

# Protocols for preventing and tackling sexual violence in the university context: an analysis of the Latin American scenario<sup>1</sup>

## Protocolos de prevenção e enfrentamento da violência sexual no contexto universitário: uma análise do cenário latino-americano

### Yana Linhares<sup>a</sup>

 <https://orcid.org/0000-0003-1420-1906>

E-mail: yanaalinhaires96@gmail.com

### Jordana Fontana<sup>b</sup>

 <https://orcid.org/0000-0001-8595-1590>

E-mail: jordanafontanaac@gmail.com

### Carolina Laurenti<sup>a</sup>

 <https://orcid.org/0000-0002-5247-9610>

E-mail: claurenti@uem.br

<sup>a</sup>Universidade Estadual de Maringá. Centro de Ciências Humanas, Letras e Artes. Departamento de Psicologia. Maringá, PR, Brasil.

<sup>b</sup>Universidade Estadual de Londrina. Centro de Ciências Biológicas. Departamento de Pós-Graduação em Análise do Comportamento. Londrina, PR, Brasil.

### Correspondence

Carolina Laurenti

Universidade Estadual de Maringá. Centro de Ciências Humanas, Letras e Artes. Av. Colombo, 5.790, bloco 118, sala 4. Maringá, PR, Brasil. CEP 87020-900.

### Abstract

Sexual violence is a public health issue, and it is present in several contexts, including universities. This study systematized information found in 34 protocols for preventing and tackling sexual violence in Latin American universities. The following aspects were examined: year of publication; terms selected by protocols to designate goals and guidelines, as well as the references used to frame the concepts; social markers; the scope of application; and support network provided by universities. From the overall number, 75% were created between 2015-2018, showcasing recent development. As for terminology, the notion of sexual violence allows for a wider and more objective account of diverse ways of violence, presenting a more fruitful manner of identifying the phenomenon. As for the scope of applicability of the policy, it is important to consider institutional ties, not only the spatial limits of campuses, as well as virtual relationships, and not just face-to-face. The support network provided by university stands as a decisive factor for more effective counseling and guidance of the occurrences. While the formulation of protocols remains a necessary policy to sanction the university's responsibility, it must be combined with complementary ones that include developing further research in this field.

**Keywords:** Sexual Violence; University; Policies; Feminisms; Social Responsibility.

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## Resumo

A violência sexual é um problema de saúde pública presente em diversos contextos, inclusive nas universidades. O objetivo desta pesquisa documental foi sistematizar informações de 34 protocolos de prevenção e enfrentamento da violência sexual de universidades da América Latina. Foram analisados: ano de publicação; termos empregados para designar objetivos e diretrizes, bem como as referências utilizadas para conceituá-los; inclusão de marcadores sociais; âmbito de aplicação; e rede de apoio disponibilizada pela universidade. Do total, 75% dos protocolos foram criados entre 2015 e 2018, o que indica seu caráter recente. Quanto à terminologia, a noção de violência sexual permite uma descrição mais extensiva e objetiva de diferentes formas de violência, mostrando-se profícua na identificação do fenômeno. Quanto à abrangência da aplicação dos protocolos, é importante pautar a caracterização do contexto universitário pelos vínculos institucionais, e não apenas pelos limites espaciais dos *campi*, considerando tanto as relações presenciais quanto as virtuais. A rede de apoio disponibilizada pela universidade é um fator decisivo para o acolhimento e o encaminhamento mais efetivo dos casos. Conclui-se que, mesmo que a elaboração de protocolos seja uma política necessária para sancionar a responsabilidade da universidade, é preciso que ela seja integrada a ações suplementares, incluindo o desenvolvimento de novas pesquisas na área.

**Palavras-chave:** Violência Sexual; Universidade; Protocolos; Feminismos; Responsabilidade Social.

Sexual violence is one among the several forms of violence currently undergone by women. According to the World Health Organization, sexual violence is any sexual act, or attempt of sexual act, encompassing “unwanted sexual comments or advances, or acts to traffic or otherwise directed against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any context” (WHO, 2002, p. 149). Globally, the incidence of sexual violence is alarming and recognized as a matter of public health (WHO, 2019). Studies show that, globally, 35% of women endured some form of sexual violence throughout life (WHO, 2019).

