



## **The moral/sexual harassment faced by female police officers in the face of women's advances in the job market**

*The moral/sexual harassment faced by the female police in the face of women's advances in the labor market*

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Submitted on: 06/04/2022

Approved on: 06/04/2022

Published on: 06/07/2022 v. 2,

no. 1, Jan-Jun. 2022 DOI:

10.51473/rcmos.v2i1.311

### **SUMMARY**

It presents the theme of moral/sexual harassment experienced by female police officers, contrasting the issue amid the growing female presence in the job market. To delimit the study context, the following general objective was observed: to discuss the position of women in the civil and military police service, establishing a comparative parameter between the advancements of females in the job market and the moral harassment suffered by police officers. feminine. And, alongside the general objective, the following specific objectives: present the context of women's advancement in the job market; describe the parameters of military service for women in the police and; understand the scenarios of moral harassment towards female police officers. The research methodology comprised the guidelines of bibliographical research and the analytical parameters of qualitative research. Regarding the results, it was observed that the scientific literature on the topic is still under construction, however, it is possible to identify contexts in which the figure of women in the face of abuses committed inside and outside the armed forces has been a subject of discussion in different contexts, including the proposal for changes regarding punitive mechanisms for aggressors.

**Words:**Harassment; Police; Woman.

### **ABSTRACT**

It presents the theme of moral/sexual harassment experienced by female police officers, opposing the issue during the growing female presence in the job market. In order to delimit the context of the study, the following general objective was observed: to dialogue about the position of women in the service of the civil and military police, establishing a comparative parameter between the advances of women in the labor market and the morale harassment suffered by police officers. female. And, along with the general objective, the following specific objectives: to present the context of women's advancement in the labor market; describe the parameters of military service for women in the police and; understand the scenarios of moral harassment towards female police officers. The research methodology included the guidelines of bibliographic research and the analytical parameters of qualitative research. Regarding the results, it was observed that the scientific literature on the subject is still under construction, however, it is possible to identify contexts in which the figure of women in the face of abuses committed within and outside the armed forces has been a matter of discussion in different contexts, including the proposal of changes in terms of punitive mechanisms for aggressors.

**Keywords:**Bullying; Police; Women.

## **1. INTRODUCTION**

The reality of women comprises their own contexts, taking into account the advances achieved and persistent deficiencies amid the advancement of women in multiple environments. In principle, being a woman in ancient times, in patriarchal culture, represented a duty towards home and family, unlike the son, the daughter was destined to learn about taking care of household chores, bearing and caring for children. Families led by a male figure were committed to dividing the positions of each sex, men had the duty to work to provide for their homes and women had other purposes corresponding to dealing with their husband, the house and children.

Currently, women have started to occupy new spaces, work previously intended only for men can be carried out

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also by women, spaces previously dominated exclusively by men give way to women. However, women's advances continue slowly in some aspects and environments, such as the impediments and controversies observed in the armed forces, especially in the civil and military police.

The presence of women in the job market is a reality in Brazilian society. In this sense, studying issues related to female acceptability in environments, in the past, predominantly dominated by men, consists of analyzing how society observes women in positions of authority, such as the armed forces, starting with the internal politics of these institutions and reflecting on behavior of the community at large. Therefore, in the study category it can be said that the research is justified due to the proposed analysis and a possible clash of issues rooted in society, however, subject to changes based on the application of open discourse.

Thus, the possible scenarios to be observed in the experience of women in the police, civil and military, and in the job market, during the research the following problem question was considered: How and in what way does moral harassment of women occur in services of women in the civil and military police, and what is the relationship between this situation and the growing female presence in the job market?

Given the dialectical-hypothetical conception of the theme, it is considered that despite women's achievements, whether in obtaining rights or in their presence in the job market, some prejudices regarding the female figure remain alive in society. Machismo stands out among the most common types of prejudice in work environments, contributing to the fact that moral harassment against women is observed in greater numbers than cases related to men. Likewise, with the increase in the number of women in the job market, there is greater competitiveness regarding the availability of vacancies for men, generating possible insecurities in those who see women as a threat or even incapable of occupying positions of authority, such as positions in civil and military police, causing destructive behaviors such as moral harassment to be observed in these environments.

Now, to interact on the issue, the following general objective was observed during the research: to discuss the position of women in the service of the civil and military police, establishing a comparative parameter between the advances of the female sex in the job market and the moral harassment suffered by female police officers. Likewise, to construct the general objective, the following specific objectives were applied: present the context of women's advancement in the job market; describe the parameters of military service for women in the police and; understand the scenarios of moral harassment towards female police officers.

