



The Social Right to Education and Cases of Gender-Based Violence in Higher Education Institutions in Brazil

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Abstract

Education is enshrined in the 1988 Federal Constitution in Brazil as a social right for everyone, and the State's duty, and the family's. The universalization of public education and the guarantee of quality education for all are the responsibility of the State. Therefore, the state must pursue the universalization of public education and guarantee quality education for everyone. On the other hand, power relations in society generate cases of violence permeated by discrimination and prejudice that, when targeting women, highlight a gender issue problem. Thus, considering that power relations generate violence that can be constantly observed in educational institutions, which damages a guarantee of quality education for possible victims, the main objective is to demonstrate the correlation of gender-based violence at universities. Also, the aim is to provide a guarantee of a social right to education, resorting to bibliographical research of books and articles on the subject, including methodology and implementation. This study also uses critical analysis as a method, following a qualitative approach. The main result of this research is to expand knowledge of forms of aggression and policies available for institutions to confront violence against women. Furthermore, actions in this sense are part of a university's social function.

Keywords: social right; education; gender; women; violence.

El derecho social a la educación frente a los casos de violencias de género en instituciones de educación superior en Brasil

Resumen

La educación está consagrada en la Constitución Federal de 1988 en Brasil como un derecho social para todos y como un deber del Estado y la familia, a la par que la universalización de la educación pública y la garantía de educación de calidad para todos son una tarea del Estado. Por otro lado, las relaciones de poder en la sociedad generan casos de violencia permeados por la discriminación y el prejuicio. Estos casos, cuando afectan a las mujeres, ponen de relieve problemas de género. Con base en la violencia motivada por las relaciones de poder que se observa en las instituciones educativas y afecta la garantía de la calidad de la educación para las potenciales víctimas, este trabajo se propone demostrar la correlación entre la violencia de género infligida en el contexto universitario y el derecho social a la educación, por medio de un sondeo bibliográfico. El material se analizó siguiendo una metodología de análisis crítico con enfoque cualitativo. El principal hallazgo fue la ampliación de la comprensión de las formas de agresión y las políticas institucionales para tratar la violencia contra las mujeres. Las acciones en ese sentido se inscriben en la función social de la universidad.

Palabras clave: derecho social; educación; género; mujeres; violencia.

O direito social à educação diante de casos de violência de gênero em instituições de ensino superior no Brasil

Abstract

A educação está consagrada na Constituição Federal do Brasil de 1988 como um direito social de todos e um dever do Estado e da família, enquanto a universalização do ensino público e a garantia de uma educação de qualidade para todos é uma tarefa do Estado. Por outro lado, as relações de poder na sociedade geram casos de violência permeados por discriminação e preconceito. Esses casos, quando atingem as mulheres, evidenciam problemáticas de gênero. Com base na violência motivada pelas relações de poder que se observa nas instituições de ensino e que afeta a garantia da qualidade da educação para as potenciais vítimas, este artigo visa demonstrar a correlação entre a violência de gênero no contexto universitário e o direito social à educação, por meio de uma pesquisa bibliográfica. O material foi analisado seguindo uma metodologia de análise crítica com abordagem qualitativa. A principal constatação foi a ampliação da compreensão das formas de agressão e das políticas institucionais de enfrentamento da violência contra a mulher. Ações nesse sentido fazem parte da função social da universidade.

Palavras-chave: direito social; educação; gênero; mulheres; violência.

Introduction

This study is the result of the author's academic activity in a Post-Graduate Law Program at Universidad Federal de Pelotas. It was based on his research on a social right to education and its correlation to gender-based violence cases in universities, especially against students.

The 1988 Federal Constitution has established basic social rights, guidelines, principles, and legal norms, among which we highlight the importance of education and its recognition as a social fundamental right. It must be guaranteed and subject to actions by parties responsible for its materialization, society, family, educational institutions, and the State (Cury & Ferreira, 2009).

In article 205, the Constitution establishes the objectives of education, including "people's full development, their training to exercise their citizenship, and their work qualification" (Constituição da República Federativa do Brasil, 1988).

