



## From the right to higher education to the challenge of access for all<sup>1</sup>

*Do direito à Educação Superior ao desafio do acesso para todos*

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### Abstract

Analyzes how the conceptual meanings and purposes of higher education in educational policies are expressed at different times in Brazilian history, a project typically bourgeois to

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<sup>1</sup> Access to higher education is understood, in this paper, not only as an opportunity of entrance, but of access to knowledge, being this way of permanence and conclusion.

the access for all. It is argued that beyond the institutional framework (rules, norms, values etc.) governing the making of higher education, which has remained unchanged throughout the historical period of the Brazilian educational policies, continuing to be tuned to bourgeois ethics, different events (political, economic, cultural etc.) in different historical moments, they have contributed to significant changes on the feature of higher education policies in relation to its purpose and conceptual meanings, such as: higher education associated with the idea of social evolution, using the bourgeois culture as a parameter order, before calling "Bourgeois Revolution" in Brazil; The focus on community has higher education as a tool for building a national project, after the "Bourgeois Revolution"; the return to the focus on the individual and on competitiveness from the discourse of citizenship and social inclusion, beginning with the last two decades of the twentieth century, moving towards its main challenge: access for all.

**Keywords:** Higher education. Access to education. Right to education.

### **Resumo**

*Analisa como as significações conceituais e os fins da educação superior se expressam nas políticas educacionais nos diferentes momentos da história brasileira, de um projeto tipicamente burguês ao acesso para todos. Argumenta-se que além do arcabouço institucional (regras, normas, valores etc.) que rege o fazer educacional superior, o qual se mantém imutável durante todo o período histórico das políticas educacionais brasileiras, continuando afinado à ética burguesa, diferentes eventos (políticos, econômicos, culturais etc.) nos diferentes momentos históricos, contribuíram com alterações significativas da feição das políticas de educação superior no que se refere aos seus fins e significações conceituais, tais como: Educação superior associada à ideia da evolução social, utilizando-se da cultura burguesa como parâmetro fim, antes da chamada "Revolução Burguesa" no Brasil; o enfoque na coletividade, educação superior como instrumento de construção de um projeto de nação, após a "Revolução Burguesa"; A volta ao enfoque no indivíduo e na competitividade a partir do discurso da cidadania e da inclusão social, com o início nas últimas duas décadas do século XX, caminhando para o seu principal desafio: o acesso para todos.*

**Palavras-chave:** Educação superior. Acesso à educação. Direito à educação.

## Introduction

This text aims to analyze the peculiarities of a process which is presented as contradictory: the right to education and the still resistant difficulties related to the plenitude of access, especially in regard to higher education. That is, the approval of the National Education Plan in Human Rights<sup>2</sup>, in Brazil, means an important breakthrough as the educational agenda becomes associated with human rights, understanding, therefore, that the access to education is an individual's right, as the first tool for building citizenship. But, on the other hand, it is indisputable the still present distancing between the right to education and the plenitude to access. Thus, this text aims at constructing an explanation of the distancing from the right to education to "access for all".

The construction of this text analysis is made based on two ways. Firstly, it highlights the problem of access to higher education in Brazil, which could be called of "no access for all", initially, focusing, on the access to higher education in Brazil in terms of educational policies and social, economical and ethnic conditions.

Secondly, it is dedicated to analyze what is understood as the explanation of distancing between the "access for all" and the effectiveness of this access. It is argued that besides the institutional framework (rules, norms, values etc.) which governs the making of higher education — which remains unchanged during the entire historical period of the Brazilian educational policies, continuing to be tuned in to the bourgeois ethics — in different events (political, economical, cultural etc.), in different historical moments, contributed to significant changes in the feature of higher education policies related to its purposes and conceptual meanings, in which there is an emergency in the principle of "access for all" and the right to education. That is, the analysis of the central argument is that the explanation

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<sup>2</sup> The National Education Plan in Human Rights [...] arose as a result of national and international movement in defense and extension of human rights, of strengthening of democracy and it is endorsed in the Universal Declaration of Human Rights/1948 (SILVA, 2010).

of the distancing between the principle of “access for all” and the real access and permanence can be found in the distancing between the school’s institutional rigidity and the advent of new conceptual meanings of education in the scope of new social processes, from which emerges the principle of “education for all”. That is, the project of access for all in the higher education in Brazil is recent and its main challenge can be considered the set of norms, rules and values set upon the precept of homogeneity, while seeking to receive the uniqueness and the difference in terms of socioeconomic and ethnic conditions, among others.

