

**(IT'S NOT JUST) ANOTHER WORK ON THE PANDEMIC'S
SOCIAL REFLECTIONS? HABERMASIAN FEMINISMS: THE
INCREASE IN CASES OF DOMESTIC VIOLENCE DURING THE
PERIOD OF THE COVID-19 PANDEMIC AND ITS
RELATIONSHIP WITH THE STRUCTURAL CHANGE OF THE
PUBLIC SPHERE IN HABERMAS**

*(NÃO É SÓ) MAIS UM TRABALHO SOBRE OS REFLEXOS SOCIAIS DA
PANDEMIA. FEMINISMOS HABERMASIANOS: O AUMENTO DOS CASOS DE
VIOLÊNCIA DOMÉSTICA DURANTE O PERÍODO DA PANDEMIA DA
COVID-19 E SUA RELAÇÃO COM A MUDANÇA ESTRUTURAL DA ESFERA
PÚBLICA DE HABERMAS*

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ABSTRACT

The present article aims to investigate domestic violence in Brazil, justifying that this issue is not a novelty of the pandemic period. Through a dialectical methodology, using theoretical frameworks such as Habermas, Foucault, and Bourdieu, the study explores, based on Habermasian theories, the change in the concept of the public sphere related to the increase in the number of domestic violence cases. Given these factors, it can be concluded that the lack of space for women within the public sphere leads to the perpetuation of the stereotype of second-class citizens, contributing to the perpetuation of domestic violence.

KEY WORDS:

Habermas, Public Sphere, Feminism, Domestic Violence, Pandemic.

RESUMO

O presente artigo tem como objetivo investigar a violência doméstica no Brasil, justificando que esse tema não é uma novidade do período de pandemia. Por meio de uma metodologia dialética, utilizando-se de marcos teóricos como Habermas, Foucault, Bourdieu, o estudo explora, a partir de teorias habermasianas, a mudança do conceito de esfera pública relacionado ao aumento dos números de casos

de violência doméstica. Diante de tais fatores, conclui-se que a falta de espaço para as mulheres dentro da esfera pública leva à manutenção do estereótipo de cidadãs de segunda classe, o que contribui para a perpetuação da violência doméstica.

PALAVRAS-CHAVES:

Habermas, Esfera Pública, Feminismo, Violência Doméstica, Pandemia.

Introduction

The COVID-19 pandemic has posed significant challenges to society as a whole, but particularly for women who have been disproportionately affected by domestic violence in the pandemic context. Given this scenario, this study aims to investigate the issue of domestic violence in Brazil and how it manifests in different social contexts.

In summary, the aim is to understand domestic violence as a structural and global problem that needs to be addressed seriously and urgently. It is emphasized that the issue of domestic violence is not a novelty of the pandemic; however, during its duration, these types of assaults have become even more evident. It is well-known that situations causing any kind of social disturbances have a more incisive impact on sensitive matters, such as domestic violence.

Habermas, in his works, focused extensively on the idea of communicative action, titled by the author as the Theory of Communicative Action. Through communicative action, he sought to transform the objective, subjective, and social aspects of the world, aiming to propose a rational alternative to instrumental reason as the foundation of modernity by expanding and refining the very idea of reason. (PINTO, 1995)

In this context, the author, through his concepts, looks to language and communication as instruments of exercising power, presupposing a relationship between individuals to reach a democratic consensus, based on constitutional norms. (LOSEKANN, 2014)

In 1961, Habermas presented his post-doctoral thesis to the Faculty of Philosophy at Marburg, titled "The Structural Transformation of the Public Sphere." In this work, the author highlighted the difficulty of analyzing his object of study, namely, the bourgeois public sphere. Therefore, considering this object as a liberal model, Habermas emphasizes the importance of treating it as a sociological and historical category.

Thus, this essay will undergo a significant change in the author's conception regarding the scope of the formation of the concept of the public sphere, along with an analysis of the increase in cases of domestic violence during the pandemic, primarily based on the preface written by Habermas for the new

edition of his work "The Structural Transformation of the Public Sphere," 30 years after its presentation and publication.

During the COVID-19 pandemic, the issue of domestic violence became even more apparent, with a significant increase in the number of cases due to the need for social isolation. In this context, it becomes even more important to understand how the macho culture that fuels domestic violence persists. Additionally, it is crucial to explore how the lack of public spaces for free and impartial speech contributes to maintaining these ingrained values in society.

Through a bibliographic study of the author's works, using a dialectical methodology, the aim was to address the concept of the public sphere, female participation in this sphere, and, conclusively, relate the exclusion of women to the increase in cases of domestic violence during the pandemic.

The central problem of this research lies in the concern about an eternal return to a social model based on objectifying violence, reducing women to the status of objects in any social context. Considering that the main problems causing domestic violence are not directly confronted, this perpetuates the vicious cycle of objectifying women.

