Law and education: the principle of fraternity as a foundation in combating school bullying and cyberbullying

Direito e educação: o princípio da fraternidade como fundamento no combate ao bullying escolar e ciberbullying

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ABSTRACT
This paper addresses law and education as tools for integration in the pursuit of effective combat against bullying and cyberbullying, grounding this confrontation in the Principle of Fraternity as a solution to this social problem. It recognizes equal dignity for all individuals as enshrined in the Brazilian Federal Constitution and aims to construct a fraternal, plural, and prejudice-free society. Thus, the basis for the revitalization of the Principle of Fraternity is evident in various constitutional provisions. Equality itself is only possible through the recognition of others, without implying the annihilation of differences; on the contrary, it involves the acceptance of differences to rebuild a fraternal society. This is presented as a solution for raising awareness and preventing conflicts within schools and combating systematic intimidation, which the law imposes as a duty on society as a whole. Awareness of the Principle of Fraternity and Human Rights must extend beyond resolving violence conflicts through conventional means, as violence is not the sole form of bullying. Therefore, there is a need for legal-educational awareness to prevent such conflicts from arising. Hypothetico-
Deductive Method, Grounding the Research in Scientific Literature and Relevant Legislation.

**Keywords:** law, education, *bullying* (law no. 13,185/2015) and *cyberbullying*, principle of fraternity.

**RESUMO**
O presente trabalho abordou o direito e a educação como instrumentos de integração na busca da efetividade do combate ao *bullying* e do *cyberbullying*, trazendo como fundamento desse enfrentamento o Princípio da Fraternidade como forma de solução desse problema social, o reconhecimento de igual dignidade a todas as pessoas consubstanciado na Constituição Federal Brasileira, bem como o objetivo da construção de uma sociedade fraterna, plural e sem preconceitos. Assim, o fundamento para a revitalização do Princípio da Fraternidade encontra-se evidenciado em vários dispositivos constitucionais e que a própria igualdade, somente é possível pelo reconhecimento do outro, sem implicar a anulação das diferenças, ao contrário, com a aceitação das diferenças para reconstrução de uma sociedade fraterna, essa apresentada como resolução para a conscientização e prevenção dos conflitos no interior das escolas e no combate à intimidação sistemática que a Lei estabeleceu como dever a toda sociedade. A conscientização do Princípio da Fraternidade, bem como dos Direitos Humanos devem ir além de solucionar conflitos de violência por meio de instrumentos convencionais, pois, a violência não é a única forma de *bullying*. Por isso, há necessidade de conscientização jurídico-educacional para não mais se instalarem tais conflitos. Método hipotético-dedutivo, fundamentando a pesquisa em bibliografia científica e de legislação pertinente.

**Palavras-chave:** direito, educação, *bullying* (Lei nº 13.185/2015) e *cyberbullying*, princípio da fraternidade.

**1 INTRODUCTION**

The present work was based on the analysis of Law No. 13,185/2015, which establishes the Program to Combat Systematic Intimidation, wherein it explicitly states that schools, clubs, and associations have the duty to ensure awareness and prevention measures in combating bullying.

Furthermore, the work also examined and addressed the right to education as instruments of integration in the pursuit of effectively addressing bullying and cyberbullying. This is grounded in the Principle of Fraternity at all levels within the school environment, as well as in promoting the recognition of each human being...
within the society in which they live as subjects of rights and duties. This entails raising awareness and mobilizing individuals in the public and private sectors, as well as society as a whole, towards the establishment of a new culture based on human rights, citizenship, and respect for the principle of human dignity.

Currently, violence among students in schools, victimization and its implications, silence, fear, unpreparedness, and the lack of direct and comprehensive information, while documented, offer limited theoretical development to fully comprehend these heterogeneous behavior patterns and, consequently, to find solutions.

School violence has become a highly pressing issue that requires the collective effort of all stakeholders due to its significant relevance. These acts of violence involving students tend to emotionally destabilize them, leading to social interaction difficulties and causing a wide range of problems. This is because many bullying victims are prone to experiencing depression, social interaction challenges, post-traumatic stress, and suicidal thoughts.