Several authors argue that sexual violence also takes place within the university environment (Fielding-Miller et al., 2019; Hill; Silva, 2005; McMahon et al., 2018), including Brazil (Almeida, 2019; Almeida, 2017; Bandeira, 2017; Costa, 2015; Cruz et al., 2018; Instituto Avon, 2015; Linhares; Laurenti, 2019; Maito et al., 2019a, 2019b). Works also emphasize the deleterious effects of sexual violence for the physical and mental health of victims (Hill; Silva, 2005; Linhares; Laurenti, 2019). This increases the urge for policies targeted at combating and preventing sexual violence within this environment.

In addition to initiatives taken by universities in North America (Vladutiu; Martin; Macy, 2010) and Europe (Thomas, 2004), some universities in Latin America also implemented actions for preventing, tackling, and eliminating sexual violence. Documents called “sexual harassment policies” condense and descript many of these actions.

A survey called *#PasóEnLaU*, conducted by the digital platform *Distintas Latitudes* and by the *Red Latinoamericana de Jóvenes Periodistas* in 2019<sup>1</sup>, investigated whether these documents were available on Latin America universities or not. These policies set rules, strategies, and procedures

1 Survey data are available at: <<https://pasoenlau.distintaslatitudes.net/>>. Access on March 17, 2020.

informing what to do and which are the bodies responsible for receiving, processing, investigating, and punishing or clearing sexual harassment or assault complaints within the university.

These policies or guidelines are important tools for giving visibility and help identifying this form of violence, enabling complaints and charging the university responsible for tackling these practices. Given the relevance of such initiatives, especially within the Latin America context, where such actions remain incipient, this study aims to systematize the main information on these policies. Thus, we hope to have a picture of policies tackling sexual violence in Latin America universities, which can come handy for institutions intending to elaborate a policy, helping them to consider their potentialities and limits.

## Method

We conducted a documentary research, whose sources were policies for addressing, preventing, and punishing cases of sexual violence, made available on the #PasóEnLaU webpage by the Distintas Latitudes and platform by the Red Latinoamericana de Jóvenes Periodistas. A research conducted by a project team, consisting of young internationalists, political scientists, and journalists across the continent, compiled the documents. The #PasóEnLaU survey contacted universities through several institutional channels, asking questions and requesting access to these documents. The survey encompassed one hundred public and private universities from 16 Latin America countries according to two criteria: quantity of enrolled students and university quality - the latter in accordance with the ranking by Quacquarelli Symonds, a British company focused on education, who runs the QS World University Rankings.

Of the 100 universities in the study, 24 failed to answer the requests or had not have protocols publicly available, and only 40 had a policy for sexual violence; of those, 36 were accessible. In Brazil, the survey contacted six universities: Universidade Norte do Paraná (Unopar), Universidade Paulista (Unip), Universidade de São Paulo (USP), Universidade Estadual de Campinas (Unicamp), Universidade Federal do Rio de Janeiro (UFRJ) e Pontifícia Universidade Católica do Rio de Janeiro (PUC-Rio). Four of them failed to answer and, of the two who did, only one (USP) had a sexual violence policy. The #PasóEnLaU research uploaded on its website the links for the protocols<sup>2</sup> it had access to, being those the source for this article.

The content of these policies was set in tables, as to organize their descriptive aspects according to a reading of recognition. Thematic axis organized the information yielded from this record, assigning relevance for the main structural components in these policies.

## Results and discussion

We analyzed 34 policies collected by the research conducted by Distintas Latitudes and the Red Latinoamericana de Jóvenes Periodistas, given that, of the 36 available policies, two lacked a link for public access. The following criteria organized the data on the tables: (1) year of policy publication; (2) terms used for the directives and objectives of the policy, and the biographic references conceptualizing it; (3) inclusion of social indicators; (4) policy coverage; and (5) support network offered by the university for assistance and/or reports.

### The creation of policies and its recent nature

Table 1 shows the dates of publication of protocols.

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2 Protocols available at: <<https://pasoenlau.distintaslatitudes.net/contexto/>>. Access on March 17, 2020.