Therefore, the proposal for a dialectic of anti-violence is necessary for this study to have timeless relevance until public spaces are adequately occupied by women, ensuring them the space and opportunity for speech. Domestic violence is not an isolated problem but a symptom of a deeper problem, which is the objectification of women. If we do not address this issue, we will experience a recurrence of symptoms, adding new ones.

For this, theoretical frameworks such as the studies of Habermas, Foucault, Gerda Lerner, among others, will be used, enabling the analysis of the issue of the objectification of women and its social consequences. The expected outcome of this research is to provide theoretical and practical support for the construction of public policies that promote a space of free and impartial public speech as a means of combating domestic violence and transforming entrenched social values. Furthermore, it is hoped to contribute to raising awareness in society about the importance of the fight against domestic violence and the construction of a more just and egalitarian culture for all.

1. The "New" Habermasian Public Sphere

Before delving into the issue of the public sphere, it is necessary to touch upon some aspects of Habermas's theory for a better understanding of the factors that led to the change in the concept.

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Habermas employs the linguistic turn, drawing from both the hermeneutic version (Heidegger) and the analytical version (Wittgenstein), to create his own theory, which seeks an "internal connection between meaning and validity in linguistically mediated social interactions," which he will refer to as the "pragmatic-linguistic turn." (SIMIONI, 2014, p. 487)

Founded on the pragmatic plane, which is primarily concerned with the behavioral effects of utterances, the author posits that language performs three fundamental functions:

- a) It represents a state of affairs in the world;
- b) It establishes interactive relations between a speaker and their recipient;
- and c) It expresses intentions or experiences of a speaker. This implies that there is a triple relationship between the meaning of a linguistic expression and: a) What is stated in it; b) The manner of its use in the speech act; and c) What is understood through it. (HABERMAS, 1990, p. 78)

In this sense, the author discusses the possibility of developing an internal connection between meaning and validity, stating that "it is only possible to understand a speech act when one also understands the reasons that justify it" (SIMIONI, 2014, p. 489).

Habermas employs communication as a means of mutual understanding. Therefore, the Theory of Communicative Action is characterized as:

This communicative rationality is, therefore, the social mechanism for coordinating actions. Once certain statements are accepted as valid, they already constitute a factual basis for new claims to validity. Conversely, if not accepted as valid by the participants in the interaction, there is no communicative understanding, meaning there is no coordination of actions among the participants (Idem, p. 492).

For Habermas, when it comes to the legitimacy of norms, it also involves the individual's freedom to agree or disagree with what has been said, which leads to the theme of the division between public and private autonomy.

Private autonomy: This pertains to the life that each individual leads within their autonomy and freedom, and the actions of private individuals through which public debates arise. Each person addresses their thoughts and demands, reacting in different ways to social problems, while public autonomy would be the "self-organization of a community that assigns itself its laws through the sovereign will of the people" (HABERMAS, 2002, p. 291).

In his work "The Inclusion of the Other," Habermas effectively addresses this relationship between private and public autonomy, making it clear that both autonomies complement each other in a way that presupposes mutual dependence.

However, when it comes to deciding whether or not to institutionalize, in the form of political rights of the citizen, the presuppositions of communication based on which citizens judge the legitimacy of the rights they establish themselves in light of the discursive principle, then the

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legal code must be made available as such. For the establishment of this code, however, it is necessary to create the legal status of individuals who belong, as bearers of subjective rights, to a voluntary association of legal peers and who effectively assert their respective legal claims through legal means (Idem, p. 293).

Having said that, there is the concept of the public sphere, which can be understood as a space for shaping the debate of opinions on issues related to the public world – that is, matters concerning the organization of society and, by extension, life in society.

The communication channels of the public sphere engage with the spheres of private life – the dense networks of interaction within family and social circles, including more superficial contacts with neighbors, coworkers, acquaintances, etc. – in such a way that the spatial structures of simple interactions can be expanded and abstracted, but not destroyed. Thus, the orientation toward mutual understanding, prevalent in everyday practice, also holds true for communication among strangers, which unfolds in complex and branching public spheres, spanning vast distances (HABERMAS, 2003, p. 98).

Therefore, these debates in the public sphere, conducted by private individuals who react to social problems and form opinions in response to these issues, ensure that communication is present in both spheres. However, it is in the public sphere where speech finds its critical potential, proving to be a transformative element in society; thus forming what is commonly referred to as the public sphere.

In the work "The Structural Transformation of the Public Sphere," the author aims to situate the reader regarding the content of the preface, making it clear that the analysis therein is a reevaluation of his post-doctoral thesis, 30 years after its initial publication. He acknowledges that, with the passage of time, he recognizes the structural changes in society, though at that moment his focus would be "more to highlight than to overcome the distance of the decades" (Ibid, p. 36).

Initially, the author discusses the concept of the bourgeois public sphere, considering that this conception was formed based on the historical context of the 18th and 19th centuries, primarily involving England, France, and Germany, and their revolutions.

The author speaks about the initial existence of a small public sphere that engaged in critical discussions, serving as the core of the private sphere but giving rise to dense public communication (Ibid, p. 38). The participants in this sphere were avid readers, writers, and contributors to an entire literary culture.

