

**NATIONAL EVALUATIONS IN LARGE SCALE, STATE CONTROL AND
FREEDOM OF PROFESSORSHIP**

***AVALIAÇÕES NACIONAIS EM LARGA ESCALA, CONTROLE ESTATAL E
LIBERDADE DE CÁTEDRA***

***EVALUACIONES NACIONALES A GRAN ESCALA, CONTROL ESTATAL Y
LIBERTAD DE CÁTEDRA***

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ABSTRACT: This article proposes to analyze the pedagogical effects of large-scale academic evaluations in Brazil today and their legal representation on the freedom of professorship of the subjects involved, dialoguing with authors involved with the themes. Large-scale assessments are pedagogical instruments used in the teaching-learning process as references that guide their desired results. These instruments are useful for guiding the actors involved in pedagogical issues, seeking to improve the quality of these processes, in favor of the formation of autonomous and capable individuals for the exercise of their full citizenship. However, in the current national state formats, the respective instruments conduct this process in a manner aimed at serving diverse interests, making use of its concatenated projection on the spaces of autonomy. In this sense, it is also proposed the reflection on this restriction, that in practice violates the constitutional norms that ensure the freedom of teaching of the subjects involved in Education, reducing their dimensions of will and availability necessary to the democratic and social ideas provided for in the Brazilian Magna Carta. Overlapping the historical and philosophical pedagogical context with the experiences reported on this format perspective, the text proposes the legalistic treatment of the conjuncture.

KEYWORDS: Large-scale evaluations. Freedom of professorship. Unconstitutionality.

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RESUMO: Este artigo propõe analisar os efeitos pedagógicos das avaliações acadêmicas em larga escala no Brasil atual e a sua representação jurídica sobre a liberdade de cátedra dos sujeitos envolvidos, dialogando com autores envolvidos com as temáticas. As avaliações em larga escala são instrumentos pedagógicos utilizados no processo de ensino-aprendizagem como referências que balizam os seus resultados almejados. Esses instrumentos se prestam para o norteamento dos atores envolvidos nas questões pedagógicas, buscando a melhoria da qualidade desses processos, em prol da formação de indivíduos autônomos e capazes para o exercício de sua cidadania plena. Contudo, nos atuais formatos estatais nacionais, os respectivos instrumentos conduzem este processo de maneira direcionada a atender interesses diversos, valendo-se de sua projeção concatenada sobre os espaços de autonomia. Nesse sentido, propõe-se também a reflexão de que este cerceamento, em prática, infringe as normas constitucionais que asseguram a liberdade de cátedra dos sujeitos envolvidos na Educação, reduzindo as suas dimensões de vontade e de disponibilidade necessárias ao ideário democrático e social previstos na Carta Magna Brasileira. Imbricando o contexto histórico e filosófico pedagógico com as experiências relatadas sobre essa perspectiva de formato, o texto propõe o tratamento legalista da conjuntura.

PALAVRAS-CHAVE: Avaliações em larga escala. Liberdade de cátedra. Inconstitucionalidade.

RESUMEN: Este artículo propone analizar los efectos pedagógicos de las evaluaciones académicas a gran escala en Brasil hoy y su representación legal sobre la libertad de profesión de los sujetos involucrados, dialogando con los autores involucrados en los temas. Las evaluaciones a gran escala son instrumentos pedagógicos que se utilizan en el proceso de enseñanza-aprendizaje como referentes que orientan los resultados deseados. Estos instrumentos son útiles para orientar a los actores involucrados en temas pedagógicos, buscando mejorar la calidad de estos procesos, en favor de la formación de individuos autónomos y capaces para el ejercicio de su plena ciudadanía. Sin embargo, en los actuales formatos del Estado nacional, los respectivos instrumentos conducen este proceso de manera orientada al servicio de diversos intereses, haciendo uso de su proyección concatenada en los espacios de autonomía. En este sentido, también se propone la reflexión de que esta restricción, en la práctica, viola las normas constitucionales que aseguran la libertad de cátedra de los sujetos involucrados en Educación, reduciendo sus dimensiones de voluntad y disponibilidad necesarias al ideal democrático y social previsto para la Educación. en la Carta Magna de Brasil. Traslapando el contexto pedagógico histórico y filosófico con las experiencias relatadas en esta perspectiva de formato, el texto propone el tratamiento legalista de la coyuntura.

PALABRAS CLAVE: Evaluaciones a gran escala. Libertad de cátedra. Inconstitucionalidad.

