

## The Maria da Penha law in the basic education curriculum



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### ABSTRACT

Obsma is an initiative of Fiocruz, and is a project  
for Brazilian students from public and private

schools whose objective is to strengthen students' desire to learn, understand, research and investigate, as well as to encourage work that contributes to the improvement of the environment and the country's health. The article in question aims to support the school as an institution and combat violence against women through education. For the elaboration of the present work, a methodological approach of a qualitative nature of the exploratory type was used. It is believed to allow for a better understanding of meaning and engage researchers more directly, leading to robust interpretations. Based on this question, it is believed that the root of violence lies in the lack of education itself, therefore, it is necessary to use the school as a learning space, not only in alphabetical order, but also used to generate values, morality, respect and equality including this theme in the basic education curriculum.

**Keywords:** Basic Education, Law, Curriculum, Woman.

## 1 INTRODUCTION

The World Health Organization (WHO), in 1946, defined health as "a state of complete physical, mental and social well-being, and not merely as the absence of disease or infirmity." In this sense, it is opportune that discussions about the way of thinking, acting, and articulating actions that promote quality of life are present in the school environment. The perspective of dialoguing on the theme "violence against women and girls" in the school environment seeks a congruence between article 3 of the Maria da Penha Law, whose text ensures that women have conditions for the effective exercise of their rights to health, and the proposal suggested by item 9 of Law 14,164/21, which determines the inclusion of content on the prevention of violence against women, as an anticipatory measure to ensure that women live a healthy life in all respects. A concept that the BNCC also ratifies in one of the ten general competencies: "To know oneself, appreciate oneself and take care of one's physical and emotional health, understanding oneself in human diversity and recognizing one's emotions and those of others, with self-criticism and the ability to deal with them".

Now, as of the amendment on June 10, 2021 through Law 14,164/2021, article 9 now has the following text:



Amends Law No. 9,394, of December 20, 1996 (Law of Guidelines and Bases of National Education), to include content on the prevention of violence against women in basic education curricula, and institutes the School Week to Combat Violence against Women.

In this context, on June 10, 2021, Law No. 14,164/2021 **was enacted, which amends Law No. 9,394, of December 20, 1996 (National Education Guidelines and Bases Law), to include content on the prevention of violence against women in basic education curricula, and institutes the School Week to Combat Violence against Women.**

Article 1 Article 26 of Law No. 9,394, of December 20, 1996 (Law of Guidelines and Bases of National Education), is hereby amended as follows:

Art. 26. The curricula of early childhood education, primary and secondary education must have a common national basis, to be complemented, in each education system and in each school, by a diversified part, required by the regional and local characteristics of society, culture, economy and learners.

§ 9 Content related to human rights and the prevention of all forms of violence against children, adolescents and women will be included, as cross-cutting themes, in the curricula referred to in the caput of this article, observing the guidelines of the corresponding legislation and the production and distribution of appropriate didactic material for each level of education. (Text given by Law No. 14,164, of 2021)

The analysis corresponds in spite of the same Law in its Article 2, which proposes:

Article 2 <sup>1</sup>The School Week to Combat Violence against Women is hereby instituted, to be held annually, in March, in all public and private basic education institutions, with the following objectives:

I - contribute to the knowledge of the provisions of Law No. 11,340, of August 7, 2006 (Maria da Penha Law);

II - to promote critical reflection among students, education professionals and the school community on the prevention and fight against violence against women;

III - integrate the school community in the development of strategies to confront the various forms of violence, especially against women;

IV - address the mechanisms of assistance to women in situations of domestic and family violence, their protective instruments and the means for registering complaints;

V - train educators and raise awareness in the community about violence in affective relationships;

VI – promote equality between men and women, in order to prevent and curb violence against women; and

VII - promote the production and distribution of educational materials related to the fight against violence against women in educational institutions.

The Brazilian Health and Environment Olympiad (Obsma) is a biennial educational project promoted by the Oswaldo Cruz Foundation (Fiocruz) to encourage interdisciplinary activities in public and private schools across the country. The main objectives include recognizing the work done by school teachers and students and working with governments to disseminate actions in education, health, and the environment (FIO CRUZ OLYMPICS, 2022).

