

**THE WAY OF SORROWS FOR THE FEMALE BODY:  
TALES OF VIOLENCE IN BRAZILIAN LITERATURE  
FROM THE PERSPECTIVE OF WOMEN HUMAN RIGHTS**

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**ABSTRACT:** This article aims at analyzing violence against women revealed in Brazilian literature under the perspective of the women human rights. It seeks a connection between literature, philosophy and law. In an interdisciplinary analysis, the article examines the constitution of a subject of rights through the concept of capacity developed by Paul Ricoeur, and applied to the still precarious condition of women. Some significant literary texts are examined about violence towards women, beginning with a reflection upon Lima Barreto's thought, whose cry of nonconformity against the passionate crimes committed by husbands and relatives is echoed in various chronicles at the beginning of the twentieth century. The article also examines literature made by female writers, which appeared in the 1970s and reflected sharply the persistent brutality towards women. It concerns the promotion of human rights in relation to the violence against women, and the woman's fight for recognition, a debate still necessary in spite of the social and juridical progress already achieved.

**KEYWORDS:** subject of rights; Brazilian literature; gender violence; human rights.

**INTRODUCTION**

This article establishes an intersection between philosophy, literature and law as a possibility for understanding violence against women in Brazilian literature under the perspective of female human rights. The

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connection between philosophy and literature, extended towards law, reveals the importance of interdisciplinarity as the apprehension of the human essence and as the development of a critical consciousness of social phenomena. The first part of this development is dedicated to explaining the relation between philosophy, law and literature as to configure the perspective developed in this paper, which is to face literature as the artistic expression of existential problems, revealing of the human being exploitation and the possibility of humanization.

It is questionable whether the discourse of Human Rights, either practical or theoretical, constitutes a sharp expression of the many grave violations done to the human being. Does it reveal the extreme vulnerability in which men and women see themselves when stripped of his/her human condition? Undoubtedly the discourse about Human Rights, since the celebrated historic Declarations, relies upon an agenda of inalienable rights of the human being, and arises, above all, feelings of exaltation to the proclaimed rights. However, sheds of the western thought history interpret the declarations of human rights as abstract or merely liberal, which would not possibly fulfill the needs of men and women deprived from acknowledged rights.

This research attempts to examine the constitution of a subject of rights capable of being respected and estimated, by using the concept of capacity, created by Paul Ricoeur. The constitution of a capable human is explained in “Who is the subject of rights?”, in *The just 1*, as well as in *Oneself as another*. The concept of *capacity* is a central theoretical framework for understanding the formation of man, which is analyzed in the second part of this article.

The activity of reading literary texts brings the possibility to analyze the constitutive elements inherent to literary production, and takes the evidence of social injustice and lack of humanity because of which so many people suffer, for not holding the power of speaking and narrating their stories, due to cultural patterns reputed as valid ones in order to be inserted in social and political communities. Regarding such aspect, it seems valid to read the articles by Lima Barreto, Brazilian writer, who sharply manifests against the massacre of women in the beginning of the twentieth century, which is analyzed in the third part of this article.

The starting point is how legal achievements of women's rights have not still been able to put an end to an entire cultural practice of depreciation of women. The complaints raised by Lima Barreto are eloquent signals, even if not sufficient, to contain the destructive fury against the body of women. There are still trace elements of a culture of violence towards women, which defies the law and current social habits.

The fourth part of this article analyzes literature made by women, under the title of "The way of sorrows for the female body: tales of violence in the literature by Clarice Lispector, Lygia Fagundes Telles, Lya Luft and Marina Colasanti". These are fragments of violence done against women due to a culture of violation to fundamental women's rights, centered on a masculine domain, which imposes defined behavior roles.

It is necessary to promote human rights concerning violence against women, in spite of all social and legal progress achieved as time passed. The methodological reference aims at creating a theoretical and literary apparatus in order to build a discussion channel for the formation of a culture based on Human Rights, molding language and, above all, feelings of future law operators.