Introduction

Within the scope of national education, there has been an appreciation of quality measurement instruments mainly through assessments applied to large contingents of

the school population, whose organized results have been considered as reliable in relation to the various educational elements (BAUER; ALAVARSE; OLIVEIRA, 2015). The constant gauging of academic performance that touches the teaching-learning environment seems to be a worrying reality.

As a result of large-scale evaluations, quantitative data are produced and interpreted by the media of public opinion, often as unquestionable and faithfully interpretative truths of educational systems.

Observing the question, Esquinsani and Dametto (2016) demonstrate that from the evaluations, graphic and textual documents, comments and public opinions are produced that mark the subjects targeted by these researches, be they managers, teachers or students. These opinions, almost always, propose new behaviors, objectives and priorities. They reinforce some practices, but boycott others.

As subsidies are established in favor of the results obtained by students in these assessments and, due to the uniform and ranked way in which they are treated, an adverse effect can be experienced when the desired results are not achieved. The teacher is divided between his functional mission for the holistic education of individuals and his demands for results in these assessments. The student loses the opportunity and the space to develop questions and the content not covered in the context of the evaluations.

These actors of Education, legally supported, have a constitutional right to the freedom of professorship, which will be clarified later in this text, but which, beforehand, as indicated, has been curtailed by the normative imposition of these national evaluation regimes and systems.

This constraint, in addition to stealing the pedagogical philosophy of its essence, may be preventing or restricting the fullness of actions in the teaching-learning process, mainly related to the legal provisions expressed by the Federal Constitution of 1988 and the Law of Directives and Bases of National Education (Law no. 9,394/96) (BRASIL, 1998). In this sense, this article aims to analyze the pedagogical effects of large-scale academic evaluations in Brazil today and their legal representation on the freedom of professorship of the subjects involved.

Large-scale evaluations in Brazil

The teaching-learning process requires continuous reflection on its objectives, and along this path are the development of school assessments. These should be used as

useful tools providing pedagogical references, serving the situational and evolutionary diagnosis of the formative process. Evaluations measure whether the desired effects are being achieved or not. There are several studies on the theme of large-scale evaluation whose reading helps to build a broader understanding of the theme, such as the research carried out by Mélo and Aragão (2017), Gonçalves, Guerra and Deitos (2020), Soligo (2017), Esteves and Souza (2020), Oliveira, Coelho and Castanha (2017), Ferreira Filho, Vidal and Pontes Junior (2020), Sabia (2019), Santos and Petour (2019), Amaro (2016), Oliveira, França-Carvalho and Tavares (2020).

On large-scale school evaluations, Luckesi (2020, n/p, our translation) reaffirms “that the act of evaluating is an act of investigating the quality of reality, the result of which, depending on our choices and decisions, can subsidize our way of acting in the search for the best results originated from our action”.

In the meantime, talking about the purpose of the evaluations, this renowned author emphatically teaches that the construction of instruments for collecting learning data deserves care. The compatibility of comprehensive contents and those actually worked on in education must be emphasized in relation to those demanded in these evaluations. The levels of difficulty present in the teaching process must be made compatible with those present in the proposed questions. Likewise, they deserve this care in the methodology used to approach the contents, making the teaching procedures compatible with the methodology for answering the questions proposed in these assessments.

The assessments take on more complex aspects according to Libâneo (1994), since it is not just the application of tests to obtain grades. The analysis of these data should not replace the qualitative perspective with the quantitative one alone. For the author: “The evaluation thus fulfills pedagogical-didactic, diagnostic and control functions in relation to which instruments of verification of school performance are used” (LIBÂNEO, 1994, p. 195, our translation).

In Brazil, applied since the 1990s and consecutively, in addition to the Basic Education Assessment System (Saeb, Portuguese initials), *Prova Brasil* and state assessments, we also have other large-scale assessment instruments applied by instances of federal public management and nationwide. As an example, the National Literacy Assessment (ANA, Portuguese initials), the National High School Exam (Enem, Portuguese initials) and the National Student Performance Exam (Enade, Portuguese initials) can be cited.

The Basic Education Development Index (IDEB, Portuguese initials), for example, considers the results of Saeb and the school flow. The purpose of these assessments is that they are used as methods of verifying the quality of education in relation to different objectives and in different teaching cycles.

Analyzing the importance of these external evaluations, Rodrigues, Souza and Alaniz (2016) clarify the perception that they are increasingly assuming a prominent position in the Brazilian educational scenario and that there is the challenge of understanding the results with the purpose of subsidies to rethink school planning and educational practices. "For this we need to think of the school as a space for reflection and discussion, so that we can offer quality education to our students" (RODRIGUES; SOUZA; ALANIZ, 2016, p. 01, our translation).