Hence, higher education institutions can be considered of the utmost importance for the democratization of education and the construction of a more equal and respectful society. This will be as long as a university setting is also a space for freedom and learning that values are a coming together of different minds and ideas.

However, despite representing a space of struggle and social construction, universities are not free from numerous problems that affect society as a whole. In educational institutions, reports of students, employees, and professors' prejudice and violence are not strange (Almeida, 2017).

In this context, cases of gender-based violence against women are especially frequent and reveal the incidence of power relations in society and their repercussions in a university setting.

Therefore, this study seeks to demonstrate how this violence becomes an obstacle to ensuring a safe setting with the necessary conditions for quality learning and, thus, to the social right to education itself.

To that end, a brief contextualization of education as a social right will be conducted through a bibliography review, highlighting its constitutionally established goals. After that, some of the questions that permeate discrimination and gender-based violence will be presented, as well as the incidence of gender-based violence in a university setting and the universities' reflections on and correlations with the right to education.

1. Social Right to Education

The importance the 1988 Constituent Assembly gave to social rights is undeniable. In quantitative and qualitative terms, the constitutional text, enacted on October 5, 1988,

provides the mentioned rights unprecedentedly highlighted in Brazilian constitutional history (Sarlet, 2009, p. 2).

Among the expressed references of social rights found in the Constitution, Art. 6 lists some of these rights, including a right to education:

Article 6. Education, health, food, work, housing, transportation, leisure, security, social security, motherhood and childhood protection, and homeless assistance are social rights set forth in this Constitution. (Constituição da República Federativa do Brasil, 1988)

Similarly, it is worth highlighting that those fundamental rights, which include social rights, are commonly classified as "generations of rights", a term Karel Vasak presented in 1979. He used the bases of the French Revolution – liberty, equality, and fraternity –and initially presented three generations of fundamental rights (Oliveira, 2010).

The first generation of rights covers civil and political rights arising from a time of overcoming absolutist regimes and a need to declare and protect recently conquered freedom rights. This generation of rights had as its main landmarks the 1776 Virginia Declaration of Rights as a result of the American revolution, and the 1789 Declaration of the Rights of Man and Citizens of the French revolution (Silva, 2005).

Therefore, as people's political participation progressed, it became necessary to face the many inequalities in 19th and 20th-century societies. Thus, as a result of social movements' struggles, a need for state regulation of certain basic rights arose to guarantee freedom rights to a larger share of the population. From these movements, social, economic, and cultural rights arose, characterizing the second generation of rights (Silva, 2005).

Despite being debatable, the main difference between second- and first-generation rights lies in the fact that second-generation rights demand a positive provision of state action to ensure fulfilment. However, first-generation rights usually demand the State's non-action, a negative provision (Silva, 2005).

The third generation of rights has even more diverse characteristics. It covers many rights, which may be different from each other but have solidarity as a converging point, especially in an international scope. Some examples are the right to peace, environment, development, and protection of universal heritage (Tosi, 2005).

It is worth mentioning that even though the term "generations" leads to the interpretation that the advent of one generation implies the overcoming of the previous one, this is not the case for fundamental rights generations. The term represents the historical evolution of these rights, and not a conflict with each other. On the contrary, we may also affirm that all human rights constitute a comprehensive, inseparable complex in which different rights are necessarily interrelated and interdependent. (Piovesan, 2012, p. 47).

The object of this study, the right to education as a social right, belongs to the second generation of rights. Therefore, Article 6 of the 1988 Federal Constitution mentioned above states that "Education, health, food, work, housing, transportation, leisure, security, social security, motherhood and childhood protection, and homeless assistance are social rights, as set forth by this Constitution" (Constituição da República Federativa do Brasil, 1988).

The Constitution also establishes in Art. 205, as objectives of Education, "people's full development, their training to exercise their citizenship and their work qualification" (Constituição da República Federativa do Brasil, 1988).

