



MARIA DA PENHA LAW AND THE 180 CALL: PUBLIC POLICIES TO COMBAT FEMICIDE



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Luana Vitória de Macedo Pinto¹ and Francine A. Rodante Ferrari Nabhan²

ABSTRACT

The present study is based on the great relevance of the debate on the creation and effectiveness of public policies as a tool to prevent violence against women and the growth of femicide in Brazil. Since, despite the relevant advances in Brazilian Criminal Legislation, the statistics have alarming numbers. Among the public policies aimed at confronting violence against women is the "Call 180" channel, which aims to provide care to victims at risk and lead them to the competent bodies. The research is based on qualitative research, with documentary analysis, based on the relevant legislation, academic studies and statistical data from government agencies and specialized institutions, allowing a detailed study on the effectiveness of public policies, such as dial 180, to combat domestic violence.

Keywords: Public policies. Violence against women. Femicide. Call 180.

¹Undergraduate student of the Bachelor of Laws course
Institute of Higher Education of Southern Maranhão-IESMA/UNISULMA
Email: luanamacedo402@gmail.com

² Lawyer, Master in Management and Regional Development from the University of Taubaté (UNITAU), Specialist in Labor Law and Procedure (UNITEC), Specialist in Civil Law (UNISUL). Specialist in Tax Law (IBMEC-DAMÁSIO). Coordinator of the research group on Fundamental Rights and New Rights - UNISULMA. Professor of the Bachelor's Degree in Law at the Instituto de Ensino do Sul do Maranhão - IESMA/Unisulma. E-mail: francinenabhan@hotmail.com

INTRODUCTION

Violence against women in Brazil is a universal and recurrent problem, as it has been gradually dragging on for many years, manifesting itself in various ways, from physical and psychological aggression to lethal crimes, such as femicide. In order to create means to face this reality, Brazilian legislation has established the creation of several measures that seek to protect victims and penalize their aggressors, among them is Law No. 11,340/2006, known as the Maria da Penha Law, the main legal framework in the fight against violence against women.

In this way, violence against women gains prominence in public policies that intend to curb this type of crime. A detailed analysis of this topic is essential to understand the complexity of this discussion and to understand how prevention and assistance policies for women work. The creation of Dial 180 emerged as an essential assistance channel for the care and reception of women victims of domestic violence.

The present study is based on the great relevance of the debate on the effectiveness of public policies to prevent and combat femicide, since, despite legislative advances, the statistics of violence against women and the growing number of femicides are still alarming. Understanding the impact of these measures, especially dial 180, is essential to identify possible existing gaps and suggest improvements in the protection of women in vulnerable situations.

In view of this, the research problem that guides the present study is: "How do the Maria da Penha Law and the Call 180 service contribute to the prevention and fight against femicide in Brazil?" To answer this question, this work aims to analyze the effectiveness of public policies, with emphasis on the Maria da Penha Law and Dial 180, in the fight against femicide. In addition, the present study will adopt a qualitative approach, based on literature review and normative analysis. The research will be based on relevant legislation, academic studies and statistical data from government agencies and specialized institutions, allowing a detailed analysis of the effectiveness of policies to combat violence against women.

Thus, this article aims to contribute to the academic and social debate regarding the protection of women's rights, highlighting the importance of effective public policies in the fight against femicide and in the promotion of gender equality.

METHODOLOGY

The present research adopted the deductive **method**, based on the analysis of legal norms and constitutional principles, with emphasis on Law No. 11.340/2006 (Maria da

Penha Law) and public policies to combat violence against women, with emphasis on the Dial 180 device, as an instrument for the realization of women's fundamental rights.

The research had a theoretical-bibliographic **character**, based on the review of specialized literature, in order to understand, through the analysis of doctrines, legislation and official documents, the effectiveness of public policies aimed at combating femicide in Brazil.

According to Lakatos and Marconi (2017, p. 76), bibliographic research "is based on material already published, consisting mainly of books, journal articles and currently with material available on the internet." The methodological approach adopted is in line with the qualitative nature, since it aims to understand the social and legal phenomena involved in gender violence from the perspective of Brazilian legislation and state protection instruments.