#### **SCOPE AND LIMITATIONS OF A CONNECTION, BETWEEN THEORY, LITERATURE AND LAW**

Stating frontiers between philosophy, literature and law is a hard task to achieve. They are different fields of knowledge and have particularities which distinguish and qualify them, often in antagonistic ways. Let us remember there has always been a quarrel between philosophy and literature, clearly visible in a work like *The Republic*, by Plato, who proposed to expel poets and playwrights from the political community. This idea was elaborated based on an education model that defended a very traditional, descriptive method, which would make men capable of fully developing their cognitive abilities (Plato, 1996, book 10, 605d, p. 472-3; Havelock, 1996, p. 19-35).

Literature may serve as a powerful instrument for deciphering the human condition, which is a valuable resource for understanding human rights in its liberating aspect (Fachin, 2007, p. 19). In this dimension, which

interests us, the legal discourse places itself on the route<sup>2</sup> of revealing the instances of the instituted power and the claims for justice, which are fundamentally the fruit of a still majorly unfair social system. However, it is necessary to remember that the literary text has its own artistic specificities, and must not be mistaken by more directed writings, like the ones with ideological purposes, which serve to domain the people and sell preconceived ideas.

Literature is, in its essence, emancipatory and it exceeds a merely instrumental vision. It is advisable to go beyond common established conceptions between literature and philosophy, or between literature and law, focusing on the right of access to literature, as proposed by Antonio Candido (2011, p. 171-198), as a crucial right, constitutive of the educational formation and a possible way for discovering the obscure motivations that lead the human being to commit so many crimes. There lies the connection between literature and human rights. For Antonio Candido, our society still lives an age marked by barbarism (2011, p. 172-173) and by a “behavior irrationality” (1989, p. 107), so human rights are indispensable in order to think about the other; without other people as reference, any attempt to talk about fundamental rights of men is fruitless (Candido, 1989, p. 110).

As a literary critic, Antonio Candido conceives literature with three basic, simultaneous functions: as a textual construction of structure and meaning; as a means of expression; and as a means for knowledge (2011, p. 178-179). Thus literature is a form of learning, as Candido writes that “every literary work is, first and foremost, a kind of object, a constructed object; and its humanizing power is very big, *as a construction*” (2011, 179, highlighted by the author). A possible conclusion from this passage is that literature is a creation of the artist, but it unveils human nature and social life since it arises transformative reflections. It is, indeed, a learning experience, which leads an attentive reader towards the route of a humanization process. Regarding this aspect, Antonio Candido mentions the danger of “changing the personality” (2011, p. 188) in case the access to

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<sup>2</sup> Melina Girardi Fachin names the first part of her study *Law and literature: seeking for emancipating narrative routes* (2007, p. 21), considering the possibility of establishing interdisciplinary dialogs between the discourses of literature and of law as a means to reach fruitful narratives between the two knowledge fields, not only using literature as a mere theoretical ornament for law operators.

reading were restricted to the educational process of the human being. It exposes the relation between literature and human rights as a necessary means for improving our humanity:

The previous focus was on the relation between literature and human rights from two different angles. Firstly, literature was considered correspondent to a universal necessity that has to be satisfied *otherwise personality can be mutilated*, because by giving shape to feelings and the vision of the world it organizes us, frees us from chaos and thus humanizes us. Denying the fruition of literature is *to mutilate our humanity*. Secondly, literature can be a conscious instrument of unmasking, because it focuses on situations of right restriction our denial, such as poverty, servitude, spiritual mutilation. *Both in one level as in another, literature has much to do with the fight for human rights.* (2011, p. 188, highlighted by us).

Clarified the importance of thinking literature facing law and philosophy, there is a new aspect, according to Jaime Ginzburg (2012, p. 190-191), which is the difficulty of formulating enunciations to express feelings, life experiences, and, as a consequence, rights.