**Table 1 – Policy date of publication in selected universities**

University	Publication date
Universidad de Chile	Not available
Universidad del Rosário	Not available
Universidad Latinoamericana de Ciencia y Tecnología	Not available
Universidad de Costa Rica	1997
Universidad Peruana Cayetano Heredia	2010
Universidad Centroamericana José Simeón Cañas	2011
Universidad de San Martín de Porres	2011
Universidad Nacional Autónoma de Honduras	2012
Universidad de Buenos Aires	2015
Universidad Nacional de Córdoba	2015
Universidad Nacional de La Plata	2015
Universidad de los Andes	2016
Universidad Nacional Autónoma de México	2016
Instituto Politécnico Nacional	2016
Instituto Tecnológico Autónomo de México	2016
Pontificia Universidad Católica del Perú	2016
Universidade de São Paulo	2017
Pontificia Universidad Católica de Chile	2017
Universidad de Santiago	2017
Universidad Nacional de Colombia	2017
Universidad Nacional	2017
Universidad Central del Ecuador	2017
Tec de Monterrey	2017
Universidad Nacional de Rosario	2018
Universidade Andres Bello	2018
Pontificia Universidad Católica de Valparaíso	2018

continua...

**Tabela 1 – Continuação**

University	Publication date
Pontificia Universidad Javeriana	2018
Instituto Tecnológico de Costa Rica	2018
Escuela Superior Politecnica del Litoral	2018
Pontificia Universidad Católica del Ecuador	2018
Universidad de Guadalajara	2018
Universidad Iberoamericana	2018
Universidad Privada César Vallejo	2018
Universidad Nacional Mayor de San Marcos	2018
Total	34

Source: Distintas Latitudes e Red Latinoamericana de Jóvenes Periodistas<sup>3</sup>

Except for the Universidad de Costa Rica policy, issued in 1997, all others are from 2010 onward, with a progressive increase throughout the years. Of the 34 policies, 75% had dates between 2015 and 2018, and 32.35% went in force in 2018, which points to the recent nature of the formulation of this sort of document in Latin America universities.

A possible cause for the increase in policies is the ascension of new fields of feminist action (Alvarez, 2014) in South America, with the pluralization of the ways of constituting claims and fights. A recent example in Argentina was the *#NiUnaAMenos* movement, which emerged as a form of raising visibility for femicide cases and violence against women. The mobilizations, of expressive proportions, gathered 400,000 people in 240 locations in Argentina in 2015 (Laudano, 2017). In 2018, in Chile, a movement in which young Chilean women occupied institutions advocating for a non-sexist and free of sexual harassment universities occurred. An article ran in the year of the manifestations by the *Brasil de Fato* newspaper (Onda..., 2018) reported how standards and lack of policies in the country's universities hindered the fight against sexism and violence against women,

which led to the movement. Between 2015, year of the *#NiUnaMenos* in Argentina, and 2018, most of the policies emerged. It is noteworthy that three of the six Chilean universities policies described on Table 1 date from 2018, including that of Universidad de Chile, which was, according to the article, occupied during the manifestations.

The USP policy, to which the *#PasóEnLaU* research had access, dates of 2017. Bandeira (2017) mentions several cases of sexual harassment, rape, hazes, and even the death of a student in the University. Practices ranged from seniors forcing first-year students to mimic having sex with them, as was the case in 2014, to rape cases in 2015, and the selling of a guide with degrading and discriminatory content to first-year students in 2016. In 2015, when the academic community expressed dissatisfaction towards the measures taken by university against cases of sexual violence, a São Paulo state Parliamentary Inquiry Committee (CPI) was assigned for the investigating cases of violence in universities. The CPI report caused great commotion and outrage for the evidences, reports, and videos showing physical, sexual, and psychological violence in different instances of the university. At the time, the creation of the Rede Não

<sup>3</sup> Available at: <<https://pasoenlau.distintaslatitudes.net/contexto/>>. Access on March 17, 2020.

Cala at USP aimed to offer counseling and support to victims of sexual violence, to develop educational actions, and contribute for the elaboration and implementation of policies of investigation at the University (Cruz et al., 2018). The time of creation of the USP policy suggests that this measure was an answer to mobilizations in the campus.

In short, by relating the date of policies with the statuses of women and feminist movements, in addition to parliamentary events seeking to tackle violence in Latin America countries and in the world scenery, we may raise a possible connection between the growth of these policies with those of social movements. It suggests a fruitful interface between these movements, especially the feminist ones, and academy, in the fight against sexual violence in universities.