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<sup>1</sup> <https://www.jusbrasil.com.br/topicos/394701347/artigo-2-da-lei-n-14164-de-10-de-junho-de-2021>



Open to students from 6th to 9th grade in Brazilian public and private schools, the Olympiad is recognized by the Ministry of Education (MEC) and aims to enhance learning, understanding, research and investigation among young people. Founded in 2001, Obsma encourages work that contributes to the improvement of the environment and health in Brazil, in addition to bringing scientific knowledge closer to everyday school life and giving visibility to teachers and schools (OLIMPÍADA FIO CRUZ, 2022).

Thus, it is opportune to discuss ways of thinking, acting and expressing actions that improve the quality of life in the school environment. The perspective of dialogue in the school environment on the theme "Violence against women and girls" seeks coherence between article 3 of the Maria da Penha Law, whose text ensures the conditions for the effective exercise of women's right to health, and the conditions established by Law 14.164/21 in its article 9, which included the content on the prevention of violence against women as an anticipatory measure to ensure women a healthy life in all aspects (BRASIL, 2021).

In this context, education is key to preventing and ending violence and, therefore, making use of the role that schools play in a fundamental way to combat violence against girls and women.

The word violence originates from the Latin word violence: the verb *violare*, which means to deal with violence. It refers to the term vis: force, violence, use of physical force (ANPED, 2017).

Violent character, instead of acting with force, acting with violence, using brute force, committing violence (BRASIL, 2006) to impose a physical or moral restriction on a person to force that person to do what is imposed on him: physical violence, psychological violence. Cruel acts, violent regimes. The act of using force to oppress, to force someone to do something; oppression, violence against women (ANPED, 2017).

Domestic violence against women is an old problem, an unequal relationship inserted in a society that always places women in an inferiority complex. It exists in all social classes and has an enormous complexity to be addressed, largely due to cultural factors rooted in society (TELES, 2022).

Inter-American Convention on the Prevention, Punishment and Elimination of Violence against Women (OAS) - Convention of Belém do Pará - Ratified by Brazil on November 27, 1995 and promulgated by Decree No. In 1973/1996, violence against women was described as "any gender-based act or conduct that causes death, physical, sexual or psychological harm or suffering to women in the public and private spheres".

The World Health Organization (WHO) conducted a study in 2002 and published the results in the World Report on Violence and Health, which also defined violence as:

The use of physical force or actual or threatening power over oneself, another person or group, or community that causes or has the potential to cause injury, death, psychological harm, stunting, or deprivation (ANPED, 2017).



Furthermore, Barroso (1982) states that, according to the Council of Europe, domestic violence can be understood as any act, omission or conduct that, directly or indirectly, causes physical, sexual or mental suffering..., through deception, threats, coercion or in any other way, to any woman whose purpose and purpose is to intimidate, punish or humiliate her, or subject her to stereotypical roles related to her gender, or deny her human dignity, sexual, physical, spiritual autonomy, and moral integrity, or harm her personal safety, self-esteem, or personality, or impair her physical or intellectual abilities.

Violence against women can, therefore, be understood as "gender violence", an expression that emerged in the 1970s and was highlighted by the feminist movement, as women are the main targets of gender violence (PINHEIRO, 2007, p. 30). The authors confirm that the term "violence against women" refers to the intimidation of women by men, who act as aggressors, dominators, and punishers.

For Saffioti (1992, p. 60-64), violence against women is the result of the socialization of sexism, a man, because he is a man, believes that he has the right to beat a woman, and a woman, educated to obey a man's wishes, takes this fate for granted. Discrimination against women is linked to the patriarchal-racist-capitalist system of domination-exploitation, a symbiotic relationship that ends up consolidating the power of whites and adult men.

Domestic violence against women is deeply rooted in cultures and social classes and is now a matter of public order (PINHEIRO, 2007). Thus, contrary to the popular saying "in a couple's fight, yes, you take the spoon" (LUCINDA; CANDAU, 1999).