The "co-llaboration" between law and education is the focal point of this work, connecting the issue of bullying with the foundation of the Principle of Fraternity, which recognizes equality and dignity for all individuals as enshrined in the Brazilian Federal Constitution. The ultimate goal is to construct a fraternal, plural, and prejudice-free society. The basis for revitalizing the principle of fraternity can only be achieved through the recognition of others, without negating differences but rather through their acceptance to build a more fraternal and humane society. This represents an evolutionary phase in constitutionalism, transitioning from liberalism to socialism and from socialism to fraternity.

Therefore, with the revitalization of the Principle of Fraternity as a foundation for raising awareness, preventing, and resolving conflicts within schools, and effectively combating systematic intimidation, as mandated by the law to society as a whole.

As is well known, Law No. 13,185/2015 has a social character that guarantees the dignity of the human being and their full development by protecting their physical and psychological integrity. Furthermore, this law not
only assigns responsibilities but, above all, emphasizes the need for awareness and respect for one another.

It is worth noting that the law also introduces concepts and ideals on how to curb the practice of bullying and cyberbullying but does not establish any effective measures to prevent their spread.

Regarding the program established by the aforementioned Law, its objective is to raise awareness, prevent, and combat systematic intimidation through the collaboration of the entire society. It includes awareness campaigns, with a focus on practices committed by students, teachers, and other professionals within the school and school community. It also involves training educators, guiding families to identify the problem, providing psychological, social, and legal assistance, as well as promoting a culture of peace, respect, and tolerance.

However, it's noteworthy that while the Law does describe what the "combat program" would entail, it does not provide specific guidelines for it and leaves it to the responsibility of educational institutions when, in reality, it should be treated as a social policy.

Therefore, if there isn't a collective action by society as a whole, the Law is unlikely to bring any significant benefits in the medium or long term. In our globalized world, where information spreads more rapidly than people can grasp, it becomes necessary to adopt measures compatible with it.

Furthermore, it's important to remember that bullying doesn't only occur in schools; its consequences extend beyond. If it's considered a social problem, then it should be treated as such and be the responsibility of everyone. Only in this way can we hope that the proposed changes become real and achievable.

And it is from this point, with each individual assuming their duty as a citizen, that they can and should collaborate in the fight against bullying and cyberbullying to the best of their ability and knowledge.

The primary aim of this work has been to develop a collaborative relationship between law and education, grounded in the Principle of Fraternity. This principle presupposes that the freedom of one human being cannot be
realized without the freedom of another. Therefore, it is considered a principle that underlies relational behavior and, precisely for this reason, stands alongside freedom and equality as capable of making these principles effective.

This approach brings a horizontal alignment to a set of asymmetric ideas, namely EDUCATION-LAW-PRINCIPLE OF FRATERNITY, enabling the convergence of these ideas within a symmetrical context for combating systematic intimidation.

Lastly, considering the timeliness and relevance of the topic, we will reflect on the Principle of Fraternity and Human Rights, which are indispensable for the effectiveness of freedom and equality as fundamental guarantees. Freedom is seen as the fundamental right to live freely and make choices, while equality is recognized as the right to have equitable access to opportunities compared to other members of society.

In conclusion, we present the insights and viability derived from our research, with the humble intention of contributing to the ongoing discussion rather than exhausting it. The hope is that awareness of the Principle of Fraternity will enable the reconstruction of a fraternal society in the fight against systematic intimidation and, furthermore, bring about the realization of transformations in human and social dimensions and ensure the dignity of the human person.

Hypothetico-Deductive Method, Grounding the Research in Scientific Literature and Relevant Legislation. The cited texts whose originals are not in English have our translation.

2 BULLYING E CYBERBULLYING: A SOCIAL PROBLEM

The human need for socialization is one of its primary characteristics. It is indeed true that we can affirm that humans are inherently social, meaning they require others to live and survive.

