) positivity of experiences in the sense of mediating conflicts and evaluating these particularities practiced in the *DEAMs*. Women define the punishment they would like to impose on their attackers as one that does not include a break in the relationship, nor penalization. What they seek is an affirmation of a pact.

Soares, Luiz Eduardo et alli . "Violência contra a mulher: as DEAMS e os pactos domésticos." In *Violência e Política no Rio de Janeiro*. ["Violence against women: the *DEAMs* and domestic pacts" in *Violence and Politics in Rio de Janeiro*] Rio de Janeiro: Iser/Relume Dumarã. 1996. Pag. 65 a 106

This quantitative study utilizes a sampling of 521 police docket (in a universe of 10,087 cases), registered in 4 women's police stations in Rio de Janeiro state, in 1992. Conclusions: the form in which the police report is made already anticipates that the victim is always a woman and her attacker always a man - and that there is some kind of intimate relationship between them. The data of the study were analyzed on the basis of the only victimization study carried out in Brazil, in 1988 (PNAD-IBGE). Among the variables analyzed are: profiles of victims, attackers, and the context of attacks, emphasizing alcohol and drug presence, and relating that with the goal of the victim in making the complaint - a reconciliation of the relationship or a judicial separation.

Vargas, Joana Domingues. *Crimes sexuais e Sistema de Justiça [Sexual Crimes and the Justice System]*. São Paulo: IBCCRIM, 2000.

Quantitative study carried out in women's police stations in the Campinas Jurisdiction (interior de São Paulo state), based on reports of rape, attacks on decency, and seduction, occurring between 1998 and 1992 (912 files). Examines the course of events from the criminal complaint and the police body up to judicial decision, accompanying the so called "flux of justice", in an analysis regarding the transformation of the complaint into a juridical fact (liable to be tried and judged according to a judicial model). In the analysis, the decisions of the flux (launching of police investigation, complaint, sentence) are considered in the light of variables: color of the defendant and the kind of relation between attacker and victim. It concludes that the *DEAMs* have become bureaucratized bodies that offer discriminatory treatment to crimes against women, above all when an investigation proved necessary, a function considered to be non existent in these police stations.

### **Part B.3. Violence against Women**

Included in this item are works dedicated to analyzing the problematic of violence against women from the viewpoint of justice. They analyze criminal trials held to process and judge cases of violence against women, and also other experiences. For example, the work of Gregori (1993) regarding SOS-Mulher, and Soares (1999) regarding the experience of self-help groups such as Alcoholics Anonymous. Also included in this item are works that analyze the application of Law 9099/95 to cases of domestic violence. It involves a new field of

analysis that brings to the public debate the possibility of new approaches to the problematic. The bibliographic entries presented here do not exhaust the material produced on this theme. Works selected were the most recent and those that had the most impact in this field, often being cited by other authors.

Andrade, Vera Regina Pereira. "Violência Sexual e sistema penal. Proteção ou duplicação da vitimização feminina" ["Sexual violence and the penal system: protection or doubling of feminine victimization?"] In Dora, Denise Dourado (org). *Feminino e Masculino. Igualdade e Diferença na justiça [Feminine and Masculine. Inequality and Difference in Justice]*. Porto Alegre: Ed. Sulina, 1997; pag. 105 – 130.

Discusses the crisis of legitimacy affecting the penal system. Criticizes the feminist movement that has acted out a dilemma: at the same time that they call for decriminalization and depenalization of conduct that is characterized as a crime (adultery, seduction, exploitation of prostitution, abortion), they struggle for criminalization of conduct such as domestic violence and harassment. The author argues that in this discourse women always appear as the victim, including in penal law. For the author, the penal system is ineffective in protecting women against sexual violence and duplicates violence carried out against them in the form of institutional violence that does not guarantee their rights and reproduces the oppression lived by women in society. Feminist criminology: introduces a gender outlook in a field that has hardly even considered group and social class inequalities.

Ardaillon. Daniele and Debert, Guita G. *Quando a Vítima é Mulher. Análise de julgamentos de crimes de estupro, espancamento, e homicídio [When the Victim is Woman. Analysis of criminal rulings in cases of rape, beating, and murder]*. Brasília: CNDM. 1987

Analyses the logic of judgements and sentences in cases of beating, rape, and murder of women occurring between 1981-86, in six Brazilian capital cities. Identified were distinct logics in the judgement of different crimes, emphasizing that in cases of violence against women, both regarding the accuser and the defense, arguments are used that are not used in cases where victims and attackers are of the same sex. The authors conclude that what is judged in cases of violence against women is not the crime itself, but the behavior of the involved actors, which is evaluated in function of their conformity to social roles.