The category of the bourgeois public sphere refers to a political public sphere whose objective existence was shaped by a literary public sphere, the establishment of a modern literary public that formed around conversations about literature and art. The configuration of a literary public sphere, through its institutions or centers of literary criticism, such as cafes, salons, and literary associations, represented a cultural - and later political - antithesis to aristocratic society. It was characterized as a critical sphere. The institutionalization of cultural criticism through newspapers facilitated the publicity of part of this initially cultural criticism. Newspapers served as advertising tools that allowed the dissemination of literary and cultural argumentative criticism (LUBENOW, 2013, p. 195).

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Throughout the preface, Habermas demonstrates an awareness of the existence of a multiplicity of different voices regarding the meanings of "public" and "public sphere." This understanding can represent a possibility for systematizing society based on one of its central categories – a shift in perspective. It is no longer just about the existence of a bourgeois public sphere but also the existence of competing public spheres formed by what the author refers to as the excluded (HABERMAS, 2003, p. 41).

Habermas emphasizes that these excluded individuals should not be analyzed from a Foucauldian perspective. Instead, they should be viewed in a less radical way, where they play a "constitutive role in the formation of a new public sphere" (Idem, p. 41).

In this context, the author states:

However, the concept of "exclusion" takes on another, less radical, meaning when within the same communication structures, multiple arenas are formed simultaneously. Alongside the hegemonic bourgeois public sphere, other subcultural or class-specific public spheres emerge, each with its own non-negotiable premises (Ibidem, p. 41).

With the emergence of labor movements and the subsequent formation of a working class, Habermas came to understand that there was also a movement of cultural and political formation and mobilization among the lower classes, which had initially been excluded from the bourgeois public sphere.

The emergence of the plebeian public sphere thus marks a specific phase in the historical development of the life context of the lower and sub-bourgeois classes. On one hand, it is a variation of the bourgeois public sphere, as it is oriented by its model. On the other hand, it goes beyond that, unfolding the emancipatory potential of the bourgeois public sphere in a new social context. The plebeian public sphere is, in a way, a bourgeois public sphere whose social assumptions have been surpassed (LOTTES, [1951 – 2015], p. 10, cited in HABERMAS, 2003, p. 42).

This period saw the emergence of new institutions in the public sphere, marked by the presence of new behaviors, customs, and access to education and culture such as music, theater, literature, museums, among other expressions. This led to the formation of a new social class, an educated layer that broke away from the upper echelons of the bourgeoisie.

Society adopted a new model, understanding that with the emergence of a societal sphere, the political tasks of citizens, acting collectively, shifted towards the civil tasks of society that operate publicly. The author identifies certain factors as responsible for the transformation and subversion of the public sphere, including "the progressive interpenetration between the public and private sectors, the expansion

of the public sphere, and the consequent eruption of the masses into politics" (LUBENOW, 2012, p. 195).

Regarding the expansion of the public sphere, three factors are crucial: 1) the expansion of the reading public, 2) the enlargement of political rights, and 3) the refunctionalization of the press (Ibid, p. 195). Considering the expansion of political rights, non-owners, as they sought to become subjects of the public sphere, experienced a dual effect: a positive one with the progressive expansion of the public sphere, broadening the spectrum of citizen participation in public life; and a negative one, as the expansion was manipulatively induced by mass media (Ibid, p. 195).

In this context, despite Habermas acknowledging the emergence of a new public sphere formed by a mass of excluded individuals – those excluded from the dominant classical public sphere – he also analyzes the role of women in this new formation. He argues that women did not play the same representative roles as men, even among the excluded masses, given that popular culture influenced by mass media acted as a passive framework for dominant masses.

2. The exclusion of women from the public sphere and the consequent increase in cases of domestic violence during the COVID-19 pandemic

The traditional exclusion of women from means of production and, consequently, from public spaces has led to a serious side effect: the confinement of women to the private space of the home. This is partly due to a subjugation project that conceals female political participation as something private, a privilege reserved for men. According to Lia Zanotta Machado, "Women are not seen as full subjects of political, economic, and cultural rights but as objects of male use and domination" (MACHADO, 2001, pp. 113-127).

The idea of a natural division of family tasks, perpetuated over time, has been combined with ideologies articulated by various social institutions such as family, religion, schools, and laws to propagate the notion that women are second-class citizens, hence should occupy positions of lower social prestige. Such ideals have enabled and continue to perpetuate patriarchy, relying on a well-coordinated ideological control within various institutions.

These are ideologies that teach us that women are naturally inferior. For instance, it was through patriarchy that it was established that domestic work should be carried out by women and should not be paid, nor even recognized as work. This has become so ingrained and instinctive that many of us may not even realize it (LERNER [1920 – 2013], 2019, p.25).

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In the words of Federici (2019, p.42), domestic work has revealed itself to be nothing less than a manipulation by capitalism.

It is important to recognize that when we speak of domestic work, we are not dealing with just any work, but rather the most widespread manipulation and subtle violence that capitalism has ever perpetrated against any sector of the working class.