### **About terminologies and definitions**

Another aspect we investigated were the terms used by the policies to refer to the forms of violence (sexual harassment, sexual violence, gender violence), in addition to the bibliographic references that could support the definition of these terms. With this purpose, we analyzed the titles of the policies that indicated the nature of violence to referred by the policy (preventive policy against sexual harassment; guidelines about gender violence in university; actions against sexual violence acts), and identified and described, when possible, the mentioned bibliographic references to conceptualize the terms in the documents.

According to data, 41.17% of policies used the “sexual harassment” denomination only; 20.58% used “gender violence”; 2.94% “sexual violence” only; 2.94% used “violence” only; one was not found (2.94%), and the remaining 29.41% used more than one term, including concepts such as “discrimination,” “threat,” and others.

The analyzed policies defined these concepts similarly. The Universidad Peruana Cayetano Heredia (2010, p. 2) defined “sexual harassment,” the most common expression among policies, according to the country’s laws, hence:

Repeated physical or verbal conduct of sexual nature, or any other unwanted and/or rejected

sexual behavior, perpetrated by one or more people taking advantage of authority, hierarchy or any other advantage situation, against other or others, who reject such conducts for considering it affects their dignity and fundamental rights.

The Universidad Nacional (2017, p. 1), from Costa Rica, in spite of not listing its bibliographic reference, conceptualized sexual harassment as “the unwanted imposition of sexual requests or favors in an unbalanced relation of power, negatively affecting the possibilities, performance, conditions or work or educational environment of those suffering it.”

Definitions have in common the fact that the sexual conducts are unwanted by the person facing it; such actions may have physical and verbal expressions; and the violent act happens within a hierarchical relationship, in which the person perpetrating unwanted sexual conducts is someone in a higher position in the academic hierarchy in relation to the other. Professors abusing their hierarchical superior position to intimidate, disqualify, and threaten female students, for instance, may commit sexual harassment. This discourages female students to report, who may refrain from placing a formal complaint as a way of avoiding possible negative consequences resulting from it, not only for their personal, but also for their academic lives (Linhares; Laurenti, 2019).

The diversity of forms sexual harassment may assume, involving not only physical, but also psychological and verbal violence (sexual comments, such as jokes, and verbal threats with the purpose of receiving sexual favors) (Pamplona Filho, 2002), emphasizes the importance of policies to encompass these distinct expressions of violence, many of which are veiled and inconspicuous and, sometimes, socially accepted. However, other violent sexual acts, in addition to sexual harassment, may occur within the context of relations not subjected to academic hierarchical distinctions, such as relationships among faculty members, or among students.

An aspect emphasized in this discussion is the prevalence of sexual aggressions perpetrated by

known people, such as colleagues (DeKeseredy; Hall-Sanchez; Nolan, 2017; O'Connor et al., 2018). A study conducted by Fielding-Miller et al. (2019) in a South African university, showed that 93% the victims knew their attackers, in assaults that had university parties as the main setting. In Brazil, aggressions are most commons in hazes. Then, there is the imposition of traditional and old gender and race hierarchies, that is, a reproduction of the inequalities present in society through these ritualized practices (Almeida, 2017). These rituals indicate to which group students will belong, with a generational separation between the “strongest” group (seniors) and the “weakest” group (first-year students) (Akerman et al., 2012; Almeida, 2017). Thus, while the relationship among students has not a formal hierarchical distinction, as is the case in the professor-student relationship, there may be, to the like of hazes, a hierarchy among students. This is a point for consideration when using the “harassment” term, because if the term refers only to formal hierarchical distinction within the university structure, perhaps it is not exhaustive enough to include all relations within the institution context, domains in which sexual violence may occur.

Some universities also had similar conceptions of “gender violence” described in their policies. The Pontificia Universidad Católica del Ecuador (2018) used the definition issued in 2013 by the World Health Organization to define gender violence as:

any act of violence that result, or may result in physical, sexual or psychological harm to a woman, including threats, coercions or arbitrary deprivation of freedom, whether they are produced in public or private life. (OMS, 2013 apud Pontificia Universidad Católica del Ecuador, 2018, p. 9)

The Universidad Iberoamericana (2018, p. 29), from Mexico, conceptualized gender violence based on the Mexican Supreme Court, defining it as “any violence perpetrated against a person in face of their gender identity or expression, regardless of sex, both in the public and private context.”