Campos, Carmem Hein de. "Violência doméstica no espaço da lei." ["Domestic violence in the realm of law"]. In *Tempos e Lugares de Gênero [Gender Times and Places]*. Bruschini, C. and Pinto, Célia Regina (org). São Paulo: FCC/Editora 34, 2001. Pag. 303 –322.

In this article the author analyses interviews done with women victims of domestic violence who had resorted to the legal aid services of the NGO *Themis* to denounce their attackers. They are women who, despite pressure from judges, stuck to their accusations and did not desist from the process. She also interviewed judges and promoters working in the Special Criminal Courts, in order to understand the logic which leads them to always propose that women give up their right to representation. She argues that law 9099/95 shifts complaints into the juridical sphere away from conciliation that before would occur informally in the women's police stations. That argument is validated by the increase in the number of cases that end up in court. She concludes that law 9099/95 was created to benefit the defendant. The judicial discourse of people operating in the justice system is influenced by common sense and reproduces stereotypes of sexual differences. To propose that the victim give up the right to proceed with criminal charges against her aggressor, the judge re-privatizes the conflict through conciliation and redistributes power in favor of the accused.

Congresso Nacional. "Relatório Final da CPI sobre a violência contra a mulher." [National Congress: Final Report of the CPI [Comissões Parlamentares de Inquérito-Parliamentary Inquiry Commission] about violence against women]. Brasília, 1992

This investigation was launched by the National Congress in 1992 in order to research the question of violence against women throughout the national territory, in different modalities: child slavery and prostitution, homicides, discrimination on the job, mass surgical sterilization, illegal constraint<sup>9</sup>; among others. Some 205,219 registered occurrences were collected in twenty months from police stations in different Brazilian states. Also gathered were depositions of victims, accused, specialists, and women representing feminist groups and NGOs. As part of the work the Commission visited some states, aiming to get to know the local reality. Despite limitations in obtaining data obtained, this CPI achieved some merit in terms of the political treatment of the problem of gender-based violence. For example, the effort to go beyond mere presentation of general numbers about violence against women and deal with specifics about its occurrence state by state. Among the CPI's suggested measures to end violence and impunity in crimes against women against women, the only one's to get off the ground were educational campaigns. The measures solicited from the Judiciary for punishment of accused were not based on specific knowledge of decisions.

Corrêa, Mariza. *Os Crimes da Paixão* [*Crimes of Passion*]. Coleção Tudo É História. Nº 33. São Paulo: Ed. Brasiliense. 1981

Deals with history regarding the construction and use of the argument of legitimate defense of honor, responsible for absolving men who murder their wives and companions in Brazil. It demonstrates how this argument throughout the XX century has been distanced from Brazilian legislation, but that it remains present in juridical discourse, forming the basis of theses and maintaining access to debate regarding unequal application of justice in cases of violence against women. The book was published at an important moment in Brazilian society, as the women's movement began to step up its campaign to combat impunity in cases of violence against women.

Corrêa, Mariza. *Morte em Família. Representação Jurídica de papéis sociais.*[*Death in the Family: Juridical representation of social roles*] São Paulo: Ed. Graal (1983)

This work pioneered in Brazil, taking up the theme of violence against women from the viewpoint of justice. It analyses 35 homicide and attempted homicide trials involving married couples, judged between 1952-1972. It looks at the cases based on the viewpoint of the justice system, enabling an understanding of how the interventions of accusers and defenders were linked. It shows models of feminine and masculine behavior in the society of that time - a model of marriage, to which this behavior would be related; and a model of the role of individuals in society. It concludes that the juridical debate and decisions more or less conform to these models.

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<sup>9</sup> In the Brazilian Penal Code there is no juridical figure of sexual harassment. Cases arising from complaints are dealt with under the rubric of Article 146 which defines illegal constraint. In this report, the use of this terminology evidently has the objective of differentiating cases in which women were constrained by their superior in the hierarchy who proposes exchange of sexual favors for employment stability or higher salaries. Cases classified as illegal constraint were those in which women were obliged to submit to pregnancy tests and sterilization in order to maintain their jobs.

Gregori, Maria Filomena. *Cenas e Queixas. Um estudo sobre mulheres, relações violentas e práticas feministas Scenes and Complaints: a study of women, violent relations, and feminist practices/usage*. São Paulo: Paz e Terra/ANPOCS. 1993

Analyses interviews carried out with women victims of attacks by their husbands in the 1980s, who had sought out help from SOS-Mulher in São Paulo. It identifies in the testimony a common reference to marriage and family projects, and also common elements singled out as undermining this project: liquor, women, sexual maladjustment, etc. For this author, the appeal to external help – to the police, the family – seeks to reestablish the internal balance of the relationship. In considering new alternatives for understanding the occurrence of violence against women, the author prefers to perceive in these violent relations a form of communication in which women cease to fulfill the stereotype of passivity to assume the place of partner.