Given these objectives, Segalla and Kiefer (2015, p. 174) affirm that one can conclude that education according to the 1988 Constitution, goes far beyond its cognitive aspect because people's full development and their training to exercise their citizenship cross that boundary. Educating means to help construct thinking, teaching to search for knowledge and how to use it. Education must lead to a perception of others and the space one occupies in a community. Education must transform and make us more human since thinking is what differentiates us from other animals. Thus, it is undeniable that teaching to think means teaching to be free.

In article 206, in turn, the Federal Constitution lists the basic principles that must guide Brazilian Education, namely:

- I– equal conditions of school access and permanence,
- II– freedom to learn, teach, research, express thoughts, art, and knowledge,
- III– pluralism of public and private teaching institutions' pedagogic ideas and conceptions and coexistence,
- IV– free public education in public schools,
- V– school education professionals' assessment, guaranteeing, under the law, career schemes for public school teachers, exclusively admitted through competitive civil-servant examinations consisting of taking tests and submitting academic and professional credentials,
- VI– democratic administration of public education, as prescribed under the law,
- VII– a guarantee of quality standards
- VIII– a nationwide professional minimum salary for public school teachers, under federal law. (Constituição da República Federativa do Brasil, 1988, 1988)

One must also highlight the 1996 Law of National Education Guidelines and Bases –LDBEN, which, in Article 1 establishes that education covers formative

processes developed throughout family life, human coexistence, work, education and research institutions, social movements, civil society organizations, and cultural expressions (Sartori, 2022, p. 4).

The LDBEN establishes in Article 2 that education is a family's duty and the State's, inspired by principles of liberty and human solidarity. This aims at students' development in their training to exercise their citizenship and their work qualification (Bombardelli, 2020).

Considering the provision that the ideals of human solidarity must inspire education, it is evident that education must seek a common good and a harmonious life in society (Segalla & Kiefer 2015). About solidarity, Peces-Barba (2004, pp. 178-179) teaches us that:

The starting point of solidarity is to recognize other people's reality and consider their problems not as other people's but as problems susceptible to being resolved with the public authorities' intervention and other people's intervention. The political objective is to create a society in which people consider themselves members of society and resolve their basic needs in them, without qualitative leaps in groups in which men develop their lives and their activities. In brief, people can realize their moral vocation as autonomous free beings. The objective involves reaching out to those who are in the weakest, most disadvantaged situations.¹

Therefore, based on the social characteristic of the right to education and the interdependence of fundamental rights, Souza (2010, p.11) indicated that effective access to education is a conditioning factor for a proper effective exercise of other fundamental rights the constituent legislator elected.

In this sense, the author also highlights that the democratization of education is a fundamental vector to implement the principle of equality, established in Article 5 of the caput of the Constitution, for the fulfilment of human dignity, a foundation of the Democratic State of Law, which supports the Federative Republic of Brazil, under Article 1, II of the Letter of Principles (Souza, 2010, p. 11).

Chalita (2001, p. 107) teaches us that a human being's full development means development in all dimensions, cognitive or merely instructive aspects, and as a comprehensive human being.

¹ "The starting point of solidarity is to recognize other people's reality and consider their problems not as other people's but as problems susceptible to being resolved with the public authorities' intervention and other people's intervention. The political objective is to create a society in which people consider themselves members of society and resolve their basic needs in them, without qualitative leaps in groups in which men develop their lives and their activities. In brief, people can realize their moral vocation as autonomous free beings. The objective involves reaching out to those who are in the weakest, most disadvantaged situations."

Hence, we highlight the importance of promoting changes in university settings to provide critical multicultural education. In this sense, Hooks (2017, p. 29), in her book *Teaching to Transgress: Education as the Practice of Freedom*, indicates:

If we examine critically the university's traditional role in the pursuit of truth and sharing knowledge and information, it is painfully clear that biases that uphold and maintain white supremacy, imperialism, sexism, and racism have distorted education so that it is no longer about the practice of freedom. The call for a recognition of cultural diversity is thinking of ways of knowing, deconstructing old epistemologies, and using concomitant demand to transform our classrooms in matters concerning how we teach and what we teach. This has been a necessary revolution—one that seeks to restore life to a corrupt, dying academy.

