THE RIGHTS VIOLATION OF CHILDREN AND ADOLESCENTS BY PSYCHOLOGICAL HARASSMENT IN SOCIAL AND VIRTUAL ENVIRONMENTS

A VIOLAÇÃO DE DIREITOS DE CRIANÇAS E ADOLESCENTES POR ASSÉDIO MORAL NOS AMBIENTES SOCIAIS E VIRTUAIS

ANDRÉ VIANA CUSTODIAN[1]

JOHANA CABRAL[2]

ABSTRACT

This article conducts a study on the violation of the rights of children and adolescents through moral harassment in social and virtual environments. Its general objective is to analyze the confrontation of systematic intimidation practices in social and virtual environments, in the light of the theory of integral protection. The specific objectives are: to contextualize the violation of children's and adolescents' rights by bullying in social and virtual environments, differentiating *bullying from cyberbullying*; verifying the legal treatment of the matter, based on Law No. 13,185/2015 and the Program to Combat Systematic Intimidation; and to demonstrate the confrontation of systematic bullying practices, in the light of the principle of integral protection, identifying actions to prevent the occurrence of such practices. The research problem was: How does the practice of systematic intimidation occur in Brazil to perform the integral protection of children and adolescents? It was hypothesized that confronting the practice of systematic intimidation requires, in the light of the theory of integral protection, measures that go beyond the identification and/or accountability of the perpetrator of violence, demanding preventive and sensitization actions on the part of the actors of the System of Guarantees of Rights, as well as acting through public policies, aimed at reducing the rates of violence and the effective promotion of comprehensive protection. The method of approach was deductive and procedure method, monographic, using bibliographic and documentary research techniques. Among the main results achieved,

1   PhD in Law by the Federal University of Santa Catarina, with post-doctorate from the University of Seville/Spain, Adjunct Coordinator of the Graduate Program in Law - Master and Doctorate - of the University of Santa Cruz do Sul, Leader of the Public Policies Group on Social Inclusion and the Group of Studies on Human Rights of Children, Adolescents and Youth of UNISC, Consultant in Public Policy. Lattes: http://lattes.cnpq.br/7166046428154967. ORCID id: http://orcid.org/0000-0002-2618-0156.

2   PhD student in the Graduate Program in Law of the University of Santa Cruz do Sul (UNISC), with scholarship Prosuc Capes Modality I. Master in Law by the Graduate Program in Law of the University of the Extreme South of Santa Catarina (PPGD/UNESC). Specialist in Civil Law and Civil Procedural Law at Anhanguera University - UNIDERP. Specialist in Child and Adolescent Law and Public Policy at UNESC. Member of the Group of Studies on Human Rights of Children, Adolescents and Youth and of the Research Group Public Policies for Social Inclusion of the Graduate Program in Law - Master and Doctorate - of the University of Santa Cruz do Sul (UNISC). A volunteer member in the extension projects: Teaching-Learning Program Portuguese as a Welcoming Language and Migrant School, from UNESC. Lattes: http://lattes.cnpq.br/3804436873098063. ORCID id: http://orcid.org/0000-0001-5609-6898.

we obtained the confirmation of the hypothesis, in addition to identifying the importance of some actions, such as the realization of an accurate diagnosis of violence, the management of prevention based on the identified causes, the realization of prevention from early childhood education, the intersectoral approach, as well as listening and consideration to the statements of children and adolescents throughout the process of coping with systematic intimidation.

Keywords: Human Rights. Child. Adolescent. Bullying. Virtual Environment.

RESUMO

O presente artigo realiza um estudo da violação de direitos de crianças e adolescentes por assédio moral nos ambientes sociais e virtuais. Tem por objetivo geral, analisar o enfrentamento das práticas de intimidação sistemática, nos ambientes sociais e virtuais, à luz da teoria da proteção integral. Os objetivos específicos são: contextualizar a violação de direitos de crianças e adolescentes por assédio moral nos ambientes sociais e virtuais, diferenciando o bullying do cyberbullying; verificar o tratamento jurídico da matéria, a partir da Lei nº 13.185/2015 e do Programa de Combate à Intimidação Sistemática; e demonstrar o enfrentamento das práticas de intimidação sistemáticas, à luz do princípio da proteção integral, identificando ações de prevenção à ocorrência das referidas práticas. O problema de pesquisa foi o seguinte: Como se dá o enfrentamento, no Brasil, à prática de intimidação sistemática, para a realização da proteção integral de crianças e adolescentes? Partiu-se da hipótese de que o enfrentamento à prática de intimidação sistemática, requer, à luz da teoria da proteção integral, medidas que vão além da identificação e/ou responsabilização do autor da violência, demandando ações preventivas e de sensibilização, por parte dos atores do Sistema de Garantias de Direitos, bem como, a atuação por meio de políticas públicas, visando a diminuição dos índices de violência e a promoção efetiva da proteção integral. O método de abordagem foi o dedutivo e o de procedimento, o monográfico, utilizando-se as técnicas de pesquisa bibliográfica e documental. Dentre os principais resultados alcançados, obteve-se a confirmação da hipótese, além da identificação da importância de algumas ações, como a realização de um diagnóstico preciso da violência, a gestão da prevenção a partir das causas identificadas, a realização da prevenção desde a educação infantil, a abordagem intersetorial, bem como a escuta e consideração às falas das crianças e dos adolescentes ao longo de todo o processo de enfrentamento à intimidação sistemática.

Palavras-chave: *Direitos Humanos. Criança. Adolescente. Assédio moral. Ambiente Virtual.*

1. INTRODUCTION

The rules for the protection of the rights of children and adolescents essentially seek to guarantee the integral protection of children and adolescents in Brazil. According to Law No. 8,069 of July 13, 1990, which approved the Child and Adolescent Statute (ECA), children and adolescents enjoy all the fundamental rights inherent in the human person and must, according to the provisions of Article 3, *caput*, have ensured all opportunities and facilities that enable them to have physical development, mental, moral, spiritual, and social, in conditions of freedom and dignity. The ECA also provides in Article 5 that no child or adolescent may suffer any form of negligence, discrimination, exploitation, violence, cruelty, or oppression, and establishes punishment (in the form of the law), for any attack, by action, or omission, to their fundamental rights.

Although they receive specialized protection, children and adolescents are victims, in Brazil, of the most varied forms of violence: structural, physical, physical, sexual, psychological, urban, institutional, moral violence, among others. Sometimes these acts of violence happen in the school environment and more recently, also occur in so-called cyberspace.

Considering the bullying, it is possible to infer that, in addition to globalization and the increase in the use of social networks, the actions of intimidation that, until then, were limited to the school environment or to community spaces where the child and adolescent socialize, now gain another dimension, which is the virtual space, of digital technologies: social media, mobile phone, online *games*, etc.

Thus, bullying against children and adolescents occurs both in social and virtual environments. A survey conducted by the United Nations in 2016 of more than 100,000 children and young people worldwide showed that two-thirds of them (therefore, more than half) had already *suffered some form of bullying*, related to physical appearance, sexual orientation, gender, ethnicity, or country of origin. Another request, which is more recent in June 2019 by UNICEF and its partners, from U-Report (a free social messaging tool), including the response of more than 170,000 participants in 30 countries, revealed that more than a third of young people in the 30 countries reported being victims of cyberbullying. According to the survey, one in three young people were bullied *online* and one in five young people left school because of *cyberbullying* and violence.

