

The Misfortunes of Victimism

MARIA FILOMENA GREGORI

Translation by CHRISTOPHER PETERSON

In this article I intend to analyze feminist discussion of conjugal violence, based on writings published in Brazil in the 1980s.¹ Particularly, I want to call attention to the fact that women appear in this literature as passive beings, or victims. Since they are not the protagonists of their own situation or fate, they are considered victims, even when they act against other. This notion leads the discussion into a dilemma, the effects of which are unfavorable for political action to combat violence. **Victimism** is the worst possible route, whether to understand the phenomenon of violence or to encourage substantial changes in inter-gender relations.

The idea of women as "non-constituent subjects" was formulated by Simone de Beauvoir in her pioneering work, a reference

for the feminist movement. Marilena Chauí (1985) has recently linked this dimension of feminine reality with the problem of violence. Her article is frequently quoted in books and studies on this issue in Brazil.² All of these works have drawn on the philosophical conceptualization developed in Chauí's article, but they have abandoned the interesting analysis that the author does on violence practiced among women and the difficulties they have encountered in promoting mutual solidarity. Before all else, it should be stressed that these studies have a strong activist approach. As one of the researchers states, they assume a "necessary subjectivity"³, or a lack of neutrality by those who take such studies as appropriate tools for both denouncing the problem and proposing concrete solutions to it. The political perspective in these articles, books, and research reports draws on Marilena Chauí's concept of violence (1985) to explain situations of violence against women as the result of an overall subordinate condition. By classifying such situations as violence, they go on to

¹ As references, I take writings and studies produced by Brazilian feminists in the 1980s: ALBANO, Celina and MONTERO, Paula. *Anatomia da Violência*. In MADEL, Therezinha. *Lugar da Mulher*. Rio de Janeiro: Graal, 1982; AZEVEDO, Maria Amélia. *Mulheres Espancadas - a violência denunciada*. São Paulo: Cortez, 1985; CHAUI, Marilena. Participando do Debate Sobre Mulher e Violência. In *Perspectivas Antropológicas da Mulher 4 - sobre mulher e violência*. Rio de Janeiro: Zahar, 1985; FEIGUIN, Dora and BORDINI, Eliana B.T., *Reflexões Sobre a Violência Contra a Mulher*. In *Revista da Fundação SEADE 1* (2), São Paulo: 1987; FEIGUIN, BORDINI, MEDRADO, and PATERNOSTRO. *Um Retrato da Violência Contra a Mulher - 2038 Boletins de Ocorrência*. São Paulo: SEADE/CECF, 1987; GREGORI, Maria Filomena. *Violência Contra a Mulher: a prática do SOS Mulher (SP), cenas e queixas*. São Paulo: master's dissertation in Political Science, USP, mimeo, 1988; OLIVEIRA, BARSTED, and PAIVA. *Violência Domésti-*

ca. Rio de Janeiro: Marco Zero, 1984; SORJ, Bila and MONTERO, Paula. *SOS Mulher e a Luta Contra a Violência*. In *Perspectivas Antropológicas da Mulher 4 - sobre mulher e violência*. Rio de Janeiro: Zahar, 1985 and SOS Mulher São Paulo. *Histórico do SOS Mulher*, São Paulo: mimeo, 1980. It is important to note that the vast majority of studies and publications on this subject are from the 1980s, and this was my reason for deciding to comment on them.

² AZEVEDO, Maria Amélia. *Mulheres Espancadas - a violência denunciada*. São Paulo: Cortez, 1985; SEADE. *Conselho Estadual da Condição Feminina*, 1987; *Centro de Defesa dos Direitos da Mulher*, 1981; FEIGUIN, Dora and BORDINI, Eliana B.T., *Reflexões Sobre a Violência Contra a Mulher*. In *Revista da Fundação SEADE 1* (2), São Paulo: 1987.