In the field of legal research, the technique of systematic interpretation is used, as taught by Miguel Reale (2002), in the sense that the Law must be understood in its totality, taking into account the interaction between norm, fact and value. Thus, the analysis of the Maria da Penha Law and the Dial 180 service will be made considering its insertion in the normative system and its role in the promotion of women's human rights.

The perspective of legal hermeneutics was also adopted, as a form of critical and contextualized interpretation of legislation, as proposed by Maria Helena Diniz (2009), for whom the interpretation of Law must take into account the social values and purposes for which the norm is intended.

Finally, the research had as main sources: books, scientific articles, theses, dissertations, legislation, institutional reports, publications of government agencies and official statistical data (such as those made available by the Ministry of Human Rights, IBGE and the Brazilian Forum on Public Security), composing a diversified and updated bibliographic body.

RESULTS

The bibliographic research carried out allowed us to identify relevant data on violence against women in Brazil, especially with regard to femicide, the effectiveness of the Maria da Penha Law and the performance of the call 180 reporting channel. The information collected demonstrates an alarming scenario of systematic human rights violations, while at the same time showing important advances in the legal framework and public policies for the protection of women.

According to the Brazilian Forum on Public Security (2023), Brazil recorded 1,437 cases of femicide in 2022, a number that represents a growth compared to previous years. Additional data reveal that, between 2016 and 2017, while the overall homicide rate grew by 4.2%, the homicide rate of women increased by 5.4%, with emphasis on cases framed as femicides – that is, crimes committed on the basis of the victim's gender.

In 2020, as Pinto (2021) points out, the country accounted for 3,913 homicides of women, of which 1,350 were classified as femicides, representing approximately 34.5% of the total murders of women that year. This highlights the magnitude of gender violence in the country and the need for effective measures to confront it.

Among the most frequently recorded types of violence, the following stand out: attempted femicide (753 cases), completed femicide (449), homicide not classified as femicide (298), sexual violence/rape (217), verbal aggression/threat (98), torture, kidnapping, and private imprisonment (81) (CNN BRASIL, 2021).

In the normative field, it was found that Law No. 11,340/2006 – Maria da Penha Law was a watershed in the way the Brazilian legal system deals with domestic and family violence against women. The law instituted emergency protective measures (articles 22 to 24), held the aggressor more rigorously accountable, and recognized gender violence as a matter of public interest and not just of a private nature.

Law No. 13,104/2015, in turn, modified the Penal Code by including femicide in article 121, § 2, item VI, recognizing the specificity of this type of homicide motivated by the victim's female condition. As a result, femicide is now classified as a heinous crime, with penalties ranging from 12 to 30 years in prison, which can be increased in certain aggravating circumstances (such as pregnancy, presence of children at the time of the crime, among others).

With regard to state action, the Call 180 stands out, a service created to receive, guide and forward complaints of violence against women. According to a report by the Ministry of Human Rights (2017), between 2009 and 2017, more than 6.6 million calls were made. In 2017 alone, the channel accounted for 1,170,580 calls, of which:

- 86.16% were requests for information;
- 7.05% involved reports of violence;
- 6.29% were formal records of complaints;
- 0.43% were complaints;
- 0.05% compliments;
- 0.01% suggestions.

The service underwent a restructuring in 2018, when it was transformed into a hotline, with the aim of accelerating the articulation between victims and the competent bodies, such as police stations, Public Defenders and reception centers.

However, despite the existing legal and institutional instruments, the research identified several obstacles to the full effectiveness of public policies. Among them, the following stand out: the underreporting of cases, the fear of victims to report their aggressors, the lack of structure in small municipalities (such as the absence of specialized police stations or shelters) and the persistence of a patriarchal culture, which still naturalizes gender violence in many social contexts

DISCUSSION

The analysis of the data presented in the previous chapter, added to the doctrinal and legislative examination carried out throughout this research, highlights a paradoxical scenario: on the one hand, there are significant normative and institutional advances in the fight against gender violence in Brazil; on the other hand, there is a gap between the legal norm and the social reality, marked by the persistence of femicide and the fragility of public policies in its implementation.