The central role of transformative pedagogy consists, then, of making classrooms a democratic environment where everyone feels responsible for contributing (Hooks, 2017). That is also Paulo Freire's teaching (2008, p. 32), affirming that education must not be disinhibiting or restrictive. It is necessary to allow students to be themselves.

Likewise, Hooks (2017, p. 41) highlights the importance of the stand educators adopt. They must bring the classroom and the studied subjects closer to the real world to construct a democratic educational setting:

Teachers who have a vision of democratic education assume that learning is never confined solely to an institutionalized classroom. Instead of embodying the conventional false assumption that a university setting is not the "real world" and teaching accordingly. A democratic educator breaks through the corporate university's false construction as set apart from real life and seeks to re-envision schooling as a part of our real-world experience and our real life.

Thus, it is evident that the right to education is not only about access but also about permanence for quality formation, embodied in an education process relevant to each historically placed individual. Therefore, as Eyng (2015, p. 141) says, it is not about the right to any education, but to quality education, regardless of social, economic, or cultural origin.

2. Violence and Gender

In the past, the state was concerned with intervening, aiming to curb undue practices or behaviors of men against women; this is nothing new. Considering the specific habits and concerns of that historical period, it is possible to find such practices since the Roman Empire, when Emperor Sulla (138-78 BC) brought the possibility of proposing action in cases of public offense to the decency of a woman considered honorable (Lobianco *et al.*, 2013).

Likewise, the Code of Justinian (529 A.D.) typified the conduct of following a woman closely against her will and the conduct of calling a woman in a public street, yelling her name (Lobianco *et al.*, 2013).

Both examples have in common an evident concern with the protection (or control) of honor, decency, and, more specifically, women's sexuality. This way, women's rights are related to the women's very evolution in society.

Meanwhile, in Brazil, for over 500 years, the only criminal types that protected victimized women as their goal were those related to sexual crimes. However, just as in the above historical examples, the protected object was more a victim's honor than the victim herself (Fernandes, 2013).

As a highlight, rape was considered a crime against the safety of honor in the 1830 Imperial Code, a crime against the safety of honor and honesty of families in the 1890 Code, and a crime against customs in the 1940 Code. This makes it evident that the protection of women's honor represented, in fact, the concern with a man's honor and the family he represented (Fernandes, 2013).

However, it was through feminist movements' claims and struggles that the correlation between violence and gender started being addressed. At the beginning of the 1970s, feminists were denouncing sexual violence against women, highlighting North American, English, and French women. Nevertheless, it only began to be presented more broadly as a research field during the following decade (Bandeira, 2014).

At that time, as Ela Wiecko V. de Castilho (N. D.) taught, inequality between men and women was already observed through studies on women's social condition. It was verified in public and private spheres regarding salary differences. Women earned lower salaries than men to provide the same services, and there was scarce feminine political participation. In the private sphere, emphasis was on differences regarding housework and a gap in the moral treatment given to men and women's sexuality, which was much more restrictive and permeated by judgements and repercussions for the latter.

Men and women's biological differences were then used by many conservative, religious, scientific, and political sectors to justify these inequities, reinforcing the idea that social inequities were the consequences of biological differences and, thus, natural and even inevitable.

It was then under the influence of North American and French debates at the end of the 80s that feminist scholars in Brazil started to substitute the category "women" for "gender", considering that the social construction of sex and gender enabled a new paradigm in the study of women-related questions (Santos & Izumino, 2005). The paradigm of patriarchy presupposes:

rigid social roles, culturally conditioned by men and women's biological differences. A new gender perspective emphasizes the difference between social and biological aspects. Gender is defined as a socially constructed man and woman relationship, serving as an analysis category to investigate the social construction of what is feminine and masculine. (Santos & Izumino, 2005, pp. 155-156)

Moreover, Ela Wiecko V. de Castilho (N. D.) explains well that sex is an insufficient biological category to explain the social roles given to men and women. "Gender" comes as an analysis category from social sciences to question the supposed essentiality of the difference between the sexes, the idea that women are passive, emotional, and fragile, yet men are active, rational, and strong. From a gender perspective, these characteristics are products of a historic-cultural and political situation; differences are the product of a social construction. Therefore, male and female genders do not exist naturally. Gender is a relational category of female and male. It considers the biological differences between sexes and recognizes inequality but does not admit it as an excuse for violence, exclusion, and inequalities at work, in education, and politics. It is a way of thinking that enables change in social relations and, as a consequence, in power relations. It is a tool to understand social relations, especially women's and men's social relations (Castilho, N. D.).