³ AZEVEDO, Maria Amélia. Op. cit. p. 13.

demand punishment, without any deeper investigation of the issue.

The book *Mulheres Espancadas - a violência denunciada* (Battered Women: a denouncement of violence), by Maria Amélia de Azevedo, in addition to illustrating the feminist movement's view, is also cited extensively in other articles and books. In this book, interpersonal violence, particularly that practiced against women, is considered a phenomenon with "multiple determinants", thus negating the argument that defines violence as the result or manifestation of "structural" violence derived from the capitalist system, exploitation, and poverty. The author takes Marilena Chauí's perspective, that violence is a violation of an individual's freedom and right to be the constituent subject of one's own history. This definition allows Azevedo to analyze violence against women as a specific form of interpersonal violence in conjugal relations. This is the object of her book: to understand why men beat their women. For this purpose, the book distinguishes between two sets of factors. The first consists of conditioning factors: oppression perpetrated by the capitalist system, institutions that discriminate against women, male chauvinism, the effects of differentiated education, etc.. In the second set, she defines precipitating factors, such as alcohol and drugs taken by perpetrators in association with violent episodes, as well as stress.

These considerations are followed by the results of a study on 2,316 complaints of batterings filed at fifty police precincts in São Paulo in 1981, thus before the first Police Station for the Protection of Women was created. The statistical breakdown is similar to that from research⁴ on complaints filed at the Police Station for the Protection of Women. Analysis of these data served to establish a profile of the aggressors, their victims; and the alleged motives in complaints of batterings.

⁴ FEIGUIN, BORDINI, MEDRADO, and PATERNOSTRO. *Um Retrato da Violência contra a Mulher - 2038 Boletins de Ocorrência*, São Paulo: SEADE/CECF, 1987.

The interesting point to be analyzed in Azevedo's book is the way in which the data are interpreted. The overall tone is one of denouncement, and the author frequently cites horrible cases, providing photographs of women with bruises and burns. Another recourse used in the book is to quote folk sayings, the content of which denigrates the female image and justifies the use of violence. One chapter is particularly illustrative: Give Us This Day Our Daily Violence: Reviewing Some Myths. The author contrasts folk sayings and myths with reality. In other words, as a counterpoint to the myth, she presents results from the data and more general positions regarding abuse of women's physical integrity and violation of their rights. The author's purpose is to describe both the world of relations in which batterings occur and their deeper explanations (or "roots", as she would have it). Such explanations blame either the "conditioning factors" or the actual behavior of men in their relations with their partners. The author is categorical: while violence should be understood in view of its multiple determinants, it in fact expresses the conflict of interests between genders. There can be no mistake that violence expresses conflict. The problem is in the notion of conflicting **interests**. On the one hand are the interests of the dominator: the desire to command and the building of a system that allows this command to become effective and perpetual. On the other hand are the interests of women, which are not clearly defined, since women are submitted to a symbolic violence which eliminates the possibility of their defining their destiny and interests. Symbolic violence, in the author's view, is the equivalent of male chauvinist ideology: a world view formulated by the dominator in order to produce mystification and ensure complacency in the dominated.

"For the dominated, ideology counts more as mystification than as a world view."⁵ For men, therefore, male chauvinist ideology constitutes a world view; for women, it is

⁵ AZEVEDO, Maria Amélia. Op. cit. p. 47.

pure mystification. That is, when one states that women do not take this ideology as a world view, one gives the idea that they are complacent, not because they agree with or believe in this world view, but because any act or acceptance by the dominated is the result of a powerful cover-up. Such an approach reveals an attempt to give men exclusive blame for acts of violence. The passage from the ideological system to concrete acts by agents is immediate and transparent when one attributes to this system the cover-up aimed at maintaining command. The underpinnings of this argument, stressing the existence of conditioning and precipitating factors to help explain why not all women are battered, end up failing apart and giving way to an all-encompassing explanation which is incapable of providing answers to questions raised by the author herself.