However, in the same way that humans need to integrate into the society they live in, we also observe cases where individuals feel the need and take pleasure in physically or morally violating others.
These violent, offensive, and humiliating acts, depending on the manner and frequency with which they are committed, are termed as bullying and cyberbullying, both of which constitute a social and universal problem, causing numerous harms to their victims. These harms include conditions such as depression, self-harm, suicide, or homicide. Presently, violent attacks against life within the school context, such as the one that occurred on March 13, 2019, known as the "Suzano Massacre," which transpired at the Raul Brasil Public School, resulted in the deaths of 5 (five) students and 2 (two) school staff members. Notably, two of the perpetrators of this crime had previously been students at the school, and the case remains under investigation\textsuperscript{1}.

According to the "Folha de S. Paulo" newspaper, there have already been 8 (eight) similar cases to that of Suzano, involving student or non-student shooters, in Brazil. Unfortunately, the primary concern and discussion arising from such incidents often revolve around the release or restriction of firearms, while the issues of the crimes themselves and the pervasive practice of bullying tend to receive less attention.

Presently, bullying and cyberbullying are recognized as significant social problems with far-reaching consequences, affecting not only the victims but also the perpetrators and society as a whole. This is because bullying and cyberbullying transcend social classes in a borderless world, but they are not a lawless territory. Hence, it is essential for society as a whole to have access to and knowledge of the repercussions and legal aspects of these forms of aggression.

2.1 WHAT IS BULLYING?

Bullying is a phenomenon as old as the so-called "mean-spirited pranks" carried out in schools, where students or groups of students, driven by the pursuit of power or popularity within the school environment, target other students who

possess some distinguishing characteristic, such as ethnicity, religion, or disability.

The aggressors (or bullies) seek to exert power over the weaker individuals and stand out within their social group. These aggressors are characterized as being "physically stronger than their peers, dominant, impulsive, non-compliant with rules, having low frustration tolerance, challenging authority, possessing good self-esteem," and so on. On the other hand, the victims are typically "insecure, sensitive, not assertive, physically weaker, with limited social skills, and few friends. Generally, they are good students."²

Additionally, there are the bystanders, those who silently witness the drama, fearing that they might be the next victims.

According to Calhau... ³

You're absolutely correct. "Bullying" doesn't have an exact translation because it encompasses a range of behaviors involving repeated acts of harassment, belittlement, violence, aggression, and the psychological harm of another person without any apparent motivation. For some, bullying can be likened to a "siege," much like that which occurs in a war, where the target is continuously attacked until they surrender or are emotionally devastated.

In the context of school bullying, these aggressions can take place within classrooms, corridors, schoolyards, or even in the surrounding areas. They often occur repeatedly and involve a power imbalance. Such acts of moral or even physical aggression can result in psychological harm to children and adolescents, potentially paving the way for their involvement in criminal activities later on.

Professor Gabriel Chalita⁴ understands that...

Bullying is the denial of friendship, care, and respect. The aggressor ruthlessly subjects the victim to the worst humiliations, from hurtful nicknames to cowardly actions driven by physical strength or authority. The victim often struggles to find the courage to defend themselves, allowing the curtains to close. And there are many who, with closed

curtains, put an end to their own stories. Recent reports abound of students who give up on life and, before that, decide to seek vengeance against the institution that allowed these curtains to close.

The acts of bullying are so insidious that they can happen around us without us even realizing it. This cruelty can even occur silently and repeatedly in any environment.

2.2 WHAT IS CYBERBULLYING?

Today, it is common for bullying to be practiced through virtual means as a tool for aggression in cyberspace.

This is known as cyberbullying. It occurs when electronic means such as social networks, emails, programs, videos, etc., are used to belittle, incite violence, manipulate photos and personal data with the intention of creating psychosocial embarrassment for the victim. For the aggressor, there is a fictitious sense of impunity in cyberspace because they believe that by not identifying themselves, using nicknames, or creating fake profiles on social networks, they can avoid being identified as the perpetrators of their actions.

In this regard, as stated by Lima, the frequent use of technology has increased the number of people who are becoming increasingly "connected." It is evident that one of the consequences of this digital inclusion in Brazil is the significant participation of individuals in social networks. According to a survey conducted by Ibope Nielsen Online, 29 million Brazilians start using social networks each month, and every four minutes spent online, people update their profiles and monitor the lives of others.

This highlights that computerization is building a new kind of society, referred to as the information society. The information society is already a part of our lives, and...

