

Homeschooling in Brazil: A public policy moving against the right to democratic education

Educação domiciliar no Brasil: Uma política pública na contramão do direito à educação democrática

La educación a domicilio en Brasil: Una política pública contraria al derecho a una educación democrática

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ABSTRACT

We analyzed the threats of the "conservative" movements that materialized in the approval by the House of Representatives of Bill 3.179 of February 08, 2012, which provides the possibility of offering Basic Education at home. This allows fathers, mothers, and legal guardians to educate children at home without constituting a crime of intellectual abandonment. It was found that the prominent conservative wave, from 2014 on, is based on disqualifying Freirian thought, intervening in the pedagogical and curricular perspective arising from the struggle of social movements. Furthermore, we investigated the documentary bases of the Ministry of Education, such as the booklet "Homeschooling: a human right of both parents and children," which presents homeschooling as a type of education directed by parents aiming at the full development of the person, their preparation for life, the exercise of citizenship, and qualification for work. Thus, we resort to the manifestations of Brazilian educational entities committed to public, lay, critical, reflexive, and inclusive education to ratify how the "conservatives" have been insistently removing social rights through their actions in educational policies. Finally, we reinforce that the proposal hurts the constitutional right to education when it grants lay parents the task of educating their children at home, thus removing from the State the obligation of democratic education for children and young people.

Keywords: Homeschooling. Conservative movement. Third way.

RESUMO

Analizamos as ameaças dos movimentos “conservadores” materializadas na aprovação pela Câmara dos Deputados, do Projeto de Lei 3.179, de 8 de fevereiro de 2012, que dispõe sobre a possibilidade de oferta domiciliar da Educação Básica. Com isso, permite que pais, mãe e/ou tutores e tutoras legais eduquem crianças em casa, sem que isso configure crime de abandono intelectual. Constatou-se que a onda conservadora proeminente, a partir de 2014, se baseia na ideia de desqualificar o pensamento freiriano, intervindo na perspectiva pedagógica e curricular advinda da luta dos movimentos sociais. Ademais, investigamos as bases documentais do Ministério da Educação, como a cartilha “Educação Domiciliar: um direito humano tanto dos pais quanto dos filhos”, que apresenta o homeschooling como uma modalidade de ensino dirigido pelos pais visando o pleno desenvolvimento da pessoa, seu preparo para a vida, exercício da cidadania e a qualificação para o trabalho. Assim, recorreremos às manifestações de entidades educacionais brasileiras comprometidas com uma educação pública, laica, crítica, reflexiva e inclusiva para ratificar como os “conservadores” vêm, insistentemente, retirando direitos sociais por meio de suas ações junto às políticas educacionais. Por fim, reforçamos que a proposta fere o direito constitucional de educação, quando se concede aos pais, leigos, a tarefa de educar seus filhos em casa e, com isso, retirar do Estado a obrigação de uma educação democrática para crianças e jovens.

Palavras-chave: Educação Domiciliar. Movimento Conservador. Terceira via.

RESUMEN

Analizamos las amenazas de los movimientos "conservadores" materializadas en la aprobación por la Cámara de Diputados, del Proyecto de Ley 3.179, de 8 de febrero de 2012, que dispone sobre la posibilidad de oferta domiciliar de Educación Básica. Con esto, permite a los padres, madres y/o tutores legales educar a los niños en casa, sin que esto constituya un delito de abandono intelectual. Se constató que la prominente ola conservadora, a partir de 2014, se basa en la idea de descalificar el pensamiento freiriano, interviniendo en la perspectiva pedagógica y curricular surgida de la lucha de los movimientos sociales. Además, investigamos las bases documentales del Ministerio de Educación, como la cartilla "Educación en casa: un derecho humano de padres e hijos", que presenta el homeschooling como un tipo de educación conducida por los padres dirigida al pleno desarrollo de la persona, su preparación para la vida, el ejercicio de la ciudadanía y la cualificación para el trabajo. Así, recurrimos a las manifestaciones de las entidades educativas brasileñas comprometidas con una educación pública, laica, crítica, reflexiva e inclusiva para ratificar cómo los "conservadores" vienen eliminando insistentemente los derechos sociales a través de sus acciones en las políticas educativas. Finalmente, reforzamos que la propuesta lesiona el derecho constitucional a la educación, cuando otorga a los padres laicos la tarea de educar a sus hijos en casa, quitando así al Estado la obligación de una educación democrática para los niños y jóvenes.