### **The challenge of the project of access to higher education**

Getting a place in higher education is still a major difficulty for most young people who seek this type of education. Although, changes have been made in the selection processes, and the number of vacancies increased, especially, in the last few years, the access is still limited, especially in institutions and courses most in demand. This observation leads to a reflection on the democratization of education: if the issue of access by increasing enrollment were solved, would equal opportunities regarding access to higher education be possible? According to Ristoff (2008, p. 42), it would not, since expansion cannot be confused with democratization.

To achieve this objective, it would be necessary conditions of access, permanence and professional training consistent with the requirements of a democratic society. About this, Zainko et al. (2008, p. 195) state:

[...] Both expansion, without a new educational project, lacks quality and wastes the opportunity of expanding access with the guarantee of permanence and relevance of the training processes of the citizen and professional required by the contemporary society, and reduction of private institutions’ idleness by the allocation of PROUNI vacancies, represent an increase in the number of university students, but there is no progress regarding the democratization of access to higher education and to the so desired social justice.

According to the Higher Education Census in 2011, there were 2.346.695 new students starting higher education, totaling 6.739.689 enrolled in this type of education. Without any doubt, the number of enrolled university students today is significant, but a simple calculation of what this represents in terms of the percentage of the Brazilian population, which for youths aged from 18 to 24 is less than 15%, the significance becomes different, concluding that great part of the population in this country is alienated from this level of education. It is still worth noting, that the increase in vacancies mostly occurred in private higher education institutions, according to the Census 2011, with 2081 institutions (88%), leaving only 84 (12%) for public education, being 103 Federal Institutions, 110 State Institutions and 71 City Institutions. This contributes to the difficulty of access specifically in relation to the students' economic conditions (BRASIL, 2012).

It is important to consider that several issues are related to the Access and permanence in higher education, thus, not even gratuity is sufficient criterion for filling up the vacancies. There are learning difficulties for approval in the selection process for the courses offered, because the issues for access are directly related to basic education, since this constitutes an element for explaining the particularities of access and the possibilities of permanence; economic-financial difficulties; high drop-out rates caused by different issues, being one of these the pedagogical projects, which do not include cultural diversity.

Access and its connection with the difference and the quality of education have been the central issue in the agenda of the World and Regional Conferences which deal with higher education, always with the concern in creating conditions for its viability. The Regional Conference of Higher Education (RCHE), for example, held in Colômbia, in 2008, according to Peixoto (2010, p. 30) indicates “[...] higher education as a human right and public good, effected through the real guarantee of access”. In one of the Declaration's items, it is highlighted the need to consider cultural diversity and interculturality:

Cultural diversity and interculturality must be promoted in fair and mutually respectful conditions. The challenge is not only to include indigenous, Afro-descendent and other culturally-differentiated people in existing institutions, but to transform those institutions so that they are more in tune with cultural diversity. It is necessary to incorporate the dialogue of different forms of knowledge as the central elements of policies, plans and programs from the sector to it for all individuals with quality and relevance (INSTITUTO INTERNACIONAL PARA LA EDUCACIÓN SUPERIOR EN AMÉRICA LATINA Y EL CARIBE – IESALC, 2008).

To understand how access for all is presented in the current context of the country, it should initially review the teaching legislation defined for higher education in the last decades and seek to identify how this issue is treated under the normative aspects. Starting in the 1980s, which represents a new phase in relation to the aspects of teaching legislation in Brazil, when the Federal Constitution of 1988 was approved, it is observed in its Article 205 that

[...] education is the right of all and the duty of the State and family and it will be promoted and encouraged with society's cooperation, aiming at the full development of the person, the preparation for the exercise of citizenship and the qualification for the job.