That is, language – our vehicle of linguistic, literary communication – is characterized by haziness and equivocity, which generates incomprehension and doubt. Ginzburg refers to Ludwig Wittgenstein as a philosopher that reflected deeply about language and feelings, especially about pain, as exposed in his *Philosophical investigations* (2005, § 244 et seq.). Said otherwise, there can only be exchange of experiences and, hence, communication and acknowledgement, when there is a real sharing of the pain of the others.

The second philosophy by Wittgenstein constitutes an overturn for the conception from his first phase, following an ancient tradition of attributing a merely designative function of language, thus reducing the multiple possibilities of human language. One does not search for the essence of the latter anymore, which would be capable of designating the real nature of things; on the contrary, the objective seems to be reflecting the world through a searching look, good at deciphering the existing connections in several contexts in which actions and speech acts intertwine. It is the indetermination of language, the concreteness of situations in which words express multifarious meanings.

Following to that, the enunciation of rights – especially of human rights – becomes problematic when unattached from a sharing practice of experiences, based on a sincere relation of acknowledgement (Ginzburg, 2012, p. 190). According to Ginzburg, “the problem with relations between literature and human rights is connected to omissions, gaps and silences in institutional, legal and scientific discourses” (2012, p. 201). Literature helps us understand asymmetrical, hidden languages, silenced voices that a literary work makes apparent. The philosophical approach of Paul Ricoeur, in the constitution of the capable being, leaves no doubt as for the deprivation of rights women suffer when debased of their elementary rights, far from being subjects of law and authors of their own history.

### **THE CONSTRUCTION OF THE CAPABLE SUBJECT**

It is necessary to consider the constitution of a judgment which implies the recognition of a capable subject, worthy of esteem and respect. For Paul Ricoeur, the capable subject derives from the ethical and moral dimension of the self (1991, *passim*; Ricoeur, 1996, p. 163-180), which makes men subjected to ethical-legal imputations, as mentioned in “Who is the subject of rights?” in *The just I* (2000, p. 1-10). In order to reach the ultimate goal of the formation of a subject in its own right, Ricoeur calls attention to the question *Who?* That develops other questions regarding the identification of the subject.

Departing from this first interrogation, there is the idea of a capable subject. The concept of *capacity* presupposes the condition of an individual to be the author of his/her actions, and to revive rights and duties due to this “ability to do something, what in English is designated by the term *agency*” (2000, p. 3), that is, the freedom to do things consciously according to one’s judgement. The emphasis Ricoeur gives to the word *Who?* shows the possibility men have to place themselves as authors of their actions and, as a consequence, their history. This characteristic is important for structuring the core of the *self* (*ipse*) and for the formation of the moral and legal powers that condition the human actions, and demand the capable man to assume correspondent duties, that is, to become a responsible man.

The comprehension of a capable subject arisen by the question *Who?* moves to the verb “I can”, in different forms: “can say”, “can do”, “can narrate” and “can narrate oneself”. There is a relation of complementation between the question *Who?* and the verbal expression “I can”, since the core of the question is the identification of the subject of speech, action and narrative. One should say, by searching for the authorship of such predicates, men become capable of building their own enunciations, and, thus, their personal identity.

As for the track the individual follows while developing a personal identity and a capacity, Ricoeur names the process “hermeneutics of the person” (1996, p. 164), specifying four stages, which together make up a ternary structure: language, action, narrative, ethic life, correspondent to the propositions “*the speaking man, the acting man* (and shall I add [Paul Ricoeur] *the suffering man*), the *narrator man* and a character in their life narrative, finally the *responsible man*” (1996, p. 164).

Especially examining the *speaking subject* and the *narrator man*, they institute a “grammar of the ‘I can’” (2007, p. 93), thus named in the stages of hermeneutics of the person. The first stage – *the speaking subject* – is crucial for understanding the present topic, as it puts men as privileged beings, holders of speech and creators of their world and history. Ricoeur approaches language in order to extract clarifying elements for his thesis, mainly the semantic and pragmatic study of language. In such context the speaking being acquires capacity to become “the speaker to designate himself as the unique speaker of his multiple utterances” (2000, p. 5-6).