The persistence of high rates of femicide reveals that violence against women, as pointed out by Gomes (2018), is a structural phenomenon, rooted in patriarchal values that perpetuate male domination. Violence, in this context, does not arise in isolation, but as a continuous process, marked by physical, psychological and symbolic aggression, which often culminate in the death of the victim. This idea is corroborated by Menicucci (2016), when he defines femicide as the maximum expression of a series of systematic abuses committed against women.

The Maria da Penha Law (Law No. 11,340/2006) represented a historic milestone in the fight against domestic and family violence, by recognizing that this violence must be treated as a violation of human rights. However, as Reale (2002) teaches, law is not realized only with the issuance of norms, but depends on its practical effectiveness, on its ability to produce real transformations in the lives of the recipients.

Despite providing for emergency protective measures, the application of the Maria da Penha Law still faces operational obstacles, such as the delay in granting the measures, the lack of supervision in compliance with court orders, and the scarcity of human and structural resources to assist all victims. In several regions of the country, especially in peripheral and rural areas, there are no specialized police stations, exclusive courts or networks for women, which makes legal protection ineffective in practice.

Dial 180, created as a channel for reception and guidance, and later transformed into a hotline, is a relevant instrument to give voice to women in situations of violence. However, the data show that most of the services are still related to the search for information, which indicates a gap in the effectiveness of referrals and in the institutional response to complaints. Although it is an accessible tool with a wide geographical scope, its work still cannot reach all victims or guarantee, by itself, a break with the cycle of violence.

Another critical point identified concerns the underreporting of cases, due to fear of reprisals, economic and emotional dependence, and the naturalization of violence in gender relations. This reality reflects the permanence of a macho culture that silences and makes women's suffering invisible, as Lima (2009) points out, when he points out that violence often comes from partners who consider women as private property.

Therefore, the data and studies demonstrate that, although the legal apparatus is robust, it needs to be constantly improved and articulated with other public policies. Integration between the various legal, social, educational and health sectors is necessary to ensure the full protection of women. The effectiveness of the fight against femicide requires not only criminal repression, but also preventive and educational actions, awareness campaigns, and the strengthening of the support and reception network.

Finally, it is essential to understand that the eradication of violence against women will only be possible with the cultural and structural transformation of society, based on an education based on gender equality, respect for human rights and the promotion of the dignity of the human person. The Law, as an instrument of social change, must not only punish aggressors, but also contribute to the construction of a more just and egalitarian society

CONCLUSION

Violence against women has become a social and structural event that is evident in several ways, among which are physical, psychological, sexual, patrimonial and moral violence. In Brazil, Criminal legislation has advanced significantly to contribute to combating this sad scenario. The creation of emergency protective measures in Law 11.340/2006 is seen as one of the greatest advances in the fight against domestic and family violence against women in Brazil.

With the troubled scenario of cases of domestic violence and the growing number of femicides, the Dial 180 reporting channel was implemented through public policies to combat violence against women, a channel created to provide shelter to women at risk.

The present research allowed an in-depth analysis of the effectiveness of public policies aimed at preventing violence against women and combating femicide in Brazil. From the analysis carried out, it was found that, despite legislative advances and the creation of specific programs, the rates of violence are still alarming, affirming the structural and institutional challenges that limit the effectiveness of these measures.

The study highlighted the relevance of mechanisms such as the "Call 180" channel, which plays a fundamental role in assisting victims, providing shelter and proper referral to the competent bodies in the protection of women. However, it is observed that the accessibility and dissemination of these services still need to be improved to ensure that information reaches all women, enabling a more efficient service.

In addition, it was found that the effectiveness of public policies depends not only on the current legislation, but also on its application in practice, the strengthening of the protection network and the training of the competent agents. Investment in education, awareness campaigns, and specialized training are essential measures to combat gender-based violence in a basic way.

Thus, it is concluded that, although public policies aimed at the protection of women have advanced, there is still a long way to go for them to be fully effective. A joint effort between the government, civil society and institutions is needed to establish an environment of security and justice for all women.

