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The right to education in Brazil and meritocracy as one of the impediments to its guarantee

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SUMMARY

This article aims to analyze the alternatives and challenges for realizing the right to education, critically examining the obstacles imposed by an unequal social context, with a focus on meritocracy. It suggests that education, as a right, be investigated as a formally recognized right, as a proclaimed right, and as a right effectively experienced. By recognizing the prevalence of meritocratic ideology in current educational policies, the text concludes that we are experiencing a transition from a democratic pedagogy, never fully realized, to a pedagogy of a meritocratic and exclusionary nature. Meritocracy is seen, in the context of education as an effective right, as one of the main obstacles faced, capable of generating new forms of inequality and causing significant erosion of democracy and democratic pedagogy in the educational field.

Keywords: Right to education, Meritocracy, Social inequality

ABSTRACT

This article aims to analyze the alternatives and challenges involved in realizing the right to education, critically examining the barriers imposed by a socially unequal context, with a particular focus on meritocracy. It proposes that education, as a right, should be examined through three dimensions: as a formally recognized right, as a proclaimed right, and as a right effectively experienced. By recognizing the predominance of meritocratic ideology in current educational policies, the text concludes that we are undergoing a shift from a democratic pedagogy — never fully achieved — to one characterized by meritocracy and exclusion. Within the framework of education as a right in practice, meritocracy is identified as one of the primary obstacles, capable of generating new forms of inequality and significantly undermining both democracy and democratic pedagogy in the educational sphere.

Keywords: Right to education, Meritocracy, Social inequality

1 Introduction

Education, recognized as a fundamental right, faces significant challenges in its implementation, especially in societies marked by profound social inequalities. This article proposes a critical analysis of the alternatives and obstacles to the realization of the right to education, with special attention to the role of meritocracy in educational policies contemporary. From this perspective, we seek to understand education not only

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as a formally recognized right, but also as a proclaimed right and, above all, experienced in everyday practice. When investigating the growing influence of ideology meritocratic, it is argued that we are facing a worrying transition: from the attempt to implementation of a democratic pedagogy, which has not even been fully implemented, for a pedagogy of a meritocratic and exclusionary nature. In this scenario, meritocracy is identified as one of the main obstacles to the realization of the right to education, contributing to the reproduction of inequalities and the weakening of both democracy and inclusive pedagogical principles.

2 The Right to Education

It is essential to highlight that education is an essential human right, universally recognized and the guarantee of which constitutes a non-transferable duty of the State. Such state responsibility implies the obligation to provide the necessary conditions so that this right may be fully exercised by all. The Universal Declaration of Human Rights Humans enshrines education as an inalienable right, sustained by the intrinsic value of dignity of the human person — the central normative axis of this document. Likewise, this right is supported by a large part of international legal systems, being provided for, in the Brazilian context, in article 206 of the Federal Constitution of 1988 (Constitution Federal, 1988).

As established in the Universal Declaration of Human Rights, approved in 1948 under the aegis of the United Nations (UN), the signatory States assume the commitment to ensure the full realization of this right to the entire population, until its universalization is achieved. This reaffirms the principle that a universal right must contemplate all people, which, although it seems evident, needs to be reiterated in the face of obstacles faced by public educational policies, both in Brazil and in other nations.

Several circumstances justify this need for reaffirmation, among them, the policies based on meritocratic logic, which, by their very nature, tend to reinforce processes of exclusion, in addition to everyday obstacles that make full access to education impossible for certain social groups. The persistence of repressed demands and deficiencies structural issues impose the urgency of expanding the debate around the implementation of this right.

Additionally, the articulation between the subjective public right to education and its mandatory nature raises relevant discussions about the limits of family autonomy in conducting the schooling processes of new generations, as well as the obstacles that still hinder access for historically marginalized populations. Among the segments most affected by different forms of exclusion, people in refugee situations stand out, migrants, a significant contingent of women in different regions of the planet, in addition to individuals discriminated against on the basis of disability, sexual orientation or gender identity.

That said, although the right to education — especially basic education — is widely ensured both in national legislation and in treaties and conventions international, its legal positivization, despite being significant, is limited in terms practical. As Cury (2002) observes, "there is almost no country in the world that does not establish, in its normative frameworks, the right of its citizens to access basic education", understood as a fundamental component of the exercise of citizenship. However, the right to education, as a human prerogative, goes beyond the limits of formal normativity, requiring a concrete commitment to social justice and the effective materialization of this right in everyday reality (Sen, 2009).