Silva (2017) explains that domestic violence against women is a widespread social phenomenon, as it can be found in any family, regardless of social class. According to Carvalho (2016, p. 48-49), domestic violence is based on relations of inequality and power between men and women linked by blood, paternity, affection or friendship. The aggressor exploits the privileged conditions of marriage, joy, trust and friendship, dating, intimacy, privacy, etc. between himself and the victim, as well as his hierarchical or power relationship with the victim.

In Soares (2005), it is impossible to generalize, but an evolutionary pattern is identified in the dynamics of domestic violence, with tensions in relation to minor incidents in the first phase, then serious incidents in the critical phase and eventually even homicides. However, according to the author, in the final stage comes the promise of repentance and love and regeneration.

In this sense, Leite (2015) points out that it is in this critical phase that the true aggression occurs, as all the tension accumulated in the first phase dissipates, resulting in the lack of effectiveness of the aggression of Control and Violence. As the authors explain, women should seek help at this stage, as the next stage is the one that guarantees the repeated aggressions that characterize the cycle of domestic violence.

The third and final phase of this cycle is known as the "honeymoon" because the abuser often



exhibits an excessive fear of losing his partner and does everything in his power to please her. Despite the attack, the woman quickly surrendered to her tormentor again and easily found an explanation and justification for her partner's behavior (TELES, 2002).

In the context of family relationships, this feeling is known as battered woman syndrome. The victim believed that he could not escape the situation he was in. Small acts of kindness by the aggressor – real or perceived – create hope that the regrets are real and that the violence will stop (TELES, 2002, p. 27).

Consistent with the above, Zaira de Andrade Lopes (2000, p. 61) argues that this cycle marks the specificity of this violence and the difficulty of combating it, as couples involved in domestic violence develop pathological bonds that feed back into each one in the family. Others, such as hatred and resentment, coexist in a rising tide of violence, which often makes it difficult to crack down on public officials.

Finally, love and hate are ambiguous, relationships between partners are complex, the concepts and origins of female subordination are multiple, the heterogeneity of feminism and the flow of concepts of violence (RAMOS, 2019).

## 2 METHODOLOGY

The methodological foundation that guides the development of this research was structured, both in terms of the purpose and the means used in data collection and work, through different methodological procedures such as: processing and analysis of primary and secondary data, which will support the study and production of knowledge about sexual violence in adolescence and its reflexes in adulthood, which was worked on in conversation circles in the classroom, in the 9th grade, on topics of violence against women and girls.

Also, then, a simple audio podcast was recorded, being recorded on the cell phone itself, with the participation of 03 (three) students, selected within the conversation circle, for the recording of the audio podcast.

The article regarding the purposes, classifies as descriptive, and exploratory, because it is based on the analysis and theoretical, bibliographic characterization on the proposed theme in the light of the Brazilian legal system, and with little research on the has in the school environment, which is configured as an exploratory research.

It is noteworthy that the development of descriptive research, as Gil (2008) points out, has the advantage not only of deepening the knowledge of the reality studied, substantiating and explaining the occurrence of factors that contribute to the reason and motive of things, but also of indicating possible improvements in the comparative light of the theoretical-normative-empirical framework.



The main objective of this article is to disseminate the Maria da Penha Law, favoring the development and autonomy of study on the subject with greater capacity for reach and access, generating engagement of the entire school community in order to deconstruct the culture of gender violence.

Having as secondary objectives, to raise awareness among students against the practice of domestic and family violence against girls and women and to train educators to develop activities in the school environment, with the purpose of deconstructing the culture of violence against the female gender, which is historically rooted in the social environment and integrating the community in the fight against violence against girls and women; train educators; promote critical reflection among students, education professionals and the school community on preventing and combating violence against women; with the purpose of deconstructing the culture of violence to the detriment of the female gender, which is historically rooted in society. (Agência Câmara de Notícias, 2022).

## 2.1 RESEARCH CONTEXT: PARTICIPATION IN THE 11TH BRAZILIAN OLYMPIAD OF HEALTH AND ENVIRONMENT OF FIOCRUZ

The Olympiad is an educational project promoted by the Oswaldo Cruz Foundation (Fiocruz) to stimulate the development of interdisciplinary activities in public and private schools across the country.