Nevertheless, its relevance for granting visibility to forms of violence attached to gender, often neglected, the “gender violence” term, without complementary detail, may hinder, for its generic nature, the identification of actions involving this form of violence. Thus, there is a need for the use of terms and definitions able to concretely identify and describe which behaviors are reportable. According to Maito et al. (2019b), the lack of a formal and detailed definition hinders the acknowledgement of a situation as violent, thus affecting the collective coping by the university.

The use of “sexual violence,” seen in some policies, seems to be a viable alternative to avoid these issues. The Universidad Nacional de Colombia (2017, p. 11) used several references to conceptualize sexual violence as a violence perpetrated to:

impose to the victimized person, who engages in or agree to, a certain sexual act or engagement in sexual, physical or verbal sexualized contact, against their will, through the use of force, coercion, psychological distress, threat, intimidation, bribery, blackmail, manipulation or any other mechanism annulling or limiting personal will.

USP (2017, p. 9) employed the legal definition of sexual violence, according to the Brazilian Criminal Code from 1940, but also complemented it with its own concept. The University characterizes it as to “force the practice of acts that cause discomfort or repulsion, such as forced sexual intercourse; preventing the use of contraceptive methods; forcing a pregnancy; forcing an abortion; unwanted touching and caressing.”

For the national context, the use of “sexual violence” may be useful, especially considering its definition in the Brazilian Criminal Code from 1940. The Code establishes that “sexual violence” consists of several crimes against sexual freedom and dignity. These may be sexual misconduct (acts of sexual nature performed against a person, non-consensual, with the intent of satisfying one’s own lust or that of others), sexual harassment (coerce

a person to engage in sexual activity exploiting one's superior hierarchy), rape by means of fraud (sexual intercourse after administering drugs without the victim's knowledge), and rape (non-consensual sexual intercourse). Thus, for being an exhaustive term, yet allowing the description of specific actions, it may contribute for the characterization of acts of sexual violence in the universities, proving itself, thus, as a potential useful term for the use in policies in Brazil.

However, it is noteworthy, as argued by Almeida (2019), that the definition of sexual violence varies according to the values in force in a given society, especially those dictated by the dominant group, configuring a "semantic battle." The understanding of what sexual violence is impaired because of the moral judgement of victims: women tend to be seen as guilty if they attended university parties, had alcohol, or wore short skirts. Yet another factor hindering the classification of an act as sexual violence is the existence of a stereotype picturing sex offenders as monstrous individuals, preventing a "good student" to be conceived as an aggressor, what could lead to the impunity of offenders (Almeida, 2019).

In addition, this "semantic battle" discusses what consent is, a key concept for the classification of an act as sexual violence (Almeida, 2019). An example of it was a case of a multiple-perpetrator rape in a Spanish university, in 2016. Aggressors received a sentence for nine years of incarceration because judges considered the act to be sexual abuse and not sexual assault (rape), due to the apparent passivity of the young girl. It was not until 2019, ensuing several manifestations in the country, that the sentence was reformed with a change in the bill, including the requirement of explicit consent for engagement in sexual activity (Contra..., 2020). These factors emphasize the need of a historical and cultural contextualized discussion of sexual violence to guide the elaboration of policies, which considers social values and hardships concerning the conceptualization of the term.

In regards to the references used for defining the concepts, 52.94% of universities employed national laws, as their respective Criminal Code

or Constitution, and 23.52% employed other sources, such as the WHO reports, universal declarations, and scientific articles, among others. While legal and legislation definitions are especially important for typifying cases, and for legally support and claim policies against sexual violence, according to the specificities of each country, it is possible that their language be inaccessible and difficult to understand by the academic community as a whole.

Some universities dedicated part of their policies for discussing and contextualizing gender violence in general, whether through articles, universal declarations, and documents issued by institutions. For instance, the Pontificia Universidad Católica del Ecuador (2018), not only used the WHO definitions, but also those of scientific articles to state how the violence against women comes from inequality between genders, and from a set of social and cultural norms regulating behaviors of men and women. These facts make gender violence one of the most common human rights violation in the world. Another example is the policy issued by the Universidad Nacional de Rosario (2018, p. 3) that, in spite of not referencing sources in its text, stated that "sexist violence is part of a structure supported by a patriarchal system, which still persists in our society and reproduces oppressive, violent and discriminatory practices and relations of power."