According to the author, capitalism, by denying a salary for domestic work and turning it into an act of love, unleashed a process of "objectification" of the female figure in society. This disciplined the working man by making 'his' woman dependent on his work and salary, thus imprisoning him in this discipline, providing him with a servant after he had already worked extensively in the factory or office (FEDERICI, 2019, p. 44).

In this way, the process of "objectification" of the female person opens the door to the legitimization of punishment, the idea of male control through violence. In patriarchy, men were ensured the exercise of authority in the private sphere, namely the home and family, giving them the right to have "strong reactions," behavior "fit for women," marked by the presence of characteristics such as modesty, passivity, delicacy, etc. This facilitated repression because deviation from these norms was considered contrary to their "nature" (LERNER, 2019).

In this new conception of the scope of the public sphere, Habermas analyzes and realizes that the public sphere becomes both a mechanism of exclusion and domination, resulting in the exclusion of women from this dominated world (HABERMAS, 2003, p. 44).

There is no doubt about the patriarchal nature of the conjugal family, which constituted both the core of the private sphere of bourgeois society and the originating source of the new psychological experiences of a subjectivity turned inward (Idem, p. 44).

For the author, due to this dominant patriarchal character toward the female gender, active participation with equal rights in the political formation of opinion and will was denied. From this perspective, he concluded that the key point perpetuating - and still perpetuating - the exclusion of women is that "this structural change in the political public sphere happened without affecting the patriarchal character of society as a whole" (Ibidem, p. 45).

In this way, female exclusion proves to have a structuring force: "However, unlike the institutionalization of class conflict, changes in gender relations interfere not only with the economic system but also reach the private core of the family structure" (HABERMAS, 2003, p. 45).

It can be argued, drawing from Foucault [1926-1984], that control passes through the category of biopower, seeking a design of inequalities that lead to the formation of an ideal of possession, which fosters the development of a stereotyped view of the female role in shaping society. With this analysis of

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the pattern of submission and control, we are led to an examination of numerous cases of violence against women.

If the development of state apparatuses ensured the maintenance of production relations, the rudiments of anatomo- and biopolitics acted at the level of economic processes, their unfolding, the forces at play in such processes, and supported them. They also function as factors of social segregation and hierarchy, influencing the respective forces of both, ensuring relations of domination and effects of hegemony. The adjustment of human accumulation to the expansion of productive forces and the differential distribution of profit were, in part, made possible by the exercise of biopower with its multiple forces and procedures (FOUCAULT, 2012, p. 154).

In this sense, such control passes through the sphere of discourse, which, according to Bourdieu [1930-2020], understands that we have different types of systems that make up society, creating a social structure in a hierarchical system where various interdependent arrangements of material and symbolic power determine the social position occupied by each group.

Bourdieu, when discussing bodies and the natural division of labor, illustrates that the particular force that "being a male being" carries with it condenses into two operations: "it legitimizes a relationship of domination by inscribing it in a biological nature that is, in turn, a naturalized social construction" (BORDIEU, 2022, p. 45).

That said, when considering the molds of industrial society, in which male domination is based on the power that wages confer to men, the consequent domination of women is understood, as they have less social power than men in this system. As "housewives," they are outside the relevant cores of capitalist production relations. This demonstrates that discrimination against women is not a legacy of pre-modernity (FEDERICI, 2019, p.12).

According to Bourdieu, men are responsible for defining their own conception of what is important and legitimate in society and for establishing criteria for evaluation and the distribution of resources. In this sense, Bourdieu shows us that women are victims of a dominant social logic that objectifies them, making them mere bodies to be dominated and possessed by men. This worldview is so deeply rooted in society that often women do not even realize that they are being subjugated and oppressed.

According to the aforementioned author, there is:

In the end, the changes in the female condition always follow the logic of the traditional model of the division between the masculine and the feminine. Men continue to dominate the public space and the area of power (especially economic, over production), while women are destined (predominantly) for the private space (domestic, the place of reproduction) where the logic of the economy of symbolic goods persists. Alternatively, they are directed towards extensions of this space, such as social services (especially healthcare and education), or the realms of symbolic production (literary and artistic areas, journalism, etc.) (BOURDIEU, 2010, p.154).

Given female exclusion, the consequences of the formation and perpetuation of the patriarchal character of society are still evident today. Domestic violence was accepted for a long time as a feminine obligation, and to this day, its occurrence continues to be commonplace; however, it is often concealed.

The traditional idea that a woman should be linked to a man to feel secure and protected, and to be provided for while taking care of the home and children, combines with the notion of women's submission as something universal, determined by God or nature, and therefore, unchangeable. Thus, something that did not need to be questioned. What has endured, has endured because it is the best; consequently, it should continue that way.

The high numbers of violence against women generate a need for increased protection for this vulnerable population. During the pandemic, the incidence rates were alarming, as evidenced by the data presented in the third edition of the report "Visible and Invisible: The Victimization of Women in Brazil," prepared by the Public Security Forum in partnership with Datafolha (Brazil, 2021).