In Article 206, which addresses the principles of education, it refers to the equal conditions for access and permanence in school, without making distinction between elementary and higher education, but then, in Article 208, which states the duty of the State towards education, it indicates that it must guarantee basic education as compulsory and free and refers the progressive extension of this gratuity to high school. Regarding higher education, it only states that the access to higher levels of education, of research and artistic creation, will happen based on the capacity of each individual (BRASIL, 1988). Therefore, it is evident, that the access to higher education will happen through merit and it is not the State's obligation in guaranteeing the access for all when it comes to this level of education. About this, Oliveira and Catani (2011, p. 28) state

the fact that the Constitution/88 refers to the access starting from the capabilities of each one justifies to some extent the diversification and differentiation of the higher education institutions and of the selective process, both are closely related with access.

Law n. 9394/96 — National Educational Bases and Guidelines Law of Higher Education — in turn, follows the same directions from the Federal Constitution regarding access to education, but the National Plan of Education — Law n. 10.172/2001 — established for the period 2001-2010, in regard to higher education, though it did not state obligation by the State in guaranteeing access to higher education, it already indicated the need to increase the offer for higher education, in at least, 30% in the age group from 18 to 24 years old, because as stated in the diagnostic of such Plan at the time of its issuance, only 12% of young people in this age group were enrolled in higher education (BRASIL, 1996, 2001).

We, therefore, observe that there is, on the part of governments, a concern with the expansion of access, which has been happening with initiatives such as: the creation of the University for All Program (ProUni), plus the Financing Fund to Higher Education Student (FIES), quotas for Afro-descendants, Indigenous people, people with special needs and those from public schools. It is also worth mentioning the creation of new public universities and federal institutes of education and even the increased enrollment in Federal Universities aimed at the Program of Support and Plans of Restructuring and Expansion of the Federal Universities (Reuni). According to Article 2, Law n. 6.096/2007, the Program has as one of its goals: “Reduction of dropout rates, occupancy of unfulfilled vacancies and increase of enrollment vacancies, specially, at night” (BRASIL, 2007a).

In regard to ProUni, regulated by Decree n. 5.493, dated July 18, 2005, which regulated the provision in Law n. 11.096, dated January 13, 2005, allocating full and partial scholarships for undergraduate students, in private profit or nonprofit institutions of higher education, which have joined the program, as shown on chart 1, it can be observed that since its establishment, in 2005, up to 2010, there was an increase of 114.89% in the provision of scholarships. In 2005, 112.275 scholarships

were offered; in 2006, it rose to 138.668 (an increase of 23.5%); in 2007, it increased to 163.854 (an increase of 18.1%); in 2008, it increased to 225.005 (an increase of 37.3%) and in 2010 it rose to 241.273 scholarships (an increase of 9.14%) (BRASIL, 2005).

The Project of the new National Plan of Education for the period from 2011 to 2020 regarding higher education proposes the increase of the Gross enrollment ratio in higher education to 50% and the net rate to 33% of the population from 18 to 24 years old, ensuring quality in supply. It also indicates forms of access for historically disadvantaged groups in higher education, including the adoption of affirmative action policies (ANPED, 2011). It is observed that the speech about the need to create access for all in higher education is increasingly emphasized.

Tedesco (2004) also refers to the social changes that involve economical, political, social and cultural aspects and that are also related with the educational aspect, modifying the educational scenario, in which professors operate and alter the student in front of him, the professor himself and the tools used for his teaching task. It can be said that professors take over greater responsibility related to the pedagogical knowledge due to the increasing presence of students with different learning capabilities. However, this is not a simple task, since the organizational structure and curriculum planning follow rigid models, which stifle the professor's job.

Breaking with models would probably be the most urgent need to establish a new practice which could accommodate diversity and difference. About this, it is worth mentioning Ramos (2011, p. 197-198) that, when discussing human rights education, refers to the break with the notion of models in different aspects:

[...] the professor as a model to be followed by the students; the process of scientific knowledge construction as a model for the constitution of teaching methodologies; the science areas as a model of the school's disciplining curricular organization; the systematic knowledge as a model of valid knowledge.



This, according to the author, is necessary so that the intercultural dialogue is not just one more conformation of the difference strategy. Another aspect pointed out by Ramos (2011, p. 198) refers to the “tendency of the prescriptive discourses” related to the curriculum, to teaching, to teacher training and we may also add, those related to the official documents which deal with the curricula guidelines such as those that evaluate students, courses and institutions.

