

Dialogic Analysis of Discourses Mobilized by Defendants Accused of Femicide in Jury Trial / *Análise dialógica dos discursos de réus do crime de feminicídio no Tribunal do Júri*

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ABSTRACT

This article aims to analyze how discourses of defendants accused of femicide in Jury Trial are axiologically constituted. Based on Dialogic Discourse Analysis (DDA), two murderers' testimonies taken in the 2018–2020 triennium were analyzed. Considering the extralinguistic dimension of utterances, results point out that: a) in the Jury chronotope, defendants' discourses present as *defensive-victimistic-accusative*; b) in the ideological legal sphere, their discourses are made *hybrid as intimate-everyday, moral, and legal*; c) in the specific situation of discursive interaction, discourse materializes as *pro-forma-hierarchical-bivocal*, while permeated by dialogical relations with the law. In the linguistic dimension, both stylistically and compositionally, murderers tensely express negative images of the women victims, describing them as traitors, deceitful, jealous, hysterical, provocative, maladjusted, and aggressive, among others. They build up images of themselves as victimized and disturbed men who had been provoked to act.

KEYWORDS: Dialogic Discourse Analysis (DDA); Femicide; Murderers in Jury Trial

RESUMO

O objetivo do artigo é analisar como se constituem axiologicamente os discursos de réus do crime de feminicídio no Tribunal do Júri. Sob perspectiva da Análise Dialógica do Discurso (ADD), analisamos dois depoimentos de assassinos, colhidos no triênio 2018-2020. A partir das camadas componentes da dimensão extralinguística dos enunciados eleitos para análise, os resultados apontam: a) no cronotopo do Júri, os discursos dos réus se manifestam defensivo-vitimistas-acusativos; b) na esfera ideológica jurídica, constituem-se híbridos, íntimo-cotidianos, morais e legais; c) na situação específica de interação discursiva, concretizam-se profórmico-hierárquico-bivocais, perpassados de relações dialógicas com leis. Já na dimensão linguística, estilístico e composicionalmente, os assassinos discursivizam, em tensão, imagens negativas das mulheres vítimas,

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descritas como traidoras, enganadoras, ciumentas, histéricas, provocativas, desajustadas, agressivas, entre outras. Sobre si, constroem imagens de homens vitimados, perturbados e interpelados a agir.

PALAVRAS-CHAVE: Análise Dialógica de Discurso (ADD); Femicídio; Assassinos no Tribunal do Júri

Introduction

Brazil ranks fifth among countries with the most killings of women worldwide, according to *Mapa da Violência* [*Map of Violence*] issued by the Conselho Nacional de Justiça [National Council of Justice] (NCJ) in 2015 (NCJ, 2015). In that same year, the Law Against Femicide N° 13.104/2015 was enacted in Brazil. When it comes to violence against women, the country is only behind El Salvador, Colombia, Guatemala, and Russia. Reports¹ on mortality released by the Brazilian Ministry of Health state that the annihilation of women has substantially increased by 30.7% between 2007 and 2017.

As we understand it, the crime of femicide is motivated by hate and disrespect for women and is carried out under biological and social conditions. We therefore argue the motivation to kill is based on sociohistorical, cultural, and ideological constructs underpinning asymmetric social-gender relations which, in turn, reflect and refract a socioeconomic political base ruled by an ongoing patriarchal social organization (Safiotti, 2015), with the latter delegating specific social roles to women and men, while also instituting power relations regulated by violence (Louro, 1995). Since gender is a category that is learned by means of masculinizing or feminizing practices immersed in gendered social institutions that do not cease to be ideological (Scoot, 2005), Dialogic Discourse Analysis (DDA) is an important route through which we can point out how those constructs concretely manifest in discourses within the legal sphere.

Evaluative and ideological projections are inherent to the manifestation of discourse and tell us about strained social relations in which the annihilation of women (un)veils the perpetuation of social barbarism that must be questioned, discussed, and

¹ Source: IPEA (Institute of Applied Economic Research) — *Atlas da Violência* [Atlas of Violence] available at: https://www.ipea.gov.br/portal/index.php?option=com_content&view=article&id=34784

fought against by every possible flank. Special attention should be given to murderers' discourse. This is where the question guiding the present analytical endeavor has arisen from: How / why are certain axiological and ideological projections deemed legitimate in discourses emerging from the legal sphere?

This study is part of a broader interdisciplinary discussion carried out for a master's thesis. It is anchored on a dialogic view of language, as advocated by the Bakhtin Circle (Bakhtin, 1981a,² 1981b,³ 1984,⁴ 1986a,⁵ 1986b;⁶ Vološinov, 1973,⁷ 1976a,⁸ 1976b,⁹ 1983;¹⁰ Medvedev, 1978),¹¹ and its affiliated theoretical-methodological perspective: Dialogic Discourse Analysis (DDA) (Brait, 2006; de Paula, 2013; Rohling, 2014; Acosta-Pereira; Rodrigues, 2015; Sobral; Giacomelli, 2016; Acosta-Pereira; Brait, 2020), among other scholars. This study aims to analyze how discourses mobilized during the formal interrogation of two defendants accused of femicide in Jury Trial are axiologically constituted. Importantly, their major aim is the discursive construction of

² BAKHTIN, M. M. Discourse in the Novel. In: BAKHTIN, M. *The Dialogic Imagination: Four Essays*. Edited by Michael Holquist; translated by Caryl Emerson and Michael Holquist. Austin: University of Texas Press, 1981a. pp.269-422.

³ BAKHTIN, M. M. Forms of Time and of the Chronotope in the Novel. Notes toward a Historical Poetics. In: BAKHTIN, M. *The Dialogic Imagination: Four Essays*. Edited by Michael Holquist; translated by Caryl Emerson and Michael Holquist. Austin: University of Texas Press, 1981b. pp.84-258.

⁴ BAKHTIN, M. M. *Problems of Dostoevsky's Poetics*. 11.ed. Translated by Caryl Emerson. Minneapolis: University of Minnesota Press, 1984.

⁵ BAKHTIN, M. M. The Problem of Speech Genres. In: BAKHTIN, M. M. *Speech Genres & Other Late Essays*. Translated by Vern W. McGee and Edited by Caryl Emerson and Michael Holquist. Austin: University of Texas Press, 1986a. pp.60-102.

⁶ BAKHTIN, M. M. The Problem of the Text in Linguistics, Philology, and the Human Sciences: An Experiment in Philosophical Analysis. In: BAKHTIN, M. *Speech Genres & Other Late Essays*. First Edition. Edited by Caryl Emerson and Michael Holquist; translated by Vern W. McGee. Austin: University of Texas Press, 1986b. pp.103-131.

⁷ VOLOŠINOV, V. N. The Study of Ideologies and Philosophy of Language. In: VOLOŠINOV, V. N. *Marxism and the Philosophy of Language*. Translated by Ladislav Matejka and I. R. Titunik, trans. Studies in Language Series. New York: Seminar Press, 1973a. pp.9-16.

⁸ VOLOŠINOV, V. N. The Content of Consciousness as Ideology. In: VOLOŠINOV, V. N. *Freudianism: A Marxist Critique*. Translated by I. R. Titunik. New York: Academic Press, 1976a. pp.85-92.

⁹ VOLOŠINOV, V. N. Discourse in Life and Discourse in Art: Concerning Sociological Poetics. Translated by I. R. Titunik. In: VOLOŠINOV, V. N. *Freudianism: A Marxist Critique*. New York: Academic Press, 1976b. pp.93-116.

¹⁰ VOLOŠINOV, V. N. What Is Language? In: SHUKMAN, A. (ed.). *Bakhtin School Papers*. Russian Poetics Translation, Vol. 10. Translated by Noel Owen. Somerton: Old School House, 1983. pp.93-113.

¹¹ MEDVEDEV, P.; BAKHTIN, M. *The Formal Method in Literary Scholarship: A Critical Introduction to Sociological Poetics*. Translated by Albert J. Wehrle. Baltimore and London: The Johns Hopkins University Press, 1978.

denial of guilt. Furthermore, voices of Law and Gender studies also comprise the present discussion.

With a view to fulfilling this article's discursive aim, we have divided it into three main sections. The first one presents DDA theoretical-methodological framework, whereas the second presents the universe of analysis, data collection, and research questions guiding our analysis. Subsequently, the third section presents an analysis of discourses produced by defendants accused of femicide in Jury Trial. Analyses were carried out by taking extralinguistic and linguistic dimensions into consideration, and dialogic conceptual principles were retrieved to highlight how the aforementioned discourses axiologically materialize and are crossed by dialogic relations.