Moving on to the presentation of the text, the delimitation of topics followed the classic order of scientific articles, comprising the introduction, methodology, theoretical chapters and final considerations sections.

## 2. METHODOLOGY

Regarding the methodological context, with regard to the data collection and selection process, the principles of bibliographic research will be applied. Conceptually, regarding the application of the method, Amaral (2007, p.1) explains the scenario for constructing the literature review based on the following steps: "[...] survey, selection, recording and archiving of information related to search". Additionally, observing results generated from the application of the bibliographical research steps, the results will be analyzed following the criteria of qualitative research.

Thus, considering the research objectives, the application of the data analysis criteria followed the precepts pointed out by Vilela Junior (2006) who describes qualitative research as being the process of interpreting the given phenomenon related to society, using it to both tools that promote observation, description, understanding and the meaning of the phenomenon. Remembering that, in qualitative research, the existence of pre-conceived hypotheses is excluded; on the contrary, the hypotheses will be constructed in the midst of the observed scenario, at the same time as the description of the phenomenon is sought.

## 3. THE ADVANCEMENT OF WOMEN IN SOCIETIES AND THE LABOR MARKET

138

When analyzing the advancement of societies, the figure of women is seen in different contexts, in ancient societies, such as Spartan Culture, there were discourses that understood women as the pillar of the family and an important figure in the political and social construction of the people. Likewise, there were those who belittled the position of the Spartans, considering their role as a generator of warriors (LESSA; ASSUMPAÇÃO, 2017). However, what is known is that the woman of Sparta represented an important element for society even if she was not recognized by everyone.

In contemporary society, women will remain in society as those who give birth to children, but who also provide harmony in their home by contributing to their work alongside men. This contribution becomes material to

starting from the inclusion of women in the job market when they became workers in industry, in the midst of the Industrial Revolution, at the end of the 18th century. Interestingly, according to Rodrigues, Castro and Celeste Filho (2010), the percentage of women in industry was higher than that of men, considering that they went to work in factories to support their family and home while men were called up to war. .

However, with the growing thought of constitution and socio-family organization that promoted a family unit with different roles between men and women, it helped to reduce the number of women in factories, as did the difficulties they faced in terms of working conditions. However, the desire to obtain rights led women to promote movements that encouraged the creation of rights for them, just like them (RODRIGUES; CASTRO; CELESTE FILHO, 2017). Thus, the results of the industrial revolutions also see a change in the presence of women in the job market.

However, the presence of women in the labor market, just like the achievement of other rights, previously, granted only to men was not able to curb invasive behaviors such as physical, emotional and sexual aggression in different environments. In the meantime, situations of hostility towards women are also observed in different employment and social scenarios; Knowing this, the observations made in the following topic will understand the nuances of moral/sexual harassment to which women are subjected in today's society and, consequently, in the job market.

## 4. MORAL/SEXUAL HARASSMENT OF WOMEN IN SOCIETY AND AT WORK

The increasingly effective female figure in environments historically occupied by men serves to demonstrate that women are capable of developing multiple activities, proving their versatility in occupying positions and functions in different categories. In the opinion of Santos (2014), the original ideological conception of violence against women is closely related to the oppressive worldview; in other words, the way in which society observes the figure of women amidst cultural, social, religious constructions, among others, serves as the basis for society's actions towards and with women.

It is interesting to highlight that, with regard to legal typology, sexual harassment in the workplace is considered violence according to the guidelines of the Penal Code, article 216<sup>26</sup>, modified by Law 10,224/2011, characterizing the conduct and punishments for aggressors. Likewise, the Bill - PL 4742/2001, approved in 2019, understands moral harassment as a crime; In the bill's law text, psychological harassment is defined as the following behaviors:

Vertical bullying that is increasing: when a person at the top of the hierarchy resorts to brutality against subordinates.

Vertical moral harassment upwards. When a subordinate engages in an act of harassment of his superior.

"Hexagonal bullying", a practice that is carried out by employees at the same level of hierarchy without subordinate relationships.

Mixed bullying: where there is a vertical and horizontal harasser. The harassed person is harassed by everyone, from co-workers to their boss. (ANDRADE, 2022, online).