Palabras clave: Educación a domicilio. Movimiento conservador. Tercera vía.

INTRODUCTION

In this study, we will analyze the threats posed by “conservative” movements that materialized in the approval by the House of Representatives of the Bill 3.179 of February 8, 2012. The bill aims to amend Laws No. 9.394, of December 20, 1996 (Law of Directives and Bases of National Education), and 8.069, of July 13, 1990 (Statute of the Child and Adolescent), to provide for homeschooling, therefore, of the possibility of a home-based offer of Basic Education in Brazil. This analysis considers homeschooling as a “third way” since it seems to represent the attempts of some supporters of economic liberalism to propose a reconciliation of didactic and pedagogical positions traditionally associated with the right and the left. Thus, adopting an orthodox educational policy, such as creationist teaching, became fundamental, with more progressive social policies, to bring the debate about the right to education.

It is worth noting that, according to Giddens (2001), this third way represents a modernization movement from the center. While accepting the basic socialist value of social justice, it rejects class politics, seeking a base of support that cuts across all spheres of society. Thus, one notes the rejection of the notion of class politics, present in the socialist conception, and the exaltation of “spiritual and religious” development in homeschooling.

HOMESCHOOLING: A THIRD WAY FOR EDUCATION IN BRAZIL?

According to Lacerda (2018), homeschooling is a US experience based on the vanguard of Christian nationalism. This proposal became stronger during the 1960s and 1970s when counterculture¹ movements permeated public schools. The quest to legalize homeschooling in all federation states was based on a creationist ideological platform in which the vision of a creator God could not simultaneously deal with evolutionary theory. Thus, homeschooling would be important because the United States would no longer be a sinful country and have the Ten Commandments as a legal basis for the system. Given this scenario, one can ask: how did the demonstrations in defense of the implementation of homeschooling in Brazil take place? What are their main characteristics and claims in the Brazilian scenario? Are the bases defended by Brazilian families also related to religious perspectives?

It is worth recalling that the attempts of evangelical protagonism on educational proposals grew from the 2018 electoral process. In Brazil, the political landscape was marked by coalitions of the Pentecostal church segment and the criticism of “gender ideology”. Thus, the actions of a conservative group in a project that accused schools of “ideological indoctrination”, called the Movement School Without Party - MESP stood out. Therefore, it was urgent to propose measures to prevent teachers from expressing their positions about sex, abortion, homosexual unions, the LGBTQIA+ agenda, and other demonstrations related to promoting racial, regional, gender, and sexual orientation equality. For conservative groups, this process would end up in activism for the traditional Brazilian family and, with neoliberal values in the family context, extending the initiatives of the patriarchal family. For all the above reasons, the homeschooling project accompanies the growth of the conservative movement in the country.

It is important to highlight that the “conservative wave” (Boulos, 2016, p.29)² can be observed since 2013 in Brazilian politics, in which the rise of a bias of political, economic, and moral conservatism focused on physiologists among right-wing parties was observed. This process was amplified in 2014 since the National Congress, elected in this period, can be conceptualized as one of the most conservative in Brazilian republican history. This Parliament became a priority space and was disputed by exploited sectors and, with the expression of the reactionary Brazilian bourgeoisie, represented by contractors, bankers, manufacturers, exporters, importers, and ruralists, thus constituting the bullet, evangelical, and ruralist benches. Such a coalition made it difficult to penetrate the political representation of popular demands. In this sense, it became a political space with a dominant class divorced from the people because the members of Congress started an intense movement to present and approve counter-reform proposals of the liberal-democratic regime and reinforced the shielding of the democratic process. Therefore, still on this occasion, the congress members, before blocking the agendas related to civil liberties and rights,

¹ The American press coined the term counterculture in the 1960s to refer to the marginal, protesting cultural manifestations that flourished in the U.S. and other countries, especially in Europe, representing nontraditional forms of opposition. This movement responded to the post-war period's accelerated industrialization, economic growth, and scientific rationalization. Thus, there were important artistic manifestations, such as rock music, the hippie and punk movements, and the internationalization of the student movement, culminating in the demonstrations in several countries in May 1968. Thus, the countercultural movement represented a behavioral revolution in Western societies.