Therefore, through the perspective of gender, it is possible to understand that violence against women has its motivation in alterity, in difference. That is, violence happens motivated by expressions of inequalities based on sex, which begin in a family universe, where gender relations are constituted as a prototype of hierarchical relations (Bandeira, 2014, p. 450).

Thus, the term *gender-based violence* aims to cover violent actions in different contexts and scenarios, since there are many distinct names for cases of violence against women, which outline specific situations, such as domestic violence, marital violence, and family violence, among others (Bandeira, 2014).

As disposed in the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women, also known as the Convention of Belém do Pará, ratified by Brazil through Decree 1973 of August 1, 1996, violence against women must be understood as any gender-based action or conduct that leads to death, damage, or physical, sexual or psychological suffering for women, in public and private spheres (Decree 1973, 1996).

Catoia, Firmino, and Severi (2020, p. 3) highlight that the Convention of Belém do Pará presents violence against women as a result of existing asymmetries in power relations between men and women, which reproduces females' subordination and devaluation to males. It recognizes that such violence stems from gender and not only from sex.

Thus, violent actions as sexual, physical, psychological, moral, or patrimonial violence fall upon women. They can happen in private and public scopes, in the family, at work, at school, and alike. That is, it happens in the most varied areas. It is a type of violence that is historically focused on women's bodies, permeated by violent relations through asymmetric power relations that permeate people's lives (Bandeira, 2014).

Gender-based violence also goes back to issues like race, class, and sexual orientation, characterized as categories that rank and place people in our society (Schucman, 2014).

That is, discrimination is based on the relationship between men and women, but it is not restricted to it, just as a person is not restricted to gender, as Butler teaches us (1990, p. 3):

If one "is" a woman, that is surely not all one is; the term fails to be exhaustive, not because a pre-gendered "person" transcends the specific paraphernalia of gender, but because gender is not always constituted coherently or consistently in different historical contexts, and because gender intersects with racial, class, ethnic, sexual, and regional modalities of discursively constituted identities. As a result, it becomes impossible to separate "gender" from the political and cultural intersections in which it is invariably produced and maintained.

To complement this, Catoia, Firmino, and Severi (2020, p. 3) highlight that discrimination against women results from unequal gender relations and relations of race-ethnicity, class, faith, sexuality, nationality, and disability, among others. Women experience multiple and intersectional forms of discrimination, and, due to that, gender-based violence affects groups of women in different ways and degrees and demands different normative political responses. Generally, intersectionality refers to attempts to understand discrimination as an original phenomenon irreducible to a sum of diverse criteria resulting from discrimination, regardless of whether they are concurrent or not.

2.1 Gender-based violence in a university setting

As stated above, violence is permeated by power relations, resulting from social constructions that prioritize certain groups above others throughout time.

Likewise, these practices are also reproduced in university settings, notwithstanding if they are motivated by matters of gender, race, class, or sexual orientation, or even by other specificities of teaching relations, such as professor-student relationships or senior -freshman relations.

Almeida (2017, pp. 386-387) indicates that, in Brazilian universities, complaints of women student harassment and rape of have been frequent. Feminist collectives have been created to shelter victims, shed light on cases, and demand measures from university administrators, the police, and legal authorities to create mechanisms to resist and protect victims and freshman students. There are many of these cases showing sneaky fabrics of abuse and various types of violence. They do not only harm women but also exclude them from university socialization, affecting school dropout rates and their professional careers.