There is no doubt in stating that the internet is indispensable for society. Communications, document sharing, access to information – things that used to take a significant amount of time to accomplish can now happen instantly with the use of the internet. However, the internet is also a tool...
used to spread harm, and one of the most common forms of harm discussed is cyberbullying.5

Therefore, we observe that the difference between bullying and cyberbullying lies in the manner in which the offense is carried out. The former has a beginning, middle, and end, and the aggressor "reveals their identity." In contrast, the latter, on the internet, has no end, becomes a ghost, and the aggressions are transmitted at high speed, potentially reaching thousands of people in a very short time. However, both cause immense suffering to the victims and their families.

3 LEGAL ASPECTS AND SYSTEMATIC INTIMIDATION BEHAVIOR ACCORDING TO LAW NO. 13,185/2015

Until recently, there was no specific legislation in Brazil that addressed the phenomena of bullying and cyberbullying. As a result, the rules established in the Civil Code, the Penal Code, and the Statute of Children and Adolescents were always applied in cases of these behaviors. Additionally, such practices directly collide with the fundamental rights outlined in Article 5 of the 1988 Federal Constitution.

Thus, without specific laws, it took years for bullying to be recognized as the harmful behavior it is. What was once considered "schoolyard teasing" was much more detrimental to children and adolescents than schools, educators, and parents could initially grasp.

With the aim of curbing this practice, Law No. 13,185 was enacted on November 6, 2015, establishing the Program to Combat Systematic Intimidation (bullying and cyberbullying). This law came into effect 90 days after its publication.

This law serves an important social purpose as it guarantees human dignity and full development by protecting physical and psychological integrity.

Moreover, it seeks not only to assign responsibilities but, more importantly, to emphasize the need for awareness and respect for one another.

Law No. 13,185/2015, in its attempt to regulate the matter, defines bullying as systematic intimidation, as understood in Article 1, Paragraph 1...

...as any act of intentional and repetitive physical or psychological violence, which occurs without clear motivation, perpetrated by an individual or a group against one or more persons, with the goal of intimidating or harming them, causing pain and distress to the victim, within a relationship characterized by a power imbalance between the parties involved.6

Firstly, it is worth noting that the legislation did not establish specific criminal penalties for the act of bullying; in other words, there is no classification of bullying as a crime. What we observe in the Law is that the legislator merely characterizes it as a form of violence. This means that various behaviors already defined in criminal law, when committed within the context outlined by the new law, will continue to be applicable and can serve as the basis for characterizing the act of bullying.

Article 2 of Law No. 13,185/2015 states that systematic intimidation shall be characterized by any act of physical or psychological violence that constitutes intimidation, humiliation, or discrimination and also:

I - Physical attacks;
II - Personal insults;
III - Systematic comments and derogatory nicknames;
IV - Threats by any means;
V - Demeaning graffiti;
VI - Prejudiced expressions;
VII - Conscious and premeditated social isolation;
VIII - Mockery.7

And in the sole paragraph of Article 2 of Law No. 13,185/15, the legislator regulated the conduct of virtual intimidation, namely, cyberbullying. Cyberbullying is characterized by the use of the World Wide Web to belittle the victim, incite

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7 Idem.
violence, or manipulate photos and personal data with the intention of creating means of psychosocial embarrassment against them, among other forms of aggression (e.g., social media, emails, programs, etc.).

Article 2. (...)
Sole Paragraph. Systematic intimidation on the World Wide Web (cyberbullying) occurs when the instruments specific to it are used to belittle, incite violence, manipulate photos and personal data with the intent of creating means of psychosocial embarrassment.\(^8\)

We emphasize that in Article 3 of Law No. 13,185/2015, the legislator classified bullying as verbal, moral, sexual, social, psychological, physical, material, and virtual aggression. However, the law did not specify the applicable measures for punishing the aggressors but rather favored the use of alternative instruments that promote effective accountability and a change in violent behavior.

Therefore, the task of punishment was left to other legal texts, which will continue to be applied by analogy for the criminal and civil liability of those who engage in such conduct.

Furthermore, Law No. 13,185/2015 was established with the aim of creating a Program to Combat Bullying and translated the term "Bullying" into Portuguese as "intimidação sistemática" (systematic intimidation).

