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**CULTURE OF ABSURD:  
AN ANALYSIS OF THE  
DISCOURSES THAT  
PERMEATE VIOLENCE  
IN ALAGOAS BASED ON  
LAW 11.340/06<sup>1</sup>**

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*Rafael Vieira de Britto Paulino*

Universidade Federal de Alagoas – UFAL –  
Cidade de Maceió/Alagoas  
Instituto de Ciências humanas, Comunicação  
e Artes – ICHCA

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1. Research work carried out through the Post-Graduate Program in History – PPGH/UFAL – where it will be present in other publications by the author and, certainly, in the text made as a partial requirement of the master's degree.

**Abstract:** The question that surrounds violence comes from ancient and historical prerogatives prior to the temporal glimpse presented as an analysis clipping of the present work, however, the persistence of this problem has come up against cultural transformations - in the social and political sphere - and in the transformations in the political-political sphere. legal. The concern focuses on recent cases - from the late 20th century and in the time interval that Law n° 11.340/06 was enacted - however, it does not disregard the transformations that occurred in previous years, in the corresponding periods of social and political transformation. to these and in the construction of laws that resulted from world and Brazilian historical events. The bond is inferred on the discourses present in the social practices that occur and are transformed throughout history, the discourses present in the imperatives for the construction of a normative instrument that will protect and safeguard the bodies that are in a situation of fragility and in the counterpower discourses found in the guiding libertarian movements - gender studies, sexuality, feminism and discourse analysis. So the text: “*Culture of the Absurd: An Analysis of Discourses That Permeate Violence in Alagoas Based on Law 11.340/06*” seeks to analyze the discursive devices that produce a sense of truth and interdict the woman’s body, leading her, under these conditions, to a panorama of vulnerability. Worrying about the violence perpetrated by protection discourses - when they touch each other, creating resistance or ‘counterpower’.

**Keywords:** Speech analysis. Violence. Women. Power relations.

## **WOMAN AND DISCIPLINE – THE CONSTRUCTION OF INTERDICTION**

Violence perpetrated against women has had its names transformed over the years and

follows social metamorphoses. Regarding the issue of women in situations of vulnerability and violence, there are prerogatives that touch this link, namely patriarchy (Saffioti, 2015), social organization based on male perception (Bourdieu, 2020), sexuality (Foucault, 2015). 2020) and the speeches (Van Dijk, 2018).

The moment these tangent issues touch and/or are inferred within the scope of private relationships - between women and men -, the need for analysis based on the understanding of gender arises (Scott, 1995). There is talk of “the scope of private relations”, because, historically and judicially, most cases occur in the domestic and/or family environment.

Possessing the female sex was a logical prerogative of a common identity, allowing inclusion in the female category. According to Bourdieu (2020, p.17): “[...] the word ‘category’ is sometimes imposed because it has the merit of designating at the same time a social unit - the category of farmers - and a cognitive structure, and to make manifest the bond that unites them”. There was a direct relationship with and, for women, submission to the masculine, making them the target of oppression.

It is through the training of bodies that the most fundamental dispositions are imposed, those that make them both inclined and able to enter the social games most favorable to the development of virility: politics, business, science, etc. (Primary education unequally encourages boys and girls to engage in these games and favors more in boys the different forms of libido dominandi, which can find sublimated expressions in the more “pure” forms of social libido, such as sciendi libido.) (Bourdieu, 2020, p. 95).

The aforementioned issues are crucial, because, while there is evidence of the difference between the bodies, there is a construction that makes it possible to explore

this difference to create a relationship of power.<sup>2</sup> However, it is not only because of the difference that the possibilities of domination occur, but from a favoring mechanism that claims the maintenance of this domination and is anchored in legal bases – the laws for the protection of women. Joan Scott, an American historian is one of the main authorities on the subject of gender. This suggests that the Gender History analysis must permeate the relationship between the masculine and the feminine.

In a society where privileges were granted to men - an important addition is to point out that the 'cultural solids' came from previous and naturalized conceptions over several decades and centuries - and the figure of the woman was in a position of subordination rooted in the imperatives cultural, religious and legal.

The panorama out of vulnerability, in an exponential growth, with the legitimation of social imaginaries. The break came through struggles on other fronts - whether in the political and social representative sphere, or in the intricacies of the institutional structure -, as well expressed by Saffioti (2015), when she brings to light that the patriarchal society produces the "bars" and inferiorizes the woman, therefore it is there that the feminine resistance must contain.