Besides the highlighted models which constitute barriers to access and permanence in higher education, there are historical socio-cultural constructions which constitute limitations for access and permanence in the school system. As Dubet (2003) stresses well, the first production factor of inequalities, which can be considered as a condition of access, is given at birth, in regard to: gender, race and socioeconomic condition. The quoted author warns that there is a difference between the pure real equality in living conditions and the principle of equality of the individuals. “Put it in another way, the modern individuals are considered as increasingly more equal and their ‘empirical’ inequalities can neither be based on birth, not on race, nor on tradition” (DUBET, 2003, p. 24), being that the individuals may be considered fundamentally equal and in conditions of legitimately claiming equal opportunities and rights. This means that modern societies are egalitarian as they extend the right to equality in normative, legal and political terms. But, in real life, inequality is presented or constructed in individuality or in communities. At birth, inequality and equality are presented to the individual as an accomplished fact through mechanisms of belongings, such as social class, gender and ethnicity. Overcoming this precept consisted of an Enlightenment premise for modernity, but, on the contrary, in capitalism, equality and inequality continue being defined at the individual’s birth, even if these are not being institutionally legitimized, as is still done in estamental societies, in which the defining mechanisms of social condition are in charge of establishing the limits of equality with social inequality.

Another conditioning of equal access is the “cultural heritage”, according to the work of Bourdieu. In *Les Héritiers* (BOURDIEU;

PASSERON, 1985), the study results about the influence of the cultural and social heritage in the “success” or “failure” of the individual as a social construction were analyzed, with special attention to the school case. *Les Héritiers*, therefore, studies school inequality, inequality of Access to the school process, which allows the ruling classes to constitute a monopoly in the use of the school system and of seeing, through professional and social success, the confirmation of their “natural” and social gifts. Thus, the school system would be legitimizing the “success” of the individual from a collective construction process.

In Bourdieu’s *Habitus* theory (1985), the conditions of access are also contemplated. The main idea which appears in *Habitus* is associated to the thesis of the heirs. That is, *Habitus*, for the author, would be the appropriation of cognitive and evaluative schemas transmitted and incorporated in a pre-reflexive and automatic way in the family environment, since childhood, allowing the formation of social networks, also pre-reflexive and automatic, which cement solidarity and the identification on the one hand, and antipathy and prejudice on the other. In a more general way, *Habitus* would be a certain capacity of the individual, socially acquired, which allows him to play in good time and without asking if he is playing correctly, in a natural, immediate way (METER, 1994, p. 987).

Therefore, the findings of these constraints to access and permanence in higher education refers to a reflection about the true democratization of education, especially considering the rigidity of the institutional education framework, which will be discussed below.

### **From rigidity of the institutional education framework to “access for all”**

The institutional framework of education grounded in the norms, rules and values of education was historically constructed, taking as parameter to what could be entitled as a “model of civilization” or of “civility”. This “model of civilization”, which was used as a parameter in the construction

of the institutional character of higher education in Brazil, specially originated in two historical movements, which are presented synchronized and in tune with the strengthening of the dynamics of capitalist production: the historical construction of the bases of the concept of scientificity (or of rationality) and the bourgeois movement of consolidation of the ruling class. In the historical process of the consolidation of the dominant scientific thinking of today, ingredients in the formation of the scientific concept were being released, specially originated in the sciences of nature, and appropriated by the bourgeois class as mechanisms of class distinction.

Such ingredients, as the case of the notion of scientificity, evolution and homogeneity, translate the idea of “normality” and “civility”, always focusing the individual as the central element of analysis. Moreover, a rational society presupposes adopting an understanding of science from the universal parameters, refuting the possibility of the existence of different scientific truths from different social contexts.

These ingredients remain constant in the institutional framework of higher education. This is an important element when we talk about a “model of civilization”. In other words, the movement that seeks to build a society based on scientific “reason”, initially by the construction of a scientific method, provides universal parameters of science and truth, in which we find the origin of the ethnocentric conception of society.

As the “model of civilization” is based on scientific reason, the ethnocentric conception is the first ingredient to be constituted as a parameter to measure the degree of rationality of a social organization. There is a tendency in some countries, especially the ones considered developed, to adopt the understanding that their societies centralize the truth in terms of cultural costumes, social and economic development etc. These societies have difficulty of understanding as truth the cultural differences if they are not theirs. This is ethnocentrism. According to the ethnocentric concept, therefore, there is only one and universal truth, understood as the center and it is from it that attributions are instituted as right or wrong. Ethnocentrism originates precisely from scientific reason, from understanding that science is unique

and universal, that scientific truth keeps universal requirements which distinguish it as science.