Since the early months of social isolation, significant international organizations, such as UN Women, reported, based on the increase in requests for assistance through helplines and support channels, that there was a rise in cases of domestic violence worldwide, with women being the primary victims (Brazil, 2021).

The increased daily coexistence with the aggressor, decreased financial income, and imposed isolation measures led to a decrease in reporting to competent authorities. However, it simultaneously resulted in an increase in the use of alternative reporting channels. The "Ligue 180" National Women's Helpline, created in 2005, saw a 34% increase in reports (Barbosa et al., 2020).

Motivated by this unusual change, the Brazilian Forum of Public Security (FBSP) dedicated itself to monitoring and evaluating cases of domestic violence in the country to understand how the pandemic affected such cases.

According to the report covering the months of April, May, and June 2020, it was identified that during the monitored period, there was a decline in police reports of intentional bodily injury, threats, rape, and rape of vulnerable women. In contrast, lethal violence—femicide and homicide of women—showed an increase in the same period, indicating a worsening of conflicts. Empirical data indicates that between March and May 2020, there was a 27.2% decrease in reports of intentional bodily injuries, a 31.6% decrease in reports of rape, and a 2.2% increase in cases of femicide (Brazil, 2021).

Such data, unfortunately, now seem routine.

1 in 4 Brazilian women (24.4%) aged 16 and above report having experienced some form of violence or aggression in the last 12 months, during the COVID-19 pandemic. This means that approximately 17 million women have endured physical, psychological, or sexual violence in the past year (Brazil, 2021).

Pierre Bourdieu, in this regard, offers insights into symbolic power, which manifests itself violently, giving rise to what is known as "symbolic violence." In his book "Masculine Domination," the author discusses that symbolic force is a type of power exerted on bodies directly, almost magically. However, it becomes both imperceptible and coercive by relying on predispositions embedded in the deepest zones of the body (Bourdieu, 2010, p.50).

Bourdieu argues that society is structured in an androcentric way almost instinctively: "The force of masculine order is evident in the fact that it requires no justification, as it functions as an immense symbolic machine that tends to ratify the male domination on which it is based: the social division of labor" (Ibid, p.18).

According to Lourdes Maria, "it is through the gender perspective that we understand the fact that violence against women emerges from the issue of alterity as a distinct foundation for violence" (Bandeira, 2019, p.294). Based on this physical power dynamic between genders and the structural formation of society itself, we can observe the real-life consequences of these factors when faced with the following statistics:

- 4.3 million women (6.3%) have been physically assaulted with slaps, punches, or kicks. This means that every minute, 8 women experienced physical abuse in Brazil during the COVID-19 pandemic.
- Approximately 3.7 million Brazilian women (5.4%) experienced sexual offenses or attempted forced sexual relations.
- 2.1 million women (3.1%) faced threats with a knife (bladed weapon) or firearm.
- 1.6 million women were beaten or subjected to attempted strangulation (2.4%). (BRAZIL, 2021)

The male gender, when treated as the epicenter of the world, generated an ideal of domination that led to the construction of a society based on the patriarchal order, founded on the exclusion of women from wage labor and their subordination to men. Feminine morality was subjected to relentless discipline concerning all parts of the body, the constitutive divisions of social order, and, more precisely, the social relations of domination and exploitation that are established between genders (BORDIEU, 2010).

The precarious conditions of women's lives during the pandemic worsened; according to the report "Visible and Invisible: The Victimization of Women in Brazil," 61.8% of women who experienced violence in the last year stated that family income decreased during this period. Among those who did not experience violence, this percentage was 50%, and 46.7% of women who suffered violence also lost their jobs. The average among those who did not experience violence was 29.5% (BRAZIL, 2021).

Thus, the relationship between the process of female exclusion from social spheres and the process of domestic violence becomes apparent. The restrictive measures imposed during the pandemic only served to emphasize the alarming nature of these violence statistics. With that said, there is a need to highlight the necessity for paradigm shifts, in the words of Heidegger [1889 – 1976], "being not only cannot be defined but also never allows itself to be determined in its meaning by anything else or as anything else. Being can only be determined from its sense as itself" (HEIDEGGER, 2005, p. 78), leading to the perception of the need to seek a feminine epistemology as a model for libertarian guarantees.

From the perspective of Habermas's conception of the exclusion from the public sphere, we can understand that violence against women is the result of a society that does not recognize women as full political subjects and keeps them away from spaces of decision and power. This separation of women from the public sphere ends up constructing a confusing social identity, in which the submissive and docile role is imposed as a condition for the reproduction of a second-class citizenship for women.

Violence against women, therefore, is a symptom of this larger problem, which is the exclusion of women from the public sphere and the perpetuation of a patriarchal culture that keeps them in a subordinate position. It is crucial to advocate for the inclusion of women in the public sphere and for the recognition of their full citizenship to eradicate violence against them.