Education is a fundamental factor for the prevention and eradication of violence, so we believe that schools play a fundamental role in deconstructing violence against girls and women. By taking the content of the Maria da Penha Law to schools, the objective is to work on the formation of a new consciousness with young people, making them citizens with new behaviors and true agents of transformation of reality.

The "**Em**"**POD**"**eradas**" Project is an initiative aimed at students and educators of the Professor Camilo Dias State School, in Boa Vista, which **aims to** show the importance of the Maria da Penha Law, in addition to helping to raise awareness among students about the need to combat violence against women and girls, all with a view to preventing Domestic Violence.

He was the winner of the *Northern Regional Highlight award at the 11th Brazilian Health and Environment Olympiad of Fiocruz in 2022*, in addition to receiving the special award, with a medal of Honor for Merit, "Girl Today, Scientist Tomorrow", which honored the pioneering scientist Maria Deane. She also received *the "Safe Women" Seal* from the Court of Justice of the State of Roraima (TJ/RR). The main *objective of the creation of the podcast* was to promote dialogue with girls who are students of basic education on the problem of violence against women and girls.

It was born in a current context, where there is a need for actions aimed at this public, considering that education is the best means to prevent and combat violence, being an efficient



mechanism in the eradication of violence against girls and women in the domestic, educational, religious and family environment.

Understanding education as the main pillar of development, people are the starting point of the project's development. The Base of the Common National Curriculum (BNCC) expresses the commitment of the Brazilian State to promote a comprehensive education aimed at the reception, recognition, and integral development of all students (BRASIL, 2023). In this sense, the project intends to dialogue, through a podcast, with the students of the Professor Camilo Dias State School, in Roraima, to confront violence against women and girls.

This dialogue occurs as a pretext for movement-based preventive measures to rethink patterns of behavior that generate violence and awareness as a source of values that contribute to social change.

Therefore, disseminating the Maria da Penha Law through dialogue with young students, recognizing the harm that domestic violence represents for human development, is the way to promote awareness in favor of the prevention of violence against women and its consequences.

This, with the objective of promoting the rapid and comprehensive dissemination of the Maria da Penha Law in the school environment, as allowed by the amendment brought by Law 14.164/21; bridging the gap between misinformation and legal knowledge through efforts to raise awareness of violence against women and girls among students; engage communities in the fight against violence against girls and women; train educators; Encourage students, education professionals and school communities to reflect critically on preventing and combating violence against women and girls.

## 2.2 CHILDHOOD AND ADOLESCENCE

In Brazil, ECA Law No. 8,069, of July 13, 1990, refers to adolescence, the age group of 12 to 18 years, as a reference for the elaboration of laws and programs that guarantee the rights of this group since 1990.

This law guarantees that the family, the community, society as a whole and the public authorities have the duty of absolute priority to guarantee the fulfillment of the rights related to life, health, food, education, sports, leisure, professionalization, culture, dignity, respect, freedom and coexistence with the family and the community (art. 04 of the ECA, 1990).

It is important to remember that the objective of this study is not to exhaust all discussions about violence against young people, but rather to discuss, on a scientific basis, how educational practices can help combat violence against young people in schools.

The understanding of education as the main pillar of human development is the starting point for the development of this work.

This dialogue occurs as a pretext for movement-based preventive measures to rethink patterns of behavior that generate violence and awareness as a source of values that contribute to social change.



Therefore, giving visibility to the Maria da Penha Law through dialogue with young students, recognizing the harm that domestic violence represents for human development, is the way to promote the formation of an awareness based on the prevention of violence against women and its consequences.

The events aimed to reflect and critically debate on violence against women and girls and ways to combat it.

### 2.3 BASIC EDUCATION AS A TOOL TO PREVENT VIOLENCE AGAINST WOMEN

Schooling is an important instrument for discussing practices related to social development, in addition, the school must respect and apply the concept of pluralism, including practices that reflect on the ills experienced by society, such as violence. Education professionals need to identify the mechanisms of gender-based violence that occur daily in schools.

Dealing with school violence against women from the perspective of dialectical historical materialism as a point of discussion needs to address other themes that culminate in this predatory human behavior and educational action, machismo, patriarchy as an illustration, ills of school courses on the subject, emotional education in teaching projects, etc.