Women's emancipation took place through feminist movements – hence the debate on gender relations (Scott, 1995) – and their struggle to safeguard equal rights as they climb for protection. Still in Saffioti (2015), referring to patriarchy, it grants the male figure power (Foucault, 2013), an

inquisitor to judge by inferring punishments – violence.

The debate on issues of sexual differences brings a symbology full of aspects and signs of domination – relations of exercise of power (Foucault, 2013) – subjugating women and placing them in a panorama of male domination (Bourdieu, 2020). Regarding the relationships between the female body and the male body, according to the author's – Bourdieu – expressed perspective on domination, it is a training construction that is made possible by the difference between biological bodies and perspectives contained in culture.

In the wake of the dissociation of women's subordination from male domination (Bourdieu, 2020), the geopolitical moment – therefore legal – had been too favorable. It must be noted that from the creation of the UN and the Declaration of Human Rights<sup>3</sup>, the guidelines on universal rights were debated and protected. However, the primary perceptions came from the episodes that took place in the conflict between 1939-1945.

The situation of vulnerability to which many women were subjected, with the advent of the aforementioned mechanisms and institutions, had begun to be harshly questioned. To this end, it was essential to fight and represent it under the voice of feminists, who, in addition to positioning themselves on cultural and social issues - resisting patriarchy -, acted strategically, ensuring that women's rights were duly fulfilled.

Of the many manifestations of this resistance, the Convention of Belém do

2. The authors Foucault, Perrot and Van Dijk deal with the concept of power – in this contest they are not self-excluded. Used in its applied form – and in a more simplified form – for Foucault, power is understood in a strategic character imbricated in the relationship of power with the counterpower; for Van Dijk, power is relational and perceived in interaction, providing itself, among some propositions, with discourse as an ideological reproduction; Perrot perceives his polysemic bias, in the singular designates the cardinal figure of the State that is commonly masculine, in the plural, 'splinters into multiple fragments, equivalent to diffuse and peripheral "influences", in which women have their large share.' (2017, p. 177).

3. Document that determines the basic rights of any human being. It was produced by the UN and approved by a General Assembly in 1948.

Pará stands out, where the demands under the voice of feminism culminate with the barbarities that happened to women in Brazilian territory. Among the guidelines with great representative appeal was the safety of women and their state of social and family vulnerability, since the regulations, until that moment, did not contain the pre-disposition of effective mechanisms to guarantee the individuality and safety of women.

Even though the 1988 constitution, at certain times, has made in its articles and its other inflections of understandings by jurisprudence<sup>4</sup>, it was still necessary that there were other ways of understanding violence<sup>5</sup> against the woman.

The female split in her process of historical cultural formation was due to her financial emancipation. However, emancipation did not guarantee that women would be in “social equality”.<sup>6</sup> with the man, because his emancipation had a rescissory character with the system established until the moment in question. From specific cases of brutal violence that gained strong popular appeal in the media of the time and the criminalization of this aggression from constitutional mechanisms of the law and institutions for such.

In this “tripod” of conjectures mentioned above, there is a direct effect on the construction of each of these historical demarcations. When the financial independence of women begins to occur in society and society, in turn, has placed itself under a perspective of moral value to infer penalties and recessions

4. A collection of decisions taken in a court within the scope of law, jurisprudence exists, among other things, to address legal deficiencies, making them serve as a basis for analogous causes.

5. “Gender-based violence is violence that arises from relationships between women and men. It is usually practiced by the man against the woman, but it can also be of the woman against woman or of the man against man. Its fundamental characteristic lies in gender relations where masculine and feminine are culturally constructed and generically determine violence.” (SILVA, 2006).

6. It is understood, for this concept, not what is widely discussed in the faculties of human sciences from theorists and many reflections on the graft, however, the allusion here is to a symmetrical idea - merely hypothetical, but of possible imagination - alluding the connotation that there is a ‘rule’ that equates, so the moment of equilibrium would therefore be the moment of social equality.