Throughout history, mobilizations in defense of education as a fundamental right focused primarily on expanding access, often leaving aside in the background the dimensions related to permanence in the education system and the guarantee of academic success. At the same time, such claims were subject to the limitations imposed by discourses of a normative and rhetorical nature, which tend to restrict rights humans to their legal formalization. Therefore, there is an incongruity between the recognition legal framework of the right to education and the persistent lack of its implementation in practice.

The affirmation of the right to education must necessarily be linked to its realization in terms of social and pedagogical quality, since education is a capacity – both individual and collective – aimed at promoting well-being, expanding autonomy and conquest of freedom, in the face of inequalities considered morally unacceptable (Sen, 2009). This approach values not only the knowledge acquired or the contents assimilated by individuals, but, above all, the effective possibility of carry out significant actions, guided by free choices and consistent with their own principles and aspirations.

Although the conception of education as a human right represents an essential milestone, it is not enough in itself. It is essential that historically acquired rights

— often the result of intense social mobilizations and political disputes — come to fruition beyond legal norms, assuming practical existence in the daily lives of subjects. In this perspective, there is a rapprochement between the "right to education" and "education as capacity", aligning with Sen's theoretical framework, as a way of promoting a critique to the reductionist conception of education understood solely as "human capital" (Robeyns, 2006). This instrumental approach, which gained strength from the 1960s onwards, resurfaces with vigor in contemporary educational policies guided by logics of performance, skills and productive efficiency.

This paradigm of a technocratic and rationalist nature requires critical analysis, especially due to the central position it has come to occupy in contemporary educational guidelines, manifesting itself at multiple levels — from international agencies such as the OECD, UNESCO, the World Bank and the European Union, to national, subnational state bodies and municipal, in addition to being reflected in institutional dynamics and pedagogical practices. Such configuration operates as a regulation and control mechanism within the scope of governance global educational.

It is therefore clear that the right to education, as established in the Universal Declaration of Human Rights, has been progressively reinterpreted by approaches of a meritocratic. In the context of certain educational policy formulations, this right has acquired a predominantly utilitarian and operational configuration — centered on elimination of the so-called "waste" of human capital, in correcting gaps in skills, in preparing a specialized workforce to meet the demands of the market and in expanding the selection contingent for the ruling classes. Such justifications, by emphasizing immediate and pragmatic goals, tend to neglect the emancipatory dimension of education as a human and social right, whose effectiveness presupposes the recognition and appreciation of subjects as active agents and reality transformers.

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The realization of the right to education faces a series of complex and multifaceted, especially because, although this right is widely recognized as indisputable, its concrete realization requires overcoming pedagogical models based on selective and exclusionary conceptions. Given this scenario, it becomes imperative to outline a

educational project based on principles of democratization, cultural diversity, pluralism and inclusion, understanding education as an integral human right — which should not be subordinated to utilitarian approaches centered on the formation and management of resources humans.

From this perspective, expanding access to the educational system, although it is a condition essential, it is inadequate when not articulated with concrete processes of democratization of the dynamics that make up the entire educational structure — including the institutional configuration, the program contents, the teaching practices, the mechanisms of evaluation and the meanings socially attributed to the act of schooling. This need extends to both formal educational institutions and the various spaces of non-formal education. institutionalized.

The effective democratization of education necessarily requires the implementation of policies articulated public institutions committed to promoting social justice in multiple dimensions — such as the areas of economy, labor relations, health, housing and social security. In the absence of intersectoral initiatives to address these inequalities, the widely proclaimed "equality of opportunity" is reduced to a formal principle and empty of content, unable to respond to the structural asymmetries that condition the points departure of the different social groups.

This structural inequality, instead of being attenuated, has been deliberately exploited, mainly by the new middle classes, as evidenced in the studies of Stephen Ball (2002). These groups have used cultural, social and financial resources to expand their advantages in the educational field and maintain their practices of social distinction. One of the key mechanisms of this process is the increase in "positional competition", which aims to ensure privileged positions for their descendants within the educational system (Ball, 2002).

As a result, there is growing resistance from these groups to policies that seek to democratization of access to education, including the adoption of more pedagogical approaches inclusive and the implementation of redistributive social policies. Such resistance manifests itself in opposition to actions such as affirmative policies, initiatives to combat discrimination and strategies aimed at ensuring the entry, permanence and academic success of groups traditionally marginalized.