Another tendency in many feminist statements, studies, and writings is to describe violent relations by constructing a typical relationship⁶. Such a relationship is a typically violent marriage, an example culled from research. The point of departure is the majority data in the profile of agents and relationships. No distinction is made between relationships from different social or ethnic strata or age brackets; nor does the approach consider the variable of whether the couple has children, or whether the children are already grown. The typical characters are as follows: the woman is a housewife, does housework, and has small children; the husband is a worker. The family's social extraction is not clearly defined.

In the typical relationship, all gestures that are considered violent are present: disrespect, humiliation, lack of sexual pleasure, battering, and homicide. The narrative construction of a violent marriage not only embodies all of these elements, it fits them together in such a way as to show that homicide, for example, is the final act in an escalating series of manifestations of

disrespect and aggression. There is a kind of evolution of events leading inevitably to murder. In this narrative, the woman is someone who sees her dreams being destroyed day by day, with a mounting fear of her husband and the shame of exposing her domestic situation to relatives and friends. The unavoidable conclusion is that she was incapable of choosing the right man to live with. If she beats the children, it is because violence is "contagious": survival of the fittest is established as an "admissible rule". The authors clearly intend to use the book as a tool for consciousness-raising. They use language that is easily accessible to the public and resort to exposing and describing the problem in the form of a typical story of a violent marriage. In fact, the aim of exposing such a story using a cross-section in the evolution of events is to alert the public that little daily quarrels and gestures of disrespect can lead a marriage to an extreme situation, the martyrization and/or annihilation of one member of the couple by murder.

The book's aim is not so much to seek out different subtleties in the world of violent marriages as to expose the dangers inherent to behavior and actions that it considers universal. There is a clear perspective of attributing to all violent marriages a set of gestures, expectations, and moral standards for the parties involved. In additions, a distinction is made between the forms of behavior associated with men and women. Men humiliate and attack, while women feel afraid, ashamed, and guilty. Men act, while women feel.

The problem of domestic violence is described and explained by Oliveira, Barsted, and Paiva according to a dualistic, contrasting logic. The family is inscribed in a domain that is isolated from the social sphere. Its code of conduct, which not the same as that of society, follows a series of specific behaviors, reduced to an opposition between men and women. By establishing very rigid limits between domestic and public spheres (and men and women), the authors lose sight of something I consider important for this type of analysis: to captu-

⁶ OLIVEIRA, BARSTED, and PAIVA. *Violência Doméstica*. Rio de Janeiro: Marco Zero, 1984.

re the ambiguities and tensions in the relations between gender roles. To incorporate the latter perspective helps one understand how the distinct behavioral standards instituted for men and women are expressed in interpersonal relations, that is, that they undergo a specific combinatorial operation in each case of violence considered. In this sense, it is important to show how this combination is carried out, to use a richer perspective to help reveal the variations that violence takes on in different relations: sado-masochism in some couples' sexuality; playful fighting between children; passionate fighting among women in the dispute for a man; punitive battering, etc.. In my view, this approach's major contribution is to consider these relationships without establishing a hangman/victim kind of reductive duality, with its implications: that the aggressor is active and the victim of aggression is passive. My perspective helps understand the relationship between more general standards that orient conduct and behavior per se as a movement, a passage that requires combinations, ambiguities, and therefore diversity. In this movement, there is no place for immediate, mechanical determination leading from the level of standards to that of conduct.