² Guilherme Boulos pioneered this terminology in a short article published in *Folha de São Paulo* in 2014, inaugurating debates in leftist environments.

such as the legalization of abortion, same-sex marriage, and combating homophobia and transphobia, also took turns to expose some proposals such as creationist teaching in schools and other forms of reactionary control over Education (Demier, 2016).

From the scenario presented, the government of President Jair Bolsonaro, especially through the former minister of Education, Milton Ribeiro, and of Women, Family, and Human Rights, Damara Alves, intensified the pressure to ensure the regulation of homeschooling in Brazil. For these former ministers, based on the recognition of the recent decision of the Federal Supreme Court - STF, to recognize the constitutionality of home education, as well as its illegality, since there is no regulation by law for this educational system, the agenda has become a priority, because there are in Brazil an average of 35 thousand families who have already opted for this model.

Likewise, these former ministers justified that 85% of the Organization for Economic Cooperation and Development - OECD countries have already adhered to the homeschooling model. Likewise, they insisted that there was no obligation to comply with the project, and they also fought the criticisms of several scientific-pedagogical entities about the socialization process experienced by students in the school space because these were not well founded. For these former ministers, children and young people participating in homeschooling have contact with different forms of socialization since other social practices are present in families, clubs, libraries, and even churches.

This aspect still gains amplitude because the National Association for Home Education, represented by the attorney Alexandre Magno Fernandes Moreira, defends the educational freedom of families as a cultural right, therefore, the right to education, in which it comprises (a) the freedom to give and receive education in their language; (b) the right of parents to educate their children according to their moral and religious convictions; (c) the right of family transmission of the parents' beliefs and cultures; (d) the freedom of conscience and belief of children and adolescents according to their capacities (right to choose or deny a cultural heritage); (e) the right to create educational institutions different from those instituted by the Public Power, especially confessional schools, responsible for transmitting certain cultural and religious heritage to new generations (Moreira, 2022).

However, in 2021, entities such as the National Education Council (CNE), starting with former president Maria Helena Guimarães de Castro, defended a critical position and opposition to homeschooling in Brazil because they considered that such a proposal could compromise the socialization of children and young people. Castro also said that the proposal prevented students from having contact with different ideas and thoughts and favored the disqualification of education professionals' pedagogical and technical-scientific training. The former president further stated: "I think it is legitimate that a religious family defends creationism, but I think it is important that the child of that family can learn about other theories, such as Darwin's theory of the evolution of species, she added" (Agência Câmara de Notícias, 2021) (our translation).

It can be seen that the defense of the "right of the family" to choose a format of education presupposes the incorporation of a third educational proposal in Brazil, therefore, a "third" way as an educational right for the pedagogical context.

The sympathizers of conservatism have resorted to the Supreme Court - STF to access the use of the right as an instrument to defend moral and religious principles. In this sense, they appropriated the idea, or the need, to guarantee it through a "Juridification", with relevant educational policy strategies. In this way, the discourse regarding "law", whether family or legal, has become a debated topic in the current pedagogical scenario, being worthy of analysis because it reveals that its essence is the idea of a moral and religious restoration, despite the laicization of the State, that is, the separation between religious and secular norms. Thus, it is possible to perceive the strong influence of religious doctrine on legislation, constituting a "new" model in the educational field.

It is worth mentioning that, according to Paiva (1986), as the educational claims in the history of European countries, the workers' movements refused the distinction between education, in a broader sense, and work-oriented³ education. Thus, the struggle for a free and compulsory school, guaranteed by the State, that is, a single school, meant the refusal of the division into schools for "gentlemen and the working schools" (p.21) because what the workers wanted was the access of their children to subsequent schooling.

In the case of Brazil, there is a disparity of educational proposals with the simultaneity of teaching for the same levels of schooling, carried out by a public network and another by private schools. In this sense, a segmentation process is observed: schools for the poor and the rich. According to Paiva (1986), this fragmentation put the concept of democratization under discussion since the mid-1960s, since the increasing privatization of education made possible, beyond a fragmentation of social classes in school, the institution of public education as a "school for the poor". In the same way, this differentiation among forms of schooling presents itself as a central concern for the country since we will have homeschooling as a "third way" and with a religious base.