The Program outlined in Article 4 of Law No. 13,185/2015 aims to prevent and combat such practices through the collaboration of the entire society. This is achieved through awareness campaigns (with an emphasis on actions committed by students, teachers, and other professionals within the school and educational community), teacher training, guidance for families to identify the problem, psychological, social, and legal assistance, as well as the promotion of a culture of peace, respect, and tolerance.

Furthermore, as per Article 5 of Law No. 13,185/2015, educational institutions, clubs, and recreational associations are legally obliged to ensure

\(^8\) Idem.
measures for awareness, prevention, diagnosis, and combat against violence and systematic intimidation (bullying and cyberbullying).

Ultimately, concerning the objectives of the Program to Combat Systematic Intimidation (bullying and cyberbullying), it is evident that the legislator's intention was not to guarantee the punishment of those responsible but rather to establish goals to be followed by educational institutions.

4 THE PRINCIPLE OF FRATERNITY AND ITS REFLECTIONS AS A GUARANTEE OF HUMAN RIGHTS

The evolution of the understanding of the term "fraternity" as a universal principle unites the values of liberty and equality, with reference to the Modern Age, particularly the French Revolution of 1789. During this period, its political significance was acknowledged, capable of guiding the creation of institutions and ideals in the contemporary Western world.

As is well-known, the French Revolution of 1789 emerged from popular discontent regarding the social inequalities of the time, as well as the fact that...

...popular dissatisfaction, enlightenment ideals that rejected ancient dogmas and religious traditions, and the questioning of the foundations of natural law all drove individuals to seek alternative means to combat the privileges and powers held by the clergy, nobility, and the monarchy. This occurred amidst a financial crisis faced by the monarchy, during which the fiscal and administrative structure of the kingdom was severely outdated. Attempts to address this situation through reforms in 1774-76 ultimately failed, as they were defeated by the resistance of entrenched interests, led by the parlementaires.9

According to Michelet10, The French ideal: "it is the advent of the Law, the resurrection of Rights, and the reaction of Justice," as well as the influence of Christianity, spread as the proposition of the triad "Liberty, Equality, and Fraternity." It was on this basis that the grant of rights ensuring the minimum human existence was sought, supported by the respect for human dignity.

Regarding the principles of the French ideal, it asserted that they contained "the essential declaration of a philosophy of life. [...] Happiness is a human right, and the pursuit of happiness is a universal human inclination. [...] To achieve happiness, human beings need to be free, equal, and fraternal." \(\text{(Emphasis added)}\)

Interconnected, the principles of freedom and equality became "authentic political categories, capable of manifesting themselves both as constitutional principles and as driving ideas behind political movements."\(^1\)

However, the principle of fraternity remained silent in the political sphere, despite being part of the principled triad of 1789 with the same political connotation as the other two principles that currently characterize modern democracies.

Regarding the "neglect" of fraternity as a universal principle and political category, as explained by Bestani,

If fraternity has not enjoyed the same development as its counterparts, equality and freedom, it has been because, to the extent that the values of individualism, self-interest, and methodological egoism came to occupy center stage in Modernity (Costa Lima, 2009), the social, fraternal, and solidarity aspects of human rights were forgotten. Freedom pertains to the individual in their singularity; equality to their social dimension - the identity of a group or class. Fraternity alludes to the idea of the other, who is not me within my social group but rather someone different, with whom I have duties and not just rights to assert.\(^2\)

In this sense, what we observe is the erosion of the state form of closed groups, governed by a mechanism of inclusion of some citizens and exclusion of others. Therefore, it is necessary to reclaim the idea of fraternity, given that this value enables the discussion of conventions among concrete individuals with their own histories and differences.


Hence, it is essential to revive the universal value of fraternity with the expectation of creating conditions for its (re)construction through citizen awareness and their commitment to the common welfare in society. Fraternity presupposes human behavior aimed at promoting the common good, meaning the "idea of not desiring greater advantages unless it benefits those who are less well off."\(^{14}\)

For a long time, its practice has been associated as synonymous with solidarity; however, this concept can be misleading because "solidarity allows for doing good to others while maintaining a position of strength, a vertical relationship that goes from the strong to the weak."\(^{15}\) Baggio further clarifies that fraternity "presupposes a horizontal relationship, the sharing of goods and powers." In other words, solidarity can be seen as a branch of fraternity, with the latter being more comprehensive.