3. End of the Pandemic, Feminism, and the Public Sphere: A Matter of Constitutional Democracy

Moving towards the conclusion of his writing 'The Structural Transformation of the Public Sphere,' Habermas advocates for the renewal of his theory, aiming to maintain the foundation of a dialogical theory while simultaneously being inclusive. In the author's words:

The theory of communicative action must explicitly unveil a potential of reason inscribed in everyday communicative praxis. This simultaneously paves the way for a social science that procedurally reconstructs, identifies the processes of cultural and social rationalization in all their breadth, and traces them below the threshold of modern societies.

The inclusion of women in social spaces, the struggle to end 'feminine objectification,' and the consequent recognition as subjects of rights have been daily issues in feminist movements. According to the author, the pluralism present in modern society should now also be a stage for debate in the public sphere.

The force of social integration of communicative action is primarily situated in those forms of life and particular life worlds that intertwine with traditions and constellations of interests—according to Hegel, in the sphere of "ethical life".

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The female subject has gradually been revealing its role, starting in the mid-1970s, driven by the feminist movement's horizon and more specifically, from 1975, which marked the beginning of the Decade for Women. Promoted by the UN, organizations and groups responsible for human rights issues have given substance to criticism of institutions to address problems related to women that were neglected, despite serious violations of their dignity being ignored.

In 1979, the UN General Assembly approved the Convention on the Elimination of All Forms of Discrimination Against Women, now ratified by 189 countries. This Convention can be considered a milestone in human rights, as it defines that discrimination against women violates the principles of equal rights and respect for human dignity, constitutes an obstacle to the well-being of society and the family, and hinders the full development of women's potential to serve their country and humanity.

According to Dias (2019, p. 358):

Feminist studies actively participate in the process of reworking the methods of the human sciences because the need to establish new methods more in line with women's politics seems undeniable. Criticizing totalities and universal stereotypes is, therefore, the main theoretical choice of feminist scholars. Necessarily conditioned by social, historical, and cultural contexts, feminist consciousness adheres to historicism given the relativistic proportions it assumes.

The model of the welfare state should guarantee this integration, since the particular subjects of the law can only truly enjoy their freedoms if they, by exercising their autonomy as citizens connected to the state, agree on the relevant peculiarities of each group. It should treat equally what is equal and unequally what is unequal. (HABERMAS, 2002, p. 295)

Therefore, the author argues:

In this sense, the goal of radical democratization will be defined much more by the shifting of forces within a 'separation of powers' maintained in principle. The new balance of power should not be produced between the powers of the state but between different resources of social integration. The aim is no longer simply the 'overcoming' of an autonomous capitalist economic system and an autonomous bureaucratic domination system, but the democratic containment of the colonizing interference of systemic imperatives in the domains of the lifeworld. (HABERMAS, 2003, p. 68)

From these democratic and guarantor perspectives, a reassessment of the role of these female subjects in modern society is warranted. The adoption of deliberative democracy becomes necessary for the pursuit of rational regulation of conflicting social issues, for instance. To illustrate, Habermas cites J. Cohen, who states:

The conception of deliberative democracy is rooted in the intuitive ideal of a democratic association in which the justification of the terms and conditions of the association occurs through public discussion and rational debate among equal citizens. In such an order, citizens share the commitment to resolve their problems through collective choice via public rational discourse and deem their basic institutions legitimate insofar as they establish a framework for free public deliberation. (COHEN, pp.12-34, cited in HABERMAS, 2003, p. 72)

In view of the importance of the democratic process as a means of societal participation as a whole, as well as a means to ensure the constitutionality of decisions, the following quote from the author is extracted:

If the social validity of a norm also depends, in the long run, on being accepted as valid within the circle of those to whom it is addressed, and if this recognition, in turn, is based on the expectation that the corresponding claim to validity can be redeemed with reasons, then, between the 'existence' of norms of action on the one hand, and the expected possibility of grounding the corresponding deontic propositions on the other hand, there exists a connection for which there is no parallel on the ontic side. Certainly, there is an internal relationship between the existence of states of affairs and the truth of the corresponding assertoric propositions, but not between the existence of states of affairs and the expectation of a specific circle of people that these propositions can be grounded. This circumstance may explain why the question of the conditions of validity of moral judgments immediately suggests a transition to a logic of practical discourses, whereas the question of the conditions of validity of empirical judgments requiresgnoseological and epistemological considerations that are, at first, independent of a logic of theoretical discourses." (HABERMAS, 1989, p. 83)

In his text 'The Inclusion of the Other,' Habermas also speaks of the dangers of feminist policies of equalization, given that, despite the need to ensure equal rights and social inclusion, caution must be exercised in their adoption. The adoption of a liberal policy as a means to achieve formal equalization ended up suppressing the existing coupling between the attainment of status and gender identity, granting women equal opportunities in various areas of activity without requiring prior merits.

Thus, the unequal treatment that is actually directed at women was more dramatically exposed. According to Dias (2019, p. 366):

The sense of innovation in feminist theory lies in the exploration of the everyday from a historical perspective. The accumulation of specific knowledge about the concrete experience of women in societies characterized, like ours, by the coexistence of different ethnicities and significant income inequality, ends up contrasting with cultural values of domination due to the vital need to improvise survival strategies.