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REFERENCES

1. Brasil, Ministério da Mulher, da Família e dos Direitos Humanos. (2018). Relatório geral 2017. Brasília, DF: Author. Retrieved March 3, 2025, from <https://www.mdh.gov.br/informacao-ao-cidadao/ouvidoria/relatorios-ligue-180>
2. Brasil, Presidência da República. (1940). Decreto-Lei nº 2.848, de 7 de dezembro de 1940: Código Penal. Retrieved March 30, 2025, from https://www.planalto.gov.br/ccivil_03/decreto-lei/del2848compilado.htm
3. Brasil, Presidência da República. (2006). Lei nº 11.340, de 7 de agosto de 2006: Cria mecanismos para coibir a violência doméstica e familiar contra a mulher. Retrieved March 28, 2025, from https://www.planalto.gov.br/ccivil_03/_ato2004-2006/2006/lei/l11340.htm
4. Brasil, Presidência da República. (2015). Lei nº 13.104, de 9 de março de 2015: Altera o Código Penal para prever o feminicídio como circunstância qualificadora do crime de homicídio. Retrieved March 28, 2025, from https://www.planalto.gov.br/ccivil_03/_ato2015-2018/2015/lei/l13104.htm
5. Brasil, Presidência da República. (2018). Lei nº 13.641, de 3 de abril de 2018: Altera a Lei nº 11.340/2006 para dispor sobre o descumprimento de medidas protetivas de urgência. Retrieved March 3, 2025, from https://www.planalto.gov.br/ccivil_03/_ato2015-2018/2018/lei/l13641.htm
6. Castillo-Martín, M., & Oliveira, S. de. (2005). Introdução. In M. Castillo-Martín & S. de Oliveira (Eds.), *Marcadas a ferro: Violência contra a mulher, uma visão multidisciplinar* (pp. 13–16). Brasília, Brazil: Secretaria Especial de Políticas para as Mulheres.
7. CNN Brasil. (2020, December 10). Por dia cinco mulheres foram vítimas de feminicídio em 2020, aponta estudo. Retrieved March 31, 2025, from <https://www.cnnbrasil.com.br/nacional/por-dia-cinco-mulheres-foram-vitimas-de-feminicidio-em-2020-aponta-estudo/>
8. Gomes, I. S. (2018). Feminicídio: Um longo debate. *Revista Estudos Feministas*, 26(2), Article e45115. <https://doi.org/10.1590/1806-9584-2018v26n245115>
9. Lisboa, V. (2019, June 5). Ipea: Homicídios de mulheres cresceram acima da média nacional. Agência Brasil. Retrieved March 30, 2025, from <https://agenciabrasil.ebc.com.br/geral/noticia/2019-06/ipea-homicidios-de-mulheres-cresceram-acima-da-media-nacional>
10. Marconi, M. de A., & Lakatos, E. M. (2017). *Fundamentos de metodologia científica* (8th ed.). São Paulo, Brazil: Atlas.
11. Menicucci, E. (2014, May 19). Casa da mulher brasileira começa a virar realidade. Ministério da Mulher, da Família e dos Direitos Humanos. Retrieved March 3, 2025, from <https://www.mdh.gov.br/noticias-spm/noticias/2014/05/19-05-2013-correio-braziliense-2013-casa-da-mulher-brasileira-comeca-a-virar-realidade-artigo-2013-eleonora-menicucci>

12. Pinto, P. (2020, December 10). Feminicídio: Mais de 230 mil mulheres denunciaram casos de violência doméstica. Partido dos Trabalhadores. Retrieved March 31, 2025, from <https://pt.org.br/feminicidio-em-2020-mais-de-600-mulheres-bateram-na-porta-das-delegacias-todos-os-dias/>
13. Sarlet, I. W. (2006). *A eficácia dos direitos fundamentais* (6th ed.). Porto Alegre, Brazil: Livraria do Advogado.
14. Vicentim, A. (2010). A trajetória jurídica internacional até a formação da lei brasileira no caso Maria da Penha. *Âmbito Jurídico*, 13(79). Retrieved March 2, 2025, from http://www.ambitojuridico.com.br/site/index.php?n_link=revista_artigos_leitura&artigo_id=8267