According to Pizzolato\(^{16}\), fraternity is...

...an intense form of solidarity that binds people who, because they identify with something profound, feel like "siblings." The most significant point is that it would be a form of solidarity that occurs among "equals," that is, among individuals who place themselves on the same level.

It is important to emphasize that fraternity raises the question of the communion of agreements among concrete individuals with their own histories and differences.

According to Aquini, fraternity "is not merely the statement of a concept but an active principle, a driving force of human behavior and action, with an essentially moral connotation."\(^{17}\)

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In light of this, it can be understood that by his nature, man is free and
equal to others, which is why he can only truly be so in a fraternal condition.

5 THE CONSOLIDATION OF THE PRINCIPLE OF FRATERNITY IN THE
BRAZILIAN CONSTITUTION

The Universal Declaration of Human Rights represented a historical
milestone in the defense and realization of human rights. It is noteworthy that
Fraternity, not by chance, was placed in the said declaration's first article:¹⁸ “All
human beings are born free and equal in dignity and rights. They are endowed
with reason and conscience and should act towards one another in a spirit of
brotherhood.”

The Brazilian Federal Constitution of 1988 included fraternity in its
preamble,¹⁹ referencing the need for a “fraternal, pluralistic, and prejudice-free
society,” in addition to its significance as a legal principle, fraternity is also a social
principle. It envisions the possibility of integration among peoples and nations,
grounded in a cosmopolitan foundation where essential needs can be addressed
through friendship or signed agreements.²⁰

Furthermore, both the principles of human dignity, freedom, equality, and
the principle of fraternity have a close connection with the promotive function of
the human person. The promotive function of the human person is often
associated with the punitive power of the State,²¹ which aims to achieve desirable
behaviors. Therefore, it's not about prohibiting, obliging, or even permitting, but

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¹⁹ PREAMBLE - We, representatives of the Brazilian people, assembled in the National Constituent Assembly to establish a Democratic State destined to ensure the exercise of social
and individual rights, freedom, security, well-being, development, equality, and justice as supreme values of a fraternal, pluralistic society free from prejudices, founded on social harmony, and
committed, both in domestic and international order, to the peaceful resolution of conflicts, under
the protection of God, promulgate the following CONSTITUTION OF THE FEDERATIVE
REPUBLIC OF BRAZIL.
V.8, n.1, 2017, p. 178-190. DOI:http://dx.doi.org/10.7443/problemata.v8i1.27851.
rather about encouraging behaviors through direct and/or indirect measures that promote the elevation, respect, and adherence to all principles that ensure human dignity.\textsuperscript{22}

Thus, fraternity plays an essential role in effecting social change because:

In a promotive legal system, characteristic of an interventionist Social State, the typical technique of indirect measures is encouragement. This approach aims to make the desired behavior easier or, once accomplished, productive of pleasant consequences. It involves two operations: the positive sanction itself, in the form of a reward (prize) for a behavior already performed, and incentive or facilitation, which precedes or accompanies the behavior intended to be encouraged.\textsuperscript{23}

However, it is evident that the law should be seen as a tool for promoting the human person, with fraternity being a right. In other words, the promotive function should not be understood solely as a means of punishment but also as a means of promoting and valuing the individual. This is closely linked to the principle of fraternity, which aims to organize the life of society.

6 THE “CO-LABORATION” OF LAW AND EDUCATION THROUGH THE PRINCIPLE OF FRATERNITY IN COMBATING SYSTEMIC BULLYING

As noted earlier, the Bullying Law determines what would constitute a "combat program" but doesn't provide specific guidelines for it, leaving it in the hands of schools, clubs, and recreational associations when, in reality, it should be treated as a social policy.

Therefore, without a joint effort from society, the law is unlikely to bring any medium- or long-term benefits, especially in a globalized world where information spreads faster than people can grasp. Measures compatible with this reality become necessary.