For Moreira (2022), in defending homeschooling, the right to education requires an effort on the part of the State to make various forms of education available, as well as implies freedom and pluralism of ideas. In this sense, parents can choose schools for their children that are not established by public authorities, ensuring religious and moral education according to their convictions.

This is another idea about the "right" and another model of education, as we observe the reaction of the conservative sector to the control of educational policies and the State over educational agendas. The Ministry of Education's (MEC) website published, in October 2022, a document entitled "Home Education: A Human Right for both parents and children"⁴.

The Ministry of Education launched the booklet Home Education: A Human Right for both parents and children, created to clarify what home education is, point out statistical and historical data, contextualize the issue of regulation, and point out the purposes of this type of education. The booklet contains 20 pages and defines homeschooling as a type of education conducted by the parents themselves, with a view to the full development of the person, preparation for life, exercise of citizenship, and qualification for work. In addition, the document points out real cases of students from other countries, from elementary or high school, who study under a regime of home education. In addition, the booklet reveals that about 35,000 children and adolescents in Brazil already study in home education, an estimate from before Covid-19, which further highlights the need to regulate this teaching modality (Launched Primer on Home Education, 2021) (our translation).

The initial content of the Primer is based precisely on the idea of "right" to ensure the "full development of the person, their preparation for life, the exercise of citizenship and qualification for work" (Launched Home Education Primer, 2021). Thus, they appeal to Article No. 26 of the Universal Declaration of Human Rights, which provides that "parents have priority of right in the choice of the kind of education which shall be given to their children."

Appealing to a kind of "clandestine" practice of this model already experienced by 35 thousand Brazilian children and adolescents, they state that it is necessary to regulate homeschooling.

Likewise, they comment on the teaching practices, such as: the constitution of a structured curriculum with the possibility of expanding the learning objectives, the constitution of communities that organize themselves to help families with the same regime, or communities of educating

³According to the author, this struggle is already 150 years old and still present in advanced capitalist countries.

⁴Retrieved from https://www.gov.br/mec/pt-br/media/acao/pt-br/media/acao/pt-br/media/acao/pdf/CartilhaEducaoDomiciliar_V1.pdf

families. This process still counts on students' participation in producing essays and reports from their learning base and with parental supervision. Then, they must expose their work to other students in the learning communities or educate families.

However, it draws attention when they state that socialization - an aspect much criticized and highlighted in studies on homeschooling - is justified by traditional processes, as students maintain contact with family members such as cousins or friends and environments in which they live with other people. In the same way, they go to clubs, and supermarkets, chat with janitors or older people, and participate in pedagogical or artistic activities. These social practices are emphasized as significant because they ensure the educational freedom of future generations.

However, in the aforementioned Primer, it is ignored that another socialization process, especially educational, occurs precisely in the exchanges between the homeschooling communities. The elaboration of a structured curriculum, in which the knowledge chosen by this type of educational community is not glimpsed in the Primer, shows the constitution of an academic and pedagogical network parallel to the State and with the approval of the Ministry of Education to separate itself from a proposal, or project, of national education. A network that, distinct from the other two, public or private, does not prove its knowledge base and gains total autonomy to elaborate a hidden curriculum.

Thus, another foundation for socialization is established, since the school, as a social institution, allows a social agent, in this case, the students, to appropriate what society determines and what they long for, thus sharing the spaces and objects through a historical perspective and according to the expectations of a specific society. The motivations and needs arising from a historical context open the meanings given by symbolic relations and social trajectories that can be understood in different ways. This means a certain cultural arbitrary is based on dispositions originating from structured structures, which presuppose timeless and non-spatial universal concepts. In contrast, the structuring structures are filled with temporality and spatiality, that is, historical-social contents. The students' creativity when facing new situations shown at school, or their perseverance in a cultural arbitrary, demonstrate that the practices generated in the school environment may guide the conservation of a certain cultural capital, but also the increase of the "patrimony", in its symbolic representation for better positioning in a social group (Dubar, 2005).

In the case of homeschooling, incoherence will be expressed when the school modifies the logic of socialization to promote the "right" of some families because there will be a social and pedagogical cut over individuals of certain generations.