Bullying, in social or virtual forms, presents violence, which, in turn, corresponds to a violation of the law. The life of the child or the adolescent will be impacted by the intimidation suffered.

The significant number of cases of systematic intimidation in Brazil motivated, therefore, the delimitation of this theme. The general objective of the research was to analyze the coping of systematic intimidation practices in social and virtual environments, in the light of the theory of integral protection. In addition to this objective, the study also aimed to: contextualize the violation of children's and adolescents' rights due to bullying in social and virtual environments, *differentiating bullying and cyberbullying*; verifying the legal treatment of the matter from Law No. 13,185/2015 and the Program to Combat Systematic Intimidation; and to demonstrate the confrontation of systematic intimidation practices, in the light of the theory of integral protection, identifying actions to prevent the occurrence of these practices.

This research sought to answer the following problem: how does the confrontation occur, in Brazil, the practice of systematic intimidation, to perform the integral protection of children and adolescents?

It was hypothesized that coping with the practice of systematic intimidation, embodied by moral harassment in social and virtual environments, especially *bullying and cyberbullying*, respectively, demands, in the light of the theory of integral protection, measures that go beyond the identification and accountability of the perpetrator of violence. Therefore, it offers preventive and sensitization actions on the part of the actors of the System of Guarantees of Rights, as well as the action, through public policies, aiming at reducing the rates of violence and the effective promotion of integral protection.

The theoretical approach to this theme is justified since the practice of systematic intimidation affects the child and/or adolescent in physical and psychological forms. Likewise, the theme has social relevance, because, just as violence occurs in the social environment and generates different consequences for children and adolescents, its solution also permeates prevention and measures that must be known to the whole society, which is part of the triple shared responsibility. Moreover, the work presents its academic importance, as it contributes

to the theme, promoting new reflections and studies to approach the theme, based on the promotion of the rights of children and adolescents.

To carry out the research, the deductive approach method and the monographic procedure method were used. Regarding research techniques, bibliographic and documentary techniques were adopted.

The main results achieved were that the confrontation with systematic intimidation practices in Brazil occurs from governmental, non-governmental action, educational establishments, civil associations, and international protection agencies, as well as that it is necessary, aiming at the realization of integral protection, the detailed diagnosis of violence and, management of prevention based on the identified causes.

2. THE VIOLATION OF CHILDREN'S AND ADOLESCENTS' RIGHTS THROUGH MORAL HARASSMENT IN SOCIAL AND VIRTUAL ENVIRONMENTS

To analyze the violation of the rights of children and adolescents by moral harassment in social and virtual environments, it is necessary to first formulate the concept, the delimitation of systematic bullying actions, differentiating *bullying* from *cyberbullying*. In general, the initial understanding that needs to be made is that the action of systematic intimidation, in any modality, corresponds to violence. This is an unacceptable act that needs to be socially discouraged. Another initial reflection that fits in this first moment, made in due course by Antunes (2008, p. 14), is that "to name something is not to control this something". Therefore, the action intended here goes far beyond the conceptualization, characterization, or differentiation between institutes: it seeks to confront the issue in a preventive and broad way.

The bullying against children and adolescents, reflected here in the actions of systematic intimidation, can take place anywhere: on the street, in the family, in the condominium, at school, in the virtual networks. Where there are people relating, there is the possibility of its occurrence. School *bullying*, for example, dates back to the emergence of the school itself. However, it only began to be researched in 1970, with the pioneering of the Swede Dan Olweus (SANTANA, 2013).

In Brazil, studies on school violence date back to the 1980s, initially focusing on depredations in schools, and then focusing on the scope of interpersonal relationships, with the analysis of verbal, physical, or threat aggressions. Discussions about *bullying were* then introduced from the end of the 20th century and the beginning of the 21st century (ANTUNES, 2008).

> The word *bullying*, in the English language, is derived from the *noun bully*, which means, in this context, aggressor, and the verb *to bully*, which means mistreating someone, especially who is weaker. In Portuguese, the word that most closely approximates these is the verb "bully", which means to annoy, to disturb. Therefore, because there is no precise translation, the term bullying is *used* in Brazil, as well as in almost all other countries concerned with this type of violence. (SANTANA, 2013, p. 15)

The definition of *bullying* according to its precursor researcher, Dan Olweus, consists of aggressive behavior, with some special characteristics: an asymmetric power relationship and some repeatability. For the most part, *bullying* occurs without apparent provocation by the targeted child or adolescent (OLWEUS, 2013). The author's definition, therefore, is based on three essential aspects or criteria: the intention to harm, the repetitiveness, and the imbalance of power (THORNBERG; HUNTER, HUNTER, HUNTER. HONG; RÖNNBERG, 2020).

Several other researchers propose similar definitions. For Santana (2013, p. 14), *bullying* "[...] it is a set of face-to-face, aggressive, intentional and repetitive actions practiced by one or more people against someone, without apparent motivation, causing them suffering." Fante (2005, p. 28-29), defines it as "[...] a set of aggressive, intentional, and repetitive attitudes that occur without evident motivation, adopted by one or more students against another, causing pain, anguish, and suffering. "." Bullying is also conceived as "[...] a violent, sadic and elective attitude, determined by the prejudice of the aggressors." (WASCHECK, 2016, p. 9).

From the definitions of the authors mentioned above, therefore, it can be considered *that bullying* is based on actions. The practice of *bullying requires* that something be done. These actions are intentional. That is, there *is* no bullying without means or by carelessness: the aggressor is determined to practice it. Furthermore, it is said that action, or actions, require constancy: they are repetitive. Another important feature is that *bullying occurs* in an inequality of power. There is an asymmetry of power entre who practices and who is intimidated so that the student who is exposed to actions has difficulty defending himself. Finally, one must always keep in mind that *bullying actions are* intended to harm someone, to cause them suffering.

Given the concept of *bullying*, it is important to know how to identify actions that do not fit the institute. This is because it is proper for children and adolescents, specific situations of stress or disagreements, which are part of the development process of any human being. In this sense, "[...] it is *not bullying*, nor are they: an act of punctual violence, occasional fights, bad jokes, games of age, games without the intention of hurting, occasional insult, and exchange of offenses in the heat of an argument. " (SANTANA, 2013, p. 12). Likewise, it does not *configure bullying* when the provocation is done in a friendly and fun way, or when two students, with the same strength or power, fight or argue (OLWEUS, 2013).

The repetitive actions that shape *bullying are*: saying mean and offensive things about the person; making fun of; making fun of them; calling the person mean and offensive names; ignoring or completely excluding the person from their group of friends; purposely leaving them out of events; pushing; kicking; locking them inside a room; telling lies or spreading false rumors about the person; trying to make other classmates and/or students not like to like it (OLWEUS, 2013).

Bullying *reveals* cruel behavior, in which the strongest ones turn the weakest ones into objects for their fun and pleasure. Persecution, humiliation, rejection, derogatory nicknames, and threats are constant actions. Such behaviors can, therefore, occur in two ways: direct, which includes physical and verbal agressões; and indirect, possibly the worst of the two forms (due to the possibility of creating irreversible traumas for the intimidated person), which consists of the dissemination of rumors, to promote discrimination and social exclusion of the victim (FANTE, 2005).