Crocker (1983) lists several reasons that justify the relevance of elaborating definitions, in addition to providing socio-cultural contextualization of sexually violent practices occurring within the university environment. These are promoting debates; educating the academic community about behaviors and experiences seen as subjected to penalties; enabling the notification of professors incurring in sexual harassment; and serving as orientation for the action of administrators in face of students claims.

These analyses suggest a need for presenting exhaustive and objective definitions of sexual violence, as to contribute for describing reportable behaviors. In addition, we emphasize the importance of giving relevance to the sociocultural nature of these forms of violence, raising questions about

essentialist conceptions of the phenomenon and about the naturalization of sexually violent behavior, compelling, therefore, the university to take a stand in regards to its social role in fighting sexist practices in the society.

### **The inclusion of social markers**

Yet another aspect standing out in analyses were whether policies included social markers or not, such as race, ethnic group, gender, sexual orientation, among others, in the conceptualization of sexual violence. This inclusion is relevant to the extent in which the frequency of sexual violence, its course, and its vicious effects may be different in face of these social parameters, hence requiring an intersectional approach (Maito et al., 2019a).

According to Maito et al. (2019a), the university, as a social institution, reproduces social discriminations present in the society influenced by the dominant ideology. Subaltern groups, such as Black, indigenous, poor, and women, suffer a process of structural oppression that, across history, excluded them from the university and from the process of producing knowledge. Maito et al. (2019a) refer to studies conducted at USP that evidenced circumstances of daily violence crossed by gender, race, social class, personal traits, among others, identified in the context of senior-first-year student and professor-student relationships. Thus, authors emphasize the need for a more intersectional approach, articulating sexual and gender violence to other forms of oppression.

Of the analyzed policies, 79.41% included gender, 44.11% also considered sexual orientation, and 29.41% included race or ethnical group. The Pontificia Universidad Javeriana (2018, p. 7) illustrates it by, not only defining a broad range of concepts such as violence, sexual violence, harassment, gender violence, intrafamily violence etc, but also considered as discrimination

acts in which a person arbitrarily prevents, obstructs or restrains the full exercise of rights by other people because of their race, ethnical group, nationality, age, sex or sex orientation, impairment, economic status, religion, political or philosophical orientation, among others.

This is a relevant discussion because, according to Bandeira (2017, p. 77),

sexism, racism, lesbophobia, biphobia, and other discriminatory forms directly interact among themselves producing and reproducing relations of violence and power that dictate what is the role of the young female student (and of women) in the patriarchal and capitalist society, as well as the role of young males, which are far from an end.

An intersectional understanding grants visibility to the multidimensional nature of sexual violence, drawing attention to a plethora of aspects and intersections investing the phenomenon with specificities that cannot be neglected in its analysis, at the risk of incurring in other violent practices and in secondary victimization.

### **Scope of the policy**

We also analyzed the scope of university environment in the policies, which helps to understand the university comprehension of what configures a case of sexual violence under its jurisdiction. To clarify this, we observed the characterization of the university environment in three terms: individuals who are part of it, and the functions they perform at the university; spatial limits (buildings, facilities), and non-spatial limits (institutional bonds); and the type of relationship (in-person or virtual) within which sexual violence could occur.

About involved subjects, 97.06% of policies considered that university sexual violence encompass the entire academic community, defined as the “group of people consisting of students, faculty, employees, and directors of all or each one of the campuses of the Tecnológico Monterrey” (Tecnológico Monterrey, 2017, p. 8).

On the limitation of boundaries of the university environment covered by the policies, only 26.47% considered sexual violence acts committed within the university environment those who occurred at the physical location of the university. Broadly, 61.76% understood that university sexual violence might occur in physical spaces other than

the campus facilities, in sites also connected to the university, such as internship locations. We may take USP (2017, p. 24) as an example, who established the acceptance of a report “if the violence happens at the University locations (at the campus, official and non-official parties, field activities, extracurricular activities etc.)”

In addition, 32.35% of policies included not only facilities linked to the university, but also the different types of relationships of individuals to the institution. This was the case with the Universidad Central del Ecuador (2017, p. 8), who described that policies apply “in the main fields, extensions or in-person, hybrid, or on-line activities, and actions of connection to the society and the entire space of the inter-relation among members of the academic community.”

Although 64.70% of policies had limited sexual violence actions to in-person acts, 23.52% also considered that cases of sexual violence might occur through virtual means. The Universidad Nacional de Colombia (2017, p. 11) specified in its policy that the penalty “also applies when the act is committed in virtual spaces or outside the University, provided that the victim be a part of the students, faculty or administrative bodies.”