The School, inspired by Goffman's studies (2007), as one of the "total institutions" (p.16)⁵, absorbs part of the time and interest of its participants. This process is characteristic of those who participate in them because the entrance and permanence suppose processes of loss and mortification of the "I", by replacement by "we". Thus, the individual consciously tries to invest in certain levels of sociability with other members of a particular group. These institutional strategies familiar to individuals provide ways to control the daily lives of large numbers of people in a restricted space and with little expenditure of resources. However, there is a relationship between the individual and society, as a constant and reciprocal exchange between the objective and subjective worlds of individualities.

In this sense, a system of personal schemas is socially constituted from institutional and individual dispositions acquired through social practices. These are constantly oriented toward functions and actions of everyday life. Thus, we realize that social institutions, such as the family and the school, represent symbolic markets and spaces that institute the competencies necessary for individuals to act in different cultural and social fields. This is a form of socialization that neoconservatives want to avoid and justify the right not to want as fair and egalitarian.

⁵ According to the author, the school is part of the institutions established to perform, in their way, some work tasks, which their instrumental foundations justify.

In this sense, there is a confrontation between what was constituted as school socialization and the diffusion of educational innovations and reforms that introduced another logic to the subject, starting from home education. Thus, constituting a dilemma that has affected, quite expressively, the conceptions, values, and educational purposes.

THE RESISTANCES TO HOMESCHOOLING: THE TENSIONS BETWEEN CULTURE AND CURRICULUM

On May 19, 2022, the plenary of the House of Representatives approved the bill that authorizes homeschooling, also known as homeschooling, in Brazil. The modality is forbidden in the country because of a determination by the Supreme Federal Court - STF, which in 2018, prohibited children from being restricted to fully home study instead of attending school. At the time, most ministers understood that without a law regulating the modality, there would be no way to guarantee to fulfil the fundamental right to education.

For some social actors in the political sphere, such as Senator Marcelo Castro (MDB-PI), the project diverts attention from what is essential in education to deal with a subject that contributes nothing to the improvement of education, however, although contrary to the text, he appointed a rapporteur to deepen the theme⁶.

Likewise, representatives of the federal government and national, state, and municipal educational entities diverged on the regulation of homeschooling for the country. One can cite the "Manifesto Against the Regulation of Home Education and in Defense of Investment in Public Schools", signed by more than 400 educational institutions nationwide. This Manifesto, prepared by Coalitions, Networks, Unions, Academic Institutions, Forums, Social Movements, Civil Society Organizations, and Associations, considers that the regulation of home education is an extremely risky factor because it constitutes yet another attack on the right to education, one of the fundamental guarantees of the human person; because it may further deepen social and educational inequalities; because it may stimulate de-schooling and multiply the cases of violence and lack of protection of children and adolescents.

The Manifesto alerts to the need for greater investments in education and an effective collaborative regime to overcome the innumerable challenges posed and not a modality that disengages the State with the guarantee of quality education. In the same way, this document affirms that the homeschooling agenda has very low popular support and that there is opposition from people to ensure parents take their children out of school. The document points to what is a priority in the educational field: the expansion of full-time education; the fulfillment of the goals established in the National Education Plan (and the sub-national plans); more contributions to public funding, including the linking of pre-salt resources to education; the regulation of the National Education System, strengthening the inter federative cooperation and collaboration schemes; as well as greater regulation of the private education network.

The Manifesto denounces other issues that are sensitive to the homeschooling debate: the food insecurity of children and families who are once again on the UN's Hunger Map, the invisibility of cases of child labor, and the significant increase in the number of assaults, domestic violence, and sexual violence, especially against girls, women, and LGBTQIA+ adolescents. These issues reveal the vulnerability of children and adolescents without the daily support of schools.

Beyond the issues brought by the Manifesto, it is important to analyze the reasons for criticism presented by home education advocates to distance children and adolescents from formal education and propose some curricular practices to be developed in family environments.