The discussions on how to confront this violence involve allusions to the historical facts of human life from childhood to adulthood.

In the old days, it was not uncommon to categorize colors by gender, where blue was identified as boy, which represented masculinity, strength, and power over girls; Color is the color of delicacy, femininity, fragility, and emotions that awaken the discreet attitude that a woman deserves.

In this thinking, propagating a culture that operates in power relations between men and women is fundamental to sustaining families, economies and values so that society accepts violence as an essential component of control and order. Thus, according to Cagicas (2000), in this thought, the author draws attention to the naturalization of violence and the objectification of women when they become the property of men and in a certain way reinforced by the values of the time, with a framework for judging what is good for them.

Therefore, it is important to start discussing issues of identity construction from the school environment, since childhood is considered an important stage in the absorption of knowledge and in the expression of behaviors that are naturally imprinted in the child's living environment.

With this in mind, the ECA highlights in its Chapter IV that it is the State's responsibility to guarantee education through food, health and assistance programs. (BRAZIL, 1990). Thus, the right to education is also a support for actions related to the protection of children, which is consistent with all levels of society, because the more education, the less violence.





In view of this, it is necessary to see the political role of the school, including its contribution to learning to confront violence against women, to demonstrate vulnerability and reality in a pedagogical and mobilizing way. Confirming Gadotti (2008), the public domain does not take into account the regional and educational diversity of the country and, thus, the political system partially meets educational needs and problems.

Gadotti (2008) also believes that activities inside and outside the school need a democratic environment, conducive to inclusion and that seeks equal opportunities for people, so that educators know how to solve problems and explain them.

Another mechanism for promoting child development and reducing violence is Article 205 of the Federal Constitution, which establishes that education is "the right of all and the duty of the State and the family, and should be promoted and directed to full development, preparing them for the exercise of citizenship and qualification for work" (BRASIL, 1988).

We know that the Maria da Penha law is a watershed because it effectively punishes the perpetrators of domestic violence, but the norm is also an opportunity to measure pedagogical practices that translate the letter of the law into attitudes; It makes no sense to discuss issues such as educational, social and family responsibilities separately. Article 1 of the Maria da Penha Law thus defines its objective, which is to curb and prevent gender violence in the family, within the family or in intimate relationships.

According to (FREIRE, 2016, p 23), education as a transformative practice broadens the context of coping with violence against women when the individual is able to reflect on their behavior and their role in society with the objective of a relationship. People will clarify the ambiguous dimensions that arise from their proximity to the world.

Indeed, dealing with such a socially mysterious issue through mediation may seem like a long-term challenge, but it is important for dignity. The school must also demystify some of the misplaced issues, because the repression of the impunity of the aggressor expressed in the norms of criminal law must dialogue with the norms of education.

This is because the root of violence is the lack of education itself, so it is urgent to use the school as a learning space not only alphabetic, but also to generate values, ethics, respect and equality.

Finally, as one of the expected results of the project would be to institute the School Week to Combat Violence against Women in the State Education Network of Roraima, as determined by law 14.164/21.

In this way, to promote dialogue with the school community, and to draw attention to violence against women and girls, as a preventive measure based on the movement to rethink behavioral patterns that generate violence and awareness as a source that generates values that contribute to the transformation of society.



Integrate the community in the fight against violence against girls and women; train educators; promote critical reflection among students, education professionals and the school community on preventing and combating violence against women; with the purpose of deconstructing the culture of violence to the detriment of the female gender, which is historically rooted in society. (Agência Câmara de Notícias, 2022).

### 3 CONSIDERATIONS

Violence against women is the result of a sexist and exclusionary society with strong patriarchal roots. We are talking about a criminal classification based on the integrity of women, but also about the psychological issues that lead to families full of intense and repressive episodes.

Schools must, therefore, find possibilities to respond to violence against women, and this must be done through pedagogical practices and programming that enable dialogue and debate on inequality, diversity and encourage respect for gender. It is important that school spaces create permanent pathways that promote the collective empowerment of girls in a positive and reflective way. They need to develop and monitor public educational policies for teacher training to confront violence against women, and this public action needs to be an act of deconstruction and breaking of patterns of toxic masculinity.