1 DDA: Theoretical-Methodological Framework and Guiding Conceptual Principles

DDA is assumed as the active understanding of contemporary Brazilian scholars about epistemological as well as theoretical-methodological assumptions gathered around the “*Circle's* set of works”¹² (Brait, 2006, p.10; emphasis in original). DDA's architectonics consists of contributions given by three main authors comprising the Circle and whose writings have reached further in Brazilian research: Bakhtin (1981a,¹³ 1981b,¹⁴ 1986a, 1984),¹⁵ Vološinov (1973,¹⁶ 1976b,¹⁷ 1983);¹⁸ Medvedev (1978).¹⁹

According to Brait (2006), an important inaugural moment regarding DDA's foreshadowing can be found in Bakhtin's analysis presented in *Problems of Dostoevsky's Poetics* (Bakhtin, 1984).²⁰ Particularly, when he claims a proposal for Metalinguistics that goes beyond linguistic assumptions. At that time, the latter was anchored on the laws of

¹² In Portuguese: “conjunto das obras do *Círculo*.”

¹³ For reference, see footnote 2.

¹⁴ For reference, see footnote 3.

¹⁵ For reference, see footnote 4.

¹⁶ VOLOŠINOV, V. N. *Marxism and the Philosophy of Language*. Transl. Ladislav Matejka and I. R. Titunik, trans. Studies in Language Series. New York: Seminar Press, 1973.

¹⁷ For reference, see footnote 12.

¹⁸ For reference, see footnote 13.

¹⁹ For reference, see footnote 14.

²⁰ For reference, see footnote 4.

individualistic subjectivism and abstract objectivism. Nevertheless, the new proposal would take language not as a “stable, immutable system or normatively identical linguistic forms which the individual consciousness finds ready-made and which is incontestable for that consciousness (...) [that] specifically linguistic connections have nothing in common with ideological values (artistic, cognitive, or other)” (Vološinov, 1973b, p.57; emphasis in original).²¹ On the contrary, language is conceived as “ideologically saturated,” (Bakhtin, 1981a, p.271; emphasis in original)²² in its live and concrete integrity, while mediating interaction (Bakhtin, 1984).²³ In other words, language is seen as live discourse constituted on sociological and enunciative planes.

In resistance to perspectives that deny the intertwining of language, history, ideology, and subjects in organized social life, Bakhtin (1984)²⁴ presents a new object of study — discourse — with an approach that considers the extralinguistic and linguistic dimensions of the discursive chain of utterances. Discourse is presented as a complex, multifaceted object that “simultaneously belongs to linguistics and the new discipline” (Brait, 2006, p.11),²⁵ and is associated with “a network of dialogic relations established and assumed (not given beforehand) by the subject. Those relations are expressed in language from a particular point of view” (Brait, 2013, p.14).²⁶ Thus, relations of meaning become a matter of importance, since they interweave utterances while constituting meaning in and from “projections, ideological marks, and (e)valuative shades of discourse” (Franco; Acosta-Pereira; Costa-Hübes, 2019, p.277).²⁷

What Metalinguistics or Translinguistics proposes is to consider dialogic relations as extralinguistic. In their eventfulness, utterances are formed in/on the basis of the already spoken, the historical reality of discourses, and contingency conferred by specific situations of discursive interaction forming their axiological atmosphere (Vološinov, 1973c).²⁸ Nevertheless, although dialogic relations cannot be reduced to logical relations,

²¹ For reference, see footnote 8.

²² For reference, see footnote 2.

²³ For reference, see footnote 4.

²⁴ For reference, see footnote 4.

²⁵ In Portuguese: “pertencente simultaneamente à linguística e à nova disciplina.”

²⁶ In Portuguese: “rede de relações dialógicas, estabelecidas e assumidas por um sujeito (e não dadas de antemão), expressas na linguagem a partir de um ponto de vista.”

²⁷ In Portuguese: “projeções/as, marcas ideológicas e os matizes valorativos/avaliativos do discurso.”

²⁸ For reference, see footnote 9.

it is impossible to separate one another. Logic meanings constitute significance, whereas dialogic relations go beyond the unities of language, since “the word is born in a dialogue as a living rejoinder within it; the word is shaped in dialogue interaction with an alien word that is already in the object,” (Bakhtin, 1981a, p.279)²⁹ and is influenced by responsive discourse which, in turn, can be anticipated while response is expected. Based on the principle of dialogicity, semantic-evaluative relations that already exist in language are mobilized among utterances by means of which the subjects of discourse are expressed (Bakhtin, 1986a).³⁰

According to Vološinov (1976b),³¹ the extralinguistic dimension of an utterance is not an influence from the outside, it rather integrates the utterance’s social structure in the living body. On such an interpretive plane, Brait (2006, pp.22-23)³² understands that it is “in the combination of both dimensions, as means of learning about the human being, their activities, as well as their condition as multiple subjects, and their insertion into history, society, and culture through language(s)” that the Bakhtin Circle offers the grounds for dialogic discourse analysis. In this sense, DDA is not a sealed proposal, as it acknowledges the “indissoluble relation of language(s), history [ideology], and subjects which establishes language studies as places of knowledge production in a committed manner” (Brait, 2006, p.10).³³

From the Circle’s standpoint and, therefore, from DDA’s as well, the countless ways of assessing social reality, understanding it, and apprehending it from certain interconnected points of view are closely related to ideology. Vološinov (1983) defines ideology as “(...) the whole totality of the *reflexions* and *refractions* in the *human brain* of social and natural reality, as it is expressed and fixed by man in word, drawing, diagram or other form *sign*” (Vološinov, 1983, p.113, footnote #5; emphasis in original).³⁴ Ideology cannot be separated from linguistic signs which are composed of indices of

²⁹ For reference, see footnote 2.

³⁰ For reference, see footnote 5.

³¹ For reference, see footnote 12.

³² In Portuguese: “na combinatória dessas duas dimensões, como uma forma de conhecer o ser humano, suas atividades, sua condição de sujeito múltiplo, sua inserção na história, no social, no cultural pela linguagem, pelas linguagens.”

³³ In Portuguese: “indissolúvel relação existente entre língua, linguagens, história [,ideologia] e sujeitos que instaura os estudos da linguagem como lugares de produção de conhecimento de forma comprometida.”

³⁴ For reference, see footnote 13.

value shared by utterances that establish interaction among socially organized subjects. Thus,

social value is what gives different shades to ideology, consubstantiating it with a singular evaluation mark that responds to the reverberations of a given interaction. Therefore, every discourse materialized in the form of an utterance not only brings the resonances of ideology along from the social environment but does it in such a way that is crossed with social indices of value (Franco; Acosta-Pereira; Costa-Hübes, 2019, pp.279-280).³⁵

Additionally, valuation or social evaluation is not a given, rigid thing. Hence, DDA does not provide fixed categories applicable to any kind of analysis. Concepts cannot be turned into analytical categories. Instead, DDA's proposal is to allow categories to emerge from a dialogic clashing movement that is theoretically and methodologically guided by some basic principles, so as to "let discourses reveal how they produce meaning" (Brait, 2006, p.24).³⁶ A representative example is provided by Bakhtin (1984)³⁷ when analyzing Dostoevsky's Poetics from which the concept of polyphony arises, rather than having the author apply fixed, predetermined analytical categories.

From DDA's perspective, the relationship between researcher and research object is affected by the former's evaluative horizon in/from which s/he is a non-neutral other who establishes dialogue not only with discourses being analyzed but also with those that had been previously produced about the object (Destri; Marchezan, 2021). The researcher's position is, therefore, ethical and does not escape the theoretical-methodological guidelines laid down by the Circle's dialogic-enunciative-discursive view of language. Importantly, at first, the latter responds to a methodological outline of language/discourse as advocated by Vološinov (1973c, pp.95-96) in *Marxism and the Philosophy of Language* which envisages the study of

³⁵ In Portuguese: "O valor social é o que matiza a ideologia, consubstanciando-a de uma marca de avaliação singular e responsiva às reverberações da situação interlocutiva. Com isso, todo discurso, na forma material de enunciado, não apenas traz ressonâncias ideológicas do meio social, mas o traz atravessado pelos índices sociais de valor."

³⁶ In Portuguese: "deixar que os discursos revelem sua forma de produzir sentido."

³⁷ For reference, see footnote 4.

1) The forms and types of verbal interaction in connection with their concrete conditions; (2) forms of particular utterances, or particular speech performances, as elements of a closely linked interaction -i.e., the genres of speech performance in human behavior and ideological creativity as determined by verbal interaction; (3) a reexamination, on this new basis, of language forms in their usual linguistic presentation.³⁸

In the sociological method, the first step of analysis “comprises positioning oneself under the social horizon of the utterance, aiming at understanding the sphere where it is produced, circulated and received (interpreted) (...), as well as its chronotope” (Acosta-Pereira, 2016, n.p).³⁹ Additionally, it is necessary to consider addressers and addressees, the social position they occupy, the context they are in, the culture that is projected and resignified on them, the ideological-evaluative position they assume, and how they understand social life. All of this is expressed in the author's position that is assumed (Franco, Acosta Pereira, Costa-Hübes, 2019).