It is important to briefly highlight here the Superior Court of Justice's decision in 2019, in which the sixth panel understood that sexual harassment crimes can be

characterized when professors harass students. When faced with a perpetrator's hierarchical relation with a victim, Minister Rogerio Schietti Cruz (Recurso Especial Nº 1.759.135-SP, 2019) affirmed in his vote, followed by a majority, that ignoring a well-known authority that professors exert on pupils is to wrongly ignore the influence and the power exerted over people who admire, obey, and often fear others who hold and transfer knowledge.

Understanding the possible framing of professors' harassment of students as a crime of sexual harassment is of the utmost importance. Sexual harassment in universities is one of the ways to submit a woman to a territorial male academic domain. Moreover, it is a very old practice in social circles and, since the university is a sample of society, a culture of rape and harassment is also found in it. It is one of the tools responsible for making women feel unsafe and that they do not belong (Lima e Souza, 2021, pp. 10-11).

Therefore, the occurrence of violence in university settings transforms a space of learning and growth into an extension of insecurity outside the university. In this sense, Santos (2019, p. 19) affirms that university campuses are not completely safe settings and/or free from violence, where, theoretically, safety should prevail for everyone there, especially for students. These settings have cases of physical, sexual, psychological, racial, gender, and sexual orientation violence, among others, which occur interconnected and/or related.

As an example of gender-based violence against women in the university, in 2015, the G1 website (G1 Globo, 2015) broadcasted an article called "*Protesto com estudantes nuas provoca polêmica na UFPel, no RS*" (A protest of 20 nude students provoked controversy at UFPel, in RS), a protest of a self-organized group of women from Universidad Federal de Pelotas. They protested cases of sexual violence in and out of the university setting.

The article provides information on what some of the students did during the protest. Last Monday (26), some young women were topless. The protest, caused by violence against women, led to suspending classes at the university's Institute of Human Sciences. According to witness reports, at least one of the young women had masturbated on a stair close to the building of the Institute of Human Sciences on Alberto Rosa Street. Witnesses reported that students were smoking marijuana and drinking alcohol. The protest began at noon and lasted the rest of the day.

In an article entitled G1 Globo (2015), there is no detailed mention of the violence that had motivated this protest. While G1 Globo (2015), reporting the same case, brought more information about the reasons for the protest. According to the article, besides reporting several types of gender-based violence through singing and artistic performances, the protest aimed to face violence students experienced at the Institute of Human Sciences at UFPel where students that stayed under the

staircase photographed women without their consent while going up the stairs of the building wearing skirts or dresses, and, later on, published these pictures in social network groups.

According to protesters, these actions had already been reported to university authorities; however, there was no practical action to solve the problem. At the time, the protest mentioned above resulted in the suspension of classes in the building and had a great impact in and out of UFPel.

It is important to highlight that, after the protest, they solved the stair issue by covering the gaps between the steps, which facilitated the pictures mentioned above. However, there were no reports of punishments for perpetrators or even victim follow-up or support.

3. Violence x Education

A lack of security students feel facing cases of violence brings many personal and academic consequences. As demonstrated by the survey the Avon Institute (2015) conducted, 36% of the interviewed women reported having already ceased to participate in some university activity because they were afraid of undergoing violence.

This survey used the existence of six groups of violence as a base after consulting with feminist collectives and students. Therefore, the survey was classified into sexual harassment, coercion, sexual violence, physical violence, intellectual disqualification, and moral/psychological aggression divisions.

Given that, the survey concluded that university setting cases of violence go beyond the scope of physical and sexual violence and that they are expressed in the most diverse forms.

Therefore, it is possible to observe that the perpetuation of cases of violence leads to severe damages in academic and professional female student formation, in many situations, women feel uneasy with other university students and professors, so they end up requesting leave of absence from the course which reduces their academic performance, among other consequences (Almeida, 2017).

Freitas (2016) teaches us that, in many cases, victims feel intimidated and discouraged to report violence because they fear they will be blamed, especially when the violence comes from professors or other students in their university setting. Therefore, Avon Institute's study (2015) showed that 63% of the victims admitted they had not reacted to the violence they had undergone.