This challenge comes from the fact that these evaluations can demonstrate that in the same school we can observe differences between classes and students, the same between schools in the same network and thus also between the different Brazilian school networks. These gaps can mean unequal opportunities, but they can also identify cases of success in disadvantaged scenarios. Whatever the result, its meaning must be understood from each specific institutional context and never in an indiscriminate, merely classificatory or just quantitative way.

The current issue is that assessments have been targeted at their original purpose, addressed by their results. When they do not meet the quantitative target, they are labeled as coming from actors limited by the proposed rankings and thus pejoratively perceived by public opinion. When they answer the expectations, the actors start to be valued meritocratically and exemplified as success cases being rewarded for the maintenance of the referred *status quo*.

In fact, evaluations should functionally serve as democratic and emancipatory instruments that are constantly evolving and that participate conceptually in the construction of a dialectical and critical education, based on historical and social aspects.

On the contrary, assessments in this current national format exercise a power of control over the curricular bases and, in this way, they can be instrumentalized to suggest which acquisitions of knowledge and skills are supposed to be in order of importance in view of the interests of logic that guide them.

In this way, the state reformist discourse sought to disagree with the meaning of these instruments, disguising a new functional logic through these imperatives of

sufficiency or competence. This discourse, which emerged in the 1990s and has neoliberal bases, promoted “substantive changes in the patterns of state intervention, redirecting the forms of management and, consequently, public policies, particularly educational policies” (DOURADO, 2013, p 368, our translation).

If every discourse bears the intention of its authors, we will discuss this new logic and its interest.

Extended assessments as an instrument to control the educational process

Contrary to the autonomy of educational systems, control discourses are developed. The logic of power and economic production is imposed. This new form that presents itself for a new type of knowledge purpose, focuses more on technical and productive issues than on the critical formation of the individual and ignores the diverse situations of students in the national territory.

If we really want to know knowledge, to know what it is, to apprehend it at its root, in its manufacture, we must approach, not the philosophers, but the politicians, we must understand what the relations of struggle and power are. And it is only in these relations of struggle and power - in the way things are between themselves, men hate each other, fight, try to dominate one another, want to exercise power relations over one another - that we understand in which knowledge consists (FOUCAULT, 2002, p. 23, our translation).

In line with the philosophical prism of Foucault (2002), we can extract that large-scale evaluations are now interwoven in power relations to gain interests, thus realizing that any association of neutrality in their construction would be naive analysis.

Esquinsani and Dametto (2016) teach that a “truth” status rises through large-scale evaluations, reinforcing the minimum standardization for the contents, procedures and/or knowledge to be taught and learned in schools across the country. For the authors, any attempt or perspective of heterogeneity would not succeed in the mold of this subliminal validation model of “true” content, valid for large populations and with national coverage, required and taken up in these large-scale standardized assessments.

In the Foucaultian wake, we can think that these fabrications of truths would not have the purpose of describing reality, but rather to support the field of discourse of naturally arbitrary or politically constructed power.

For Magalhães, Almeida and Lins (2017), creating governable subjects using control techniques requires an effort to normalize, shape people's conduct and use

education as a strategic element for their legitimation. For the authors, neoliberal governance constitutes subjects for the formation of their human capital centered on the supposed competences, skills and flexibilities.

In this way, it is possible to understand that through this control logic, the production of human capital also occurs. Individuals whose knowledge is focused on productivity are alienated from the social issues that permeate them, and this is how the growing expansion and valorization of an unevenly abysmal society is established. This supremacy of “fabricated truths”, in turn, feeds points of interference in educational public policies, for example, by the targeted execution of national academic assessments.

Reinforcing this previous conception, we see that it is not difficult to locate decrees across the country with a political and market logic that stimulate certain parts of the system that reach the desired performances. Likewise, sharp retaliations are perceived or veiled to the parties that do not bow to such a logic of quantitative results.

They make it appear that the performance in these assessments has become a sign of success or not for the subjects involved in the teaching-learning process and, thus, the Brazilian states already link financial incentives to these external assessments. This bonus is then due and intended for those who reach the performance target determined by governments, who, in turn, raise their own political dividends.

In this sense, the results of these evaluations, which should serve those involved as guides for their interventions on the performance in the process, started to be used by government officials and entrepreneurs as their own achievements or productive goals.