With the pandemic, the exclusion of women from the public sphere has intensified, as many were forced to leave the workforce to care for children and the elderly, in addition to being responsible for the majority of household tasks. This generated an extra workload for women who had to balance their professional activities with family care, limiting their participation in public spaces of discussion and decision-making. Consequently, factors like these exposed women to more delicate situations of vulnerability, which were already pre-existing.

In light of all the above and in line with Habermas's ideas, interventions that seek to normalize should be avoided, and instead, the cultural self-understanding of a society based on the classification of gender roles and differences linked to sexes should be taken into account. Political public opinion should seek the appropriate interpretation of needs and criteria, which is based on the differences between

experiences and life situations of various groups of men and women, making their specific demands relevant so that they can enjoy their subjective freedom of action equally.

Conclusion

The participation of women must be seen as effective guarantees for everyone. Indeed, due to a structural issue, they were excluded from spaces from which they should never have left. This exclusion, as discussed in the text, has consequences for the female gender as a whole, and for a large part, unfortunately, still occurs in the most brutal and oppressive forms.

In this sense, what was sought to be brought in this article was precisely to give visibility, through empirical data, to the significant increase in cases of domestic violence that occurred in Brazil during the pandemic period with the foundation in Habermas's theory. It was concluded that the exclusion of women from spaces of greater social and intellectual value led the gender to a kind of subjection and vulnerability since they are not seen as relevant subjects for the public sphere. That said, women were and still are easily victims of all kinds of violence because there is still a view that they should live socially marginalized.

By remaining in the attempt to elucidate Habermas's thought, even if succinctly, it is understood that the democratic process needs to simultaneously ensure private and public autonomy. After all, feminist theories are increasingly present in this process. Regarding this link between the public and the private, an inference is made here to the principle of popular sovereignty, such as the right to communication and participation that ensures the public autonomy of citizens from the State, and the principle of mastery of laws, as a guarantor of the private autonomy of members of civil society, guaranteed by human rights.

When both principles are addressed, for Habermas, there must be internal cohesion between them, which leads to the following understanding: "these two moments need to be mediated in such a way that one autonomy does not harm the other" (HABERMAS, 2002, p. 292), which leads to the conception that the idea of constitutionalism and democracy is based on these molds, in which the former brings the strength of the public; while in the latter appears the strength of the private sphere. Following the same reasoning, both presuppose each other, as a way of ensuring the balanced assurance of both spheres.

Mediating the action of both autonomies, it is possible to adopt Habermas's model to think about public spheres in the context of participatory democracies. His idea is that, not necessarily, the presence of the State in these public spheres means a limitation for the effectiveness of the sphere or for

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the participation of civil society. Instead, it is valid to observe the forms of access of civil society in these spaces of encounter with the State, where its performance in the sense of building a true public sphere can be qualified.

From the conception of exclusion from the public sphere of Habermas, we can reflect on how the COVID-19 pandemic has affected women and their presence in the public sphere. According to Habermas, the public sphere is a space for debate and discussion where citizens can discuss and make decisions on issues of public interest. However, women have historically been excluded from this space, limiting their participation in political and social decisions that affect their lives.

In conclusion, the objectification of women in society and the exclusion from the public sphere are structural problems that perpetuate gender inequality and violence against women. The COVID-19 pandemic has only intensified this situation, as it exposed inequalities more clearly. Domestic violence, in turn, was already a pre-existing reality and worsened with confinement and increased family tensions due to the pandemic.

It is necessary, therefore, to create public policies that allow women's access to the public sphere, as well as combatting the objectification of women in society. Furthermore, it is essential that domestic violence be systematically combated, and there must be a change in mentality towards women, recognizing them as full subjects with rights and not as objects to be dominated and subjugated. Only in this way can we build a truly egalitarian society free from gender-based violence.

REFERENCES

BARBOSA, et. al. *Com violência doméstica em alta na pandemia, feminicídios crescem 22% no país*. 2020. Disponível em: <https://www.cnnbrasil.com.br/nacional/com-violencia-domestica-em-alta-na-pandemia-femicidios-crescem-22-no-pais/>;

BRASIL. Fórum Brasileiro de Segurança Pública. *Visível e Invisível: A Vitimização de Mulheres no Brasil - 3ª edição* – 2021. Samira Bueno, et. al. (Org). ISBN 978-65-89596-08-0. Disponível em: <https://forumseguranca.org.br/> Acesso em: 23 fev 2023;

BANDEIRA, Lurdes Maria. Violência de gênero: construção de um campo histórico de investigação. In *Pensamento feminista brasileiro: formação e contexto*/Angela Arruda... [et al.]; HOLLANDA, Heloisa Buarque (Org.). Rio de Janeiro: Bazar do Tempo. p. 293-314. 2019;