Hermann, Leda *Violência Doméstica: a dor que a lei esqueceu. Considerações sobre a lei 9099/95 [Domestic Violence: the grief the law forgets. Considerations on law 9099/95]*. Campinas: Cel-Lex Editora, 2000

A study regarding domestic violence and its encounter with the Special Criminal Courts. It argues that the law trivializes domestic conflicts, not taking into account the context in which they occur and their specificity. A re-evaluation of conflict is considered necessary. She defends the view that this process should not be anchored in a hardening of repression which would not be in the interests of the victim. The victim of domestic violence, in recurring to the Special Criminal Courts, hopes that they will comply with the promise of a rapid and effective resolution of the conflict. A judicial response coherent with the will of the victim must be a response of conciliation. She defends the participation of civil society, in which agencies for mediation and support to the victim would enable a renegotiation of the conjugal agreement without seeing their attackers condemned to prison. She locates the discussion about the Special Criminal Courts within the debate about penal abolitionism and the crisis of the Justice System.

Izumino, Wânia Pasinato. *“Justiça e Violência Contra a Mulher. O papel do Sistema Judiciário na solução dos conflitos de gênero” [“Justice and Violence against Women. The role of the Judiciary System in the solution of gender conflicts”]*. São Paulo: FAPESP/Annablume. 1998.

Analyses trials regarding injury and homicides among married couples, judged between 1984 and 1989. The objective was to identify how the juridical discourse regarding gender conflict was constructed, and what elements determined whether the attackers were found guilty or not guilty. It concluded that by absolving an attacker the justice system acted in accordance with what society expected from this institution and its intervention in cases of gender conflict, reinforcing the social position inherent to the sexes and its importance for preserving the family and marriage. Analyzing the words of victims in the trials, it concludes that the role of victim in the relationship hardly fits the women. It shows that their depositions are important conductors leading to the judicial decisions, and must be taken into account when attempting to achieve a more enhanced vision of the performance of the justice system in these cases.



Pimentel, Silvia; Schritzmeyer, Ana Lúcia; Pandjarian, Valéria. *Estupro. Crime ou Cortesia? Abordagem sociojurídica de gênero [Rape - Crime or Courtesy? A socio-juridical gender approach]*. Porto Alegre: Sérgio Fabris Editor. 1998

A qualitative study that analyses decisions in rape trials, judged and sentenced in the Justice System, in the first and second courts, in different Brazilian states, from 1985 to 1994, the decade prior to the Decade of the Women. This period was marked by changes in the national and international scene in terms of winning rights for women. There is a description of the profiles of defendants and their victims, compared with results from other studies. It analyses cases taken from the debate between defense advocates and the Public Ministry, and analyses elements of final decisions in order to understand the application of justice in cases of sexual crimes. The authors conclude that the mechanism of “giving the benefit of doubt to the stereotype”, like the mechanism “benefit of doubt goes to the accused”, favors the defendant and a sentence of not guilty because of a lack of clear and concrete evidence. In the case of the stereotypes, they are found among arguments that are prejudiced against the woman and dominion over her body and her sexuality.

Soares, Bárbara Musumeci. *Mulheres invisíveis. Violência conjugal e novas políticas de segurança [Invisible women. Conjugal violence and new safety policies]*. Rio de Janeiro: Civilização Brasileira, 1999.

A comparative study between the status of the problematic of violence against women in Brazil and the United States of America. It demonstrates that the theme of violence against women is marked by invisibility in Brazil. We face a lack of studies and statistical data, lack of public debate, of linking between the problem of gender violence and other social problems, and the existence of a model of victimization in feminist discourse that is unconnected to experiences, perceptions, and forms of subjectivity of the victims. Using the model of the Alcoholics Anonymous Association (AAA), of exhibiting and recognizing the lived experience as a possibility for overcoming it, the author suggests that this model could help to convert domestic violence into a social-collective problem. For the author, this self-help program would enable the victim to recognize herself as such and to speak about her problems. Overcoming the problem occurs through sharing experiences and in constructing self-identity through the help of the group experience. She shows how the experience of the AAA influenced the movement that gave visibility to domestic violence in the USA, helping to guide social and political practices regarding this theme. In Brazil social visibility would be the result of the naturalization of the problem of violence against women. Here this problem is restricted to two realms: the private sphere (where violence occurs) and the sphere of the state (where policies are formulated). Between the one and the other there is a vacuum that must be filled in by society.

#### **Part B.4. Reports and Other Publications**

Barsted, Leila Linhares (org) *Cadernos CEPIA, Rio de Janeiro, 1994 Violência contra a mulher e cidadania: uma avaliação das políticas públicas [Violence against women and citizenship: an evaluation of public policies]*.