7. Famous cases between the late 1970s and early 1980s, marked by the aggressors’ impunity, the ways they prepared their judicial defenses and denoted aspects of patriarchal society (Saffioti, 2015).

on its body, as E. P. Thompson brings (1998), “*Costumes em Comum*” in his chapters on ‘moral economics’ and ‘wife sales’. From the perspective that insubmission affected the relationship between morality and society at the time, it is essential to encourage the work of Michelle Perrot (2017), ‘*Os excluídos da História*’ in its chapter that deals with women, considering that feminism was decisive for the appearance of the object of study “woman”. The newspapers that tried to report the violence perpetrated on women - such as the case of Ângela Diniz and Eliane de Grammont<sup>7</sup> -, they would be heralds for the creation of protective laws and institutions for the functioning of these regulations.

On the other hand, recent feminist research has sometimes contributed to this reassessment of women’s power. In her desire to overcome the miserabilist discourse of oppression, to subvert the point of view of domination, she sought to show the presence, the action of women, the fullness of their roles, and even the coherence of their “culture” and the existence of women. your powers (Perrot, 2017, p. 179).

With regard to the sources that this temporality produced - through the relations of public, private, political and economic interests - it will be given, as a prerogative of the discussion, in the regulations that will elucidate temporality, rationality and cohesion and, finally their geography. The limits of concepts and how they produce an overview arising from the aforementioned cases. The

sources of police files<sup>8</sup> and statistical data on the types of violence that the ‘woman’s body’ (Foucault, 2020) is victimized and the sources by periodicals<sup>9</sup>.

[...] in addition to the great impact of the work of Michel Foucault, whose book *Vigiar e Punir* was translated into Portuguese in 1977. In the specific case of analyzes based on judicial proceedings, the works of Carlo Ginzburg, Natalie Davis, Michelle Perrot e E.P. Thompson (GRINBERG, 2020, p. 126).

The end of the 90s of the 20th century was taken by these convergences of historical processes and the debates fostered by them. Domestic violence caused by the differentiation constructed between genders (Butler, 2016), situated in a patriarchal culture, corroborates a subversion of female identity – an issue that is widely debated by Butler and expressed, in part, in the feminist debates in Hooks – and the ‘docilization’ of the body (Foucault 2011), in this case that of the woman.

The objective of confronting the sources, “twisting and making them creak” (Foucault, 2011) is to analyze not only what the set of sources comes to show and/or evidence, but also to perceive the echoes and leftovers that the produced discourse does not manages to contemplate, as Ginzburg says (2007, p. 7), ‘follow the threads that weave reality and perceive its traces’. The meaning of these ideas as a methodological tool of analysis is to approach the discourses that the sources bring and their relations with the object, confronting them with the questions that the constituent of the object in question and its

relationship with the environment in which it is produced. Following the threads refers to the analogy of the author who, in his book: *Fios e os Rastros: Verdadeiro, falso, fictício* show. Since the introduction, its meaning in the historical production and in the analysis of documents/sources in the search to show these traces, which had been covered by the shadow and made up by the discourse.

The case on which Law 11,340/06 was based (Maria da Penha Law) had its consolidation process in a margin of approximately 23 years. From the first reports of abuses, in 1983, to the arrest of the accused (victim’s husband), and the enforcement of the law, going through several appeals and bending processes made by the legal body.

The National Policy to Combat Violence Against Women emerged at a crucial moment in which the Brazilian government is mobilizing actions, at a new moment, with regard to combating violence against women. The government’s actions to combat and prevent violence began to be integrated, emerging norms and a standard for assisting victims, the Maria da Penha Law, creation of Special Courts, as well as campaigns and programs related to the theme.

## **VIOLENCE AGAINST WOMEN IN ALAGOAS – POWER AND COUNTER-POWER, DISCOURSE AND REPRODUCTION**

The first part is an epistemological theoretical assumption to present possible approaches that surround the object and

8. “It is not new that historians have been using criminal proceedings as a source for historical analysis, whether as a way to better understand the relationships between social agents in another era or society, or to study Justice itself and its agents in different temporalities.” (GRINBERG, 2020, p. 121).