3 Meritocracy



When analyzing the term "meritocracy" in a Portuguese language dictionary, we find definitions such as: "Predominance of those who have merits; predominance of people who are more competent, efficient, hard-working or intellectually superior in a company, group, society, work, etc." (DICIO, 2025). This definition shows that the notion of meritocracy is totally linked to individual qualities and personal performance as criteria for achieving certain objectives. In this sense, an alliance is established between merit, justice and deservingness, according to which individual effort would be the element main factor that determines the achievement of recognition and rewards.

In the Western tradition, this meritocratic conception is often linked to the idea of social justice. It is assumed that economic success is a direct reflection of personal commitment, so that wealthy individuals would be wealthy because they had dedicated themselves more. The meritocratic ideology, therefore, disseminates the false idea that merit is exclusively individual and that material prosperity is a legitimate and deserved consequence of this effort.

By investigating the ethical and cognitive foundations that make up Western civilization, Koga (2013) highlights that nations subjected to European rule, such as Brazil, were structured based on ideological guidelines derived from both the Christian tradition and the premises of liberal thought. The author argues that the exaltation of personal commitment and of self-denial as legitimate paths to achieving both spiritual redemption and material success has become a dominant paradigm in the economic, political and educational. This ideological configuration can also be observed in the writings of John Locke (1632–1704), as analyzed by Chaui (2003), who highlights how the notion of private property was justified through the intersection of theological foundations and economic justifications. Within this liberal conception, it is assumed that God created all individuals with ontological equality and assigned them the task of working to obtain their means of subsistence. In this way, financial failure is interpreted as result of the lack of dedication or indolence, promoting a moralizing reading of the success that makes individuals in poverty responsible for their social condition.

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Koga (2013) deepens his reflection by highlighting how the conception that prosperity material arises exclusively from personal merit was progressively incorporated into different social domains, consolidating a discourse that naturalizes and legitimizes disparities socioeconomic. In this scenario, an intrinsic association is established between renunciation personal and success, in which individual effort is praised as an essential value. In this same

line, Cunha (1979) contributes by pointing out that liberal ideology repudiates any form of hereditary advantage, promoting diligent work and individual abilities as fair foundations for social mobility. Thus, the notion is consolidated that any subject, regardless of his social origin, is potentially capable of accumulating goods and capital. This type of narrative gives private property an almost sacralized status, supported by justifications of both an economic nature and ethical principles. religious.

According to Koga (2013), the current educational model perpetuates principles such as competitiveness, the attribution of individual responsibility for results and the imputation of blame in cases of failure. In this sense, meritocracy in the field of education is configured if as a historically constructed rationality that continues to exert influence significant in school practices. From a neoliberal perspective, the current worker becomes recognized as a protagonist in the production system, responsible for managing and responding for their own successful trajectory. Thus, Koga (2013) observes that the new models organizational structures assign the worker the role of coordinator of production mechanisms, reinforcing the concept of an autonomous individual, capable of achieving personal achievements through the use of knowledge and collaboration with capital. Such a narrative values the commitment subjective and the ability to overcome obstacles as fundamental skills to be assimilated and exercised continuously.

Koga (2013) argues that the support of the current economic model is closely linked to meritocratic rationality, which, by fostering the depoliticization and alienation of working class, makes it difficult to question the structures of power and domination. In this same debate, the notion of merit occupies a privileged place within thought republican, being associated with principles such as individual freedom, democratization of access to education and social cohesion, but also serving as a mechanism for legitimizing bourgeois ideology (Dubet, 2008). In the school context, assessment systems based on performance have always functioned as tools for differentiation and ordering between students, a practice exemplified by mechanisms such as the public disclosure of results academics.

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Thus, the application of the meritocratic principle in education should not be understood as expression of justice nor be normalized in the daily lives of students, since

intensifies the mechanisms of social exclusion and conceals the structural determinants that affect academic performance.

4 Meritocracy as an obstacle to guaranteeing the right to education

There are multiple and significant obstacles to the realization of education as a right effectively exercised, even in established democratic contexts. Many of these impediments are rooted in factors of a political, economic and social nature. Thus, In this way, we experience the paradox of a broad expansion of access to education without, however, ensure the full realization of the right to education, that is, a "universalization without rights" (Gentili, 2009).