The complexity of relationships in academic spaces is not, however, the only determining factor for the low complaint rates. Many times, silence happens due to a lack of knowledge of the types of violence and insufficient information about available means to get support and report (Lima *et al.*, 2020).

When asked which actions against women in education institutions, academic parties, competitions, or pranks are characterized as forms of violence? 27% of the interviewed men declared not considering violence abusing a girl if she is drunk. 35% reported not considering violence coercing a woman to participate in degrading activities, such as parades and auctions, and 31% do not consider that sharing other university students' pictures or videos without their consent is a form of violence.

Thus, researchers observed the importance of disclosing information concerning the types of violence, their consequences, and who is responsible for violence after most harmful actions happen without the victims being aware of the damage caused or without identifying the culprit. Not understanding a violation entails non-reaction and no culprit reparation for damage (Santos, 1996).

Segalla and Kiefer (2015, p. 181) affirm that a fundamental right to education is also an instrumental right. Its importance must be valued since it is through education that one can understand other rights and fight for their materialization.

Given that, we highlight the urgent need to have initiatives to trigger structural changes in academic relations and denaturalize violence, especially against women (Lima *et al.*, 2020).

In this line, Almeida (2017, p. 391) warns that universities should be a space of freedom and critical consciousness against the reproduction of all forms of power. Thus, it is fundamental to strengthen a culture of human rights and mechanisms to repress violence and support victims, who often continue being discriminated even after filing a complaint.

However, submitted data show that a sexist culture of harassment and other types of violence is found greatly in universities, and a direct relation can be traced between these cases and power structures, more specifically regarding social constructions of gender, class, and racial oppression (Davis, 2017).

Hence, by undergoing discrimination and/or violence, the impacts will probably be different for male and female students, and even more evident for black women, since they have more vulnerable characteristics (Santos, 2019).

Therefore, these students' sense of belonging to the university setting is harmed, for the harassment women endured made their spatial perception and experience different from men's. The traditionally superior male position in moral hierarchy is also expressed in spatial production and experience, making the university space more restricted to women physically (due to their absence), or ideologically-socially (due to moral and sexual harassment). The space becomes more socially dangerous for women, including more defined social boundaries and more moral disturbances than for men. In the case of sexual harassment, spatial violence is deflagrated and

generalized, with no assigned space, even occurring in places that were supposed to be exclusive to education, as universities (Lima & Souza, 2021, p. 2).

It is observed that the construction of a safe environment that enables minimum learning conditions may be considered indispensable to the social right to education as a provision and an expected requirement for the duly fulfilment of this right and its objectives.

This way, the relationship between the many types of violence women endured in the university setting, the harm they caused, physically and psychologically, and the quality of learning, demands institutions adopt measures to provide a safer and more egalitarian structure. After all, omitting verified violence would be conniving for the institution and an unacceptable injustice against female students and other vulnerable collectives that interact in the institution (Santos, 2019, p. 406).

Conclusions

Considering the social characteristic of the right to education and the basis to ensure this right, there is a culture of abuse and violence, which not only attacks women but also excludes them from university socialization. This demands widening the comprehension of forms of aggression and the policies institutions have created to face them.

Still, despite being a mirror of society, universities have the advantage of being a *locus* to produce knowledge. Thus, universities have the possibility of influencing society, and they substantially do so. Nevertheless, to achieve this, universities cannot be silent in matters of violence.

Higher education and the university space itself, as a critical and pedagogical setting, should promote cultural and organizational changes, promoting egalitarian attitudes and ethical values to respect and value diversities. Teaching institutions must implement policies and institutional and social interaction actions with students, professors, and employees in general.

Once the right to education seeks full human development, preparation for the exercise of citizenship, and qualification for work, teaching institutions must reflect on solidarity and tolerance. Considering diversity as a basic element of education, institutions will only fulfill their role by accepting and promoting differences.

Thus, we highlight the importance of a wide discussion of this issue with the academic community to inform and raise awareness of the different forms of violence, available means of repression, and victim support programs. These actions must happen while seeking to ensure quality in learning in a safe setting that enables equal conditions to access, permanence, and formation. Not doing so risks restricting the right to education itself.

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