The second methodological step consists of understanding speech genres “based upon the notion that language is materialized by concrete utterances, thus joining ‘insiderness’ and ‘outsiderness’,” (Brait; Pistori, 2012, p.372)⁴⁰ with a view to “making explicit the dialogic and evaluative (intonational, axiological) relations that characterize them as means of comprehending life, society; and respond to them (Brait; Pistori, 2012, p.378).⁴¹ By analyzing the inner dimension of the speech genre without taking it apart from its social dimension, the following analytical elements are taken into account: “thematic content; style and dialogical-stylistic-compositional projections; as well as the genre’s architectonics; among other enunciative-discursive facets” (Acosta-Pereira, 2016, n.p).⁴²

The last step of the method consists of analyzing language form in its usual sense. This is how the researcher seeks to understand which meanings are put into action by the

³⁸ For reference, see footnote 9.

³⁹ In Portuguese: “implica se posicionar primeiramente sob o horizonte social deste enunciado, aspirando à compreensão da esfera onde se produz, circula e se recebe (se interpreta) (...) e de seu cronotopo.”

⁴⁰ In Portuguese: “fundada na ideia de que a linguagem se materializa por meio de enunciados concretos, articulando ‘interior’ e ‘exterior’.”

⁴¹ In Portuguese: “a explicitar as inter-relações dialógicas e valorativas (entoativas, axiológicas) que o caracterizam enquanto possibilidade de compreender a vida, a sociedade, e a elas responder.”

⁴² In Portuguese: “do conteúdo temático; do seu estilo e suas projeções dialógico-estilístico composicionais; sua arquitetônica; entre outras instâncias enunciativo-discursivas.”

author whenever certain lexical, grammatical, phraseological, and textual resources are used. These resources axiologically materialize through linguistic style in the expressive aspect of the utterance, which fulfills the aim of expressing a particular theme in discourse under specific axiological position and in a consubstantial manner by the speech genre. All in all, DDA proposes a dialogic view of linguistic data.

DDA is in constant movement of constitution. In this context, several authors aligned with this perspective have discussed DDA's theoretical-methodological project in a responsive, elucidative, and expansive manner, following the sociological method for language/discourse studies, as summarized in *Table 1*.

AUTHOR(S)	DDA THEORETICAL-METHODOLOGICAL FRAMEWORK
Brait, 2006	(...) scrutinize semantic fields; describe and analyze micro and macro syntactic organizations; acknowledge, retrieve, and interpret enunciative marks and the joins that characterize discourse(s) and suggest both discourse and subjects' constitutive heterogeneity. Furthermore: surpass the necessary analysis of "linguistic materiality," acknowledge the speech genre to which texts belong as well as the speech genres with which it joins, investigate the tradition in which the discursive practices are inserted. Based on this dialogue with the object of analysis, it is possible to reach its unique way of being in discourse, how it actively takes part in the spheres of production, circulation, and reception, thus finding out its identity in dialogic relations established with other discourses and subjects (Brait, 2006, p.13). ⁴³
Rohling, 2014	studying the areas of human activity where discursive interactions take place; describing the roles played by the participants of discursive interaction while analyzing symmetric/asymmetrical relations among addressers and addressees involved in discourse production; investigating the chronotope (discursive space-time) of utterances; studying the thematic-evaluative horizon of utterances; analyzing dialogic relations that point out to the assimilation of the already spoken, as well as of prefigured discourse, bivocality, deletion of meanings, counterpositions, framings, discourse re-enunciation, and discourse

⁴³ In Portuguese: "(...) esmiuçar campos semânticos, descrever e analisar micro e macro-organizações sintáticas, reconhecer, recuperar e interpretar marcas e articulações enunciativas que caracterizam o(s) discurso(s) e indicam sua heterogeneidade constitutiva, assim como a dos sujeitos aí instalados. E mais ainda: ultrapassando a necessária análise dessa 'materialidade linguística', reconhecer o gênero a que pertencem os textos e os gêneros que nele se articulam, descobrir a tradição das atividades em que esses discursos se inserem e, a partir desse diálogo com o objeto de análise, chegar ao inusitado de sua forma de ser discursivamente, à sua maneira de participar ativamente de esferas de produção, circulação e recepção, encontrando sua identidade nas relações dialógicas estabelecidas com outros discursos, com outros sujeitos."

	reaccentuation (Rohling, 2014, p.49) . ⁴⁴
Sobral; Giacomelli 2016	<i>describing</i> the concrete object in terms of its linguistic materiality and enunciative characteristics; <i>analyzing</i> relations between the two planes: linguistic (micro level) and enunciative (macro level); finally, <i>interpreting</i> which meanings are created by the contextual join between materiality and enunciative act (SOBRAL; Giacomelli, 2016, p.1092, emphasis in original) . ⁴⁵
Acosta Pereira; Brait, 2020	analytical steps move from social (forms and types of interactions and enunciations) to verbal (linguistic forms as usually interpreted). (...) Linguistic analysis must comply with stylistic elucidation and sociological unveiling (Acosta Pereira; Brait, 2020, p.92) . ⁴⁶

Table 1 - DDA theoretical-methodological framework. Source: Authors' elaboration.

Following the aforementioned guidelines, Franco, Acosta-Pereira, and Costa-Hübes (2019) have presented a summarized organizational chart that represents DDA's theoretical-methodological path, as seen in Figure 1.

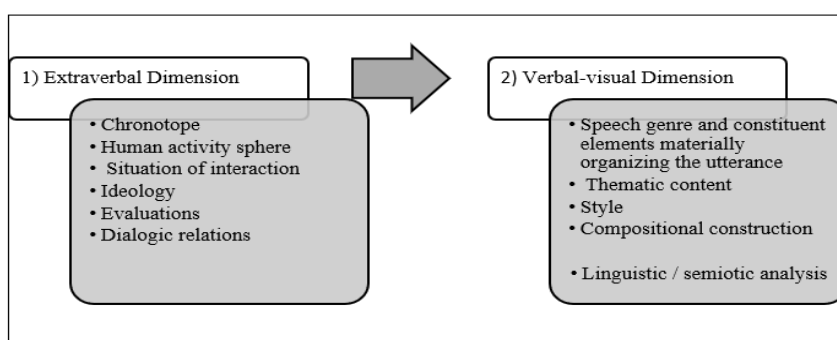


Figure 1: DDA's theoretical-methodological path. Source: Franco, Acosta-Pereira, Costa-Hübes (2019, p.288).

⁴⁴ In Portuguese: o estudo da esfera de atividade humana, em que se dão as interações discursivas em foco; a descrição dos papéis assumidos pelos participantes da interação discursiva, analisando as relações simétricas/assimétricas entre os interlocutores na produção de discurso; o estudo do cronotopo (o espaço-tempo discursivo) dos enunciados; o estudo do horizonte temático-valorativo dos enunciados; a análise das relações dialógicas que apontam para a presença de assimilação de discursos já ditos e discurso prefigurados, discursos bivocais, apagamentos de sentidos, contraposições, enquadramentos, reenuniação de discursos e reacentuações de discursos.”

⁴⁵ In Portuguese: “*descrever* o objeto concreto em termos de sua materialidade linguística e de suas características enunciativas; *analisar* as relações estabelecidas entre esses dois planos, o da língua (nível micro) e o da enunciação (nível macro); e, por fim, *interpretar* que sentidos cria a junção contextual da materialidade e do ato enunciativo.”

⁴⁶ In Portuguese: “as etapas de análise transitam do social (as formas e tipos de interação e das enunciações) para o verbal (as formas linguísticas em sua interpretação habitual). (...) [A] análise das formas linguísticas deve aceder a elucidação estilística e o desvelar sociológico.”

The chart guides us into comprehending discussions on the recursion of concepts, which have been retrieved in the analysis of discourses mobilized by defendants accused of femicide in Jury Trial. This analysis is presented in the third section of this paper.