It is important to state that pragmatics of the discourse have a fundamental part in the formation of the capable man due to its relevance in the illocutionary act, which presupposed the idea of engagement of the speaking being<sup>3</sup>. The capacity of putting oneself in language, involving and

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<sup>3</sup> Ricoeur understands pragmatics as “the study of language in situations of discourse in which meaning of a proposition depends on the interlocution context” (1996, p. 164).

compromising in the discourse, represents the statement of a subject capable of saying something and of being, at the same time, acknowledged by the listener. Speech implicates a relation to another, interlocution and, thus, the act of recognizing and being recognized (Ricoeur, 2000, p. 6; 1996, p. 170-171). It presupposes alterity, according to Ricoeur:

The self-designation of the speaking is produced in interlocutory situations where the reflexivity is combined with otherness. The speech pronounced by someone is a speech act addressed to someone else. What is more, it often is a response to a call from others. The structure of question and answer thus constitutes the basic structure of discourse, in implicating the speaker and the interlocutor (2007, p. 96).

The conception of justice is located towards the other, in the assumption of alterity. Thus, Ricoeur, by investigating who is the subject of rights, conducts the discussion to the level of the ethical recognition, as a means of identifying another – in spite of particularities and ethnic, cultural characteristics – as a person dignified of acknowledgement. By analyzing the linguistic implications of this approach, Ricoeur underlines the protagonist role that the capable subject plays in the narrative of his/her story. In *Who is the subject of rights?*, Ricoeur amplifies the horizon of interpersonal relations towards an even broader scope:

The same triadic relation of me/you/third person can be found on the plane we have distinguished by the question ‘Who acts’ ‘Who is the author of an action?’ The capacity to designate oneself as the author of one’s own actions is inscribed in a context of interaction where the other figures as may antagonist or may helper, in relations that vary between conflict and interaction. But innumerable others are implied in any undertaking. Each agent is bound to these others by the intermediary of different orders of social systems (2000, p. 6).

It is evident the ethical dimension in the constitution of man to the extent that self-esteem is realized in the exchange with others. Ricoeur names *solicitude* the movement of the self towards the other, looking for reciprocity and recognition. The approach of the other as a similar being breaks the cycle of inequality, which digs a chasm between men, who,

guided by the will of absolute power, establish differentiation criteria based on false beliefs and desire for domination. As Ricoeur says,

the deepest ethical petition is reciprocity establishing the other as similar to me and myself as similar to the other [...] Another one like me, this is the vote of ethics regarding the relationship between self-esteem and solicitude (1996, p. 165).

The intention is to draw from Ricoeur's ideas significant hermeneutic elements that can originate an intersection between philosophy, literature and law in a convincing way to the problem of the status of women, still subject to an irrational and incomprehensible violence in the face of legal achievements.

#### **TRACES OF VIOLENCE AGAINST WOMEN IN THE ARTICLES BY LIMA BARRETO**

Lima Barreto is a unique author. He reflects in a lucid and firm way against the murder of unfaithful women occurred within the family (Vasconcellos, 2014, p. 4). In the article "Não as matem" ("Don't kill them") (Barreto, 1961b, p. 83-85), published in January 27, 1915, Lima Barreto informs against crimes of uxoricide, made by men with the consent of the society. In this article, the writer highlights that the violent attitudes towards women derived from a twisted view, because men feel like they own women and that they can exert unlimited power over them, a power of life and death (Barreto, 1961b, p. 83-84; Vasconcellos, 2014, p. 4).

It is made clear that women are susceptible to changes throughout time, possibly influenced by other inclinations and new passions (Barreto, 1961b, p. 84). The posture of Lima Barreto shocked the society of that time, since women were expected to be submissive to their husbands, fathers, and brothers. Besides the complete subordination to the will of men, women should have a secluded and calm behavior, with no sign of impetuosity that could risk the serenity of the family. According to Eliane Vasconcellos, "the man, until recently, was a lord almighty of the woman; she was the submissive female, the one who managed and did the house chores" (1999, p. 28). In other words, the woman was bared of a legal capacity. Neither was she recognized as a subject of law, in the conception of Paul Ricoeur.