In defending the moral and religious education given by parents, the supporters of homeschooling maintain that the family is fundamental to transmitting cultural values, especially

⁶ Retrieved from <https://www12.senado.leg.br/noticias/materias/2022/05/26/projeto-que-autoriza-educacao>

religious beliefs, implying the duty of everyone, especially the school system. However, some issues are considered with socially controversial values, particularly those which are considered opinions with political or ideological character, as they are considered controversial topics, such as: gun control, abortion, religious freedom, vaccines, animal rights, privacy, free market, global climate change, theory of evolution, legalization of marijuana, LGBTQIA+ rights, the culture of cancellation⁷, Israel-Palestine conflict and others related to the “identification of specific situations that configure the deviation of educational purpose, through educational offenses generically called indoctrination” (Moreira, 2022, p. 116). Therefore, the freedom of parents and teachers is not absolute since certain contents cannot be included in educational curricula since they do not agree with the purposes of education.

For supporters of homeschooling, some issues cannot impinge on the purposes of education, such as: teaching and encouraging students to commit crimes or corrupt minors; making an apology of criminal fact or apology to crime; teaching racist conceptions or doctrines inducing discrimination of race, color, ethnicity, religion or national origin prejudice; exhibiting inadequate materials to children or adolescents; stimulate the practice of sexual acts by minors under 14 years of age, configuring rape of vulnerability or scenes of carnal conjunction, as well as pornographic or obscene materials and, finally, teach “gender ideology”, also called “gender theory”, “gender studies” and “postmodern feminism”, because the latter involves several doctrines focusing on the notion that gender, or sex, however, is not a given of nature, but as a social construction.

It is precisely gender ideology that has become a very emblematic theme because the homeschooling group considers it as a theme that interferes with philosophy, rationality, and the existence of universal truths, the basis of Western civilization. Similarly, they attribute Judith Butler, from her work “Gender Trouble”, published in 1990, as responsible for the landmark of the introduction of “gender ideology” in the educational context (Moreira, 2022).

One realizes that such purposes for homeschooling oppose government policy developed by the Ministry of Education team of President Jair Bolsonaro over the past four years in Brazil. It is worth noting that the mention of the gun made with hand gestures led to this president's campaign during the electoral vote in 2018, as the edition of more than 40 degrees of this ruler, during his term, to facilitate access to the civilian population to weapons. The market recorded an average of about 1,300 guns Brazilians bought daily⁸.

Likewise, the idea that teachers can expose their students to sexual practices or obscenities needs to be questioned, considering some important facts in the educational scenario. Pertinent to this situation, it is worth remembering that, since 2004, the federal government, under the presidency of Luiz Inácio Lula da Silva, launched the Program Brazil Without Homophobia. This proposal aimed to combat violence and prejudice against the LGBTQIA+ population, composed of the cross-dresser, transgender, gays, lesbians, bisexuals, and other groups. To this end, the program emphasized training for education professionals to address issues related to gender and sexuality, but the material was criticized and called the “gay kit” by conservative sectors of society, such as groups in the National Congress in 2011. The criticism was based on accusations that the government encouraged homosexuality and promiscuity. This favored the project's suspension, and after a few years, the material was taken over by the Brazilian Association of Lesbians, Gays, Bisexuals, Transvestites, and Transsexuals - ABGLT, involved in the preparation, which decided to release the booklet with instructions to the teacher.

The criticism of homeschooling for incorporating themes from social movements cannot be considered a “naïve” insertion. Although their analyses present controversial conceptions, these

⁷ The culture of cancellation is a modern phenomenon whereby a person or group is ousted from a position of influence or fame because of attitudes that are considered questionable.

⁸ Retrieved from <https://www.brasildefato.com.br/2022/09/12/apos-mais-de-40-decretos-de-bolsonaro-brasileiros-compram-1-300-armas-por-dia>

must be analyzed from the cultural-historical course of Brazilian education, for the issue of sexuality is not new in the country.

In the 1970s and 1980s, the media started to deal with sexuality since there was a significant contamination of the Human Immunodeficiency Syndrome - AIDS, transmitted by HIV, characterized by the weakening of the body's defense system and by the appearance of opportunistic diseases. This disease became a serious public health problem, and it was necessary to alert the population about prevention methods, the causes, and the treatments available for AIDS. From this scenario, the government realized the need to put the subject in the school curricula, as it was also necessary to deal with the cases of early pregnancy and the risks of contamination by HIV. In this sense, a social demand demanded the approach of the theme with schools, parents, and teachers.