9. “When, under the influence of renewals in the discipline, attention expanded beyond the organized movement with the addition of issues of gender, ethnicity, race, identity, ways of life, everyday political experiences and practices, forms of leisure and sociability, production theatrical and literary, the workers’ press continued to be an essential source, alongside oral testimonies, judicial sources and police archives, the latter only more recently opened to researchers, as is the case of the Department of Political and Social Order of Rio de Janeiro and State Department of Political and Social Order of São Paulo. It is also worth noting the emergence of historiographical investigations devoted to much more recent periods, breaking the previously predominant tendency of studies on the working class to focus on the period of the so-called Old Republic” (LUCA, 2020, p. 119 and 120).

the constructions surrounding it. Present the 'archaeology' (Foucault, 2005, p. 8), of the sources and processes that preceded its construction; the relationship that legal-police institutions with whistleblower victims have with the interests that the media wants to highlight or cover up, through sensationalism or absolute silence and which discourses (Van Dijk, 2018, p. 57), that the sources do not they shout, but point out, about intersectionality (Crenshaw, 2020, p. 26), in gender violence (Saffioti, 2015, p. 47).

The beginning of the perspectives that will limit the understanding and analysis of violence is what Article 7 of the aforementioned law 11.340/06 says, which directly highlights and separates its types and forms. That article says:

I - Physical violence, understood as any conduct that offends their integrity or bodily health;

II - Psychological violence, understood as any conduct that causes emotional damage and lower self-esteem or that harms and disturbs their full development or that aims to degrade or control their actions, behaviors, beliefs and decisions, through threat, embarrassment, humiliation, manipulation, isolation, constant surveillance, persistent persecution, insult, blackmail, ridicule, exploitation and limitation of the right to come and go or any other means that harms psychological health and self-determination;

III - Sexual violence, understood as any conduct that compels the person to witness, maintain or participate in unwanted sexual intercourse, through intimidation, threat, coercion or use of force; that induces her to commercialize or use, in any way, her sexuality, that prevents her from using any contraceptive method or that forces her into marriage, pregnancy, abortion or prostitution, through coercion, blackmail, bribery or manipulation; or that limits or nullifies the exercise of your sexual and reproductive rights;

IV - Patrimonial violence, understood as any conduct that configures retention, subtraction, partial or total destruction of its objects, work instruments, personal documents, assets, values and rights or economic resources, including those destined to satisfy their needs;

V - Moral violence, understood as any conduct that constitutes slander, defamation or injury (BRASIL, 2010).

The fight against gender violence against women faces difficulties in its structure to protect women in situations of vulnerability. As shown by Angela Davis (2016), or even Hooks (2018), there are, in addition to questions about violence, political and economic issues; and over this it is imperative to prevail over ethnic-racial issues. The debates surrounding violence are not necessarily corroborated with the debate against violence, or they do not exist in an intersectional way (Crenshaw, 2020).

The statistical tables that were analyzed show that the number of complaints has increased exponentially. The same applies to the periodicals that began to report the atrocities committed – once for the defense of "male honor", at the time of production of the sources (Barros, 2020, p. 64) – referring to the light of what is the law. The relationship of what the media showed while the news fed the "consciousness" of women that there would be a mechanism that had been produced to protect them.

One perspective that must be taken into account for the analysis is that few ways were found to popularize information networks for the other strata of the population. Therefore, it must be noted that within the parameters of art. 7th, the 'threat' is, of the crimes/crimes, the one that has increased the most in its numbers. However, this happened from the year 2011 and lasted, thus, until the moment that the source demonstrated. For the previous

years - 2006 to 2011 - 'bodily injury' emerged as the largest number of complaints.

In the particular case between 'threat' and 'bodily injury' there is the coefficient of time that is inferred on the transformation that the sources show. However, it expresses the proximity of the numbers with what the periodicals showed; it is not news aggregator when a man threatens a woman, as this is treated as something common and commonplace in everyday life - because it must be considered that the patriarchal system that encourages male possession behavior over women reverberates through all foundations of society. Therefore, it is assumed that only women informed and in contact with the prerogatives of what the law can support as protection would be likely to act actively by making complaints when threatened.

The conception of violence that was clouded by an uncertainty about what women understood as threat or bodily harm, as well as what they understood as aggression - being any male behavior that would harm any of the prerogatives that art. 7th exposes. Low schooling or lack of understanding of social themes and themes are associated with the poorest social classes, and in turn, inevitably, brings with it the sign of the ethnic-racial issue; an injury inferred on the body is felt through pain, on the skin and through force, while a threat can only be understood when one is aware that words can injure or take the freedom of the other.