In other articles, Lima Barreto acutely exposes criticism against injustice and barbarity done to women, remnants from the old Philippine Ordinances laws, which permitted men to kill their adulterous wives (Vasconcellos, 1999, p. 279; 2014, p. 2). In *Bagatelas*, Lima Barreto analyzes the old, ruthless practice, and the compliance to the women's murderers:

One of the harmful survivals of this medieval idea, applied in sexual relations between husband and wife, is the tacit permission that society gives to the husband to murder his wife, when there is adultery. In Brazil, he always receives an absolution in court (Barreto, 1961a, p. 168).

It is noticeable how the impunity sensation was, until recently, tolerated in Brazilian society. Crimes against honor were accepted as indisputable arguments in trials of uxoricide crimes. The victim often was considered the originator of the problem, for having stained the honor of the husband and all the family. Lima Barreto asks himself which crime is worse – adultery or murder –, considered that the act is usually planned, and not merely impulsive, as the argument of defense of honor defends (Barreto, 1961a, p. 175). Eliane Vasconcellos analyzes with clarity the lucid interpretation of Lima Barreto:

Lima Barreto fairly understood that the social judgements simply aimed at reassuring dominant regulations. The author realized, in a clear way, that those cases judged in court when the crime was uxoricide was not the conduct of the man, but the sexual conduct of the woman, from victim to defendant. This used to happen because the ideal model of woman is the one of the devoted submissive wife, whose main virtues are prudence, dedication and fidelity. As for the man, such qualities were not primordial. In order to save the murderer, the attorney attacked the honor of the wife, usually accused of being as shameless as prostitutes (2014, p. 6).

It is important to realize that the male domination (Miguel; Biroli, 2013, p. 7) was prevalent and spread throughout the whole society. It was a closed society, with much defined roles, with very few possibilities of change in the social background. There were relations of power that kept a huge inequality between genders. Women were completely overshadowed in a society which did not acknowledge them as subjects of law. They were invisible and unworthy of esteem and consideration.

It is important to register the actions of prosecutors of the time, such as Carlos Sussekind de Mendonça, Roberto Lyra, Caetano Pinto de Miranda Montenegro e Lourenço de Mattos Borges, who were associated to the Brazilian Council of Social Hygiene, in defense of women. Eventually, the Council's desire was to hinder the high levels of women murder, frequently victims of passion crimes which were tolerated by the society as a whole in the beginning of the previous century (Blay, 2003), as stated by Lima Barreto's articles. However, the Council had no objective of creating conditions for women's emancipation as a subject of law, only focusing on the familiar institution. Nonetheless, the existence of the Council worked as a *locus* of mediation and transformation which led to the arrival of new liberatory ideas and to the acknowledgement of the condition of women.

It should be said that the movement led by the prosecutors had as objective to extinguish "the social and legal tolerance towards passion crimes", according to Susan Bessa (1999, p. 90). That is, it was a masculine kind of crime, committed by husbands, fiancés, fathers or brothers in the possibility of conflicts related to love and sexual relations. Such crimes happened crescently, as a "massacre of women" (Bessa, 1999, p. 90), as they were murdered with the agreement of the society and the protection of the legislation.

It is interesting to know the objectives of the Council of Social Hygiene, according to Susan Bessa, in order to verify the intention of the prosecutors involved in the movement for the defense of extinguishing women murder:

expose the truthful (antisocial) motivations behind passion crimes; reeducate the society, by destroying conventions and popular beliefs that used to protect such criminals; reject the legal doctrines that justified such criminals; and impose thorough verdicts as a necessary resource of collective intimidation (1999, p. 90).