## REFERENCES

ANPEd. Associação Nacional de Pós-Graduação e Pesquisa em Educação. 38.<sup>a</sup> REUNIÃO NACIONAL DA ANPEd. Universidade Federal do Maranhão (UFMA)- São Luís. Out., 2017. Disponível em: <http://38reuniao.anped.org.br/programacao> Acesso em: 20. JAN. 2023.

Agência Câmara de Notícias. Disponível em: <https://www.camara.leg.br/> Acesso em:20 JAN. 2023.

BARROSO, Carmem. Mulher, Sociedade e Estado no Brasil. São Paulo: Brasiliense; UNICEF, 1982.

BRASIL. Lei nº 8.069, de 13 de julho de 1990. Estatuto da Criança e do Adolescente. Disponível em: [https://www.childhood.org.br/informe-se-e-saibacom-agir?gclid=Cj0KCQiApL2QBhC8ARIsAGMm-KE2v0m896WRX6VTBTjMo31Uui2oV7fi4Nux9Rt0ACWS-dh42zZm6QaAjdzEALw\\_wcB](https://www.childhood.org.br/informe-se-e-saibacom-agir?gclid=Cj0KCQiApL2QBhC8ARIsAGMm-KE2v0m896WRX6VTBTjMo31Uui2oV7fi4Nux9Rt0ACWS-dh42zZm6QaAjdzEALw_wcB) Acessado em: 20 JAN. 2023.

BRASIL. LEI 14.164/2021. Altera a Lei nº 9.394, de 20 de dezembro de 1996 (Lei de Diretrizes e Bases da Educação Nacional), para incluir conteúdo sobre a prevenção da violência contra a mulher nos currículos da educação básica, e institui a Semana Escolar de Combate à Violência contra a Mulher. Disponível em: <https://www.in.gov.br/en/web/dou/-/lei-n-14.164-de-10-de-junho-de-2021-325357131> Acesso em: 21 JAN. 2023.

BRASIL. BASE NACIONAL COMUM CURRICULAR. 2023. Disponível em: <http://basenacionalcomum.mec.gov.br/> Acesso em: 22 JAN. 2023.

CAGICAS A. A. El patriarcado como origem de la violencia domestica. Monte Buciero: Instituto Nacional de Ciências Jurídicas de Oñati, 2000. Disponível em <https://dialnet.unirioja.es/servlet/articulo?codigo=206323> Acessado em: 20 JAN. 2023

FREIRE, P. Pedagogia do Oprimido. 60. ed. Rio de Janeiro: Paz e Terra, 2016.

GADOTTI, M. Educação e poder: introdução à pedagogia do conflito. 15. Ed. São Paulo: Cortez, 2008.

GIL, A. C. Métodos e técnicas de pesquisa social. Ed. São Paulo: Atlas, 2008.

LOPES, Zaira de Andrade. Meninas para um lado meninos para outro: um estudo sobre representação social de gênero de educadores de creche. Campo Grande, MS: Editora UFMS, 2000.

LUCINDA, Maria da Consolação; Nascimento, Maria das Graças; CANDAU, Vera Maria. Escola e Violência. Rio de Janeiro: DP&A, 1999.

OLIMPÍADA FIO CRUZ. Disponível em: <https://olimpiada.fiocruz.br/cerimonia-de-premiacao-inspira-e-emociona-professores-e-alunos-participantes-da-11a-edicao/> Acesso em: 20 jan. 2023.

OMS. Relatório mundial da violência e saúde. Genebra: OMS, 2002.

PINHEIRO, Paulo Sérgio. Relatório mundial sobre violência contra criança. Genebra: ONU; Brasília: SEDH, 2007.

SAFFIOTI, H.I.B. Rearticulando gênero e classe social. In: COSTA, A.O.; BRUSCHINI, C. (Orgs.) Uma Questão de gênero. São Paulo; Rio de Janeiro: Rosa dos Tempos, 1992.



TELES, Maria A. de Almeida. MELO, Mônica. O que é violência contra a mulher. São Paulo: Brasiliense, 2002.