A recurrent act of sexual violence in virtual environments is slut shaming. According to Sousa (2017), it consists of exposing on the internet sexual-oriented content, videos or pictures of a woman, without consent, in addition to humiliation in social media motivated by her sexual practices. The author also states that this form of violence may cause a range of psychological harm to the exposed, especially because blame for the fact often falls on the woman, leading to a secondary victimization process.

A document written by the Committee for Investigating Violence Against Women and Genders at the Ribeirão Preto USP Campus (CAV-Mulheres) emphasized the relevance of understanding that the responsibility of an university must not be limited to the physical environment of the campus, but also must encompass what is called “university environment” (Maito et al., 2019b). This term specifies that university relationships not only

occur at the physical locations, but also in the virtual environment. “University environment” also includes places in which students are gathered on behalf of the institution - such as lectures, seminars, travels -, and relationships among individuals motivated by the university, even outside USP, as in university-related parties, for instance. This understanding of “university environment” encompasses cases of sexual violence in hazes that may occur outside university, which relates to the university for being a “rite of passage” for the start of undergraduate studies, and capable of constituting yet another mean for transmitting cultural violent practices in the academic environment (Almeida, 2017).

### **The support network provided for the institution**

We also analyzed the network support activated by the university to handle cases of sexual violence. We found that 50% of universities have bodies solely constituted to handle complaints related to sexual violence, such as committees, interdisciplinary teams, and centers for women victims of sexual violence. The remaining 50% establishes that cases be directed for bodies already part of the campus and not fully dedicated to sexual violence cases, such as the rectorate, the general secretary or the university court.

One of the universities presenting bodies dedicated to handling sexual violence was the Pontificia Universidad Católica de Valparaíso (2018). At the university, a committee works in the prevention, follow-up, and punishment of harassment, violence, and discrimination. The committee consists of individuals with different roles in the academic structure (students, faculty, and technicians) and of several areas of expertise (legal, psychological, social assistance etc.) ensuring different perspectives to handle the situation. The Pontificia Universidad Católica de Chile (2017) resorts to bodies already existing in the university for the submission of a report, being these represented by the authorities of the unity to which the victim belongs to and the Campus General Secretary.

Analyzing the support network of universities, we found that 58.82% of the policies assigned the

handling of cases to university bodies only, while 38.23% also counted with external bodies to handle cases, such as a police station, the District Attorney office, and the Ministry of Labor, while a policy mentioned external bodies only to handle cases. These data suggest that the majority of universities handle occurrences within their domains, avoiding the engagement of public instances external to their environments and of the external community, what could relate to confidentiality. In addition, this may suggest institutions take responsibility for the required actions.

Even if the university does not have specific bodies to handle cases and forward them to existing bodies, other strategies are possible. The Universidade Nacional Autónoma do México created specific procedures within the existing university bodies for coping with sexual and gender violence, educating security workers in gender violence, human rights, university security and regulations, which could lead to a fairest handle of the cases.

Effectiveness in this process is core for settling cases, with a need for the university to rely on qualified professionals to address sexual violence without leading to secondary victimization and oblivion. According to Almeida (2017), in the recent years, institutions are preparing themselves to address sexual violence in the university through internal inquiry committees, services related to gender equality, and the engagement of external bodies.

However, according to Costa (2015), the bureaucratization in the handling of sexual violence cases compromises the agility of the processes, given that confidentiality applies to inquiries and processes usually exceed the deadlines set for conclusion, increasing the odds that cases will not have a closure or a resolution in a timely manner. The creation, implementation, and enhancement of strategies targeted at sexual violence may also find other obstacles within the university, as is the case with the *Rede Não Cala* from USP, organized by professors and researchers for helping students who are victims of university sexual violence. According to Almeida (2019), while this initiative is an important leap, the group promoting it is small when compared to the faculty

at USP. The author states that there is a lack of political will for the creation of support centers, more effective investigation procedures, and educational programs on the matter. Almeida (2018) argues that this was clear when analyzing the social work services, with the need for training and increasing the team to achieve be more effective. The lack of effectiveness in the handling of reports by the university hinders the support to the victims towards the filling of a report, given that they may suffer secondary victimization, be seen as guilty, or be humiliated in the process.