Indeed, the Council was successful at reaching in the beginning of the 20<sup>th</sup> century many needed objectives: penalties to murderers and the review of the Criminal Code of 1940, with the elimination of emotion and passion as excluding factors of criminalization. On the other hand, the Brazilian Council of Social Hygiene – as the name alludes – had the objective of creating a "great reformulation of social hygiene" (Bessa, 1999, p. 90),

aiming at regenerating society by having traditional family as the main framework. Women also were addressed with such campaign, as they had to absorb social and moral values in order for the family structure not to be shaken due to passion matters, which could unleash barbarian instincts on men.

Women were, therefore, still not seen as fully able subjects to assume their role in society, to exert citizenship, as a crucial condition for the development of their intellectual characteristics and the exercise of politics. Women were not seen still in their full forms, not having the level of humanity that could make them dignified of esteem and respect.

**THE WAY OF SORROWS FOR THE FEMALE BODY:  
TALES OF VIOLENCE IN THE LITERATURE BY  
CLARICE LISPECTOR, LYGIA FAGUNDES TELLES,  
LYA LUFT AND MARINA COLASANTI**

This section is a brief reference to some literary texts that constitute a striking type of literature in Brazil in the 1970s. They are all written by women, which does not mean they are feminist studies about women. On the contrary, the analyzed writers – Clarice Lispector, Lygia Fagundes Telles, Lya Luft e Marina Colasanti – certainly would reject the label “feminist”, since their productions reveal visions and literary styles that go beyond a literature about the representation of violence against women. Actually, literary studies about this literature made by women usually mention “physical symbolic violence” (Gomes, 2013, p. 3) against women due to the perpetuation of an evil model of masculine domination, without giving up the rich and subtle literary resources that transformed these writers into prime authors of contemporary Brazilian literature.

This research is based on the title of the publication by Clarice Lispector: *The way of sorrows of the body* (1998). According to an explanation given by the author herself, it is a collection of “scathing” stories (1998, p. 11), revealing of a cruel and mournful world. Inscrutable

and enigmatic as the eyes of movie box office, as shown Clarice. The use of the title *The way of sorrows of the other* by Daniela Kahn (2005) is an attempt of deciphering the other, which is marked by a relation of alterity that always implies a violence component. It attempts to find a sample of recurrent violence against women that deprives them of humanity and exposes them to a nonstop cycle of threats against their physical and moral integrity. Thus the title of the present study: “The way of sorrows for the female body: tales of violence in Brazilian literature from the perspective of women human rights”, in which several faces of brutality against women are seed as a cultural deformity, that has been dragging on for centuries, and that continues to deny for women the status of capable beings.

This is not about discussing feminist theories that trace the path of fights of women for recognition. The objective is, otherwise, to capture moments in which women are still exposed to a high level of vulnerability, which threatens them constantly, inside and outside home. Indeed, Susan Moller Okin is emphatic when she discusses the vulnerability by marriage, by stating that “in crucial respects gender-structured marriage involves women in a cycle of socially and distinctly asymmetric vulnerability” (1989, p. 138). More than asymmetric positions, a great number of women still suffers domestic violence, rape, beating, as sadly reported by Lya Luft in *As parceiras (The partners)* (2015). The narrator goes through a path of inescapable bitterness due to a family history of brutality suffered by the matriarch Catarina, a refugee of her own pain and dismay. It represents the daily life of violence and silence imposed over several women who live in oppressing environments (Gomes, 2013, p. 7). The following extract from the novel expresses the poignant pain of a hurt and humiliated woman:

She was able to survive until she was forty-six. Her husband gave up teaching her the arts from the brothels, preferring whores to that teenager who had given him more fear than desire. He moved to one of his farms, and appeared in the mansion only as a feared guest. My grandmother was left forgotten with her maids and a housekeeper. When her husband appeared amid that false peacefulness, he used to go to bed with his wife. He would have someone open up the attic, and among screams and scandal, would impregnate Catarina again (2015, p. 14).