As seen, the actions that define the situation of sexual and moral harassment are similar in that they result in harm to the victim, however, they remain conceptually different. In other words, if on the one hand sexual harassment comprises direct or indirect intimidation for sexual purposes, moral harassment is related to psychological intimidation. Given this, Calcini and Moraes (2021, online) declare:

Of course, women, in addition to often having to deal with prejudice, still face numerous challenges, such as: salary differences in relation to men; lack of opportunities for professional growth and the multiple shifts resulting from work — domestic chores and children, given the sexist culture ingrained in our society.

26 Art. 1 Decree-Law No. 2,848, of December 7, 1940 – Penal Code, comes into force with increased of the following art. 216-A: "Sexual harassment" "Art. 216-A. Embarrass someone with the intention of obtaining sexual advantage or favor, the agent taking advantage of his status as hierarchical superior or ancestry inherent to the exercise of employment, position or function." (B.C)

"Penalty – detention, from 1 (one) to 2 (two) years." (AC) (BRAZIL, 2001, online).

There are those who continue in search of a place in the job market as a personal achievement, however, they run into barriers linked to them, solely because they are women. In this interval, principles of conduct occupy places in the discourse of achievements as responses to acts that hurt and tarnish the image of women.

For Cancini and Moraes (2021), the response to harassing conduct in corporate environments occurs through the restructuring of business culture; awareness actions, creation and maintenance of policies to monitor victims of harassment and the promotion of punitive measures are among the possible activities to combat moral/sexual harassment.

However, the reality of harassment that permeates business environments results from a number of thoughts rooted in society, which means that the adoption of punitive measures, in itself, does not guarantee the extinction of this type of conduct (SANTOS, 2014). Other than that, it is common to observe prohibited moral harassment, occurring subtly through words or gestures, however, equally causing damage as harassment applied in an open and direct way. Women gained rights that were previously exclusive to men and began to occupy increasingly imposing positions in societies. The issue, however, lies in the fact that despite the achievements, moral harassment against women is still common in different sectors of society, for Santos (2015, p.19): "It is clear that moral harassment derives from intolerance of a distinction, and therefore all moral harassment is discriminatory". This means that, regardless of position or position, a woman who suffers moral harassment is a victim of discrimination.

Therefore, it is the duty of the bodies that repress this category of conduct to act in order to prevent such acts; However, what happens when illicit conduct appears in the midst of institutions that should act to combat actions that go against the human dignity of women, such as police forces? In response, the following topic will look at the contexts that discuss identifying and confronting moral/sexual harassment in the civil and military police.

## 5. SCENARIOS AND CONFRONTS TO MORAL/SEXUAL HARASSMENT OF WOMEN IN THE CIVIL AND MILITARY POLICE

In the midst of violent circumstances, it can be said that the police represent the institution with the greatest retention of actions related to the degradation of the person in different aspects. For Andrade (2021), establishing a relationship of sexism in the police work environment goes against the idea of an immaculate police institution, which is always ready to repress any situations that go against the conceptions of justice and law.

The presence of women in the police forces comprises a vision that: "[...] values intelligence, the ability to resolve conflicts, innovation and the potential for teamwork" (NASCIMENTO, sp), contrary to perception of supremacy of physical strength. However, in a comparison, the percentage of women remains well below that of male police officers, which represents inequality in numbers, caused both by the demand for women for military service and by legal limitations.<sup>27</sup>for female graduates in these institutions.

Despite this, the possibility of women's access to the police forces is considered a social advance, being observed as a reflection of women's accession to the job market and environments, mostly occupied by men. This scenario promotes reflections regarding the posture and way in which women are seen in positions of authority, in this sense, according to the study carried out by Silva et al. (2018) with female police officers located in the 4th Regional Command Rondonópolis-MT, it was possible to observe that the appreciation and respect for female police officers are closely related to issues such as dedication and workplace.

Furthermore, with regard to the armed forces environment, the sexism that remains active in these spaces contributes to differences in the treatment both internally and externally between female and male police officers. The segregation of women in police forces continues to be based on the image of fragility associated with female police officers, limiting them on different occasions to tasks considered lighter, such as internal services related to administrative sectors (ANDRADE, 2021).

On another point, as it aims to understand the nuances present in the treatment of female police officers in cases of moral/sexual harassment, Alves (2018) considers issues that interact regarding the judicialization and internal control of harassment to female police officers, taking into account the example of military police officers in the state of Paraíba.