Marilena Chauí would not agree with the descriptions in Azevedo and Oliveira, Barsted, and Paiva. According to the premises in her analysis, there is no place for the victim/hangman duality, or more specifically, for the opposition between passive victim and active hangman. In Chauí's view, to stress victimism in approaching the phenomenon of violence means to ignore that women in family relations act, condemn, demand, and even aggress, even when they are in a subordinate condition. To consider such gestures mere reactions or reproductions could help maintain the basic "structure" that allows violence to operate, rather than to stimulate change. In Marilena Chauí's analysis, the concept of violence is a broad one, similar to the feminist idea of oppression. She does not take violence as a transgression of

norms and laws. On the contrary, it is an expression of social "normalcy" that turns differences into hierarchical relations for the purpose of domination, exploitation, and oppression. It is also an act that considers the individual a thing, characterizing her/him by inertia, passivity, and silence.⁷ In order to arrive at this definition, the author draws distinctions between the concepts of violence and relations of force, on the one hand, and between these and the concept of power on the other. Violence is one kind of relationship of force. Both concepts imply the desire to command and the oppression of one social segment by another. The difference lies in the fact that a relationship of force, in its pure state, "is aimed at its own annihilation as a relationship, by destroying one of the parts".⁸ Violence maintains a relationship of command and subjection, through the dominated party's internalization of the dominator's wills and actions.

Chauí considers power "the collective capacity to make decisions concerning the public existence of a collectivity in such a way as to be an expression of justice, a space for recognition of rights, and a guarantee of justice by the law, without coercion".⁹ It is not to be confused with specific class interests or levels of command and their occupants. It is important to note that Chauí does not identify power with government, sovereignty, or the state in the Marxist or Weberian sense. The concept is not clear at first glance, but it becomes intelligible when the author stresses that it is "the expression of rights for that part of society which does not wish to be commanded or oppressed". Violence and force are the absence of power. In this sense, they are concepts in which autonomy, and above all the expression of desire for autonomy, are absent. The

⁷ CHAUI, Marilena. *Participando do Debate Sobre Mulher e Violência*. In *Perspectivas Antropológicas da Mulher 4 - sobre mulher e violência*. Rio de Janeiro: Zahar, 1985.

⁸ CHAUI, Marilena. *Op. cit.*, p. 35.

⁹ *Ibidem*, p. 34.

domain in which they operate is that of heteronomy, the proper place for the relationship between the individual that subjects and the one that is subjected.

Chauí's hypothesis is that women have been constituted heteronymously as subjects. This means taking them as a subjectivity in which there is something essential lacking for the category of subject, namely, autonomy in speaking, thinking, and acting:

"Their condition as subjects therefore has the peculiarity of creating them under heteronomy, since they are what they are both **because of** the others (who have defined their 'attributes') and **for** the others (to whom their 'attributes' are addressed)."¹⁰

A woman's fate is tied to **being for the other** as a function of motherhood. The author does not consider biological specificity the essence of the female condition. Yet this condition is defined in light of ideological constructs that consider the female body according to her biological attributes and naturalize everything that refers to women. The point of departure for her analysis is thus the notion that the female image was constructed over time, assigning women's place to the private, domestic sphere. The impossibility of acting in the world is defined in terms of an ideology which places women close to nature: instincts, love, abnegation, and frailty towards others. Due to the socially conformist power of such constructs, women have a peculiar, dramatic "subjectivity"; they live for others and desire the same fate for other women. Here lies the key to the argument on violence committed by women against other women: they consent to and reproduce the same standard of dependency for other women. The merit of this article is to show that while women are dependent subjects, without autonomy, this does not result in passive behavior toward others. It is the omniscience (the term is mine) of the meaning of "feminine nature" for women – to care for others as if they were incapable – that makes them

agents of violence against themselves as well as against others. Still, there is a problem in the article: there is no indication of how it may be possible for women to free themselves. The duality between autonomy and heteronomy and the distinction between power, violence, and force are elaborated in such a way as to leave no opportunity to conceive of change. Autonomy, as well as Chauí's peculiar concept of power, are ideals that seem to float in space: there are no links between them and the social universe or ideological constructs. They are thus loosely developed ideals. They may or may not serve as references; they may or may not encourage liberation. It is thus not clear in this analysis whether women may some day be able to free themselves from their situation.