Most researchers argue that there are three *subjects involved in bullying*: the aggressor, the victim, and the spectator (FANTE, 2005; SANTANA, 2013; WASCHECK, 2016). Considering school *bullying*, the spectator is the student who witnesses the action but does not suffer it or practice it. It represents most students who live with the problem and fear being the aggressor's next target (FANTE, 2005). There are four types of spectators: the passive spectator, who is silent in the face of the act of aggression, even if he does not agree with the actions of the aggressors; the neutral spectator, who suffers a certain emotional "anesthesia"; as if he did not feel anything; the active spectator, who encourages the aggressor through laughter or shouting, but does not engage directly into action; and, finally, the agent spectator, who is willing to take action towards the end of *bullying*. The latter, it is the spectator who feels uncomfortable with the action and leaves his static position to rebuke the aggressor, to promote the victim to promote the complaint, or to make, anonymously or nominally, the denunciation of the situation witnessed (SANTANA, 2013).

Antunes (2008) points out that the delimitation *of bullying behavior cannot* be considered natural or immutable, as if it were an exact formula, with frozen and distant variables, specific to science that aims at neutrality. It is necessary, according to the author, to do a critical exercise, to deconstruct such a configuration as ready and finished data, with an a-historical foundation and an "independent" concept. A concept in these modes is part of an instrumentalized science, which lends itself to the maintenance of an unequal social order.

> One should think to what extent the classification made possible by the adoption of this typology of violence does not mask the social processes inherent to behaviors classified as *bullying* or, even admitting the existence of such processes, treats them as natural. This is a fundamental step that science must take if its goal is in fact to contribute to the development of humanity and not to the adaptation of individuals to an unequal social order such as the existing one. (ANTUNES, 2008, p. 40)

The author invites us to think about the concept *of bullying*, in the light of criticism of instrumental reason. Thus, it is no longer enough to quantify the occurrence of behaviors or link them to social, ideological, cultural, or individual factors present in the social reality. The criticism of instrumental reason demands that such behaviors be problematized and questioned, thought beyond the configuration or classification intention.

After the concept of *bullying*, it is now necessary to delimit *the cyberbullying* that, in general, *is the bullying* carried out through digital technologies.

The new technologies, access to an increasing number of people, show that digital relationships are changing social dynamics today. People are connected, being a striking feature of this new technological era, hypervisibility, that is, the constant and voluntary exposure of acts and facts of everyday life (FERREIRA; DESLANDES, 2018). However, in addition to the facilities and sociability that were possible with new technologies, the virtual world also proved to be a space for the practice of crimes and acts of systematic intimidation and, in the same way, a space for the violation of the rights of children and adolescents.

Cyberbullying consists, then, of aggression perpetrated through digital technologies (*online* or mobile), against children and adolescents. Just like any *bully*, the *cyberbully* acts to hurt, causing harm to his target. Another similar feature is *that cyberbullying* occurs in pouco sites monitored by adults: text messages from a personal cell phone, *through online games, or* even

on social networking sites. Access to digital technologies allows for a lot of information but makes children and adolescents vulnerable to *online* harassment (LIVINGSTONE; STOILOVA; KELLY, 2016; NEVES, 2015).

In *cyberbullying*, the aggressor can operate by writing or image. The writing, very recurrent using text and email messages, may aim at the dissemination of gossip, malicious rumors, lies about the bullied, defamation, or fake news. The aggressor can even impersonate the victim by posting offensive messages on his behalf. In the use of the image, it aims at the visual embarrassment of the target, through embarrassing photos or video posting (SANTANA, 2013).

It turns out, therefore, *that bullying* and *cyberbullying* go hand in hand. However, there is one fundamental difference: *cyberbullying* leaves a digital trail. In addition to this difference, some other authors point out: *while bullying demands the* aggressor and the victim to be at the same place, *cyberbullying does not need to* happen face-to-face, which contributes to the increase in the number of records in this type of aggression. Cyberbullying *ends* up encouraging those people who wouldn't have the same bravery face to face. That is, *cyberbullying confers* the illusory mantle of anonymity (LIVINGSTONE; STOILOVA; KELLY, 2016).

Another one-off issue *of online* harassment is that it can occur all the time and hit the target at any time. In *cyberbullying*, violence reaches private and hitherto safe places for the victim, such as the home itself.

> In the school environment, for example, offenses have a beginning, middle, and end. The victim knows that the assault is perpetrated at a specific place and time. When these occur over the Internet or are available virtually, accessibility is unlimited.
>
> The victims are persecuted as if by a "ghost", who suddenly arrives with no intention to leave, causing much suffering also for family members and close people. (NEVES, 2015, p. 31)

By gaining an unlimited dimension, you have the ultimate difference between *bullying and cyberbullying*: in *cyberbullying you* only need one action. There is no need for the presence of the repetitiveness of the action. There's no need for aggression. So, it only takes a post or a single video to set up an assault. Messages are easy and widely shared and viewed to multiply the number of viewers. On the Internet, you lose control of what has been conveyed. The materials spread faster, reaching a larger audience, and accentuating the victim's suffering (NEVES, 2015; LIVINGSTONE; STOILOVA; KELLY, 2016).

Violence is an evil that needs to be understood from a multifactorial look (MATA DIZ; PENIDO MARTINS, 2017). There are many causes behind *bullying practices*. As mentioned earlier, the student often becomes an aggressor because of the fear of becoming the next target of intimidation, as a defense strategy. Or the desire to achieve certain popularity among peers. Scholars also list other causes, such as affective deficiency, absence of limits, excessive control, and power of parents over children. Physical abuse and violent emotional outbursts suffered due to the "educational practices" of parents can generate in children or adolescents the need to reproduce them against others, whenever they encounter personal insecurity, seeking, through *the practice of bullying*, social recognition, or self-affirmation (FANTE, 2005). In addition to these, the following are mentioned: social changes and inequalities; easy access to media tools; exposure to scenes of violence presented in television shows; the call to consumerism; religious, ethnic, and racial intolerance; homophobia; socially learned aggression; high com-

petitiveness in various sectors of human life; the absence of positive examples and humanist educational models (SANTANA, 2013; FANTE, 2005; ANTUNES, 2008).

It is necessary to understand violence as a social phenomenon, identifying the cultural elements that produce a society prone to barbarism. It is necessary to highlight the cultural demands that are imposed for the subject to be socially accepted, which makes violence not only instinctive but cultural. The socio-historical contextualization of violence allows the understanding of *school bullying*. Although the most latent characteristic *of bullying* is violence (physical, psychological, or moral), the act is characterized as a type of "traumatic violence", which removes from the victim the ability to absorb all the pain and anguish felt. Moreover, considering the asymmetry of forces, *bullying reveals the selective* sadism of the one who practices it. That is, the aggressor rationally selects his target. Finally, the basis of *bullying actions* is prejudice (WASCHECK, 2016). Prejudice, discrimination, and stigmatization are close words, which reveal revulsion for the different. It is not for another reason that, often, the aggressor's target has some characteristic that differentiates him from the others: too high, too low, fat, too thin, too smart, too shy, with vision problems, some physical limitation, or because he does not fit the social "standard" either by ethnicity, cultural heritage, sexual orientation or religious doctrine (FELIZARDO, 2017).