In the Latin American context, the structural factors that condition this stand out: reality the persistent poverty, social inequalities, educational fragmentation and predominance of an economistic and privatist view of education. Although these elements have local characteristics, they are widely disseminated and directly related to the so-called global education reform, which is based on the principles of a network governance of a neoliberal and managerialist nature. This logic connects to a approach to education devoid of a political perspective, which ignores the history of ideas pedagogical, the disputes between different theoretical approaches and the philosophical and anthropological (Lima, 2019). It is, therefore, a pedagogy marked by a consensus post-critical that disables dissent and restricts deep pedagogical reflection.

This pedagogical approach, as an ideological tool, acts through mechanisms of convincing and persuasion, encouraging competition and individualism, at the same time time in which it favors the commercialization of the educational sector. Privatization, in its sense broader, emerges as a guiding principle of educational reforms, based on models of "good practices" from corporate management. Additionally, the emphasis on technical-professional education, to the detriment of humanistic and integral training, and the devaluation of democratic and participatory management in educational institutions, which is replaced by technocratic and charismatic leadership.

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Furthermore, there is a growing tendency towards excessive quantification of processes.

educational, supported by a positivist logic that aims to measure and prioritize all aspects
of education based on standardized parameters. In this scenario, the concept of meritocracy

undergoes a reinterpretation, that is, it ceases to be an object of dystopian criticism and becomes presented as an essential and desirable normative value for educational governance.

In this meritocratic context, deeply influenced by logics of standardization and lack of sensitivity to differences, evaluation mechanisms play a role of highlight, so that any contemporary pedagogical proposal — which is yet to be developed, but is urgently needed to address the dehumanizing realities, must start with a significant break with current assessment methods, since These are fundamental to maintaining the competitive logic that permeates the entire system. educational.

In this sense, Afonso (2009) suggests the creation of truly democratic models of responsibility in education, which integrate assessment, accountability and responsibility, without limiting themselves to the punitive logic of exacerbated competition. This meritocratic rationality, widely disseminated by philanthropic speeches that promote privatization, hides the fact that competition, as Adorno (2000) observes, goes against the very concept of education as a human practice. The academic results, although significant, are only by-products of the educational experience and should not prevail over the commitment to good common, solidarity and cooperation — principles that form the basis of an education truly democratic.

Therefore, there is an urgent need to drastically reduce the idea of competitiveness in today's society, which is marked by various forms of conflict and domination, a task for which an education that does not submit to the demands of global capitalism is essential. In However, such proposals appear to have been neglected, including within the sector itself. educational, which is currently in a context of tension between forces seeking promote democratization and those who insist on the reintroduction of meritocracy in education systems.

This tension is reflected in multiple contradictions: between the sociocultural diversity of students and the homogenization of assessments; between the pedagogical autonomy of teachers and control exercised remotely by political authorities; between the discourse of integral training and the instrumentalization of education as a means of producing human capital; between language inclusive and the practice of exclusion disguised in new forms. Gentili (2009) describes this dynamics as an "inclusive exclusion", a process in which the structures of exclusion

educational processes adapt and remain within institutional processes that, at first glance, appear to promote inclusion.

In general terms, we are currently experiencing a period of transition between an educational model anchored in democratic foundations — although never fully implemented — and a exclusionary pedagogical configuration, driven by new demands oriented towards the logic of efficiency and high performance. This reconfiguration culminates in the affirmation of a paradigm educational system that prioritizes entrepreneurship, personal merit, competitive selection and stratification of individuals, which can lead to dehumanizing consequences and, in certain circumstances, processes of subjective alienation. In this context, we observe a almost hegemonic assimilation, by institutional bodies and political discourses on education, with a renewed and apparently neutral vocabulary: expressions such as excellence, quality, successful practices, empirical basis, skills, certifications, management of talents, productivity, competitiveness, insertion in the job market and spirit business become ubiquitous. Such notions, often lacking in consistency theoretical and originating from areas external to pedagogical knowledge, demonstrate the rise of a logic technocratic and post-educational, which tends to break with humanist principles and democratic historically associated with the educational project.