Another problem is that Chauí's broad definition of violence does not allow one to distinguish it from oppression or domination. There are couples which are not violent, but which do not respect each other's autonomy. It is necessary to elaborate a new conceptual framework to deal with the fact that violent relations are special cases of conjugal ones. Domination and discrimination of women also exist in "normal" relations. To provide a more sophisticated understanding of violence should allow one to capture the various ways in which gender relations are currently expressed.

It has been no coincidence that I have concentrated on an analysis of these approaches to violence against women. I seek another understanding to this phenomenon and a more critical perspective as to the political efficacy that the studies by Azevedo and Oliveira (et al) may have. Their resources are insufficient for both analytical and political purposes. And exactly what resources are these? On the one hand, a broad definition of violence as a way of providing for an overall explanation – as if all violent relationships were "essentially" similar. On the other hand, the construction of dualities, like the culpable "machó" versus the female "victim" – to facilitate denouncement and indignation, overlooking the fact that con-

¹⁰ *Ib.*, p. 48.

jugal relationships are partnerships, and that violence can also be a form of communication, albeit a perverse one, between partners.

Recourse to the construction of dualities lays bare the opposition of pairs that includes definition of violence and case description. Autonomy/heteronomy, passivity/activity, male chauvinism/feminism, and man/woman. The opposing pairs include not only contrast, but also conflict; what unites them, explains their coexistence, and makes the perpetuation of domination comprehensible is the notion of ideology as falsification. The terms cover-up and mystification and the dual contraposition between ideology and reality, all widely used in the books and articles I am analyzing, are catches that allow for the coexistence of the opposing terms. Even Marilena Chauí, who no doubt presents a more sophisticated analysis, goes overboard in her use of the notion of ideology as a mystification, as an instrument for the domination of one pole of society by another. Even without intending to inculpate concrete agents, she reduces domination to a set of falsifying ideas and standards by the dominator to subjugate the dominated and to lead he/him into self-delusion: to think and to feel that she/he is free.

As long as feminist policy continues to resort to a search for universalness and generality in women and their condition and dualities in which the terms relate to each other through an ideological catch, such policy will be incapable of dealing with differences, with plurality. I am increasingly convinced that there is something that cuts across the issue of violence against women and that is being overlooked. In the research I developed on this phenomenon¹¹, it became clear that the scenes involving

husbands and wives and culminating in aggression are subject to numerous motivations – conflicts in terms of roles that are not fulfilled according to expectations, erotic games, etc.. Women take an active part in such scenes. They reveal that aggression functions as a kind of act of communication in which the partners attempt new ways of relating, yet failing to use resources that lead to an agreement, an understanding, or a negotiation of decisions. Yet they launch into such scenes in search of something: pleasure, victimization, or even the recomposition of male and female images and behaviors that have been disrupted in conjugal situations. It is necessary to understand the context in which violence occurs and the meaning it assumes. It would be inappropriate to state, “You can just bet she did something that irritated him,” in the sense of justifying acts of aggression. Such a procedure is the opposite side of the coin, in that it maintains the opposition between aggressor and victim, and devictimizes in order to authorize the use of force. Yet to say, “She asked for it, she didn’t avoid it,” is to realize the meaning of this. One should inquire to what extent such an understanding allows one to identify this situation, which reoccurs daily, and which keeps women dependent, submissive, and exposed to acts of aggression.

It is necessary to inquire and to counterpose violence. Yet we should not be misled that the best path to follow is that of feeding the duality between the victim and the executioner, in which the former is associated with passivity (or absence of action) and the latter with destructive, dominating activity in the Manichean sense.

¹¹ GREGORI, Maria Filomena. *Violência Contra a Mulher: a prática do SOS Mulher (SP), cenas e queixas*. São Paulo: master’s dissertation in Political Science, USP, mimeo, 1988.