> There are two possible impacts on people so stigmatized by those who attribute to them, with public consent, stigma. The first is a painful blow to the self-respect of the stigmatized person (or who shares the supposed generic failure of a group), resulting in the agonies of humiliation and shame; which, in turn, leads to unbearable self-deprecation and self-loathing, and – if the stigmatized accepts the verdict of the "broader society" – ends in depression and often impotence. (BAUMAN, 2017, p. 44-45)

Systematic bullying actions violate the integrity and dignity of children and adolescents. These are actions that affect them in the different stages of development, with implications not only in the areas of health and emotional well-being, but also in the areas of education, but also the areas of school health, and well-being. As consequences of such violence, the authors point out: depression, lack of appetite, fatigue, stomach and headache pain, sleep disorders, mood swings, feelings of anger, sweating, nocturnal enuresis, nightmares, sadness, fear, impotence, low esteem, anxiety, shame and, in the most serious situations, suicidal thoughts suicide or even murder. They are emotional, psychological scars that can accompany the child or adolescent until adulthood (NOTAR; PADGETT; RODEN, 2013; PAIS, 2016; FELIZARDO, 2017). "The specificity of *bullying lies* in its power to cause trauma to the psyche of its victims, destroying their self-esteem, their physical and mental health, factors that make a defense even more difficult." (NEVES, 2016, p. 34)

It is, therefore, a complex public health problem, which strongly violates the rights of children and adolescents, to demand legal, political protection, as well as the support of society, the family, the System of Guarantees of Rights, but it is possible to quickly and adequately manage this form of violence. For the extinction of systematic intimidation practices, it is necessary to promote a cultural and social change, since "[the] violent behavior of students reproduce the barbarism of society, the failure of authority and the dehumanization of the civilizing principle." (WASCHECK, 2016, p. 36-37).

3. THE REGULATION OF THE PROGRAM TO COMBAT SYSTEMATIC INTIMIDATION

The analysis of the rates of systematic intimidation against children and adolescents in Brazil (moral harassment, commonly regarded *as bullying and cyberbullying*), demonstrates that the *theme* is still poorly diagnosed in the country. They are sampled, in spaced times, from fragmented research, made by the initiative of international organizations, government agencies, as well as by independent researchers who are dedicated, individually, to the study of schooling experience and forms of violence against children and adolescents. Thus, it is worth presenting, first, the research conducted by the Program for the Prevention of Violence in Schools of the Latin American College of Social Sciences (FLACSO), which promoted, in 2015, fieldwork of 8 months in a set of schools, state and municipal, in the capitals: Belem, Fortaleza, Maceio, Sao Luiz, Belo Horizonte, Vitoria, and Salvador, entitled "Participatory diagnosis of violence in schools: young people speak".

The research included 6,500 students, aged 12 to 29 years, from a total of 129 schools in the seven capitals mentioned and, based on the perception of adolescents themselves about the guitars and violations that occur in their schools, pointed out that 69.7% of the students consider that some type of violence has already occurred in their school, in the twelve months before the survey. When analyzing the occurrences in schools, pointed out by the interviewees, it is verified that *cyberbullying* accounts for 7.8% of the total situations (ABRAMOVAY; Castro; SILVA, U.S.; CERQUEIRA, 2016). Considering the most expressive occurrences, the following table is:

Distribution of occurrences	(%)
Fights	15,1
Swearing	14,4
Graffiti	11,0
Thefts/thefts	10,1
Threats	7,8
Cyberbullying (mocking, threatening, or swearing over the internet)	7,8
Discrimination	6,5

Source: ABRAMOVAY; Castro; SILVA, U.S.; CERQUEIRA, 2016.

In addition, the survey reveals that 42% of the interviewees claimed to have already been assaulted at school and 27.4% revealed that they had suffered some type of discrimination (ABRAMOVAY; Castro; SILVA, U.S.; CERQUEIRA, 2016). Therefore, from the survey conducted by FLACSO, it can be seen that the school environment represents a place of violence for children and adolescents. Despite the expressive indication of *cyberbullying*, occurrences such as fights, name-calling, threats, and discrimination, can reveal situations of systematic intimidation in school. In this research, there was no exact categorization of *the term bullying*, but it is likely that many of these acts of violence occurred in a context of systematic intimidation: often, in

an unequal relationship of power and causing great suffering to that or to those who suffered the action.

In the analysis of discriminatory actions, the following have been identified as types of discrimination (which represent the grounds for discrimination) as follows:

Types of discrimination suffered	(%)
For the place where you live	19,2
For another reason	18,1
By your color or race	17,9
For your religion	17,3
For your social class	7,3
For your sexual orientation	6,0
For physical disability	5,6
For your political preference	4,2
For being a man/woman	4,1

Source: ABRAMOVAY; Castro; SILVA, U.S.; CERQUEIRA, 2016.

Based on the acts of discrimination that occurred in these schools that were part of the research, are essentially the markers of class, race, religion, and sexual orientation. The FLACSO survey also indicates that 15.0% of the adolescents interviewed reported having eaten some type of violence in their school in the last twelve months (ABRAMOVAY; Castro; SILVA, U.S.; CERQUEIRA, 2016). It is, therefore, an important indication of violence in school spaces, among which is *cyberbullying*. These data also point out the themes that should be contemplated by prevention policies and actions, in the planning and implementation of measures against *bullying* and *cyberbullying*.

Another relevant data is found in the report National Survey of School Health - PENSE, also carried out in 2015, through a formalized agreement between the Brazilian Institute of Geography and Statistics - IBGE and the Ministry of Health, together with the support of the Ministry of Education. The research evaluates the health situation of adolescents at school, including various themes, such as family context, eating habits, sexual and reproductive health, violence, use of health services, among others. PENSE 2015, the third edition of the research, was made from two sampling plans: one with students from the 9th grade of elementary school (Sample 1 - age configuration already adopted in previous research) and another, with students from 13 to 17 years, attending the stages of the teaching of interest, more specifically, from the 6th to 9th grade of elementary school and from the 1st to the 3rd grade of high school, corresponding to Sample 2 – which fits the indicators of the *Global School-based Student Health Survey* - GSHS, conducted by the World Health Organization.

Hence, the REPORT PENSE 2015, which includes students from Brazilian schools, public and private, from urban and rural areas throughout the national territory, present the analysis, adding the two samples of 112,998 questionnaires, applied in a total of 4,812 classes, in the school year 2015. With a sampling error of approximately 3% and a confidence level of 95%,

each, the samples point out, regarding the violence suffered in the family and school spheres, that *bullying actions are* part of the school routine (IBGE, 2016).

When asked about how often their school classmates treated them well or were helpful, considering the 30 days before the survey, 61.9% of the participating students answered that yes, they were well treated by their colleagues. Then, asked how often the schoolmates listened, intimidated, mocked, or mocked to the point of being hurt, upset, annoyed, offended, or even humiliated, in the 30 days before the survey, 7.4% of the students answered affirmatively. In other words, almost 8% of the students felt humiliated by the provocations received. This percentage is approximate if the gender category is considered: 7.6% of the boys felt offended, while 7.2% of the girls were bothered by the acts of their colleagues. However, when analyzing the occurrence of the practice in public and private schools, it is verified that systematic bullying actions affect more public-school students, 7.6%, while in private schools, it corresponds to 6.5%. Analyzing the regions under the research, the Southeast region and the State of São Paulo presented the highest percentage of students who reported suffering embarrassment or humiliation, being 8.3% and 9.0%, respectively (IBGE, 2016).