Behaviors identified as systemic bullying, such as mocking jokes, nicknames, and segregations, are not new in the school environment. They have


been part of this environment for decades but have taken on more malicious and derogatory dimensions in recent years.

Both children and adolescents, influenced by media and a society that impose limitless standards, often bring preconceived notions and judgments into the school environment that are not inherent to them but have been ingrained.

It is precisely in this scenario that the reconstruction of the Principle of Fraternity emerges as an interesting possibility, capable of mitigating the harm that school violence carries with it.

We acknowledge the difficulty of including fraternity as a constitutional legal category, given that it is generally understood as spontaneous action, devoid of coercion, and thus incompatible with the law. However, fraternity as a principle inspires and guides the body of laws and also presents an important interpretative criterion for these same laws, as we have observed in some decisions of our courts.

In this context, the Principle of Fraternity is entering the educational scene, proving to be an efficient alternative in resolving school conflicts.

Fraternity's primary objective is to change the patterns of interaction among people, in interpersonal relationships, institutions, and society, by building an ideal of pacification and respect for differences. This approach aims to eliminate the prevalent exercise of power over others, which is a source of dissatisfaction and, consequently, violence. It is founded on the idea that everyone, without exception and with equal importance, shares responsibility for harmony and peace, serving as a true instrument of social transformation.

As educator Paulo Freire said, "Education does not change the world. Education changes people, and people change the world."

Furthermore, Law No. 13,185/2015, aimed at combating violence and systemic bullying (bullying and cyberbullying), explicitly states its objective in Article 4: to prevent and combat such practices through the collaboration of society as a whole. This collaboration includes awareness campaigns (with a focus on actions committed by students, teachers, and other professionals within the school and school community), teacher training, guidance for families to
identify the problem, psychological, social, and legal assistance, as well as the promotion of a culture of peace, respect, tolerance, and acting with fraternity.

7 FINAL CONSIDERATIONS

The topic of this work is by no means exhausted here; much discussion and action remain necessary, especially considering that, although bullying has existed for a long time, its legal context is relatively recent.

As observed throughout this paper, bullying is and should be considered a highly relevant social problem that extends beyond the individuals involved. The entire society suffers the destructive effects of bullying. Brazil, for example, struggles to reduce its rates of violence, increase in criminality, drug consumption, and school dropout rates, all of which are, in reality, some of the consequences of systemic intimidation.

The violence that bullying inflicts on the principle of human dignity must be addressed with the appropriate means. While we believe there was a good intention on the part of the legislator to regulate the issue and establish a program to combat systemic intimidation, what we have observed is that the few instruments provided to combat these perverse behaviors have been insufficient for their eradication or even reduction.

The fight against bullying and cyberbullying continues to depend on the means available to victims through the Penal Code, Civil Code, and the Child and Adolescent Statute.

We emphasize the need for a radical change in the established culture of aggression in society so that cases of violence in schools can be confronted - if not eradicated - and, consequently, reduce the psychological and psychic problems, often irreversible, that cause suffering to the victims of these acts of violent prejudice and discrimination.

As demonstrated, fraternity, as a means to achieve full equality, is consecrated to all individuals and should be present both in the family and school environments to provide children and adolescents with an educational
development free from prejudice, discrimination, or any other violence that imposes obstacles to their integrity.

Furthermore, the spirit of fraternity must counteract the culture of violence and aggression established in society, accompanying children and adolescents within their own homes - where their education begins.

It is certain to assert, however, that the Brazilian educational system faces difficulties in implementing fraternity in the school environment.

We conclude that bullying obstructs the construction of a full and dignified life, as well as the socio-cultural growth of those involved. It affects the right to a healthy life, which leads to the construction of a quality of life that should aim for democracy and equality, seeking to free individuals from their woes and provide them with benefits.

However, it is necessary to follow the path of fraternity, which offers means to teach students to respect differences in the concept of equality, to respect the unequal, and to assist others in leading a dignified and healthy life, combating violence and social degradation at its root.

We also emphasize that a set of actions is necessary to ensure the implementation of education. To effectively eliminate bullying, the participation of the State, families, society, the school community, and institutions is crucial.
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