WOMEN'S MANIFESTO AGAINST VIOLENCE

Proposal for Changes in the Brazilian Penal Code

At a moment when the Executive Branch in Brazil is making a series of proposals to change the country's Penal Code, the Brazilian Women's Movement has united in an effort to adjust national legislation to the world's present-day values and needs and the principles written into our 1988 Constitution. After in-depth study and discussion, the Women's Movement hereby proposes the following changes in the Penal Code.

1. To legalize abortion.
2. To consider sexual crimes as "crimes against individuals".
3. To broaden the definition of intercourse in rape to include oral and anal intercourse.
4. To create the legal concept of "sexual abuse".
5. To eliminate the following crimes: sexual possession by fraud; lewd behavior using seductive fraud; violent abduction or abduction through fraud; statutory abduction.
6. To eliminate the crime of adultery.
7. To create the legal concept of "family violence".
8. To create the legal concept of "sexual harassment".
9. To regulate reproductive technologies.

Proposals for Changes in the Penal Code

1. Legalization of abortion.

Current Brazilian legislation only allows for abortion in case of rape or if there is no other way to save the woman's life. Nevertheless, we know that some 3 to 4 million illegal abortions are practiced every year in Brazil, resulting in approximately 400 thousand deaths of pregnant women yearly. Middle- and upper-class women have safe, clean abortions in clandestine clinics, and as a result are not exposed to health risks. Meanwhile, poor women risk their very lives, delivering their bodies over to "abortionists", who have no health-care training and do not use proper aseptic techniques. Many poor women even perform abortions on themselves, either by using sharp objects that destroy their uteruses or by taking drugs with ominous side effects. We are aware that INAMPS, the Brazilian Federal health-care system, does thousands of curettages a year following improperly-performed abortions and spends millions of dollars on such surgical interventions. This proves that legal prohibition does not avoid abortions. Abortion must be seen as a public health issue and a right which must be ensured for women. Legalization of abortion has long been demanded by the Women's Movement, and its prohibition should thus be eliminated from the new Penal Code.

2. To consider sexual crimes as "crimes against individuals".

Under the prevailing Penal Code, sexual crimes are included in the chapter concerning "crimes against customs", which means that Brazilian legislation gets moral and religious aspects of Sex mixed up with those related to freedom. Women and men are considered less important than social morals. Protection always focuses on society and the family and not on the individual/victim. Therefore, it is essential to transfer such acts to the chapter on "crimes against individuals", since we know that in rape or sexual abuse the victim is a person, a human being - whether a woman or man - and not society or the family.

3. To broaden the definition of intercourse in rape to include oral and anal intercourse (Article 213).

The proposal is to merge the crime of "rape" with that of "violent lewd behavior" and to

broaden its meaning. According to the Penal Code at present, rape is "to force a woman into carnal conjugation through fraud or serious threat" and violent lewd behavior is "to use violence or serious threat to force someone to practice or permit to be practiced with him/her a libidinous act other than carnal conjugation." If the feminist proposal is approved, the article will read: "To force a person to have sexual intercourse, using violence or serious threat. Sentence: 6 to 10 years' imprisonment. Proviso: sexual intercourse include vaginal, anal, and oral intercourse." This broadening of the concept of sexual intercourse is highly important and necessary, since in anal or oral coitus through violence, the victim is just as abused and humiliated as in vaginal coitus. Another innovation is to replace the word "woman" with "person". It is notoriously common for young boys and teenagers and even adult males to be raped anally or orally, and that it is now impossible to convict the perpetrator for such a crime, since prevailing legislation only considers it rape when practiced against women.

4. To create the legal concept of "sexual abuse".

The feminist proposal is to create a new concept for a crime called "sexual abuse", with the following wording: "To force someone to submit to an act of a libidinous nature, other than sexual intercourse. Sentence: one to six years' imprisonment." "The sentence will be increased by one-fourth if the crime has been committed jointly by two or more persons and by one-half if the person convicted is an ancestor, adoptive father or mother, stepfather or stepmother, uncle or aunt, brother or sister, tutor, guardian, or employer of the victim or has any type of authority over her/him." "This means to use force on any person, whether female or male, to practice an act for the purpose of pleasure related to sex without including sexual intercourse per se.