Soon after, the Brazilian government reformed Basic Education by implementing the National Curricular Parameters - PCNs⁹ and the concept of transversal themes in the school curriculum¹⁰. The proposal understood that themes such as sexual orientation, for example, would be one of the transversal themes and could be analyzed according to the reality and the daily needs of the students. This theme has gained wide relevance because, beyond being a subject, it has become a debated issue in the school context. In this sense, the State assumed an educational project aimed at a better understanding of society and could contribute to safer decisions regarding sexuality for students. In the same way, it can be assumed that a dialogical process at school would help protect students from abuse and sexual exploitation by adults, as well as postpone pregnancy with contraceptive methods and late and responsible sexual behavior.

In this sense, the State needed to define a didactic-pedagogical proposal correlated to a certain cultural-historical time and generate a curriculum that would address social knowledge beyond the traditional knowledge in the different subject fields. Thus, according to the reality and needs of Brazilian society, it was necessary to know both the social and the school environment to integrate them into the student's education process regarding health, life, well-being, and the experience with sexuality. The solution was transversality, even though some education professionals had a little definition of the concept or how to deal with it in the curricular context of a classroom.

Such considerations point out that, according to Candau and Moreira (2007), it is necessary to differentiate the concepts of curriculum and school knowledge. For the authors,

The discussions about curriculum incorporate, with greater or lesser emphasis, discussions about school knowledge, the procedures, and social relations that conform to the scenario in which knowledge is taught and learned, about the transformations we want to make in the students, about the values we want to inculcate and about the identities we want to build (Moreira, 2007, p.18) (our translation).

Thus, there are disputes waged in curriculum construction, which aim to form a model of identity that may respond to certain historical, social, and cultural interests.

According to Candau and Moreira (2007), the tensions between culture and curriculum show that the concept of the former has varied historically, and thus, some issues have been privileged over others throughout the history of curriculum production. The issue of laicity can exemplify in the context of public schooling during much of the twentieth century and the expansion of the

⁹ According to INEP, "the PCNs were elaborated to disseminate the principles of curriculum reform and guide teachers in the search for new approaches and methodologies. They outline a new profile for the curriculum, based on basic competencies for inserting young people into adult life; they guide teachers on the meaning of school knowledge when contextualized and interdisciplinarity, encouraging reasoning and the ability to learn". Retrieved from: <http://portal.inep.gov.br/web/saeb/parametros-curriculares-nacionais>

¹⁰ Based on this idea, the PCNs defined some themes that addressed values related to citizenship: ethics, Health, Environment, Sexual Orientation, Work and Consumption, and Cultural Plurality.

defense of teaching based on religiosity brought by homeschooling in Brazil. The insertion, or not, of the presence of religious groups in Brazilian education, especially public education, has been a significant challenge for the school facing the power disputes between State, Church, and Religion, distinct from “remaining neutral”. Therefore, it can be assumed that the issues concerning religion are little related only to a discipline dedicated to Religious Education since this is optional, but currently, it is insinuated that the elimination of school knowledge from the curriculum, such as evolutionism, in the school day to day, in detriment to creationism. Finally, it is noted that if this is not possible, certain groups demand the withdrawal of their children from the social institution responsible for the educational and school process.

These positions help in understanding the rejection of the home school supporters about the conceptions of the Brazilian educator Paulo Freire. For this author, education was constituted from the valorization, humanization, and liberation of the human being through ethical principles and these as an alternative to school education. In view of this, it will be more coherent to deal with the conflicts and religious differences established in society and reproduced in the school context. Also, according to the author, the ethical principle is defined in life since the liberating pedagogical ethic is built from the oppressed, excluded, or segregated from rights from the economic system and a society based on religious fundamentalism (Freire, 1987). Such conception contributes to combat social inequality and discrimination of race, gender, religion, and sexual orientation, such as that advocated by heteronormativity, because what matters is the valorization of the recognition of cultural identities and more humanized relationships.

According to Moreira (2022), this statement is restricted to adherence to Freire's conceptions and shows itself more as a form of seduction to an ideology, philosophy, belief, or party position, in which it can be considered a deviation from the educational purpose, therefore, an indoctrination. It thus represents a kind of reductionism since the political dimension is linked to a political regime and a political philosophy, therefore, according to the supporters of homeschooling, it is not important to privilege the private dimension of individual development, but the defense of nuclear family values.