A documentary called *The Hunting Ground* (2015), directed by Kirby Dick, shows that this reality is also that of American universities. In the film, the former chancellor, liaison to students at the University of North Carolina at Chapel Hill alleges having received at least 100 reports of sexual assaults, and in none of the cases, the aggressor was removed from campus. According to the documentary, given the lasting impunity of aggressors, 88% of women sexually assaulted in the campuses in the United States do not file a report, only 26% of cases reported to the police lead to an arrest, and 20% result in prosecution.

## Final remarks

Policies against sexual violence in universities are increasing in the recent years in Latin America, what shows an important leap given by the institutions; the production of policies is an expression of these initiatives. However, policies and the elaboration of formal institutional policies do not necessarily ensure the proper handling of the issue, because, as Almeida (2019) argued, “a chasm exists between a law and its application.” According to Maito et al. (2019a, p. 3), “creating rules is insufficient, given that legally responsible institutions need to effectively tackle the issues.”

Likewise, we need to consider that such strategies may work as a form of silencing, as evidenced by American universities. According to Dauber and Warner (2019), the United States are facing setbacks in the policies against sexual violence since President Donald Trump took office, who, among other actions, carried out changes

in institutional policies, hindering reports and the process of holding universities accountable. *The Hunting Ground* (2015) documentary also pictures how American universities, even those with postures and policies to tackle sexual violence, constantly tried to silence students so they would not “stain” the university reputation.

In Brazil, the need for investing in more policies against sexual violence in universities is evident, given that of the six Brazilian universities contacted by the *#PasóEnLaU* survey, only one (USP) had, at the time, a policy. However, we emphasize that, while these documents are important, these policies need to be in pair with others, such as committees, elaboration of guidelines and codes of conduct, training of teams for educating and handling human rights violations. The *Rede Não Cala* from USP is an example of it, whose strategies focused on: (1) supporting the victims, through the offer of professors for listening and possibilities of addressing the issue; (2) offering of educational actions such as talks, lectures and guides; and (3) helping in the improvement of inquiry policies (Cruz et al., 2018).

Even with the investment in policies and formal institutional policies, challenges remain in the Brazilian scenery. Brazilian universities have, in general, a hierarchical structure and men occupy the highest seats, which not only undermines the handling of cases but also the conceptions of what is reportable, because it relativizes violence in cases where perpetrators do not match the stereotype of aggressors (Almeida, 2019).

Cruz et al. (2018) also note that universities reproduce cultural values existing in the society. In Brazil, the culture is sexist, misogynistic, homophobic, racist, and with high rates of social and economic inequality, showing that universities tend to be a space highly unequal, favoring violent actions against those considered a minority. In addition, we see a contemporary aggravating factor: a conservative government currently presenting setbacks in the achievements in human rights and feminist fields (Arruzza; Bhattacharya; Fraser, 2019), hindering the implementation of public policies against

violence. Considering all aspects, we need to be aware of the silencing and reproduction of inequality and gender violence mechanisms in the universities, promoting changes through more effective inquiry measures, teaching practices, changes in the institutional culture, support to the victims, and holding aggressors accountable (Cruz et al., 2018; Maito et al., 2019a).

We emphasize the importance of conducting academic projects about the subject, so policies have their basis on studies and research projects, ensuring efficient mechanisms for prevention and reports. This study agrees to this hypothesis, seeking to add information and reflection to other research projects already conducted in the country about sexual violence within the university context (Almeida, 2019; Almeida, 2017; Bandeira, 2017; Costa, 2015; Cruz et al., 2018; Linhares; Laurenti, 2019; Maito et al., 2019a). However, we also emphasize the limitations of this study, which may foster other investigations about the subject. We worked with a reduced number of policies, given the number of universities in Latin America. We also need to consider that policies may have changed since the *#PasóEnLaU* survey, and others may have emerged since then (Maito et al., 2019b). Other universities not contacted by the survey may also have established policies. In any case, the creation of policies against and preventing violence, associated to academic research and to a constant dialogue with social movements are articulations that must be build and strengthened, so university is no longer a favorable environment for the maintenance and perpetuation of sexually violent practices in society.

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### **Authors' contribution**

All authors conceived the research project, outlined the method, and wrote the article. Linhares and Fontana analyzed and interpreted data. Laurent critically reviewed the text and approved the version for publication.

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