In turn, when asked if they had already been intimidated, bullied, or mocked by their colleagues, in the 30 days before the survey, 19.8% of the students answered yes. The report also highlights that the main reasons for the provocations suffered are the appearance of the body (15.6%) and the appearance of the face (10.9%), reasons that reinforce the stigmas and prejudices present in the most varied social contexts (IBGE, 2016).

The fourth edition of PENSE, held in 2019, will bring a single sampling. It was made with approximately 188,000 students, from 13 to 17 years old, in 4,361 schools, belonging to 1,288 municipalities of Brazil, as stated on the website of the Ministry of Health (BRASIL, 2019a). It will be an important way to assess the recent situation of *bullying in* Brazilian schools, as well as to compare it with the indexes of the survey conducted in 2015. However, the 2019 survey has not yet been published.

Another survey, now carried out in the city of São Paulo, in 2017, was based on the São Paulo Project for the Social Development of Children and Adolescents (SP-PROSO), coordinated by Maria Fernanda Tourinho Peres and Manuel Eisner, which had the support of and partnership of various institutions and people, such as of the Department of Education of the State of São Paulo, the Municipal Department of Education of the Municipality of São Paulo, the Center for Studies of Violence of the University of São Paulo (NEV/USP), the Brazilian Forum of Public Security (FBSO), the Faculty of Medicine of the University of São Paulo (FM-USP), the Institute of Criminology of the University of Cambridge (United Kingdom), the *British Academy/Newton Foundation* and the São Paulo State Research Support Foundation (FAPESP).

The research came from a sample of 2,702 9th grade students from 119 public and private schools in the state capital and points out, in the report "Violence, *bullying* and health repercussions: results of the São Paulo Project for the social development of children and adolescents (SP-PROSO)", which 28.7% of adolescents interviewed, male and female, reported being bullied in 2017 (PERES; EISNER, 2018). The actions suffered were:

Bullying suffered by adolescents	(%)
Laughed/made fun/offended	17,5
Picked up/destroyed/hid objects	11,5
Ignored/excluded	9,7
Sexually harassed	6
They hit/bit/kicked/pulled hair	3,7

Source: PERES; EISNER, 2018.

It turns out that the enjoyment, offense, destruction of personal objects affect the students of the schools subject to the research. Regarding self-reported perpetration, the research indicates that 15.3% assumed to have *committed bullying* with colleagues. The social markers of skin color, sexual orientation, body weight, and disability were analyzed, the prevalence of victimization was verified among adolescents who declared themselves non-heterosexual and those who claimed to live with some type of disability. The report also shows that the perpetration *of bullying and* violence was higher among adolescents who reported drug use and that both adolescents who suffered and those who perpetrated severe violence in the last 12 months showed worsening in their health. Essentially, the document reveals: that cases of *bullying and* violence among adolescents in schools are not rare events; that they result from clearly identifiable causes; and that can be avoided (PERES; EISNER, 2018).

Finally, the most recent data is presented by the International Student Assessment Program 2018, *in English, The Programme for International Student Assessment* - PISA, which counts on the collaboration and effort of the countries *of the Organization for Economic Co-operation and Development in English, The Organisation for Economic Co-operation and Development* – The ECD, as well as experts and international institutions. PISA has become the main indicator in the world of quality, equity, and efficiency in learning outcomes in countries, enabling reform in education, as well as the development of public education policies. In 2018, approximately 600,000 students carried out the assessment, representing about 32 million adolescents, aged 15, in schools in the 79 OECD participating countries and economies (SCHLEICHER, 2019; OECD, 2019).

The PISA 2018 report pointed out that students appreciate a school environment in which bullying does not exist, where they do not feel displaced, as well as where genuine and respectful relationships with teachers are possible. As for *bullying*, the document indicates an increase of about four percentage points since 2015 in the share of students who reported being frequently bullied. That is, in the countries that are part of the research, more than one in five students claimed to *have been bullied* at school, at least a few times a month, in 2018, representing 23% of participants. This increase in Brazil was ten percentage points, which corresponds to more than double, compared to the general average of other countries, revealing that the Brazilian school environment is more susceptible to *bullying* practices. The research also points out that 8% of the students were classified as frequently intimidated, and that verbal and relational bullying was the most frequent. A positive fact was that 90% of students agreed that they like it when someone defends other students who are being bullied (SCHLEICHER, 2019; OECD, 2019).

Given the overview of the main rates of systematic intimidation in Brazil, it is now necessary to analyze the Program to Combat Systematic Intimidation, and the regulation of the theme by

Law No. 13,185, on November 6, 2015, which instituted the Program to Combat *Systematic Bullying* throughout the national territory. It is legislation that aims at preventive action, seeking to inhibit systematic intimidation through the establishment of actions, policies, and practices that are oriented, informative, and educational on the subject. Therefore, the Law does not provide for any kind of punishment for the perpetrator of the violence, nor does it indicate accountability to aggressors or even to the *parents of the perpetrators of bullying* and/or *cyberbullying*.

Logo in § 1 of Article 1, presents the concept of systematic intimidation:

> [...] systematic intimidation (**bullying) is considered** every act of physical or psychological violence, intentional and repetitive that occurs without evident motivation, practiced by an individual or group, against one or more people, to intimidate or assault it, causing pain and anguish to the victim, in a relationship of power imbalance between the parties involved. (BRAZIL, 2015, original griffin)

It is verified that the legislative conceptualization contains all the requirements already presented previously: it represents violence, physical or psychological, which occurs in a repetitive, intentional way, practiced by a person or by a group of people, against one or more people, in a relationship of inequality of power, which causes pain and anguish to the victim. Neves (2016, p. 50), makes an important criticism of the expression "without evident motivation", contained in the Law: "there is or is not a reason that led the aggressor to rape the victim, nothing can justify, much less make acceptable systematic intimidation." In this sense, it does not matter whether the motivation is evident or not, for the configuration of the practice of *bullying*.

Article 2 has a legal characterization of systemic intimidation, which occurs when there is physical or psychological violence, in acts of intimidation, humiliation, or discrimination, and also: physical attacks (item I); personal insults (item II); systematic comments, and derogatory nicknames (item III); threats by any means (item IV); derogatory graffiti (item V); prejudiced expressions (item VI); conscious and premeditated social isolation (item VII) and pilhérias (item VIII). In the sole paragraph of Article 2, the Law presents the conceptualization of *cyberbullying*, stating that there is systematic intimidation in the worldwide computer network "[...] when using the instruments that are proper to depreciate, incite violence, tamper with photos and personal data to create means of psychosocial embarrassment." (BRAZIL, 2015). That is, in addition to social harassment, virtual harassment against children and adolescents is part of the scope of the Law.

In addition to conceptualizing and characterizing systematic intimidation, the legislation brings, in Article 3, its classification, according to the action practiced. Thus, intimidation can be verbal, moral, sexual, social, psychological, physical, material, and virtual (BRASIL, 2015).