2 Universe of Analysis, Data Collection, and Guiding Questions

The legal sphere is accountable for the regulation of social life. As such, it refracts a myriad of utterances, including laws, decrees, executive orders, pleadings, motions, petitions, interrogations, defendants' testimonies, and testimonies of the parties, among others. For the present study, two testimonies of defendants accused of femicide were collected for analysis. Defendants testified during formal interrogation in a Jury Trial held in the 2018-2020 triennium, which was after the Law Against Femicide N° 13.104/2015 had been enacted in Brazil. This law criminalizes hate-motivated killing of women (for being a woman, only) as aggravated homicide, according to Article 121, § 2º- A, under Items I and II of the Brazilian Penal Code. Although the Law Against Femicide and *Lei Maria da Penha* [Maria da Penha Law] represent legal advances toward ending violence against women and its lethal expression as femicide, we watch a massive increase in this type of crime, particularly between 2018 and 2020. This three-year period coincides with the historical context in which neoconservatives stood up for and implemented their agendas in which sexism, disguised as protection and guardianship (Safiotti, 2015), legitimizes oppression and control of women via dispositive of violence.

Testimonies analyzed herein were chosen also due to the high repercussions of the cases in the media and the consequent public commotion they caused. The fact that there was probable cause to believe a crime was committed was also taken into account. Thus, the selected cases were subdivided into different legal categories (as seen below), according not only to the degrees of homicide stated by the *Código Penal Brasileiro* [Brazilian Penal Code] in Article 121, § 2º- A, under Items I to V but also to the types of violence defined by Maria da Penha Law⁴⁷ in Article 7, under Items I to VII.

⁴⁷ According to Maria da Penha Law, Article 7, under Items I to VII, violence against women can be physical, psychological, moral, sexual, and patrimonial.

a) Cruelty, physical and psychological violence — the offender was motivated by cruelty as well as physical and psychological violence, as he murdered his wife by throwing her out the window of the apartment they used to live in together, after assaulting her both physically and psychologically several times. This case was of high repercussion in the media, as the victim was a young woman attorney-at-law. In her honor, the state of Paraná (Brazil) marks the State Day for the Elimination of Femicide (July, 22nd). The defendant, named herein as [1st DEFENDANT], was found guilty of the crime but has not confessed.

b) Premeditation, physical and psychological violence — the offender acted in a sequential and planned manner, expecting the victim's death as the final result. She was cruelly murdered with over twenty stab wounds. The defendant's testimony is referred to as [2nd DEFENDANT]. He was found guilty of the crime of femicide, and despite initially pleading not guilty, he confessed to it during the action.

Both convicts are held in custody in state penitentiaries, serving their sentences. Thus, with a view to responding to the social need and the life-committed, militant goal of analyzing their discourses, we undertake our analysis based on the following guiding questions:

i) How do the current broad chronotope and the Jury Trial chronotope cross discursive practices of defendants accused of femicide?; ii) How does the ideological legal sphere legitimize certain ideological-evaluative projections in the defendants' discourses?; iii) How does the situation of discursive interaction regulate ideological-evaluative projections in defendants' utterances?; iv) How is the compositional and stylistic materialization of thematic content axiologically and ideologically constituted, so as to (un)veil images of the women they killed as well as images of themselves in their testimonies?

The following section presents the analysis undertaken. Each subsection aims at answering the questions while guiding our understanding of the extralinguistic and linguistic dimensions of the utterances chosen.

3 Dialogic Analysis of Discourses Mobilized by Defendants Accused of Femicide in Jury Trial

3.1 From the Broad Chronotope to the Jury Trial Chronotope

Chronotope corresponds to the indissoluble spatio-temporal relation in which neither subjects nor discourses are hung loose. Despite being indissoluble, those two dimensions do not merge into one. “The primary category in chronotope is time” (Bakhtin, 1981b, p.85),⁴⁸ as it combines with spatial variants to mediate social relations and form indices of identity, thus consubstantiating subjects’ images (un)veiled in utterances (Huff, 2021). Such assimilation among aspects of real historical space, historical human beings, and the reality that is revealed on them constitutes a complex, discontinuous process (Rohling, 2020). In this regard, there is no such thing as discursive manifestations exempt from symbolism; every discourse or subject image constituted in the utterance “is full of historical potential” (Bakhtin, 1981b, p.273).⁴⁹ As highlighted by Acosta-Pereira and Rodrigues (2014, p.189),⁵⁰ “chronotope is more than just being responsible for the indissoluble orchestration of time and space present in human events. In fact, it is the axiologically marked field of vision for these events.”

Bakhtin (1981b, p.358)⁵¹ also argues that it is the real world that engenders “the reflected and created chronotopes of the world represented in the work (in the text).” There are broader real-life chronotopes supporting the emergence of discursivities, and there are narrower ones formed in historically constituted social spaces where discourses materialize. Moreover, from the internal point of view of the utterance, even narrower chronotopes are set up by thematic orientation.

In the Brazilian sociohistorical chronotope, we watch a long history of social experiences crossed with patriarchal culture, gender inequality, and resulting asymmetries, which perpetuate acts of physical, psychological, legal, sexual, and

⁴⁸ For reference, see footnote 3.

⁴⁹ For reference, see footnote 3.

⁵⁰ In Portuguese: “o cronotopo, mais do que ser apenas responsável pela orquestração indissolúvel do tempo e espaço presente nos eventos do homem, é, de fato, o campo de visão axiologicamente marcado para esses eventos.”

⁵¹ For reference, see footnote 3.

symbolic violence against women. It is not rare that these acts end up in femicide. The annihilation of women, most of the times by men, partners, and husbands, is a phenomenon that persists and is shared by nearly all social classes.

Therefore, legal discursivities herein analyzed through discourses mobilized by defendants accused of femicide constitute memory and the (re)production of regular social relations. The broader Brazilian sociohistorical chronotope is refracted in the specificity of the Jury Trial chronotope, therefore, producing indices of identity to murderers of women on the basis of relationships of otherness (Amorim, 2004) with the other to whom one speaks — the jury, judge, woman judge, attorneys, the public opinion. This is because the past is updated with new practices, albeit modified. For instance, until 2021, the Brazilian Jury Trial chronotope was the stage for the defense of acrimonious theses, such as the Legitimate Defense of Honor. Hence, the broader chronotope and the Jury Trial chronotope overlap and operate as centers that organize murders' and victims' images in the utterance.

Thus, in Jury Trial, discourses mobilized by defendants accused of femicide are built in and on the basis of tensions among discursive actions that converge with the aim of extenuating or denying guilt. Murderers are the absolute authors of the version of facts since the victim has been silenced by death, and report to the Jury with a view to expressing negative images of the victims in discourse. Those women are then made to blame by the murderers who build up discursive images of themselves as victimized and disturbed men who had been coerced or called to action by the victims.⁵²

Murderers' narratives are built around disturbed affective, marital, and social relations guided by a desire for domination, possession, and control. In those situations, several types of violence are rendered natural until the end result of murder is achieved. To the murderer's view, the killing is always a fatality and the resulting need for reaction to the victim's provocation, as seen in excerpt 1:

⁵² The aforementioned images will be scrutinized in the thematic content analysis of discourses mobilized by defendants accused of femicide.

1) [2nd DEFENDANT]:⁵³ *Then she looked at me and said... “I like you... but he makes me feel good...” at the moment she said it I closed my eyes and stabbed her... I don’t know how.*⁵⁴

In excerpt 1, the murderer describes the very instant before the crime. He stabs the victim with a knife in reaction to her immediate provocation. When she confesses her betrayal, he feels strong emotions arouse and loses his temper. This is how discourses mobilized by defendants-murderers in the Jury Trial chronotope materialize as *defensive-victimistic-accusative*. Discourse is defensive in its content, as it meets the murderer’s aim of softening or exempting himself from his sentence. On the semiotic plane, however, the discursive construction of his own defense happens in the tension between portraying himself as the victim and accusing/defaming the other. On this basis, murderers build up negative images of the woman while relying on evaluations shared with the judge/woman judge and the Jury.

3.2 *The Ideological Legal Sphere*

Each ideological sphere of communication, or “each field commands its own special function within the unity of social life (Vološinov, 1973a, pp.9-10).⁵⁵ Therefore, those spheres

(...) not only saturate and provide meaning to utterances by means of ideological, evaluative, and meaning projections but also contribute to setting up certain conditions of production and discourse purpose that materialize in thematic content, style, and compositional construction (Acosta Pereira; Rodrigues, 1984, p.03).⁵⁶

A given sphere reverberates the phatic reality of linguistic practices in which the subject is situated. This subject is motivated by a desire to speak shared with the other,

⁵³ Transcription from oral to written text according to Petri’s (1999) table.

⁵⁴ In Portuguese: “Daí ela olhou pra mim e falou... ‘eu gosto de você... mas ele me faz bem’... aí na hora que ela falou isso eu fechei o olho e golpeei... eu não sei como.”

⁵⁵ For reference, see footnote 7.