With the advance of science in the domain of nature, from the experimental method, physics seems to be the first ingredient to be integrated in the process of human sciences formation. The political economy was formed in England during the Industrial Revolution and the glory of Newton, when there was a considerable influence of the positivist epistemology. From then on, major theorists from the sciences of economic development such as, Adam Smith, Walras, Pareto and Saint-Simon, wished to be a kind of Newton of the social mechanics of production and wealth consumption (GRINEVALD, 1975, p. 40).

The construction of human sciences ideas from natural sciences made that the science of man would assume typical ingredients from natural sciences. The first ingredient which comes from physics and clearly appears in the foundations of today's public policies concerns the idea which associates humanity's progress to strength and energy. In summary, Newton's thought crossed the boundaries from the natural world to the social. Thus, the theoretical precursors from the "science of human development", such as Saint Simon, Augusto Comte etc., began to associate "human progress" to the idea of movement, strength and energy.

This interpretation not only gave rise to the idea that social development is subjected to the industrial development (synonym of capitalism), but also that there is no singularity in relation to social development, it is unique and universal. Just like the industry, the driving force behind the development is not born from the same body (community, for example), but from an outside force. It is like saying that there is a center in which the ideas, called scientific, met and were born from it and they impose a homogeneous pattern from which the singularities must adapt themselves. This is like saying that communities or people that use natural production models of material and/or social life can never socially develop themselves from their own experiences, but they depend on the impulse of the force of ideas and from technologies from the outside communities. This is there as on why public policies are characterized as

non-differentialist. This means that there is the concept that someone whose behavior, social, cultural condition etc., is more truthful than another, and that needs help, who alone does not come out of stagnation. That is, every still body needs a body in movement to be driven.

Under the extent of the construction process of the natural domain of sciences, especially during the eighteenth century, the idea of movement, without the perspective of seeing the real as essentially contradictory, as taught by dialectics, but in the evolution perspective, especially originated from physics and biology, makes that it is stipulated as “normal” the individual and social behavior associated to the linear, progressive movement.

Thus, it was historically built, some assumptions which would be directly related to the educational process, focusing, for example, on the educational process under the perspective of constructing individuality, not collectivity, showing appreciation for the progressive movement and evolution as synonyms of “civility”. But, historically, this concept expands, assuming new ingredients, such as the way of living typically bourgeois. The typical bourgeois life style is seen as a parameter of “normality” of the individual and social behavior especially from a movement, which begins after the Industrial Revolution, uniting two important aspects: ingredients originated in the historical evolution of the scientific knowledge, especially the ones arising from the sciences of natural domain and the appropriation of the notion of culture as a mechanism to distinguish the bourgeois class. It was sought to build a life style based on the idea of scientific, of classical rationalism and culture. Thus, a life style was built associated with the care in behavior, clothing and ornamentation of the home, which gives the idea of success, evolution and progress. So, it is constructed the precept that BEING is associated to HAVING – idea and spirit depend on MATTER.

Brazil has, thus, adopted an educational model whose theoretical foundations have derived from two sources, with implications about higher education: classic rationalism and the bourgeois life style, making that the practice of higher education was governed by some basic principles, such as: a scientific concept of culture, institutional mechanisms of

access to culture restricted to the ruling class and minimization of diversity and adoption of the notion of temporality and evolution. Thus, up to this moment, higher education was not associated to a Brazilian political and social project, but to the “cultural” training of elites. The strong connotation about erudition regarding the contents taught in higher education at that time is a confirmation element of this argument.

### **From the rigidity of the institutional framework of the school to the emergence of the debate about the right of education for all**

In Brazil, at different historical moments, events occurred involving the social, political, productive and cultural world, which impacted on the educational policies, changing them in terms of the purposes and meanings of education, from where the debate of “education for all” or the “Right to Education” emerges. After that, it is outlined the intertwined significant events in Brazilian history with the emergence of different educational purposes and meanings expressed in the educational policies of each historical period:

#### **a) Period prior to the “Bourgeois Revolution” in Brazil: Education associated to the idea of social evolution, which uses the bourgeois culture as an educational parameter-purpose**

During the period prior to the so called “Bourgeois Revolution” in Brazil, as Florestan Fernandes (1976) calls it, which is understood as being before the 30s, education was presented as a passing mechanism of culture, taking as parameter the European bourgeois and rational model imported by the rural oligarchies. During this period, it is seen an educational model which adopted a scientific concept of culture, institutional mechanisms of access to culture restricted to the ruling class

and the minimization of diversity. Thus, in education, it was embraced the precept of homogenization, temporality and evolution, taking the bourgeois culture as parameter-purpose of the educational tasks and their meanings.