5. Elimination of the following crimes: sexual possession through fraud (Article 215); lewd behavior using fraud (Article 216); seduction (Article 217); violent abduction or abduction through fraud (Article 219); statutory abduction (Articles 220, 221, and 222).

These five crimes should be stricken from our Penal Code, since they are no longer in tune with modern morals in the world.

6. Elimination of adultery as a crime.

Adultery: betrayal, conjugal infidelity. In addition to being very difficult to prove, this accusation is now used very little, and even then it is usually against the woman, as an argument for "defense of honor" (the man's, that is). It should be considered an obsolete concept in our Legal Code. Therefore, the proposal is to eliminate it as a crime and foster mutual respect and consideration as the couple's duty.

7. To create the legal concept of "family violence".

According to Paragraph 8, Article 226, of the 1988 Constitution, "The state will ensure aid for individual members of families and establish measures to discourage violence in internal family relations." Based on this paragraph, a group of Congresswomen with advice from the CFEMEA and feminist attorneys submitted a bill (nº 3381/92) which acknowledges this kind of crime and establishes the respective penalties according to the following definitions:

Family violence: "A standard of conduct associated with abuse of power manifested by the use of physical force, psychological violence, sexual violence, intimidation, or persecution of a member of one's own family." In most cases this type of violence affects powerless member's of the family, like women and weaker family members such as children, the elderly, and the sick, but there are also cases of violence against adult men.

Psychological violence: "Any conduct producing serious emotional damage and which

is manifested in the following ways: threat, disgrace, discredit, or belittlement of personal value, unreasonable restriction of access to and use of common goods, blackmail, constant surveillance, restrictions of family emotional ties, destruction of objects valued by a family member, or any act intended to restrict personal freedom or development.” Psychological injury or damage: “Any assault on an individual’s mental life, including her/his thoughts, feelings, desires, aspirations, achievements, and social conviviality, manifested in the form of paralyzing fear, a feeling of abandonment or despair, feelings of frustration and failure, insecurity and emotional dependency, precariousness, worthlessness, isolation, undermined self-esteem, or similar symptoms.”

The proposal includes:

7.1 Rape by spouse or partner - it is common for the husband or partner to force a woman to have sexual intercourse against her will, alleging that he “has the right” and she “the obligation”. This is a fallacy. Any sexual act against one’s will can be considered violence, and thus crime. The proposal includes sexual intercourse using violence or serious threat – not just vaginal intercourse, but also anal and oral intercourse.

7.2 Incestuous rape - this is rape using authority deriving from family ties.

7.3 Incestuous sexual abuse - use of authority to abuse a family member by acts aimed at sexual pleasure, other than sexual intercourse per se.

8. Establishment of the legal concept of “sexual harassment”.

Sexual harassment can occur in any kind of environment, but it is most common in the workplace. Sexual harassment by employers is well-known. For centuries, bosses have been “making passes” at employees, especially adolescents and young women.

9. Regulation of reproductive technologies.

“Regulation of human reproduction in the laboratory”, “surrogate motherhood”, “In vitro fertilization”, and “test-tube babies” are terms used to designate the legal concept of “regulation of reproductive technology”. This area should be included in the future Penal Code, since it is a current reality in the world of medicine, and there has been little discussion about it in psychosocial and legal terms. It deserves reflection by the Women’s Movement, since it concerns our intimacy and our bodies as women.

In addition to the above proposals, there are others referring to “battering”, “corruption of minors”, “traffic of individuals”, “Inducement to sterilization”, and the elimination of the term “honest woman” as the only concept of womanhood ensuring the right to certain protective measures from the state. It is essential for such changes to be approved in order for women to achieve full citizenship in Brazil.