After conceptualizing, characterizing and classifying systematic intimidation, the Law presents the objectives of the Program to Combat Systematic Intimidation (Article 4),which include: prevention and combating the practice of systematic intimidation throughout society (item I); the training of teachers, as well as pedagogical teams for the implementation of discussion actions, prevention, guidance and solution of the problem (item II); the implementation and dissemination of educational, informative and awareness campaigns (item III); the establishment of conduct and guidance practices to parents, family members and guardians, in view of the identification of victims and aggressors (item IV); the promotion of psychological, social and legal assistance to victims and aggressors (item V); the integration of mass media with schools and society, identification, awareness, prevention and combating the problem (item

VI); the promotion, in the framework of a culture of peace and mutual tolerance, of citizenship, empathic capacity and respect for third parties (item VII); the avoidance of punishment of aggressors, favoring the mechanisms and alternative instruments that promote accountability and change in hostile behavior (item VIII); and the promotion of measures to raise awareness, prevention and combat all types of violence, with emphasis on recurrent practices of systematic intimidation, committed by students, teachers or other professionals of the school and/or school community (item IX). For the proper implementation and implementation of the program's objectives and guidelines, federal entities will be able to sign agreements and establish partnerships (BRASIL, 2015).

The Law also establishes the duty of educational establishments, clubs, and recreational associations to ensure measures to raise awareness, prevention, diagnosis and combat *systematic bullying and other violence*, as well as the production and publication by states and municipalities of bi-monthly reports of occurrences of systematic intimidation, for the planning of actions (BRASIL, 2015).

The regulation of the Program to Combat Systematic Intimidation in Brazil not only clarifies the contours of the theme in the country, concerning the configuration and delimitation of preventive and educational measures but also imposes on States and Municipalities the proper diagnosis and monitoring of systematic intimidation actions, so that it is possible to effectively comply with the objectives of the Program.

4. TACKLING SYSTEMATIC INTIMIDATION PRACTICES BASED ON THE THEORY OF INTEGRAL PROTECTION

Bullying against children and adolescents is violence, a violation of rights that cannot be tolerated. This is because the Right of children and adolescents, based on the theory of integral protection, establishes that no child and no adolescent can be subject to discrimination or violence.

"The theory of integral protection has been established as a necessary presupposition for the understanding of the Right of Children and Adolescents in contemporary Brazil." (CUSTÓDIO, 2008). It arises in Brazil with the Federal Constitution of 1988, after a necessary process of re-democratization of the country, which began in the 1980s, from the movement of society itself and which also had the participation of children and adolescents. In addition to democratic realignment, the 1988 Constitution enabled a new way of conceiving and relating to children and adolescents in Brazil, now conceived as subjects of rights, as provided for in Article 227, *caput*:

> Art. 227. It is the duty of the family, society, and the State to ensure the right to life, health, food, education, leisure, professionalization, culture, dignity, respect, freedom, and family and community coexistence to the child, with absolute priority, and to put them safe from all forms of negligence, discrimination, exploitation, violence, cruelty, and oppression. (BRAZIL, 1988)

Comprehensive protection is revealed not only because of the protection of rights in all areas and spaces of life of children and adolescents, with the provision of a broad system of guarantees, but also because of the Right of Children and Adolescents, which is consolidated

with the implementation of Law No. 8,069/90 (Child and Adolescent Statute), is intended for all children and adolescents, without any distinction (VERONESE; COAST, 2006). "Both the Federal Constitution, in article 227, and the Child and Adolescent Statute, in articles 1 and 4, expressed the guarantees to the various rights that children and adolescents have now available, [...]." (MOREIRA; CUSTÓDIO, 2018, p. 185).

Protecting integrally implies recognizing that children and adolescents are in the process of development and, therefore, must protect their special rights. Protection needs to be specialized, differentiated, and integral, favoring children and adolescents in meeting their basic needs (SOUZA, 2001; Vieira; VERONESE, 2006). This is a tripartite responsibility: it involves the family, society, and the State, and can never be neglected. Therefore, "once recognized the condition of 'subjects of rights' in a peculiar condition of development, indispensable becomes to provide the means and instruments for the enjoyment of such rights, as well as to ensure the protection of the lives of these people in their entirety." (CABRAL, 2012).

System intimidation, whether in the social or virtual modality, violates several rights of children and adolescents. First, it violates the right to respect, the right to be treated and respected with dignity as a human person. Intimidation also violates the right to freedom, as it embarrasses and intimidates the target. Victims of *bullying and* cyberbullying lose their freedom, pleasure, and desire to live and interact socially. Finally, such practices violate the right to education. *Bullying and cyberbullying*, as pointed out by the active school search program, developed by the United Nations Children's Fund - UNICEF, in partnership with the National Union of Municipal Education Leaders - UNDIME and the National Collegiate of Municipal Managers of Social Assistance - CONGEMAS integrate the causes of school exclusion, as they imply prejudice, discrimination, and violence (UNICEF, 2019a).

When a child or adolescent is exposed to a systematic intimidation action, it means that their protection is not integrally taking place. Therefore, they need to be protected immediately and have all their rights restored.

In Brazil, the face of systematic intimidation has been done through government actions, school interventions, campaigns of civil associations, non-governmental entities, and UNICEF. The educational establishments, according to article 12, item IX, of Law No. 9,394 of December 20th, 1996, the Law of Guidelines and Bases for National Education, have the task of "promoting measures to raise awareness, prevention and combat all types of violence, especially systematic intimidation (**bullying**), within schools." (BRASIL, 1996, original bold).

Among the actions of the federal government, we highlight the protocol of intentions for the promotion of the culture of peace, respect, and tolerance in schools, through actions to combat *violence and bullying, signed* on November 20, 2019, by the Ministry of Education and Ministry of Women, Family and Human Rights. The document lists a list of rights to ensure a respectful school environment between students and teachers, with the promotion of dignity and the provocation to greater participation of families in schools. Among the measures envisaged are the implementation of public policies that promote the strengthening of the family and the greater interaction of fathers and mothers in the school environment; the promotion of measures to encourage plural and respectful teaching in the school environment; the dissemination of information about the rights of students (not to be intimidated, teaching based on freedom of learning, pluralism of ideas); the guarantee of non-injury, at school, by their beliefs and convictions; protection of religious freedom, among others (BRASIL, 2019b).

There are also projects and campaigns of civil society initiatives, non-governmental organizations, protection agencies, and governments, such as the "Education for Peace Program". This program is an initiative of the State Government of Amapá, to promote the culture of peace in schools. There is also the campaign "It's my business" (#édaminhaconta), a *partnership of Safernet* Brazil and UNICEF, to raise *awareness of the fight against bullying*, promoting reflection, encouraging empathy, and respect for differences between adolescents and young people. Finally, the project "Learning without fear", a Plan International's action, a humanitarian and non-governmental development organization, which aims to contribute to the guarantee of a school and community environment free of *bullying* and gender inequality (PLANINTERNATIONAL, 2019; SAFERNET, 2019; AMAPÁ, 2017). Therefore, there are actions and policies, some local and others nationwide, to promote the culture of peace in schools and prevent the practices of *bullying*, *cyberbullying,* and other violence.