Due to the “late” “bourgeois revolution”, the initial representation of the ruling class was made up through the rural oligarchies. Probably, it was the rural oligarchies that imported the formal model of living from the European bourgeoisie expressed in the way of dressing, the practice of erudition expressed by music and art, in the social division of work between man and women etc. The rural oligarchies assumed the condition of “Europeans in Brazil”, isolating themselves from the rest of the population (establishing frequent relationships with Europe even in relation to the children’s education) and strengthening a negative and discriminatory view in relation to the Brazilian people.

**b) The focus in the preparation for a productive life based on technical knowledge**

In Brazil, with the passage from the agro-export to the urban-industrial model, around the 30s, in the last century, major events brought new perspectives for Brazil and for Brazilians and, therefore, new conceptual meanings to education. The educational purposes expressed in educational policies are altered even without altering the institutional framework described above. From the transmission of culture as a requirement of social evolution to the preparation for a productive life, emphasizing the technical knowledge as a parameter of the educational objectives.

The State began to present itself as the central organizer of educational issues in Brazil. The presence of the State as the central organizer of educational issues is already evident with the creation of the Ministry of Education and Health, as well as, in

1934, with the promulgation of the Constitution establishing the need for a National Plan of Education, and the mandatory gratuity of elementary school. The new focus of education, as a public policy and turned to a productive world, presented itself, for example, with the reform of secondary school by Francisco Campos — Minister of Education and Health in 1931 — and later its expansion during the management of Gustavo Capanema.

**c) Education in the context of plurality of knowledge, cultural and ethnic traces and the advent of the precept of the Right to Education and the “education for all”**

Especially in the last two decades of the 21st century, Brazil is, gradually, inserted in a global dynamics. New social processes derived from this dynamics, leading to substantial changes which involve the community, determining the appearance of new social practices, new knowledge and new learning, giving origin to a new meaning to the concept of citizenship and the emergence of the debate about the differences, social inequalities in education and the precept of the Right to Education. It is a debate originated from a contradictory dynamic between the construction of a homogenization process (of culture, of consumer habits and social practices) pleaded by the project of global capitalism and the search for the valorization of the singular and the different.

But, as Tavares dos Santos (1999, p. 19) analyses, at the same time that this expansion process of global economic relationships consists of an integration process through the homogenization of cultural habits and of skills for work, it causes another force in society, that which brings tension, inequalities and social exclusion. Every social homogenization process causes disintegration as it requires acquisition of new knowledge, new skills for work etc.

It is in this context of the emergence of new social processes, the construction of homogeneity and integration, that, in a contradictory way,



it is produced disintegration, differentiation and the exclusion and the right to education. This debate, which is initially presented to the social world, it is presented outlining the direction of the educational policies in Brazil.

### Final considerations

The reflection made throughout this text indicates, therefore, that although different events which marked the Brazilian society history, involving the political, economical and cultural world, in the scope of which originates the precept of the Right of Education and “education for all”, thus creating the need for increased access to higher education to the inequalities in terms of social, ethnic and physical conditions, the practice of this premise finds barriers in its own values and rules which govern the institutionalization of education.

That is, these different events, in different historical moments, contribute with feature significant changes of higher education policies in relation to its purposes and conceptual meanings. One of these significant changes was precisely the construction of legal and social devices aggregating to the educational policies the provision of access for all. But, on the other hand, the institutional framework (rules, norms, values etc.) which governs the making of higher education has remained unaltered, with visible benefits to the dominant sectors of society. Thus, the permanence of strong tonic in the institutional framework of Brazilian higher education, such as the idea of evolution, merit and homogeneity, continues creating access restrictions in the academic world of the social differences and the true fulfillment of the premise of the right to education.

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