⁵⁶ In Portuguese: “(...) não apenas saturam e significam os enunciados de determinadas projeções ideológicas, valorativas e de sentidos como, em adição, os consubstanciam de determinadas condições de produção e finalidades discursivas, que se materializam no conteúdo temático, no estilo e na composição.”

and such a desire is, in turn, mobilized in a given speech genre that has its own means of apprehending reality. The internal and external orientations of a speech genre towards reality (Medvedev, 1978)⁵⁷ materialize the utterance in a particular and unique manner while also responding to the sphere of production.

Since the legal sphere is accountable for the regulation of social life, it constitutes institutionalized ideological systems which are, in turn, constituted of a dialogue with everyday ideology. Thus, the legal sphere exerts a reverse influence on social life (Vološinov, 1976a).⁵⁸ Therefore, discourses mobilized by defendants accused of femicide in Jury Trial are crossed with dialogic relations that engender in the former reports of intimate-everyday life. At the same time, defendants resort to moral values, dealing with the law in advance, as advised by their attorneys. As a result, in the ideological legal sphere as well as in the defendants' testimonies in Jury Trial, discursive hybridity is consolidated, and this is built upon the boundaries of dialogic relations established among *intimate-everyday*, *perceived and implied moral* discourses, as well as *legal* discourses, as presented in the analysis of excerpt 2:

2) [2nd DEFENDANT]: *I was standing by the bathroom's door... because the bathroom's door is behind the sink... I was there and I said... "Get out!" and she kept saying: "I cheated on you... I really did... I regret it... but I don't regret having met him."*⁵⁹

In this excerpt, the murderer resorts to an intimate-everyday report, framing the victim's voice as well as his own, with a view to constituting an effect of truth in discourse. As foreseen by Vološinov (1973d),⁶⁰ quoted discourse is discourse inside discourse, a subtheme that is secondary to the theme. Nevertheless, due to being advised by his attorney and acknowledging the importance of emotion in a criminal procedure, the murderer discursively expresses such emotions, which, according to him, arose as a result of the victim's provocation, when uttering: "I cheated on you... I really did." As a

⁵⁷ For reference, see footnote 14.

⁵⁸ For reference, see footnote 11.

⁵⁹ In Portuguese: "Eu fiquei na porta do banheiro... porque a porta do banheiro fica atrás da pia...eu ali e falei... 'Sai daqui!' e ela falando: 'Eu te traí... eu realmente te traí...eu me arrependo de ter te traído... mas não me arrependo de ter conhecido ele'."

⁶⁰ For reference, see footnote 10.

result, he builds up an image of her as a confessed and provocative traitor, morally resorting to the Jury while implying that her confession deeply and morally hurt him so as to cause his reaction. At the same time, the argument based on implied emotion responds in anticipation of legal entanglements which has historically allowed such argument to be accepted within the field of Criminal Law. Consequently, the legal sphere ends up legitimizing sexist discourses, in which it has been established that men cannot be challenged, dishonored, or betrayed. As argued by Ramos (2012, p.53)⁶¹ “the prerogative of Legitimate Defense of Honor has been established in Brazilian Courts” throughout history due to a conservative point of view and it had been in force until 2021. Nevertheless, the remnants of making arguments such as those legitimate continue to reverberate.

As for intimate-everyday and moral discourses, Criminal Procedure/Law has accepted arguments built upon the aim of softening or exempting the murderer from his sentence on the basis of moral, religious, political, and social values. The Brazilian Constitution (1988), under Item XXXVIII, Subitem *a*, and Item LV of Article 5, provides for the fullness of defense and broad defense, respectively. For this reason, it is not rare to hear in court that the defendant committed a crime because he was jealous, felt annoyed, had an argument with the victim, or any other reason that triggered strong emotions in him so far as to make him lose his temper and end with the victim’s life. Historically, this is how the ideological legal sphere has legitimized certain axio-ideological projections onto the discourses of murders of women.

3.3 *The Situation of Interaction*

The situation of discursive interaction in Jury Trial is *pro forma*, and so it is most of the sphere legitimizing it. Within the axiological atmosphere that regulates such interaction, the social roles played by the defendant, the judge, the attorney, the Jury, and the prosecutor are very well determined. Speech turns proceed according to procedural legal rituals, and testimony is not freely given, it is rather guided by the question-answer

⁶¹ In Portuguese: “foi construída a prerrogativa da legítima defesa da honra na Jurisprudência brasileira.”

pair taking place during the interrogation conducted by the judge/woman judge. Defendant's discourse is guided by the attorney's advice, and the major aim is to free the offender from aggravations that might increase his sentence. In that sense, social experiences are updated in the defendants' testimonies, so that "social orientation acquires added complexity by focusing on the immediate social circumstances of discourse, and, above all, upon actual addressees" (Vološinov, 1973c, p.90).⁶² The defendant is therefore advised to answer questions accurately. The more *pro forma* and economical he is with his words, the more he will avoid self-sabotage. In excerpts 3, 4, and 5 the woman judge asks the offender about his experience with the victim, whether they engaged in disagreements or not, if something had changed, and if something was not normal between them. He is quite economical with his words:

3) [2nd DEFENDANT]: *No.*⁶³

4) [2nd DEFENDANT]: *No.*⁶⁴

The woman judge refreshes his memory about him having stated that his wife complained about not having enough conversations with him. He confirms:

5) [2nd DEFENDANT]: *Yeah!*⁶⁵

Additionally, the defendant acknowledges not only the addressees in space-time but also the conducts and hierarchies that regulate interaction. As advised by his attorney, the offender respectfully addresses the present authorities. This is materialized by the forms of address used in excerpts 6 and 7 in which *hierarchical* respect is very clear:

6) [1st DEFENDANT]: *so.. Your HOnour... first of all before I begin answering the questions, I'd like to ask for forgiveness from [the victim's name] family.*⁶⁶

⁶² For reference, see footnote 9.

⁶³ In Portuguese: "Não."

⁶⁴ In Portuguese: "Não."

⁶⁵ In Portuguese: "Sim!"

⁶⁶ In Portuguese: "então.. ExCELÊNcia... primeiramente antes de começar a responder as perguntas, eu gostaria de pedir perdão a família da [nome a vítima]."

7) [1st DEFENDANT]: *the second statement I'd like to give... doctor ((respectful tone)) do you have your phones with you?... if I am allowed by Your Honour to let the jury have... their phone and password... at the right moment as determined by Your Honour... ((submissive and flattering tone)).*⁶⁷

The offender expresses submissiveness: “if I am allowed by Your Honour to let the jury have,” “at the right moment as determined by Your Honour,” which is consolidated by the respectful and flattering tone he adopts, as advised by his attorney. Vološinov (1976a, p.100)⁶⁸ notes that

assumed value judgments are, therefore, not individual emotions but regular and essential acts. Individual emotions can come into play only as overtones accompanying the basic tone of social evaluation. “I” can realize itself verbally only on the basis of “we.”

The offender is aware he cannot disrespect the judge/woman judge, he must show respect in a concrete manner: the tone he adopts and his word choice. Likewise, he is aware he must deny or justify any action that might aggravate or increase his sentence. Moving the victim’s body before the production of expert evidence, for instance, is to commit the felony of crime scene staging, as defined in Article 347 of the Brazilian Penal Code. Thus, the first defendant asserts having moved the victim’s body from the crime scene on impulse, as he had lost his temper and was driven by a strong, momentary emotion. To achieve this, he expresses his action in discourse with an emotional-volitional tone of despair and lamentation, which is materialized in excerpt 8. As advocated by Bakhtin (1986a)⁶⁹ in *Speech genres*, the utterance is covered by a generic tone directed towards one’s speech will. “One can take a drier or more respectful tone, a colder or warmer one; one can introduce the joyful tone, and so forth” (Bakhtin, 1986a,

⁶⁷ In Portuguese: “segunda consideração que quero fazer... doutores... ((entonação de respeito)) vocês têm os celulares disponíveis aí?... se me for permitido disponibilizar para os cidadãos jurados... o celular e a senha... no momento oportuno que a Excelência determinar... ((entonação de submissão e bajulação)).”

⁶⁸ For reference, see footnote 12.

⁶⁹ For reference, see footnote 5.

p.79).⁷⁰ Excerpt 8 presents a general tone of despair, constituted by an amalgam of other expressive tones, analyzed as follows:

8) [1st DEFENDANT]: *it's just that at that moment I acted on impulse... it was just for a moment... I acted on impulse... I got... GOT her for me... to take her upstairs ((tone of despair and lamentation)) to take her to OUR home... but I wasn't thinking... I acted on impulse... on impulse...⁷¹*

Analysis of excerpt 8 suggests that emotion and impulsion are alibis used by the offender to reason on crime scene staging. Therefore, he repeats the same expressions and words in order to materialize the feeling of despair, creating a tragic scene in which he takes the victim's body for himself, thus expressing lamentation in discourse. Moreover, he builds up the discursive image of a familiar and affectionate man by adopting an affective tone. He refracts himself as a protective man when using the pronoun "our" to refer to their home. As discussed by Safioti (2015), violence against women is also expressed under the mask of protection and care.