Coping with systematic intimidation practices demands, first, the demystification of some misconceptions related to *bullying*, such as *that bullying* is a "fashion thing", "psychologist freshness" or "child's play" (LISBON; VEGETABLE GARDEN; Weber, Weber, ALMEIDA, 2014). This is not a recent phenomenon or social fad. Pioneer Dan Olweus has been writing about it for over 45 years. In Brazil, so many authors have researched and demonstrated the *dimension of bullying*, statistically and qualitatively: Lauro Monteiro, Aramis Lopes Neto, Lucia Helena Saavedra, Patricia Krieger Grossi, Cleo Fante, and others, who have been researching bullying for two *decades* (FELIZARDO, 2017). Moreover, it is not possible to allow the trivialization of these phenomena. It's not about child's play. "In a joke, everyone is having fun; when there is suffering, there is no joke." (LISBON; VEGETABLE GARDEN; Weber, Weber, ALMEIDA, 2014, p. 16).

There are also myths that *bullying* "gives nothing" or that "everyone has been through it" (LISBON; VEGETABLE GARDEN; Weber, Weber, ALMEIDA, 2014), when in fact, the *consequences of bullying* and *cyberbullying* can be disastrous, irreversible for the child or adolescent who experiences them. They are psychological, relational, emotional consequences in school and academic life, as well as in various dimensions of the development of that and the one who suffers systematic intimidation. Not everyone experiences *bullying or cyberbullying*, *but those* who are vivencia know the size of pain, trauma, and serious wounds (FLEISCHHAUER, 2013; FELIZARDO, 2017).

Other misconceptions or myths are present in the *statements that bullying is* indicative of "bad education or lack of punishment", that "only boys practice bullying, girls do not", or that "bullying only happens among adolescents, children do not bully" (LISBON; VEGETABLE GARDEN; Weber, Weber, ALMEIDA, 2014, p. 17-22). These are untruths that hinder the process of coping with systematic intimidation practices, and that should be analyzed considering, even, the sexism present in Brazilian society. A society that dictates how girls and boys should behave and therefore expects girls to be affable and not to practice violence, while boys expect a certain aggressiveness, culturally tolerated or even instigated (LISBON; VEGETABLE GARDEN; Weber, Weber, ALMEIDA, 2014). In the research scans in the second part of this study, *bullying* and *cyberbullying* were practiced by girls and boys. It is also worth mentioning that *bullying is* not exclusive to adolescents. "It can involve children from 3 years of age, still in early childhood education, and continue in university." (FELIZARDO, 2017, p. 46). As well, it's not synonymous with lack of punishment. In research on the subject, Lisbon, Horta, Weber, and Almeida (2014,

p. 22) found that: "mothers who most often used punishment as an educational strategy were four times more likely to have a *child who practices bullying* at school."

Therefore, it is of utmost importance rupturing with such myths, by making the *concept and information about bullying and cyberbullying public* accessible, so that the communications of these types of rights violations are effective, quantified, and used properly by the public sector and throughout the protection network, para the structuring of the protocols of care and policies of confronting violence.

When the legal consequences of bullying or *cyberbullying* are *analyzed*, from the point of view of the damage caused to the victim, there is the possibility of civil and criminal accountability. So, criminally, although there is no specific pedestrian type for the practice of systematic intimidation, the Penal Code has some legal types that, depending on the *way bullying and/or cyberbullying is carried out*, may fall within the crimes against honor, against individual freedom, property or against sexual dignity, especially in virtual harassment, such as an injury - art. 140, illegal embarrassment - art. 146, threat - art. 147, damage - article 163, unauthorized record of sexual intimacy - art. 216-B, disclosure of sex scene or pornography - art. 218-C, among others (BRAZIL, 1940). Here is the difference: when the author is an adult, a teacher, or any professional who is in the school environment, can answer criminally. When the author of the act is a child or adolescent, they will be subject to the measures provided for in the Statute of the Child and Adolescent, ou, there is the infraction, by which: children will receive the specific protection measures provided for in Article 101, while adolescents, the socio-educational measures provided for in Article 112.

In turn, given the practice of systematic intimidation, there is also the possibility of seeking civil separation, for moral or material damage. The action for compensation can be filed in the face of the teacher who authored the violence; of the parents, when the author is a child or adolescent; of the private educational establishment, considering the relationship of consumption; and of the public school, by the theory of administrative risk (FLEISCHHAUER, 2013; NETO COAST, 2019).

However, both criminal liability and civil redress are actions that affect the consequences of an act of *bullying and*/or *cyberbullying*. They are measures that can even repair, in some way, the victim, or inhibit locally the practice of violence, but that do not contribute, significantly and, in the long term, to the interruption of the culture of intimidation, present in the social and virtual exposures where the child and adolescent interact. The World *Health* Organization's global status report on preventing violence against children points out that countries are failing to prevent violence against children and adolescents. According to the document, the number of *online violence has increased significantly* and results from increased internet use by children and adolescents. Many countries have some mechanisms to support the prevention of violence against children. However, few have fully funded action plans and only 21% said they have a database and indicators by which to monitor the effectiveness of their prevention efforts (WHO, 2020).

Thus, thinking about coping with systematic intimidation practices, based on the theory of integral protection and, above all, based on the objectives of the Program to Combat Systematic Intimidation, demands to work on the causes of violence, to act preventively. It is necessary to think about how the family, school, health, social assistance, and other actors of the System of Guarantees of Rights can contribute strategically to *the confrontation of bullying and cyberbullying,* practices that have started up a severe public health problem existing in the country.

> Prevention, as we understand in the field of public health, is the action that aims to prevent the occurrence of a particular event or injury. In this sense, prevention actions target-risk and/or protection factors that, when present, increase or decrease the chance that this event or injury will occur. This event is, for us, violence in adolescence, whether violence that victimizes our adolescents and young people or violent behavior, the perpetration of violence on the part of adolescents and young people. The actions/strategies of violence prevention are multiple, and many have already been effective in other contexts and can serve as a model for the design of responses adapted to our reality and culture. (PERES; EISNER, 2018, p. 22)

To scheme prevention actions or strategies, it is first necessary to know the real dimension of violence and its multiple causes. A detailed diagnosis is paramount in this process. This diagnosis should be made from north to south of the country, covering all states, all schools, public and private. Unlike studies that focus on adolescents from thirteen years of age, a good diagnosis should consider children, already in early childhood education. It is necessary to know who the children and adolescents are who suffer systematic intimidation, by what means, under what causes, who are the aggressors, what forms of communication and reception they find in school, in the family, and what the educational establishment develops, in attendance to the about systematic intimidation to prevent, raise awareness and combat identified bullying. This information must be taken by the federal government, which must provide publicity, so that States and Municipalities build, with absolute priority, the appropriate guidelines and public policies to combat systematic intimidation.

Once the diagnosis is made, it is necessary to design prevention, based on the identified causes, and carry out prevention from early childhood education. In other words, one must work on the multiple causes of intimidation. The analysis of the data presented in this paper already points out some directions, as it revealed causes of systematic intimidation: intrafamily violence, the use of drugs in adolescence, racial, religious, gender prejudice, sexual orientation, social equality, among others. should include work with families, which involves activities of social insertion, guidance for the promotion of a non-violent education, the creation of spaces for attention and dialogue in the family environment, the guidance to parents regarding the safe and protected use of the Internet by children), through approaches to the area of health (in the part of drug prevention, guidance on sexual and reproductive rights, full respect in the exercise of sexuality), and, finally, develop debates and spaces for dialogue on social, linguistic, ethnic differences, the questões related to gender and sexual orientation. Topics such as structural racism, patriarchal system, misogyny, homophobia, xenophobia, should be reflected. Several areas need to be developed with children, adolescents, and society, in general, so that the multiple causes are administered in multiple spaces and by different approaches. Interventions should start early and provide support for healthy relationships.