It is known that the distinct and multiple political conceptions are in dispute in contemporary democratic society. Thus, free and compulsory education is necessary, in which the right to education can give rise to important analyses of social inequalities and different social and cultural groups. Likewise, it is important to recognize that social movements have been fundamental to guarantee two aspects related to the right to education: the opportunity of access and the possibility of permanence. Therefore, this right presupposes the responsibility of the State to formulate and implement public policies to realize a democratic educational project for the country. However, when a certain social group claims that only “parents must coordinate to govern the education of their children, no other authority, public or private, has superior power to parents in the education of their children” (Moreira, 2022, p.211) (our translation). Such a perspective supposes an inversion of the concept of a right to education, incident on the final recipients of an educational policy.

If, in the first three decades of the 20th century, the pedagogical process was centered on the teachers and their knowledge, from the 1960s on, the focus turned to the child as the core of the educational project. For the current conservative wave, the focus is now on the family, and this model does not tolerate State intervention. Thus, proponents of homeschooling criticize the National Evaluation System and evaluations, both school and large-scale, because they claim that this policy has failed and will not meet current demands.

It is precisely the requirement of school evaluation that is present in the mentioned Bill no. 1.338 of 2022. This proposal for homeschooling foresees the mandatory enrollment of the student in an accredited educational institution, the fulfillment of curricular contents according to the National Common Curricular Base (BNCC), and the possibility of including additional curricular

contents considered pertinent by educating families. It also suggests that the student's development should be monitored by a teacher, a tutor from the educational institution where they are enrolled, parents or legal guardians, and by preceptors. The evaluation conducted by the educational institution will only take place at the end of the school term using examinations of the national system to evaluate basic education and its subnational derivatives.

VIII - performance of annual evaluations of learning and student participation when the educational institution in which they are enrolled is selected to participate in the examinations of the national system for the assessment of basic education and, if any, in the examinations of the state system or municipal system of evaluation of basic education (Bill n. 1338, 2022) (our translation).

This bill also aims to ensure that the Brazilian State, in the face of a new proposal of “educational rights”, maintains the recognition of the school as an institution that intervenes and defends a culture of citizenship rights since it is in the pedagogical environment that the deconstruction of prejudices can occur. In short, it represents a political and social space for developing equal school opportunities for boys and girls.

It is important to point out that citizenship rights are constitutional and have legal frameworks that regulate the relationship between citizens and the State. In this way, human rights gain materiality because a broader perspective is created from citizenship rights, given the political, ethical, and philosophical horizon for the understanding and historical construction of human dignity, an argument strongly advocated by Paulo Freire.

CONCLUSION

Thus, the resistance to homeschooling can be explained by the long and painful historical process of the Brazilian population's access to free and public education and the struggles to improve quality in the face of social inequalities. This represented years of involvement and work, by education professionals and researchers, with and about discrimination against people with disabilities, due to color/race, gender, sexual orientation, type of family arrangement, and other forms of prejudice.

The approval of a Bill related to Home Education makes it possible to create “new” ways to establish a logic of fear and distrust in the teacher, establishing a context of constant surveillance and denunciations, segregating those who are different, and proposing the unaccountability of the State for Education, in the form of “family privatization” of the didactic-pedagogical process.

Thus, we must focus more and more on analyzing the changes in the laws, especially those that aim to guarantee the rights of Brazilian students, such as the destruction of the whole idea of integral, conscious, problematizing, and inclusive education.

We also reaffirm that the study aimed to analyze why pillars such as the family, freedom of choice, morals, and the quality of the education gained defense investments, i.e., needed to be detached from critical, reflective, multicultural, and inclusive thinking. With this, domesticating education can bring, among many social repercussions, the interpretation that another idea of equality or social justice is being produced. However, such a movement centralizes education, preparation for life, and the exercise of citizenship of children and adolescents for their parents, guardians, or preceptors, reaffirming a polysemic wave oriented to an ideological/religious project of education.

For all the above reasons, we argue that this Law will allow new policies to be implemented, compromising the achievements towards a more critical, reflexive, inclusive, and democratic Education.

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