Analysis indicates that in the specific situation of interaction discourses mobilized by defendants accused of femicide (whether confessors or not) materialize as *pro-forma-hierarchical-bivocal*. Discourse is *pro-forma* because formal circumstances are regulated with established rituals and well-defined social roles, thus consolidating murderers' speech acts while guiding them about what to say, how to say it, and when to say it. Meanwhile, discourse is *hierarchical* because the same murderers (including the ones whose testimonies have been analyzed herein) who are extremely brutal in their acts when killing those women, throwing a woman out of the window, and stabbing another over 20 times, also act with hierarchical respect when addressing the judge/woman judge, and responding to the rituals of interaction with a tone of self-control, flattery, and submissiveness.

⁷⁰ For reference, see footnote 12.

⁷¹ In Portuguese: "é só que no momento foi um impulso que eu tive... foi um momento... foi um impulso que eu tive... peguei ... PEGUEI ela pra mim... pra levar lá pra cima... ((entonação de desespero e lamentação)) pra levar pra NOSSA casa... só que não teve um raciocínio... foi um impulso... foi um impulso..."

In intonation, discourse comes directly into contact with life. And it is in intonation above all that the speaker comes into contact with the listener or listeners – intonation is social *par excellence*. It is especially sensitive to all vibrations in the social atmosphere surrounding the speaker (Vološinov, 1976b, p.102; emphasis in original).⁷²

Murderers' discourse is bivocal, as it is advised by the attorney via dialogic relations with the already spoken of laws and discourses that reverberate moral and cultural values. The latter is made legitimate in the field of Criminal Law within the legal sphere. As reaffirmed by Bakhtin (1981a, p.324; emphasis in original):

*Another's speech in another's language, serving to express authorial intentions but in a refracted way. Such speech constitutes a special type of double-voiced discourse. It serves two speakers at the same time and expresses simultaneously two different intentions: the directed intentions of the character who is speaking, and the refracted intention of the author. In such discourse, there are two voices, two meanings, and two expressions.*⁷³

All those evaluative projections arising from the extralinguistic dimension cumulatively overlap and reflect one another, as discourses are ideologically constituted in the thematic content of the genre, which is realized through style and compositional construction.

3.4 Projections from the Extralinguistic Dimensions of the Utterance in the Thematic Content Realization

According to Acosta-Pereira and Oliveira (2020, p.247),⁷⁴ thematic content is chronotopic and “does not exclusively rely on the addresser's will, but on the will that is engendered within the circumstances provided by the chronotope.” Thus, since the chronotope comprises the object of discourse, “the speech act in itself and, therefore, the author and addressee in the circumstances of interaction, (...) it constitutes the grounds for the analyst to retrieve a *subject chronotopic image expressed in discourse*” (Huff,

⁷² For reference, see footnote 12.

⁷³ For reference, see footnote 2.

⁷⁴ In Portuguese: “não depende exclusivamente da vontade do sujeito que enuncia, mas dessa vontade engendrada às condições dadas pelo cronotopo.”

2021, p.143; emphasis in original).⁷⁵ Such an image is not only chronotopic but also reflects the cumulative evaluations of other extralinguistic dimensions of the utterance — the ideological sphere, the circumstances of interaction —, as well as the social roles played by participants. We then move on to the analysis of the victims’ and murderers’ images built up by the latter through the thematic content of testimonies.

3.4.1 *Images of Women and Themselves in the Thematization of Softening or Exempting Murderers’ Sentences in Discourse*

First and second defendants’ discourses have different aims. The first one denies having committed the crime and builds his defense upon the thesis that the victim had committed suicide by throwing herself out of the window instead of being him who threw her out of the window from the fourth floor of the building where they lived in together. On the other hand, the second defendant confesses having committed the crime but aims at softening his guilt. Both of them share the same traits of *defensive-victimistic-accusative* discourse crossed by the chronotope; as well as *intimate-everyday, moral, and legal* discourses which are made hybrid and legitimate in the legal sphere, in addition to *pro-forma-hierarchical-bivocal* discourse regulated by the situation of discursive interaction.

[1ST DEFENDANT]’s report is built upon the day crime was committed. He had supposedly gone out with the victim to celebrate his birthday at a bar with friends, and she had ruined everything before, during, and after the party by being late and subsequently missing a table reservation, being jealous, intruding on his privacy while he was speaking on the phone, freaking out, being stubborn and hysterical, blackmailing him, daydreaming, not being emotionally controlled, and other attitudes that made him lose self-control and control of the situation. The images he builds for the woman and himself are formed on the basis of a subset of themes and by means of specific stylistic resources through which evaluations materialize under a general tone of drama and despair. Excerpts 10 and 11 suggest the offender is dedicated to building negative images

⁷⁵ In Portuguese: “o ato da enunciação em si e, portanto, o autor e o interlocutor na situação de interação, (...) [constitui] base para o analista recuperar uma *imagem discursivizada de sujeito cronotópica*.”

for the victim, which contributes to supporting the thesis that she could have committed suicide:

9) [1st DEFENDANT] — *and she kind of throws herself on the floor... she throws herself on the floor... “fuck... freaking out, right?”... “Get up...” ((unstable, aggressive, overbearing tone))... and she tries to pull me down to the floor again...*⁷⁶

10) [1st DEFENDANT] — *then she was really pissed off... she was FUrrious... she was hallucinating... hallucinating... she threw her phone on the floor... she hurled her phone onto the floor... she broke her phone into pieces... I got down to get it and said... “oh what have you done... congratulations...” ((ironic tone)) then she said... “those BITches”... and then she was all over me... she attacked me... “those BITCHES... those WHORES”... She hit me...*⁷⁷

In excerpt 9, the offender expresses the image of a stubborn, childish woman in discourse. He reports her throwing herself on the floor and freaking out while he acts as an overbearing, corrective father, demanding she gets up, as materialized by the imperative form of the verb “get up.” The overbearing, unstable, and aggressive tone implies an asymmetrical relationship of which he is in charge and she is a person incapable of making salutary judgments and, for this reason, she must obey him. By describing the contentious interactions among them, in both excerpts, the offender points to discourses that (un)veil the image of an overbearing, rude, aggressive, ironic, accusative man. In his words: “Get up” — verbs in the imperative which express a command; “fuck” — interjection spoken in an abusive, accusative tone; “oh what have you done... congratulations...” — an ironic expression spoken in an accusative tone, blaming the victim for his act.

In excerpt 10, by means of predicates, he reports her mental state: “she was really pissed off,” “she was furious,” and “she was hallucinating.” The offender repeatedly uses the same syntactic structure to emphasize how unsettled and unstable the victim was. The

⁷⁶ In Portuguese: “e ela meio que se joga no chão... ela se joga no chão... ‘porra... fazendo manha, né’... ‘Levanta...’ ((entonação descontrolada e agressiva, autoritária))... e ela tenta me puxar de novo pro chão...”

⁷⁷ In Portuguese: “nisso ela ficou puta da vida... ela ficou poSSESa... ela ficou alucinada...ficou alucinada... ela jogou o celular no chão... ela arremessou o celular no chão... ela estraçalhou o celular... abaixei pra pegar e falei... ‘oh o que você fez... parabéns...’ ((entonação irônica)) nisso ela falou... ‘essas vagABUNDAS’... e já foi pra cima de mim... já foi me atacando... ‘ó essas VAGABUNDAS... essas PUTAS’... Foi me batendo...”

image of an unstable woman is intensified as he reports she had thrown her phone on the floor, breaking it into pieces. Subsequently, he builds an image of a jealous woman by reproducing and framing the victim's voice in his report, thereby demonstrating how she would refer to other women of whom she felt jealous: "Those bitches." Similarly, he also expresses in discourse the image of an unstable, aggressive woman who is capable of attacking him: "and then she was all over me," "she attacked me, (...) she hit me."

In both excerpts, the offender builds up in discourse images of a hysterical, unsettled, emotionally unstable, childish, aggressive, disrespectful, jealous, and stubborn woman. Huff (2021, p.134; emphasis in original)⁷⁸ claims that "*subject images expressed in discourse* must neither be understood as abstract generalizations of subjects in general nor as the expression of an individual's psyche, but rather as a non-indifferent category." Thus, building up the aforementioned images for the victim is providing support for the thesis of suicide, which ends up smoothing away the accusation of femicide. In Brazilian Criminal Law, *in dubio pro reo* is a fundamental principle stating that in a doubtful case concerning the defendant's guilt, the principle of presumption of innocence must prevail. This is because criminal guilt must be proven beyond a reasonable doubt at trial.