A soldier who commits moral harassment may face disciplinary (administrative) punishment, that is, in the public service, he may receive disciplinary punishments, in accordance with the specific rules. Notwithstanding Complementary Law no. 3,909, of July 14, 1977 (Statute of the Military Police of the State of Paraíba), and Decree n° 8,962, of March 11, 1981 (RDPM) do not mention the issue of moral harassment, the harasser's conduct can be classified as both legal provisions specific to the corporation, because it violates the duty of morality,

<sup>27</sup> In different Brazilian states, the percentage of vacancies for women in the armed forces is limited to average of 10% of the total number of vacancies in selection processes and competitions.

camaraderie, military pride, in addition to ethical values and the principle of human dignity, which may constitute incontinence of conduct (ALVES, 2018, p.165).

Therefore, in addition to the previous quote, it is possible to say that once the transgressions resulting from moral harassment are investigated and proven, the legal contingent that serves the police forces is capable of punishing anyone who commits acts of moral/sexual harassment, despite there being no mechanism of its own. For this category of occurrence there is the possibility of reprimand against abuses of power.

Now, unlike direct examples of moral harassment, similarly, there are those cases that occur in a subtle way, or that are observed amid common practices of insertion in selection processes for the exercise of the function, or remain confused with the hierarchical relationship of the institution; however, once harassment is identified, it must be observed just like any other model of abuse; and be combated with regard to the practice of women's rights as a person and as an officer in the armed forces.

Finally, in view of the legal changes, in 2020, Bill 5016/20, went for approval by the legislative branch, aiming to establish principles of prevention and restraint against moral and sexual harassment of women in public security institutions and in the armed forces. Among the measures that the bill advocates is the inclusion of sexual harassment as a crime in the Military Penal Code, in addition to punitive measures such as payment of a fine and penalty of exclusion (CÂMARA DOS DEPUTADOS, 2020). When the bill is approved, it is believed that perceptions about cases of abuse committed against female police officers can be better investigated, given that among the officers' main allegations is the lack of support in relation to reception and resolution. of cases by the institution itself and the justice system.

## CONCLUSIONS

The presence of women in multiple environments since the changes brought about in societies has served to strengthen the idea that being a woman does not limit the achievements possible for women. Proof of this is the fact that for some time now, women have been considered a fundamental figure in the evolution of societies such as the Spartans, considering that antiquity was a period in which the figure of men was aligned with the image of the warrior and women with that which provided the home. The era of wars and industrial revolutions continued as occasions in which women's place and responsibilities ceased to be just the home and family, reaching industry and the job market.

However, despite advances in abuse scenarios following the image of women, today, abuse and violence remain in the shadow of women. Therefore, the study served to understand the contexts in which women grow in presence in the job market, and how they continue in the context of the armed forces and abuses that occur in the police forces. Therefore, considering the contexts, it is understood that there have been multiple advances towards women in societies, they went to industry and held positions in the armed forces, however, they remain victims of moral and sexual abuse solely because they are women. Thus, in a social scenario in which women's access is expanding, there is still a lack of application of measures that stop cases of abuse, demonstrating that being a woman is not a limiting factor, on the contrary, it represents something extra that will serve to add to actions that prioritize intelligence, insight, humanity and determination. Currently, it is possible to observe possible advances in dealing with moral/sexual abuse of women, especially female police officers, demonstrating that a reality with fewer victims is possible. With this, the text ends with the proposal for new studies that focus on women in order to develop dialogue based on their experiences as a woman and an agent of the armed forces.

## REFERENCES

ALVES, Geni Francinelle dos Santos et al. **Gender harassment in the barracks: the judicialization and internal control of moral harassment practices involving female military police officers in Paraíba.** 2018. Available at: [https://repositorio.ufpb.br/jspui/bitstream/123456789/18504/1/GeniFrancinelleDosSantosAlves\\_Dissert.pdf](https://repositorio.ufpb.br/jspui/bitstream/123456789/18504/1/GeniFrancinelleDosSantosAlves_Dissert.pdf). Accessed on: May 18th. 2022.

141

AMARAL, João JF **How to do a bibliographical research.** 2007. Available at: <http://200.17.137.109:8081/xiscanoe/courses-1/mentoring/tutoring/Como%20fazer%20pesquisa%20bibliografica.pdf>. Accessed on: May 18th. 2022.