In this scenario, the phenomenon of identity schooling, understood as the imposition of a uniform institutional identity for subjects of different age groups engaged in processes formative, operates as a regulatory standardization instrument, which supports practices of comparative measurement, classificatory ordering and social segmentation in the field educational. It starts from the mistaken premise that structural variables such as class socioeconomic, ethnic-racial origin, gender identity or cultural capital would cease to focus on the appreciation of attributes such as individual dedication, cognitive ability or talent. Thus, a panorama is consolidated in which meritocratic narratives acquire growing centrality in public educational discourse, establishing a rationality based on by metrics, quantification and exacerbated competition, which are elements that configure substantial obstacles to the implementation of education as a universal and inalienable right.

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The consolidation of this meritocratic logic has been intensified by institutional narratives officials and, worryingly, has gained some support among teachers and other agents educational, possibly by suggesting the recovery of their professional authority and their regulatory capacity through the revaluation of conventional evaluation devices,

especially those of a summative nature. However, such measurement methods reach also the educators themselves, subjecting them to control, monitoring and accountability. In this rationality, all participants in the educational process, when formally classified as students or subjects in training, would occupy a isonomic institutional position, presumably having the same conditions to obtain high performances, which, once achieved, would be rewarded and converted into exemplary models to be replicated.

This configuration, however, disregards the structural disparities that compromise the legitimacy of the meritocratic principle in the educational field. The logic of merit is based on a mistaken assumption of equality of initial conditions between subjects, hiding the the fact that the ideal of meritocracy already begins in a profoundly unequal scenario. In this perspective, equity is weakened from the first moments of the training path, converting the meritocratic discourse itself into an obstacle to the promotion of social justice and effective democratization of educational opportunities.

By neglecting the existence of socioeconomic stratifications, it becomes possible to focus on the educational subject in isolation, whether student, learner or participant in processes formative, as if their social condition could be dissociated from their school trajectory by through a supposed full equality of opportunities (Radnor; Koshy; Taylor, 2007). Such conception, of an essentially formalist nature, then begins to function as a mechanism of legitimization of school failure, naturalizing the occupation of subordinate positions in the structure social. In this arrangement, successful individuals tend to attribute their results solely on their own merit, while those who do not succeed often internalize responsibility for failure, assuming it as a reflection of their limitations personal in the face of a supposed starting equality, a process that, ultimately, contributes to the consolidation of a radical inequality in results.

The meritocratic conception is based on the existence of demerit and the idea that recognition is reserved for exceptional cases. Thus, every form of appreciation presupposes, in return, the exclusion or even penalization of those who do not meet the criteria established. In its most pronounced expression, the notion of excellence is dissociated deeply from common experience and, above all, from what is labeled as mediocre. The meritocratic rationality is based on the belief that it would be legitimate to evaluate and to rank individuals based on their performance, based on the assumption that a

initial equitable condition would have already been assured, which characterizes a "functional fiction", (Dubet, 2008), which would allow the validation of the so-called justice based on merit. However, this theoretical construction does not offer concrete criteria to guarantee, in advance, a real equality of opportunities, nor does it explicitly address the obstacles of a democratic nature, educational and pedagogical that compromise the materialization of this principle.

Nowadays, meritocratic logic constitutes one of the predominant ideological foundations in reform initiatives linked to New Public Management, as well as in approaches contemporary New Governance movements, exerting significant influence on the dynamics of educational systems, the configuration of school institutions and the operating practices of teachers and students. These effects materialize, among other ways, through evaluation systems based on performance metrics, the intensification of competition between schools, networks and education systems, and the incorporation of organizational structures and school leadership guided by productivity indicators. The exaltation of merit personal and individual commitment necessary to achieve it is intrinsically related to adoption of management methods inspired by business models. In this context, the emergence of a global governance logic centered on the valorization of talent, compatible with the growing influence of neoliberal ideology in public education policies. What is observes, therefore, is the consolidation of a new form of meritocracy with scope transnational, which goes beyond the boundaries of traditional meritocratic nationalism.

In the 1970s, Daniel Bell revived the concept of meritocracy in a context of increasing appreciation of technical skills, linking it to strategic capital management human, to the leadership exercised by highly qualified elites and to the consecration of a cognitive hierarchy. According to the author, post-industrial society would represent "the consequence logic of meritocracy", that is, the consolidation of a new social structure based on centrality of specialized talent (Bell, 1972). In his perspective, such an arrangement meritocratic would be intrinsically legitimate and would constitute a new model of stratification social, based on the emergence of an authority based on merit.

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From this perspective, meritocracy would be compatible with both distributive justice and market mechanisms, as long as they operated in institutional contexts guided by egalitarian parameters.