As for himself, he expresses in discourse the image of a reconciler, but paradoxically (un)veils the image of an aggressive man in his words and gestures, as analyzed in excerpts 11 and 12:

11) [1st DEFENDANT] — *and I kept pouring oil on troubled waters... but it turns out she was late on purpose... I think...*⁷⁹

12) [1st DEFENDANT] — *"who are you talking to? Let me see your phone, who are you talking to?..." I said... "fuck" ((upset and aggressive tone))... "I am talking to people who are texting me... stop being neurotic, calm down..." "Let me see your phone..."*⁸⁰

⁷⁸ In Portuguese: "as *imagens discursivizadas de sujeito* não devem ser entendidas como generalizações abstratas dos sujeitos em geral tampouco como expressões materializadas da psique do indivíduo, mas como categoria não-indiferente."

⁷⁹ In Portuguese: "e eu sempre colocando panos quentes... mas acontece que ela demorou de propósito... ao meu ver..."

⁸⁰ In Portuguese: "'com quem que você está falando? Deixa eu ver o seu celular, com quem você está falando?...' eu falei... 'porra' ((entonação irritada e agressiva))... 'estou falando com quem está me mandando mensagem... para de ficar neurótica, fica tranquila'... 'deixa eu ver o celular...'"

In excerpt 11, he aims to be seen as conciliatory, as suggested by the expression “I kept pouring oil on troubled waters.” He mobilizes social-value judgment that gives support to the image of a peacemaker. However, he (un)veils himself as a resentful man when claiming the woman was late on purpose. In excerpt 12, the theme-oriented discursive construction of a jealous woman interweaves, in the defendant’s report, dialogic relations anchored on discourses about jealousy and the desire for control by the woman. By repeatedly framing the victim’s voice, “Let me see your phone, who are you talking to?” “What are you seeing on your phone?” he reaffirms the image of an insecure, disturbing, insistent, invasive, jealous woman. He suggests the image of a neurotic, agitated woman, as materialized by predicated he attributes to her.

The second defendant is a defendant-confessor who stabbed the victim over 20 times because he did not accept the breakup of their relationship. One year and a half before the crime, the victim had expressed her desire to divorce, and he resisted it. In his report, the murderer builds the self-image of a psychologically shaken, sick man who is unconscious of his actions and had been driven by a strong emotion arousing from his indignation with the victim’s deep disrespect towards him and her provocative behavior when confessing having betrayed him, as noted in excerpts 13, 14, 15, 16:

13) [2nd DEFENDANT] — *I was going to the psychiatrist... because I had been struggling with psychological issues... so... my supervisor advised me... to go to the psychiatrist and so I did...*⁸¹

14) [2nd DEFENDANT] — *the most important is that I was incapable of dealing with myself... I didn't know what to think... I didn't... I thought my way out was to kill myself.*⁸²

15) [2nd DEFENDANT] — *she sent him a picture of her wearing the dress I had given her to wear during New Year's... and she kept saying... “this one is for you...” and he answered “pretty... delicious...” ((malicious tone)) there was a picture of my daughters in their conversation and he kept saying... “pretty... delicious...”*⁸³

⁸¹ In Portuguese: “estava passando pelo psiquiatra... porque eu estava com problemas psicológicos... é... e a minha supervisora indicou... para eu passar no psiquiatra e eu fui e passei pelo psiquiatra...”

⁸² In Portuguese: “primordial foi que eu não conseguia lidar comigo mesmo... não sabia o que pensar... não sabia... eu achava que a saída era me matar.”

⁸³ In Portuguese: “mandou uma foto com o vestido que eu tinha comprado pra gente passar o ano novo junto... e ela falando... ‘e essa é pra você...’ e ele falando... ‘linda... Delícia...’ ((entonções de malícia) e tinha foto das minhas filhas na conversa e ele comentando... ‘linda...delícia...’”

16) [2nd DEFENDANT] — *I got the knife and went to the room... and then she said... “what’s going on?” then I answered... “you’re CHEATING on me...” then she said like this... “I’m not cheating on you...” so she denied... then I... “WHO IS FÁBIO?... “I saw you showing him pictures of that dress I got you for New Year’s...” then she answered... “you know what?... I REALLY did cheat on you, I brought him HOME...” then she kept talking and I had the knife with me in the room... and I kept saying “get out! get out”... ((tone of order and despair)) and she didn’t... then I left the room...⁸⁴*

In excerpt 13, the murderer expresses in discourse his shaken emotional, and psychological state. He claims to have undergone psychiatric treatment and implies the thesis of having performed an unconscious act. In excerpt 14, he makes such thesis explicit when asserting that “the most important” was that he couldn’t deal with himself and says “I didn’t know what to think... I didn’t.” At this point, the murderer conducts his discourse with the aim of building the thesis of pleading not guilty on the basis of an image of a psychologically shaken person who is disturbed and incapable of thinking on his own.

By employing this strategy, he is seeking civil commitment, which differs from serving his sentence in prison: when a defendant is considered mentally ill, he will be taken to a mental institution for the criminally insane instead of prison. His attorney’s advice engenders dialogic relations with the law into the murderer’s discourse. In this sense, “the semantic ties among various utterances become dialogic” (Bakhtin, 1986b, p.114)⁸⁵ in discourse construction. As stated by the Brazilian Penal Code under Article 26:

the defendant is acquitted by reason of insanity, mental defect, or mental retardation if he was completely incapable of recognizing the wrongfulness of the action or omission at the time of committing the object offense or if he did know it, that he did not know he was doing

⁸⁴ In Portuguese: “eu peguei a faca e fui pro quarto...e ela falou... ‘o que que está acontecendo?...’ daí eu falei... ‘você está me TRAINDO...’ aí ela falou assim... ‘eu não estou te traindo...’ e assim ela negou... daí eu... ‘QUEM É FÁBIO?... eu vi você mostrando as fotos do vestido que eu comprei pra você ir no ano novo...’ Aí ela falou... ‘quer saber de uma coisa?... eu REALMENTE de trai, eu trouxe ele pra dentro de CASA...’ e aí ela foi falando e eu no quarto com a faca.... e eu falava... ‘sai daqui! sai daqui...’ ((entonações de ordem e desespero)) e ela não saia... aí eu saí do quarto ...”

⁸⁵ For reference, see footnote 6.

what was wrong (free translation of Law 7.209 / 11.7.1984) Sentence reduction.

Sole paragraph — reduction in sentence for a guilty plea can range from one-third to two-thirds if the offender by reason of mental disorder, mental defect, or mental retardation was completely incapable of recognizing the wrongfulness of the action or if he did know it, that he did not know he was doing what was wrong. (free translation of Law 7.209 / 11.7.1984) (Brazil, Penal Code, 1940. p.5).⁸⁶

Hence, in discourse, the image of a man unconscious of his actions, who commits a crime under abnormal mental circumstances, goes in opposite direction to the image of a traitor, illogical, insensitive woman, as expressed in excerpt 15: she cheats on her husband while wearing the clothes he gave her; she is disrespectful for sharing her daughters' pictures with her lover. In his report, the murderer reaccentuates the malicious tone he infers from his wife's lover's WhatsApp texts, which alternated with pictures of his daughters.

In excerpt 16, he expresses in discourse the moment he demands the victim confesses her betrayal. His remarks imply how intimidated she felt when he threatened her life by carrying a knife while adopting an uncontrolled, aggressive, inquisitive tone when addressing her: “You’re cheating on me,” “Who is Fábio?” Vološinov (1976b, p.104)⁸⁷ notes that “close kinship unites the intonational metaphor with the gesticulatory metaphor. (...) Gesture always has latent within itself the germ of attack or defense, of threat or caress, with the contemplator and listener relegated to the role of ally or defendant.”

Thus, in the aforementioned report, the image of a man who has the intention to kill is (un)veiled. However, the murderer expresses in discourse the image of a woman who confronts and provokes him, an outrageous woman that confesses having cheated on him in a provocative manner. This is analyzed in the materialization of tone applied to

⁸⁶ In Portuguese: “É isento de pena o agente que, por doença mental ou desenvolvimento mental incompleto ou retardado, era, ao tempo da ação ou da omissão, inteiramente incapaz de entender o caráter ilícito do fato ou de determinar-se de acordo com esse entendimento. (Redação dada pela Lei nº 7.209, de 11.7.1984) Redução de pena.

“Parágrafo único - A pena pode ser reduzida de um a dois terços, se o agente, em virtude de perturbação de saúde mental ou por desenvolvimento mental incompleto ou retardado não era inteiramente capaz de entender o caráter ilícito do fato ou de determinar-se de acordo com esse entendimento (Redação dada pela Lei nº 7.209, de 11.7.1984).”