ANDRADE, Renata de Oliveira et al. **Sexism in the police workplace: a study in light of the theory of planned action.** 2021. Available at: [http://www.repositorio.ufal.br/bitstream/123456789/8212/1/Sexismo%20no%20ambiente%20de%20trabalho%20policial\\_um%20estudo%20c3%a0%20luz%20da%20teoria%20da%20a%20a7%20c3%a3o%20planejada.pdf](http://www.repositorio.ufal.br/bitstream/123456789/8212/1/Sexismo%20no%20ambiente%20de%20trabalho%20policial_um%20estudo%20c3%a0%20luz%20da%20teoria%20da%20a%20a7%20c3%a3o%20planejada.pdf). Accessed on: May 21, 2022.

ANDRADE, Tamiris Cristina de. Sexual and moral harassment, what the law says and how you can protect yourself at work. **Jus**. 8 Aug. 2022. Available at: <https://jus.com.br/artigos/95819/assedio-sexual-e-moral-o-que-diz-a-lei-e-como-voce-podese-proteger-no-trabalho> . Accessed on: May 21st. 2022.

BRAZIL. Law no. 10,224. Amends Decree-Law No. 2,848, of December 7, 1940 – Penal Code, to provide for the crime of sexual harassment and provides other measures. **Highland**. May 15, 2001. Available at: [http://www.planalto.gov.br/ccivil\\_03/LEIS/LEIS\\_2001/L10224.htm#art216a](http://www.planalto.gov.br/ccivil_03/LEIS/LEIS_2001/L10224.htm#art216a). Accessed on: May 21st. 2022.

CALCINI, Ricardo; MORAES, Leandro Bocchi. Moral harassment against women in the workplace. **Legal Adviser**. 5 Aug. 2021. Available at: <https://www.conjur.com.br/2021-ago-05/pratica-trabalhista-assediomoral-mulheres-meio-ambiente-trabalho>. Accessed on: May 25th. 2022.

CHAMBER OF DEPUTIES. **Project seeks to curb sexual harassment against women in the police and Armed Forces**. 2020. Available at: <https://www.camara.leg.br/noticias/702602-projeto-busca-coibir-assedio-sexual-contra-mulheresnas-policias-e-forcas-armadas/>. Accessed on: May 25th. 2022.

LESSA, Fábio de Souza; ASSUMPAÇÃO, Luis Filipe Bantim de. Discourse and representation about the Spartans in the classical period. **Synthesis**, v. 24, no. 2, 2017. Available at: <https://www.redalyc.org/journal/846/84655216005/84655216005.pdf>. Accessed on: May 26th. 2022.

NASCIMENTO, Nélio Reis Biá. **The police woman and her challenges**. 2021. *Ebook*.

RODRIGUES, Paulo Jorge et al. **Women's work during the industrial revolution. XII women's week**. São Paulo, 2015. Available at: [https://www.marilia.unesp.br/Home/Eventos/2015/xiisemanadamulher11189/o-trabalhofeminino\\_paulo-jorge-rodrigues.pdf](https://www.marilia.unesp.br/Home/Eventos/2015/xiisemanadamulher11189/o-trabalhofeminino_paulo-jorge-rodrigues.pdf). Accessed on: May 26th. 2022.

SANTOS, Francisca Karoline Falcão dos et al. **Moral harassment at work in the face of women's personality rights**. 2015. Available at: <http://www.mpce.mp.br/wp-content/uploads/2018/07/O-ASS%C3%89DIO-MORAL-NO-TRABALHO-EM-FACE-DOS-DIREITOS-DE -WOMAN-PERSONALITY.pdf>. Accessed on: May 27, 2022.

SANTOS, Jeová Rodrigues dos. **The phenomenon of violence against women in Brazilian society and its historical-religious roots**. 2014. Available at: <http://tede2.pucgoias.edu.br:8080/bitstream/tede/766/1/JEOVA%20RODRIGUES%20DOS%20SANTOS.pdf>. Accessed on: May 27, 2022.

SILVA, Allana Eva da. The importance of women in the military police in Rondonópolis. **Homem do Mato Magazine – Scientific Journal of Public Security Research**. v.18, n.1, 2018. Available at: <http://revistacientifica.pm.mt.gov.br/ojs/index.php/semanal/article/view/399>. Accessed on: May 27, 2022.

VILELA JUNIOR, Guanís de Barros. **Qualitative research**. 2008. Available at: [http://www.cpaqv.org/metodologia/a\\_Pesquisa\\_qualitativa.pdf](http://www.cpaqv.org/metodologia/a_Pesquisa_qualitativa.pdf). Accessed on: May 27, 2022.