In Brazil, a law called Maria da Penha, numbered 11.340, from 2006, attempts to restrain domestic and familiar violence towards women<sup>4</sup>. The law protects women against different excluding practices, and gives them support so that they can integrate in society and fully exert their citizenship. It is, doubtlessly, an important advance towards criminalizing domestic and sexual violence. However, the legal instrument seems to be insufficient in order to stop attacks against women, as report Luis Felipe Miguel and Flávia Biroli:

Still, there is a tolerance for many forms of subordination directly connected to power relations in which gender differences are fundamental. *The subordination of women to men at home is far from being an overcome reality*, but is redefined in relationships in which objectification or even the exaltation of feminine beauty are forms of control (2013, p. 34, our highlights).

As a consequence, it is indispensable to deeply review the parameters of gender relations. The female body is still very vulnerable to cupidity and masculine domination. Men have to have an aggressive behavior regarding public life and his domination over women, and this thought still exists within modernity. Lima Barreto made criticism against the mentality of such men in the beginning of the 20<sup>th</sup> century. There cannot persist such deformed mentalities in relation to women. Discrimination against women degrades them and makes them an exchange object. The physical condition of women and the idea of possession from men over the body of women deepens the question of vulnerability, and puts women in a critical level of abandonment. Clarice Lispector captures the situation of sexual violence suffered by Cidinha, central character of the short story “A língua do P” (“The language of P”), who sees herself desperate when she realizes, on a train, that she was about to be raped and murdered. She pretends to be a

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<sup>4</sup> According to Carlos Magno Gomes, the law "was born from the struggle of the pharmaceutical Maria da Penha Maia, trying to process her attacker, her ex-husband Marco Antônio Herredia, that despite attacking her two times, making her become paraplegic, had the right to live in freedom" (2013, p. 5).

hooker in order to escape from the offenders. Afterwards, safe from the murderous rage, she reads the fateful headlines: “Young lady raped and killed on train” (1998, p. 70). That is, Cidinha is saved for being seen as a hooker, and another woman becomes a fatal victim of the relentless action of the criminals.

The story by Clarice Lispector, by mixing fiction and journalism, relives the fear of women who suffer from violence and sexual harassment, and is conscious of their vulnerability in face of the threat of rape. Violence evident in public spaces, which shows that women are pursued in and outside of home. A way of sorrows of a body that is lowered to the condition of a mere sexual object to be had by the hunger of men. Carlos Magno Gomes summarizes the violence described in the story:

So, “The language of P” narrates a case of femicide made by strangers. Physical violence and the banalization of the crime are exposed as being part of the same problem. Such crime is originated by a masculine desire of possessing a train passenger. In the fictional narrative, there are both verbal and physical violence. The author describes how desire for violence mixes with sexual desire, which show the thin lines between these masculine wills. In the first moment, there is sexual harassment and bad language alone. In the second moment, rape is followed by murder, which exposes the susceptibility of the feminine body to the dangers of urban violence and uncontrolled masculine desire (2013, p. 7-8).

Femicide results from a distorted vision of women, which is explained by a total disrespect over their fundamental rights and by the supremacy of masculine domination. The violation of the rights of women, a typical crime of urban violence, is also narrated by Lygia Fagundes Telles in the short story “Venha ver o pôr do Sol” (“Come see the Sunset”) (2008). The author uses two characters who used to be boyfriend and girlfriend, Raquel and Ricardo, in a morbid atmosphere and creates a breathtaking story in order to transmit the feeling of absolute control from men over women. Ricardo is unable to accept the separation and the loss of the lover. His morbid plan confirms the domination and manipulation of men as the owners of the female body (Gomes, 2013, p. 6-7).

It is important to register that Law 13.104/2015, from 2015, alters article 121 of the Criminal Code in Brazil, and considers femicide a qualifying circumstance for homicide, and the first article of Law 8.072, from July 25, 1990, includes it in the group of hideous crimes. The legal initiative is appraisable for protecting the physical integrity of women. This matter was object of deliberation and trial before the Interamerican Human Rights Court: the Cotton Field Case (González and others (“Cotton field”) vs. Mexico). According to Lucas Lixinski, there was the homicide of several women in Ciudad Juárez, in Mexico. The case received attention because, for the first time, an international court acknowledged the term “femicide”, and responsabilized Mexico for the disappearance of three women: Claudia Ivete Gonzalez, Esmeralda Herrera Monreal, and Laura Berenice Ramos Monárrez. The sentence was given on November 16, 2009.