It is pertinent to ask what the institutional design of a school would be that could, in in fact, be considered equitable: it would be an institution that exclusively adopts the meritocratic logic, promoting educational competition between deeply unequal in social and individual terms, inserted in a structure marked by asymmetries persistent, which also reveals a limited capacity to mitigate such inequalities (Dubet, 2008). It is precisely at this point that the rigidity of the meritocratic model becomes evident: individuals who do not achieve success cease to be understood as victims of exclusion or structural injustice and are held accountable for their insufficient performance, under the argument that they did not know how to take advantage of learning opportunities available. In this context, it is concluded that in a society where merit is erected as a central normative value, individual performance becomes the only legitimizing criterion of inequalities, even though such a system ends up producing a much larger number of excluded than successful. In this scenario, everyone finds themselves subjected to principle of meritocracy, that is, the idea that education would function as a mechanism of social mobility.

The meritocratic conception emerges as a set of ideals that favors, predominantly the most privileged social and educational groups, although it is also embraced by less favored segments, who perceive it as a promise of social mobility or as an explanation for their insertion in an unequal system. Thus, the legitimization of social inequalities is reinforced and the reproductive function of the school is reaffirmed. In a context where merit becomes a guiding principle, with practices inspired by world of elite sports and training methods applied outside educational institutions public, it is no longer enough to be good — you need to appear to be excellent and, furthermore, demonstrate it in a public form, using varied and repeated strategies, which, until recently, would have been seen as excessive and exhibitionist. However, nowadays, these actions are considered indispensable, given the new social demands that require the validation of merit academic, which is a reality observed in statements from school managers analyzed in another study (Lima, 2017).

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New models of educational distinction thus emerge, often centered on academic performance, although there are some peripheral references to other criteria of recognition, such as ethical values or collective practices, which, however, are rarely materialize in concrete actions. This trend accentuates the logic of competition and the search

relentless pursuit of results, often described as a results-oriented approach performance. Such practices are guided by the "imperative to stand out", based on not only in the individual actions of the students, but also in the living conditions, in the financial capabilities and family sociocultural capital — factors that go beyond the limits physical aspects of the school institution (Gentili, 2009). On the other hand, family practices that are seen as lacking educational value, culturally impoverished or morally questionable, according to the standards of the middle and upper classes, are generally evaluated based on criteria that ignore social structure and the concepts of class and social position. This results in strategies of indirect exclusion, symbolic distancing or, alternatively, in imposing a re-education of parents, adjusted to school performance goals and to logic of excellence, relegating them to the role of assistants to education professionals, of a way that reinforces the naturalization of inequalities and the role of the family.

In addition to school contexts and conventional pedagogical processes, there is a expansion of the pedagogization of everyday life, where the search for skills in the so-called "knowledge economy" and technological innovation reinforces the meritocratic ideology and the obsession with not wasting "potentials". This whole phenomenon occurs, including, in a contradictory scenario, in which social mobility through education faces obstacles increasing and sometimes appears to be receding. Although there is an increase in the number of young people and children from working-class backgrounds with access to higher levels of schooling and being considered more prepared, the top of the social pyramid does not expand proportionally. The precariousness of labor relations, structural unemployment and the logic of uberization coexist perfectly with discourses on entrepreneurship, vocationalism and technical qualification. Yet, these resources, when combined, do not ensure that individuals can meet the increasing demands placed on this new model, constantly threatened with being discarded, considered irrelevant.

5 Conclusion

The implementation of education as a lived right presupposes facing the profound inequalities that condition it, including, centrally, the educational system itself, historically structured under meritocratic logic and widely socially naturalized, which favors the perpetuation of the disparities that mark the initial conditions of individuals. These inequalities often emerge from the transformation of differences legitimate in structural inequalities. Promote an education guided by principles

democratic, equitable and socially just requires breaking with pedagogical practices and evaluative measures centered on meritocracy, elitist selectivity and subordination to imperatives of economic competitiveness and the exclusive valorization of utilitarian skills.

The task of recognizing and valuing diversity in the educational field becomes even more complex in scenarios dominated by technocratic logic, normative standardizations and selective mechanisms, which often convert pluralities into hierarchies and legitimize merit as a criterion for regulating inequalities. In view of this, the need arises urgent need to reinvent democratic pedagogy and revitalize democratic ideals, including in school structures, in the face of the advancement of global management models that tend to dispense citizen participation, replacing it with minimalist protocols and merely procedural.