(IT'S NOT JUST) ANOTHER WORK ON THE PANDEMIC'S SOCIAL REFLECTIONS? HABERMASIAN FEMINISMS: THE INCREASE IN CASES OF DOMESTIC VIOLENCE DURING THE PERIOD OF THE COVID-19 PANDEMIC AND ITS RELATIONSHIP WITH THE STRUCTURAL CHANGE OF THE PUBLIC SPHERE IN HABERMAS. EK22006

BOURDIEU, Pierre. *A Dominação Masculina*. 9ª ed. Rio de Janeiro: Ed. Bertrand Brasil, 2010;

DIAS, Maria Odila Leite da Silva. Novas subjetividades na pesquisa histórica feminista: uma hermenêutica das diferenças. In *Pensamento feminista brasileiro: formação e contexto*/ Angela Arruda... [et al.]; HOLLANDA, Heloisa Buarque (Org.). Rio de Janeiro: Bazar do Tempo. p. 357-370. 2019;

FEDERICI, Silvia. *O ponto zero da revolução: trabalho doméstico, reprodução e luta feminista*. Tradução: coletivo Sycorax. São Paulo: Elefante. 2019;

FOUCAULT, Michel. *História da sexualidade I: a vontade de saber*, tradução de Maria Thereza da Costa e J. A. Guilhon Albuquerque. 22. ed. Rio de Janeiro: Graal, 2012;

HABERMAS, J. *A inclusão do outro: estudos de teoria política*. São Paulo: Edições Loyola, 2002.

HABERMAS, Jürgen. *Notas Programáticas para a fundamentação de uma ética do discurso*. In: Consciência moral e agir comunicativo. Rio de Janeiro: Tempo Brasileiro, 1989;

HABERMAS, Jürgen. *Mudança estrutural da esfera pública: investigações quanto a uma categoria da sociedade burguesa*. Tradução: Flávio R. Kothe. Rio de Janeiro: Tempo Brasileiro, 2003;

HEIDEGGER, Martin. *Ser e Tempo*. 14ª ed. Rio de Janeiro: Vozes, 2005;

LERNER, Gerda, 1920-2013 *A criação do patriarcado: história da opressão das mulheres pelos homens*. Tradução Luiza Sellera. – São Paulo: Cultrix, 2019;

LOSEKANN, Cristiana. A esfera pública Habermasiana, seus principais críticos e as possibilidades do uso deste conceito no contexto brasileiro. Disponível em: <https://periodicos.ufpel.edu.br/ojs2/index.php/pensamentoplural/article/view/3684>. Acesso em: 16 fev. 2023.

LUBENOW, Jorge Adriano. A Esfera Pública 50 Anos Depois: Esfera Pública e Meios de Comunicação em Jürgen Habermas em Homenagem aos 50 Anos de Mudança Estrutural da Esfera Pública. Disponível em: <https://www.scielo.br/j/trans/a/xX3qzLRtTwwTvfJwmYwq5Kj/abstract/?lang=ptp>;

MACHADO, Lia Zanotta. Mulher e participação política: a persistência da desigualdade. Revista de Sociologia e Política, n. 16, p. 113-127, 2001. Disponível em: <http://www.generoediversidade.ufba.br/wp-content/uploads/2014/07/MACHADO-Lia-Zanotta.-Antropologia-e-Feminismo-diante-da-Viol%C3%AAn.pdf> Acesso em 07 fev 2023.

(IT'S NOT JUST) ANOTHER WORK ON THE PANDEMIC'S SOCIAL REFLECTIONS? HABERMASIAN FEMINISMS: THE INCREASE IN CASES OF DOMESTIC VIOLENCE DURING THE PERIOD OF THE COVID-19 PANDEMIC AND ITS RELATIONSHIP WITH THE STRUCTURAL CHANGE OF THE PUBLIC SPHERE IN HABERMAS. eK22006

PINTO, JM de R. A teoria da ação comunicativa de Jürgen Habermas: conceitos básicos e possibilidades de aplicação à administração escolar. Paidéia (Ribeirão Preto) [Internet]. 1995Feb;(Paidéia (Ribeirão Preto), 1995 (8-9)). Available from: <https://doi.org/10.1590/S0103-863X1995000100007>;

SIMIONI, Rafael Lazzarotto. *Curso de Hermenêutica Jurídica Contemporânea: do positivismo clássico ao pós positivismo jurídico*. Curitiba: Juruá, 2014.



REZENDE, Máira Ribeiro de. SILVA FILHO, Edson Vieira. (IT'S NOT JUST) ANOTHER WORK ON THE PANDEMIC'S SOCIAL REFLECTIONS? HABERMASIAN FEMINISMS: THE INCREASE IN CASES OF DOMESTIC VIOLENCE DURING THE PERIOD OF THE COVID-19 PANDEMIC AND ITS RELATIONSHIP WITH THE STRUCTURAL CHANGE OF THE PUBLIC SPHERE IN HABERMAS. *Kalagatos*, Fortaleza, vol.19, n.1, 2022, eK22006, p. 01-18.

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