These successes began to commend those who achieved the best ranking positions, especially those who had it with the least investments. Thus, the pressure of the educational system started to fall on the interlocutors who, under the same conditions or in better conditions, did not reach the same positions.

This contemporary form of political-economic control, embedded in the results of these large-scale external educational evaluations, deforms the logic of the subjects' freedom of action and the perception of the contents, which in turn, start to be prioritized in function of these instruments, losing the necessary diversity of critical educational training for the control of learning directed only to the desired results.

In this redirection, considering the relationship of linked investments, the government influence is at the service of neoliberalism or the production society is presented again. The functional guiding format given by the State, through its

resolutions and administrative apparatus that drive its affirmative evaluations, may be projecting itself in a reductionist way on the broad dimension of the constitutional guarantee of teaching freedom for those who intend to teach and those who intend to learn.

For Lima (2009), the teacher is subjected to a style of formation that is lightened and plastered from the external evaluation process, while education involves people, emotions and creativity. For the author, reducing the human aspect to procedures minimizes the subject of action since teachers do not have an active participation in the decision making that imply their professional performance.

Therefore, there is a loss of autonomy when the discredit given by external evaluations to the broad role that the teacher has for Education is found, when its quality is linked to purely quantitative measurements used to meet a statistical agenda of an order external to that of our homeland reality.

It is in this loss of autonomy for this globalization that the teacher and the student are being oppressed. Restricted, they stagnate and resign themselves to the imperatives of competition that object and control them for the commitment to the fulfillment of goals and comparative ranking in realities that are plurally disregarded.

One cannot help thinking about the injury, therefore, to democratic and libertarian principles in favor of social justice, the ultimate goal of constitutionally guaranteed education for all Brazilians.

Lima (2009) also warns that in this process, in which performance becomes the central point for the action of the evaluating State, is the subjectivity of teaching that is being crippled. The culture of performance starts to configure new aspects of the relationship between the educational actors, their work and their identities.

This architecture of education, guided by the state instruments discussed, restricts autonomy and freedom of action, overflowing educational subjects by meeting functional requirements to the detriment of the formation of the politically critical, culturally plural and socially just subject. The actors are no longer the subjects neglected by educational philosophy, sociology and psychology. The instrument when seized by the atypical interest hurts the freedom of chair that we then started to treat.

Freedom of professorship: a constitutional guarantee limited in Brazil by the format of large-scale assessments

According to the iDictionary Aulete (LEXIKON EDITORA DIGITAL LTDA, n/d) speaking "*of Cátedra*"⁴ is an expression that denotes the proficiency, authority and knowledge of the proposal.

For Rodrigues Junior (2010, p. 66, our translation), the word *Catedral*⁵ that comes from the canonical doctrine, "is based on the authority (moral and intellectual) of the men who lived with Jesus or with his first disciples and, based on the apostolic succession, transmitted these truths to Christians". The clergyman had a chair, from which, seated, he taught the assistants the ecclesiastical truths. This chair was called a *cátedra*. Hence the parallel with educational activity in the role of defending ideas and professing knowledge.

Based on this religious reference, teachers have historically been assigned the role of a coherent protagonist in people's education, progressively reaching the status quo of profession with the necessary determinants for their performance, through scientific pursuit, for the improvement of their purpose.

For Borges, Fernández and Puentes (2011), it was in this perspective that, here in Brazil in the nineteenth century, Normal Schools were founded for the training of teachers, where curriculum organization and also didactic pedagogical preparation of this new profile of teaching began to be demanded. teacher.

And so, a traditionalist conception of teacher education was consolidated by better performance in the role of education of individuals in this perspective of functional citizenship. According to Saviani (2017), this enthusiasm for education reached its culminating and effervescent point in the 1920s, but it was also in that same decade that traditional liberal pedagogy was supplanted by a "more modern strand" of Education.

Supported, therefore, in the reflections of Kant (1999), Pedagogy gained a broader direction, which starts to think about education beyond training, that is, with the sole purpose of acquiring functional skills.

For Kant, it is an education that fosters a status of conscious citizenship, capable of transforming an instinctive animal into a morally competent individual to serve the purposes of the collectivity, for the good of humanity. According to the author, the goal

⁴ Translated in the text as professorship.

⁵ Another form of writing *Cátedra*, here understood as professorship

of Education was to lead its audience through discipline, to the development of skills, prudence and culture, making them aware of their sociable nature. For the philosopher, the role of education was not only to teach thoughts, but to develop skills of thinking critically, of teaching how to think.