Literature registers several episodes of violence against women, shown as cultural dominant behaviors. Indeed, one can understand that the laws which criminalize violations against women are not still fully effective due to persistent cultural patterns that lower women, and that stop them from developing the capacity of being the protagonists of their own stories, according to Paul Ricoeur. The world is hostile to women’s flourishing, who are prisoner of a culture of masculine domination. Catharine MacKinnon describes realistically the threatening world in which most women dwell:

Women know that the world is out there because it hits us in the face. Literally. We are raped, beaten, pornographed, defined by force, for a world that begins, at least, entirely out of us. No matter what we think of it, how hard we try to think that it does not exist or think it in a different way to inhabit it, the world remains real. Try it, one of these days. It exists independently of our will. We know it's there because no matter what we do, we cannot leave it. Male power is, for us - and so it is -, this kind of fact (2013, p. 243).

Perhaps an exit for overcoming such an oppressive world for women is to create narratives that could indicate a path of non-submission to the masculine universe. Maria Colasanti presents subtly a fable – *A moça tecelã* (*The weaver girl*) – in which the man is a product of the woman’s desire, but is undone due to greed and his power over the weaver girl (2004). As an

artificer of her destiny, the woman may have a glimpse of a path of autonomy, recognition and justice.

### CONCLUSION

The connection between philosophy, literature and law seems to be producing useful since it creates an intense and unmasking dialog. It is, indeed, a possibility for seeing a more human sense for recognizing social segments which are alien to the social coexistence and the interchange of political ideas. This investigation focused on the violence done to women.

The concepts by Paul Ricoeur led us to go through configuring stages of the capable man, mainly the ones named *speaking man*, *acting man*, *narrator man* and *responsible man*. Hermeneutics phenomenology, as proposed by Ricoeur, leads society to alterity and to the statement of components that are inseparable from identity.

The theory used for the investigation about the capable subject were adequate to analyze a reading of the publications by Lima Barreto and by female Brazilian writers, especially represented by Clarice Lispector, Lygia Fagundes Telles, Lya Luft and Marina Colasanti. By asking who is the subject of rights, Ricoeur elevates the discussion to the level of ethical recognition, able to identify the other as a person dignified of acknowledgement. The attempt is to create a subject that is capable of writing his/her name in society, that is, to fully exert citizenship, as an existential question that cannot be forgotten in order to improve one's intellect and political action.

Above all, the theory from Ricoeur enables visibility to the subject of law, able to be esteemed and respected, and, thus, to become an ethical agent in the reflection and construction of politics, and especially in the formation of fairer societies. As a consequence of such reflections, the need for modelling subjects of law who are fully capable seems to be a way to fulfill Human Rights. This paper aims at rehabilitating the capable subject of right, and the right to speak over the imposition of strength, and to banish all sorts of discrimination against women.

The articles by Lima Barreto were in tune to the reality and the suffering of hundreds of women who were sacrificed by an oppressive, prejudicial mentality. In the work by Lima Barreto there is a claim for justice which denounces the atrocities committed against adulterous women.

The analysis which compounds the framework of the part entitled “The way of sorrows for the female body: tales of violence in the literature by Clarice Lispector, Lygia Fagundes Telles, Lya Luft and Marina Colasanti” reinforces the continuity of the violence towards women. Despite being an overview, the examples prove the persistency of an evil, inhuman culture regarding women.

Above all, the established dialogue allows us to give visibility to the subject of law, *in casu* the woman, able to be esteemed and respected, and therefore to become an ethical agent in the reflection and, above all, in the formation of more generous societies. And the woman's body appears as a sign that violence and discrimination must be eliminated to build more decent communities.

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