Pepler and Craig (2014) developed four principles for *bullying* prevention and intervention. The first principle is that *bullying is* a relationship problem. A problem between the child who is suffering *bullying* and the child who is practicing the act of intimidation. The authors point out that relationship problems require relationship solutions. Therefore, both children, as well as all the other children who witness harassment, should be included in the solutions. Interventions should focus on the peer group, modifying the power dynamics established there and promoting positive relationships. The second principle is that bullying interventions *require* development

albeit approaches. This is because *bullying* changes according to the developing capacities and concerns of children and adolescents, so intervention should be appropriate to the level of development in which they find themselves. That's why the importance of working on personal skills, interpersonal skills, social skills, critical thinking, empathy, emotional stupenda, and others.

The third principle is that *bullying interventions require* a systemic approach. In other words, successful interventions are comprehensive and systemic. Change must take place in the classrooms, in the general climate of the school. It should include employees, the administration, parents or guardians, and the community. Therefore, in addition to peer intervention, it is necessary for the self-awareness of adults themselves, who are supportive and models for healthy relationships between children and adolescents. Adults are responsible for promoting safe, caring, and inclusive peer-to-peer interactions. Finally, the fourth principle is that leadership is the basis for changing systems. The leadership of school principals, teachers, as well as all adults, is indispensable for the support, action, and promotion of healthy relationships. Like other forms of learning, children and adolescents learn relationship skills by trial and error. (PEPLER; CRAIG, 2014).

In general, schools should be given greater competence to care for and prevent intimidation practices. School is the space for democratic formation, for training against barbarism, for inclusion and empowerment. The school is responsible for the provision of positive educational practices, the stimulus to the peaceful solution of conflicts through school mediation, restorative practices, the creation of the feeling of belonging to the school, the elaboration of a *plan to prevent bullying at* school, channels to report violence, and multidisciplinary team – with a psychologist, social worker, and health agents – to follow-up the identified cases.

Coping with systematic intimidation practices shall be a multidisciplinary task. The multidisciplinary care of children and adolescents is a guideline of the care policy, provided for in Article 88, item IX, of the ECA. In this sense, education, health, social assistance, the management councils, and the other actors of the Rights Guarantee System need, together, to dialogue and think about the services, programs, and public policies for intervention in this theme.

> The strengthening of public policies for children and adolescents within the municipality is a set of challenges that depend on intersectoral articulation and the strengthening of the child and adolescent care network with integrated participation between governmental, non-governmental, and community organizations. (SOUZA, 2017, p. 33)

Multidisciplinarity enables the strengthening of the service network and integrated participation, especially if it remains until the final process of monitoring and evaluating actions and policies. Only in this way will full protection be guaranteed, as well as all other principles of child and adolescent law, such as absolute priority, best interest, universalization, humanization, popular participation, and dejudicialization.

Last but not least, coping with systematic intimidation practices, based on the theory of integral protection, requires full attention to the voice of children and adolescents. That is, in all this process, it is necessary to listen to children and adolescents. Listen to what they must talk about, about their experiences, and about their longings to face these themes. Children and adolescents have the right to be heard, to participate in the actions, and to have their opinions considered, in any decision that concerns their fundamental rights.

5. CONCLUSION

In this study, we sought to analyze the confrontation of systematic intimidation practices in Brazil, in social and virtual environments, in the light of the theory of integral protection. Systematic intimidation, embodied in *the practices of bullying and cyberbullying*, retracts violence, which affects children and adolescents and produces complex developmental consequences, affecting physical, psychological, and emotional health, in total violation of human integrity and dignity.

The first chapter of the research dealt with the violation of the rights of children and adolescents by moral harassment in social and virtual environments. Based on the concept and delimitation of systematic bullying actions, a differentiation was made between *bullying and cyberbullying*, as well as the presentation of the causes and consequences of aggression to children and adolescents who suffer violence. Despite all the classification available in the literature (actions, aggressor, victim, specter, types, means, and manners), caution is needed not to simplify the logic of violence between aggressor and victim. That is, the delimitation of *bullying* (and *cyberbullying*) cannot be seen as an exact, immutable formula, which is why it is necessary to think about intimidation in the light of criticism of instrumental reason. It is important to question behaviors, understand violence as a social phenomenon, and think about the solution to this public health problem, from a multifactorial point of view.

In a second moment, the regulation of the Program to Combat Systematic Intimidation was presented. It began with the exposure of the rates of systematic intimidation in Brazil, through the provision of Law No. 13,185/2015, until it reached the analysis itself of the Program to Combat Systematic Intimidation. In this part, it was found that the theme is still poorly addressed in the country, although there is no doubt that children and adolescents are often victims of violent actions in schools and virtual networks. Law No. 13,185/2015, of an eminently preventive nature, instituted the Program to Combat *Systematic Bullying* throughout the national territory. It is a program that aims to prevent and combat systematic intimidation throughout society, but also: the training of teachers; the promotion of educational campaigns; the promotion of psychological, social, and legal assistance to victims and aggressors; the stimulation of mutual tolerance, citizenship, empathy, and respect, within the frameworks of a culture of peace, among others. This is important legislation, which establishes the obligation for states and municipalities to carry out the proper diagnosis, with the disclosure of bimonthly reports depicting the occurrences of systematic intimidation, aiming to support the plans of action.

In the third chapter, the study of coping with systematic intimidation practices was then carried out, based on the theory of integral protection. In this part, protection was worked from the theory of integral protection, the basis for the rights of children and adolescents. Then, some myths related to *bullying were pointed* out, such as *that bullying is "fashion* stuff", "childish game" or "lack of punishment". Finally, strategies for prevention and confrontation of systematic intimidation practices were stressed, some actions from government initiatives, schools, civil associations, non-governmental entities, and UNICEF being emphasized.

To carry out this work, the following research problem was delimited: how is the practice of systematic intimidation faced in Brazil and how can comprehensive protection for children and adolescents be provided? In this study, it was verified that coping with the confrontation, in the light of the theory of integral protection, demands measures that go beyond the identification

or accountability of the aggressor. It requires preventive and sensitization actions on the part of the actors of the System of Guarantees of Rights, as well as the action through public policies, aiming at reducing the rates of violence and the effective promotion of integral protection.

The present study also allowed conclusions that went beyond the hypothesis suggested. To scheme prevention actions or strategies, it is necessary to investigate the real dimension of violence and its multiple causes. It is necessary, then: to make a detailed diagnosis, in all Brazilian States, on the subject; design prevention based on the identified causes; promote prevention from early childhood education; to give greater competence to schools for the care and prevention of bullying practices; to promote an intersectoral approach, and to listen carefully to the voice of children and adolescents.

Finally, it is appropriate to mention that this research presents limitations, especially in time and space. It did not exhaust the identification and analysis of all initiatives, be they school, government, or other areas, existing in the country. Therefore, new studies may contribute to the expansion of the debate, addressing, for example, the initiatives of schools. It is also possible to evaluate the difference in the reasons for systematic intimidation in public and private schools, in a sociological approach. Or, to ascertain whether the States and Municipalities have effectively presented the bi-monthly reports on the situation and provided due assistance to schools, for the management of this issue, in addition to other research possibilities.

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