⁸⁷ For reference, see footnote 12.

the adverb “really” in the expression “I really did cheat on you” and in the compliment “I brought him home.” Justification for the crime is manifested in discourse by correlated reports: a mentally ill and disturbed man had been betrayed, he feels outraged and provoked to react, therefore, he loses his temper and kills.

When interrogated, particularly with regard to how he stabbed the victim for the first time and whether or not he recalled having stabbed her over and over again (records indicated that the victim was stabbed 25 times), he describes the crime scene while building the image of an absent-minded man whose acts had been guided by loss of temper:

17) [2nd DEFENDANT] — *look... I held the knife like this ((he simulates holding the object near his chest)) ... so it must have probably happened on the neck... after that I know she did like this ((he simulates the woman's fists)) ... and I don't know if I stabbed her hands... I don't know... I lost track of everything... I still don't know why and how I did it...*⁸⁸

The image of an absent-minded man who is not certain of what and how he did it is linguistically represented by the adverb “probably” and the expression of presumable certainty in “it must have,” the repeated expression of doubt “I don’t know,” and the thesis of losing control. The same tense discursive construction is shared by the rest of his testimony.

Final Considerations

The present study has analyzed how discourses of defendants accused of femicide are constituted under semantic-objective *defensive-victimistic-accusative* orientation refracted by the chronotope. Inserted within the legal sphere, those discourses are made hybrid as *intimate-everyday*, *moral*, and *legal*. Similarly, they materialize as *pro-forma-hierarchical-bivocal* in the specific situation of discursive interaction in Jury Trial.

⁸⁸ In Portuguese: “olha...eu estava com a faca assim ((sinaliza o objeto próximo ao peito))... então provavelmente deve ter sido aqui no pescoço... eu sei que daí ela fez assim pra mim ((sinaliza com a junção dos punhos))... e eu não sei se golpreei as mãos dela... eu não sei... perdi a noção... até hoje eu não sei o porquê e como eu fiz isso...”

The aforementioned orientation emerges from and cumulates in the extralinguistic dimension of utterances analyzed herein. The former reflects into the thematic content of testimonies, in which dialogic relations interweave stylistically and compositionally so as to mobilize axiologies that are, in turn, related to the ideologies providing support to the manifestation of images of themselves and the victims in discourse. Such images (un)veil subjects in contentious social relations.

Even though each testimony analyzed herein has its own specific aim and is settled on different arguments, ideologically speaking, murderers express in discourse images of: a) victimized and emotionally shaken men; b) men who act unconsciously; c) men provoked to react; d) men who had no intention to kill; e) regretful men. As for the victims, they express in discourse images of provocative women who: a) make them feel disturbed; b) are illogical c) are uncontrolled; among others.

Analysis of linguistic materialization suggests that by trying to defend themselves and to express victimization in discourse, they paradoxically imply images of themselves as overbearing, controlling, aggressive, uncontrolled, illogical men who intended to kill.

The findings of this research support the need for further work that problematize practices and discursive acts within the ideological legal sphere and make agents aware of comprehending and responsibly adhering to advances in the Human Sciences and Language Studies. This is particularly so regarding acknowledgement of ideological content axiologically manifested in testimonies of defendants accused of femicide, which tells about asymmetric social relations supported by gender inequality and are anchored on patriarchal values that favor the annihilation of women.

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Declaration of Author's Contribution

Adriana Delmira Mendes Polato outlined and guided the design of the project that supported the development of the work, actively participated in the theoretical construction and data analysis and was responsible for the general revision of the text, as

well as its adaptation to the journal's norms. She also acted as a translator of the work into English.

Neil Franco made a critical review of the intellectual content, contributing, in general and punctually, with the improvement of theoretical, methodological and analytical aspects, above all for a significant theoretical-methodological support via Dialogic Discourse Analysis (DDA).

Andreia Aparecida de Souza participated in the design of the project that supported the preparation of the work, built the first version of the theoretical review and data analysis, especially from the surplus of vision in the area of law.

Research Data and Other Materials Availability

The contents underlying the research text are included in the manuscript.

Reviews

Due to the commitment assumed by *Bakhtiniana. Revista de Estudos do Discurso* [Bakhtiniana. Journal of Discourse Studies] to Open Science, this journal only publishes reviews that have been authorized by all involved.

Review I

The article analyzes sensitive texts in a clear and well-organized manner, highlighting paths that might contribute to agents acting within the legal sphere and who need support for their decision-making. It also provides for discourse analysts dealing with utterances that are not often taken as objects of analysis.

Regarding the aspects to be assessed in this expert's opinion, in particular: the article's title is appropriate to what is further developed throughout the text. Objectives were proposed within a broader perspective of discourse analysis and have been successfully fulfilled.

Theory is well presented and proves coherent to the analysis proposed. The final remarks section summarizes without repeating the content structure, for which the article deserves some credit.

I, therefore, recommend the publication of the article provided that references be reviewed, as pointed out in my complimentary remarks.

Additionally, I recommend the following issues to be addressed:

- A) The term "this triennium" is used with the demonstrative pronoun referring to the last three years, including the current year. I suggest mentioning the exact years of the triennium in the text to avoid readers having to search for the article's date of submission.
- B) Subitem 4.1.2 has been mentioned before subitem 4. I believe it is a minor issue that has not been previously addressed. In other words, review subitems numbering.
- C) There is a paragraph in the analysis section with a typo (in Portuguese: "*com analisamos a partir do excerto*"). Although it is a minor issue, it should be corrected.
- D) "Whatsapp" was spelled "whastapp;" "*desequilibrada*" was spelled "*desquilibrada*;" "*entonações*" was spelled "*entonações*." Please, check.

E) References must be corrected (I will present them in the order they appear in the text rather than in alphabetical order).

- 1) The following works have been cited in the text, but have not been referenced:
 - LOURO, 2005
 - ROHLING, 2014 (there are two mentions and only one reference)
 - BRAIT, 2014
 - DESTRI, MARCHEZAN, 2021
- 2) Check the following:
 - DE PAULA is cited as PAULA in the text;
 - BRAIT and BRAIT; PISTORI are not followed by the date of publication, only page numbers;
 - VOLOSHINOV, 2018 [1929-1930] is cited in the text, but it has not been referenced. Instead, VOLOSHINOV, 2013 [1930]; VOLOSHINOV, 2017; VOLOSHINOV, 2019 [1926] are referenced. Please, check for missing references or possibly wrong dates.
 - BAKHTIN, 1988 [1963] is not referenced. BAKHTIN, 1988 [1975] is referenced, but it is mentioned later in the text.
 - MEDVIÉDEV, 2019 [1928] is not referenced. Instead, MEDVIÉDEV, 2012 is referenced. ACCEPTED

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Reviewed on September 18, 2022.

Review II

It is a well-structured article focusing on analysis while also resorting to theory to validate it. The title is appropriate to the content, and so are the objectives, thus leading readers toward an understanding of the text. Special attention is given to the research methodology which retrieves the proposals of other scholars in the field to justify the method used for the analysis of selected testimonies. Theory is somewhat neglected, but this does not detract from the text, once the analytical section includes the theory that is necessary for analysis. By focusing on citing other methods, a summary of up-to-date references is presented in the article, which makes it relevant and of immediate interest. The research aim addresses a matter of topical interest, particularly to discourse studies, as properly highlighted in the final remarks section, which validates publication. Lastly, the linguistic suitability of the text allows for directed and clear reading of the research argumentation and conclusions. ACCEPTED

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Reviewed on October 05, 2022.

Review III

The article aims to “analyze how discourses of defendants accused of femicide in Jury Trial are axiologically and ideologically constituted.” The theme is relevant and adds to Dialogic Discourse Analysis studies. Theory and concepts guiding analysis are appropriate. It is important to check the following issues, as they might affect the quality of the article.

- A) Check the categories that are mentioned but not explained in the theoretical section (for example, “chronotope”).
- B) Check the categories that are used for analysis but explained in the theoretical section under different names (for example, “tone”).
- C) Explain names used throughout the text, such as “defensive-victimistic-accusative.” What characteristics of discourse made you opt for them?
- D) Add information about the research methodology in your abstract.
- E) Check spelling and punctuation.
- F) Check quotations that have not been referenced, such as LOURO, 2005.
- G) Check text formatting (space, the punctuation of keywords, bold, the numbering of sections, etc).
- H) Reconsider the terms “ideological” and “axiological.” For example, the aim is to analyze how discourses are axiologically and ideologically constituted. “Axiological” should be enough. Avoid redundancy.

The corrections suggested in this report are necessary to improve the article. I am available to clarify any doubts the authors might have. CORRECTIONS ARE COMPULSORY [REVISION]

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