The counterpoint that must be made at the moment that this information becomes, by virtue of the above, perceived as a force of the discourse that fights the fundamental question - violence - embedded in a network of discursive relationships. According to Van Dijk (2018, p.42), the forms of discourse towards a certain part of society to whom the same discourse is pointed carries the stigma of ideological domination. For that,

the ideological reproductions that are placed in the legal discourse are corroborated from the perspective that the legal document is universal to the determined group - women - and, therefore, these are safeguarded in its constituent. However, the same discourse that fills the norms is also encompassed by the direct relationship of 'power and counter-power' - dealing with Van Dijk - where the dominated must be aware of the implications of the dominant, while the discourse and its unfolding of the social power relationship, for this relationship to be complete.

Over the years, when threats began to be denounced more assiduously, this change can be seen through the periodicals while it was taking place. When the media began to report threats that women suffered in their respective relationships - romantic or family -, the complaints began to grow, as they became information disclosed and disseminated to the broad public.

It must still be pondered that even the media and legal-police institutions are institutions with a male majority. Therefore, as the text by Barros (2020, p. 18 and 19) shows, the sources are produced in direct relationships with the interests of those who produce them. This understanding must be considered not only in the interpretation, but in the work of putting together and grouping these sources. Theorists such as Foucault (2011; 2013; 2020) and Van Dijk (2018) prevail over the discourses and their forms of domination that the sources reveal and silence from the interests of their production.

Finally, violence against women has its particularities, whether direct or even indirect, however, one cannot only analyze inferences about the body, but one must understand the discourses and policies that make them subject to violence. Physical violence is the last point of an uninterrupted chain of domination, hate speech veiled by countless justifications and

power in order to subjugate and ‘make soft’ women.

## FINAL CONSIDERATIONS

Gender violence against women is a cross-cutting problem for other areas of living in society. In the relationship between culture and society – considering the religious bases and the customs of society – there is a predominance of some vices/prejudices in behaviors that provide an overview of women’s vulnerability. Therefore, the areas of security, health, economy and the areas of humanities – whether applied or not – are touched by this problem.

The problem comes from multiple factors and have inferences of the same nature, the analysis and understanding approaches need to follow the same dynamics. The moment one perceives, at the intersection, of the discourses of regulatory norms that aim to protect or safeguard women, together with the discourses of political/social movements of the cultural order to ensure their rights and equality, there is the emergence of a shadow over the discourses that weaken the protection structure; here is the need for intersectional analysis.

The sources produced by the media – the periodicals – deal with an approach where they expose the case in a mocking way, with a sensationalist nature and, often, with the primary concern of selling and adding visibility that shed light on an issue that needs to be debated and discussed. fought. Therefore, the strategic character that is placed in this relationship is of economic interest, therefore, it comes to make the problem that is inferred in the woman’s body invisible.

Debates on the theme of gender, productions on sexual difference and social prerogatives on identities are directly inferred on the issue of violence. Brazil, and more precisely Maceió, is endowed with structural

prejudice, dimensioned and reconstructed from the interests of the dominant classes – to corroborate an economic perspective – it is also constructed from identity politics and legal concerns about ‘which body is intends to protect’ – thus citing social and political perspectives to elucidate the issue.

In the perception of the research that is still under construction, however, they contain data and sources that point to questions - strongly debated in the context of the history of the 21st century -, which deepen with each new research and analysis. There is, therefore, within the Maria da Penha Law – Law 11.340/06 –, the provisions of the subjects. There are those who commit violence and those who suffer, the passive subject is always the woman, however, the active subject is mostly composed of men. In a syllogism of logical and direct prepositions, it is correct to say that practicing violence against women – those contained in article 7 – is not restricted to the male sex, therefore, it highlights a maxim permeated by common custom and immediately contradicts it: ‘every man is a potential aggressor and the woman is the victim of that action’.

Finally, there are subversive women, capable of committing violence against others. In the same way that there are men who do not do it and fight with women to guarantee equal rights and duties. There is symbolic violence and symbolic capital (Bourdieu, 2020) in these separate discourses, but when placed in an overlapping way, they show a character to be explored while analyzing this device of power. Violence does not come from a stigma of the body’s constituent, sexual differentiation or even from the performative gender identity, but it certainly remains in the hegemonic panorama of absolute discourses for its confrontation.



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