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Prosecuting domestic violence

Brazilian comes to Buffalo for Criminal LL.M.

Change is difficult. That's true in personal life and it's especially true in societies, where cultural attitudes run deep. Often a change in laws leads the way to true progress.

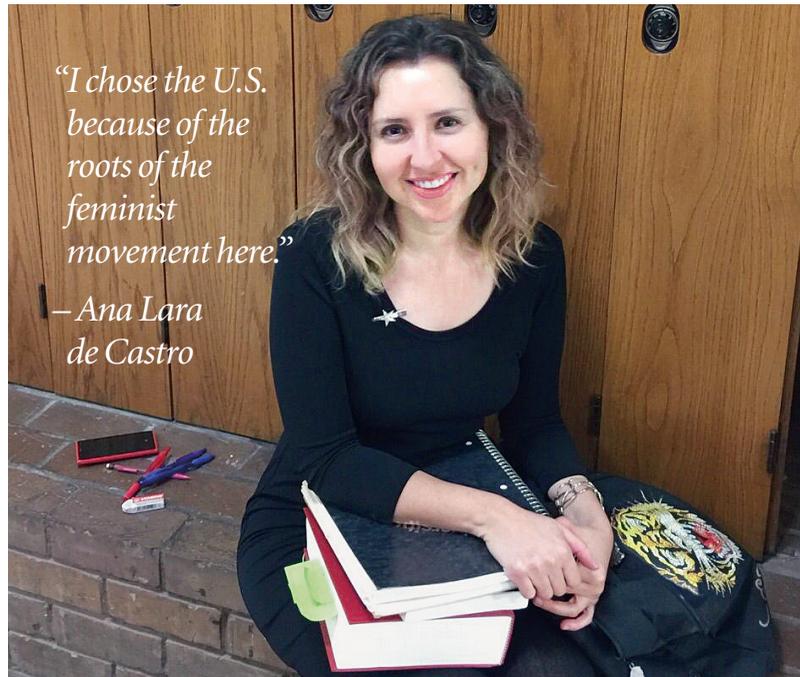
That's the situation now in Brazil, says a longtime public prosecutor who is at SUNY Buffalo Law School this year, earning an LL.M. degree in criminal law.

Ana Lara de Castro has been a prosecutor in Brazil's Mato Grosso do Sul state for nearly 18 years, the last eight prosecuting domestic violence cases. That work is done under progressive 2006 legislation, informally called the Maria da Penha Law, that brought together a system of protection for the targets of domestic violence and created DV courts nationwide.

"It changed the perspective," de Castro says. "Before the law, most DV crimes were handled in misdemeanor courts. They were not treated like real crimes, and women would leave thinking it was not serious. It was considered a private matter, a family matter."

The change in federal law gave prosecutors new tools, including orders of protection and mandatory prosecution once an offense has been reported. But de Castro says only broader social change will reduce the incidence of domestic violence. "Even if you use all the mechanisms, it is not enough to change the culture," she says. "Sometimes you feel powerless. You would like to have more tools to really protect that family and that woman, and you don't. It's very difficult for the woman to leave the relationship. She's the one who is supposed to guarantee the unity of the family, and women still feel very, very responsible."

But even if change is difficult, it's not impossible. De Castro points out that Brazil's Constitution, which guarantees gender equality, is still very fresh, having



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Ana Lara de Castro, an LL.M. student, is a public prosecutor from Brazil.

been passed in 1988 as the nation returned to democracy following a period of military rule.

Brazil is still working out the details, and De Castro is interested in the ways that culture changes. She says studying in the United States is a way to see up close the results of a long-active feminist movement. Her year in Buffalo is a sabbatical from her public-service position as a prosecutor, which in Brazil is typically a lifelong career choice.

"I chose the U.S. because of the roots of the feminist movement here, the way American feminists changed the world from the '70s on," she says. "It's really interesting to see what American families and American women are thinking now. I was very curious to talk to these women and to understand." And so, for example, she listens carefully to her fellow students young and old, to participants in the Law School's Women, Children and Social Justice Clinic, to people she meets in her externship at the Family Justice Center, to the lawyers and the litigants in the area's domestic violence courts.

She is working closely with Profes-

sor Isabel Marcus, a longtime feminist and human rights activist. And she will take home with her some ideas that challenge Brazil's standard models for dealing with domestic violence. For example, de Castro says, a recent lecture by Gregory R. White, director of Catholic Charities' Domestic Violence Program for Men, confirmed her thinking about the crime as more of a social disease than an individual failing.

De Castro calls Buffalo "a very well structured city," though not easy to navigate without a car, so she bought one. She also notes that the area's "racial segregation is very marked, which surprised me, but it shouldn't. I've been everywhere in the United States, and it is still a problem in America. Brazil is much more mingled in terms of race and cultures."

The LL.M. program, though, is a happy polyglot, with a cohort that includes students from Russia, Ukraine, Albania and Nigeria. "The experience has been great. It's very interesting," de Castro says. "I can sit for hours and also learn by watching people live their lives."