A balance sheet and evaluation of public policies created to limit gender violence, resulting from partnerships between government and civil society. It focuses on legislation and services in the Executive and Legislative realms of São Paulo and Rio de Janeiro states, and at the federal level. It partakes of the definition proposed by O'Donnell that public policies reflect the state “in action”. The authors define public policies as the field of the exercise of power and of possibilities for its distribution. Case studies: women’s police stations, state councils on the status of women, the National Women’s Rights Council, provision of

psychological-judicial services, and women's shelters. Evaluation of proposed legislation to guarantee women's rights.

Barsted, Leila Linhares (org). O Judiciário e violência contra a mulher: a ordem legal e a (des)ordem familiar [The Judiciary and violence against women: the legal order and family (dis)order]. Cadernos CEPIA. Rio de Janeiro: 1995

Reflection based on Brazilian juridical culture and the responses of the judicial system to violence against women. The inclusion of the analysis of this sphere, in a line of studies about the role of the state in cases of domestic violence, arises from recognizing that in this instance, the state - far from its proclaimed juridical neutrality, also plays a political role. This policy is seen in the distribution of justice. They sound an alarm about the need for professional training courses for people working in the juridical system to sensitize them to gender issues. The study consisted of interviews with those professionals and in a reading of transcripts of bodily injury and homicide trials. They conclude that in this sphere there occurs a valuation of the family in detriment to the rights of women. The Juridical system in its decisions on cases of violence against women ratifies social and hierarchical roles, not demonstrating the neutrality that should characterize its work.

Dossiê Violência Contra a Mulher. Interesse de Toda a Sociedade [Dossier: Violence against Women. Interests all society]. Rede Nacional Feminista de Saúde e Direitos Reprodutivos. 1999

A document which offers a balance sheet of conquests and existing roadblocks in Brazilian society to effective implementation of mechanisms to guarantee women's rights. The Dossier was elaborated by the Special Session of the UN in 2000, which evaluated the commitment assumed by member-countries to implement the Beijing +5 Platform. It weighs the situation of violence against women (domestic, sexual, institutional) against existing legislation and international instruments for defense and guarantee of the rights of women, to which Brazil is a signatory.

Estratégias da Igualdade [Strategies for Equality]. Conselho Nacional de Condicao feminina / MJ. ([www.mj.gov.br/cndm](http://www.mj.gov.br/cndm))

Document based on the Action Platform of the World Conference on Women - Beijing 1994. It establishes an action plan for implementing UN recommendations in areas such as the fight against poverty, health, access to power, guarantee of rights, education, preventing and fighting violence. In this area, it proposes measures foreseen in the National Program to Prevent and Combat Domestic and Sexual Violence (*Programa Nacional de Prevenção e Combate à Violência Doméstica e Sexual*) of the CNDM/MJ. They include the reformulation of women's police stations to deal with changes introduced by law 90909/95; programs for free legal aid; integration of help to victims in health, psychological attention, and protection services for victims of domestic violence; training courses for police and law-enforcement personnel; legislative measures; stimulation of studies; and public awareness campaigns against domestic and sexual violence.

Injustiça Criminal x Violência Contra a Mulher no Brasil [Criminal Injustice x Violence Against Women in Brazil]. AMERICAS WATCH/ Projeto Direitos das Mulheres/ Human Rights Watch. NY. 1992

Report of the Americas Watch Committee mission to Brazil, conducted in 1991 to investigate the posture of the government towards violence against women. The Report

highlights above all the necessity to combat impunity in cases of murder of women committed by their husbands and partners, reflected in the use of the argument of legitimate defense of honor. It also points to faults in the Brazilian criminal system, in which investigations and trials are conducted in a way that discriminates against women, in clear disregard for the country's commitment to respect international laws. Cases of discriminatory judicial decisions are presented. Medium- and short-term measures are recommended for modifying the behavior of the Criminal Justice System in its treatment of cases of violence against women.

A LEI E A VIDA [LAW AND LIFE]. Documento da Convenção Paulista Sobre a Eliminação de Todas as Formas de Discriminação Contra a Mulher [Document of the Sao Paulo Convention on the Elimination of All Forms of Discrimination against Women]. CECF. 1992

This document is based on the installation of the *Document of the Sao Paulo Convention on the Elimination of All Forms of Discrimination against Women*. The document offers a balance sheet of the reality of inequality existing between men and women in Brazilian society, weighing it against also existing legislation that guarantees equality to all men and women citizens, according to law.

Violência Contra a Mulher. Seminário Nacional. Documentos Fórum 2. [Violence against Women: National Seminar: Forum 2 Documents]

A synthesis is found in this document of debates held on the occasion of preparatory meetings in Brazil for our participation in the World Conference in Beijing. Held in São Paulo, this seminar enjoyed the participation of lawyers, feminists, activists, researchers, and members of the state government. They managed to elaborate an agenda of necessary measures to combat and prevent violence against women, as well as to improve existing services and, apply legislation.