In the absence of this critical reconstruction, the debate on educational management, training teacher, curricular content and evaluation processes tend to be reduced to questions of a technical nature, devoid of values, politics and collective engagement — increasingly more instrumentalized by speeches on digital innovation, efficient governance and leadership entrepreneurs. This logic, in its most extreme form, can compromise not only the survival of pedagogy as a critical field, but also the concrete possibilities of a democratic education based on dialogue, citizen autonomy and active participation in institutional decisions.

In view of this scenario, a sociopolitical and educational critique is required which, although incapable of provoke immediate or isolated changes, can reveal the limits of fragmented solutions and of supposedly inclusive policies, often marked by approaches stigmatizing and a rhetoric of the right to education that only reinforces segmentation social. This criticism also allows us to reaffirm that education cannot be reduced to a process of preparing for the future, but must be conceived as an integral dimension of present life. In contrast to models that seek to maintain, in a conformist way, a unequal order, it is about defending a fair education in and for a world that needs to be transformed.

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References

ADORNO, TW Education and emancipation. Rio de Janeiro: Peace and Land, 2000.

AFONSO, AJ Not everything that counts in education is measurable or comparable. Criticism of accountability based on standardized tests and school rankings. Lusófona Journal of Education, Lisbon, v. 13, n. 13, p. 13-29, 2009.

BALL, SJ Class strategies and the education market. The middle classes and social advantage. London: RoutledgeFalmer, 2002. https://doi.org/10.4324/9780203218952

BELL, D. On meritocracy and equality. The Public Interest, no. 29, p. 29-68, 1972.

BOBBIO, Norberto. The Age of Rights. Rio de Janeiro: Campus, 1992.

BRAZIL. Constitution (1988). Constitution of the Federative Republic of Brazil. Brasília, DF: Senate, 1988.

CHAUI, Marilena. The public university from a new perspective. Brazilian Journal of Education, Rio de Janeiro, n. 24, p. 5-15, Dec. 2003. Available at: https://www.scielo.br/j/rbedu/a/n5nc4mHY9N9vQpn4tM5hXzj/? format=pdf&lang=pt.

Accessed on: May 1, 2025.

CUNHA, Luis A. Education and social development in Brazil. 4th ed. Rio de Janeiro: Francisco Alves, 1979.

CURY, CRJ Right to education: right to equality, right to difference. Research Notebooks, São Paulo, n. 116, p. 245-262, 2002. https://doi.org/10.1590/S0100-15742002000200010

DUBET, François. What is a fair school? The school of opportunities. Translated by Ione Ribeiro Valle. São Paulo: Editora Cortez, 2008.

GENTILI, P. The right to education and the dynamics of exclusion in Latin America. Education & Society, Campinas, v. 30, n. 109. p. 1059-1079, 2009. https://doi.org/10.1590/S0101-73302009000400007

KOGA, Yáscara. Meritocracy and teaching: a multifaceted object. 2013. Thesis (PhD in Education: History, Politics, Society) – Postgraduate Studies Program in Education: History, Politics, Society, Pontifical Catholic University of São Paulo, São Paulo, 2013.

LEE, SE Education as a human right in the 21st Century. Democracy & Education, Portland, v. 21, no. 1, p. 1-9, 2013.

LIMA, LC A pedagogy against the other? Competitiveness and emulation. Education & Society, Campinas, v. 40, p. 1-18, 2019. https://doi.org/10.1590/es0101-73302019218952



MORAES, Alexandre de. Constitutional Law. 28th ed. São Paulo: Atlas, 2012.

RADNOR, H.; KOSHY, V.; TAYLOR, A. Gifts, talents and meritocracy. Journal of Education Policy, vol. 22,n. 3, p. 283-199, 2007. https://doi.org/10.1080/02680930701269186

ROBEYNS, I. Three models of education. Rights, capabilities and human capital. Theory and Research in Education, vol. 4, no. 1, p. 69-84, 2006. https://doi.org/10.1177/1477878506060683

RUMMERT, Sonia. Education and identity of workers: the conceptions of capital and labor. São Paulo: Xamã; Niterói: Intertexto, 2000.

SEN, A. The idea of justice. https://doi.org/ London: Allen Lane, 2009. 10.4159/9780674054578

TAVARES, André Ramos. Course in constitutional law. 10th ed. rev. and updated. São Paulo, Saraiva, 2012.