In this sense, analyzing the contextualized works of Kant (1995), Schulz (2016, p. 659, our translation) teaches that:

The skill (*Geschicklichkeit*) is the capacity for the instrumental realization of the ends, that is, the capacity for the realization of the ends idealized by freedom, by reason. Kant considers that "[...] it must, first of all, be well founded and gradually become a habit of thinking" (KANT, 1995, p. 91), a useful pragmatic formation, but for the purposes of reason. Prudence (*Klugheit*) is understood as a civilizing formation for social coexistence: an appropriate action in social relations pointing to the fact that the capacity for civility still consists of an adaptation. In this sense, both skill and prudence are linked to the empirical and are in the process of moralization. The final phase, morality, supposes formation, is the stage of autonomy, character formation, ethical fulfillment, in other words it means humanization.

In this Kantian perspective, educating is humanizing and requires didactics that cannot be just a set of techniques. For Menezes (2020, p. 644, our translation), denoting this anthropological perspective, didactics would be “the art of knowing the interior and exterior of man”. And so, Kant's ideas about Pedagogy contributed greatly to the constructivist and libertarian ideal of education.

For Freire (2000), it is in this holistic perspective that education becomes democratic and then becomes established, respecting the freedom of the subjects, capable of creating the environment of responsibility that is being assumed. For the author, critical freedom generates the active and creative posture necessary for the construction of reflective autonomy, without it, the educational act may become demotivating.

Having overcome this brief contextualization of philosophical and pedagogical sources, we proceed to enunciate the legal provision of the Federal Constitution of Brazil, promulgated in 1988 (CF/88), which deals with the freedom of professorship in its article 206. It is emphasized that device concatenated in the title of the social order, inserted in the chapter and in the section that specifically refers to Education. From it we can extract the constitutional principles of functional freedom among others that are necessary for equity in the teaching-learning process.

Art. 206. Teaching will be based on the following principles:

I - equal conditions for access and permanence at school;

II - freedom to learn, teach, research and disseminate thought, art and knowledge;

III - pluralism of ideas and pedagogical conceptions, and coexistence of public and private educational institutions; [...] (BRASIL, 1988, n/p, our translation).

In this sense of functional freedom, Minister Cármem Lúcia expressed herself in her report of the recent judgment of the Action of Noncompliance with Fundamental Precept number 548, filed by the Attorney General's Office to ensure the autonomy of the professorship of university professors against excesses of authorities in the deliberate case.

Freedom of thought is not a concession of the state. It is a fundamental right of the individual who can even oppose it to the State. For this reason, it cannot be prevented, otherwise the individual will be replaced by the state entity, which is well known where it will lead. And where it goes is not the path of democratic law, but the absence of a democratic right and deficit. Therefore, any attempt to restrict the teacher's freedom in the classroom to expose, disseminate and teach is unconstitutional. [...] (BRASIL, 2020, p. 16, our translation).

Addressing any doubts about the constitutional principle of freedom of professorship, the Minister understands by the wide perception as to the various forms of attempt to restrict this principle, to be exercised as a guarantee and democratic path for the area of home education, rescuing and harmonizing item six of the same article that provides for the “democratic management of public education, in the form of the law;” (BRASIL, 1988, n/p).

In this tuning fork, we must understand that the Cátedra Freedom not only covers the ideological aspects of pedagogical theories because it expands by guaranteeing the entire democratic environment or context for its full realization.

Castro (2010, p. 437) corroborates in the sense that it must be “the educational and cultural preparation compatible with the affirmation of the personality and the exercise of full citizenship”. According to this author, the right to receive information and form opinions, allows political participation, critical thinking, and equal conditions among students. Everything must follow for the full realization of Education.

Guarantee reinforcement whose spirit is reiterated and clarified in the infraconstitutional legal provisions as in the Law of the Guidelines and Bases of National Education (LDB-9394/96), among them the express:

Art. 3 Teaching will be based on the following principles: [...]
III – pluralism of ideas and pedagogical concepts;
IV – respect for freedom and appreciation of tolerance; [...]
VII - valorization of the extra-school experience; [...]
XI - link between school education, work and social practices.
XII - consideration of ethnic-racial diversity [...] (BRASIL, 1988, n/p, our translation).

The legal texts jointly enunciate the freedoms of teaching and learning, determining the guarantee of freedom for the closest actors in the educational process. The student also has the freedom to learn. The question then becomes that of comprehension, to a reasonable extent, of these freedoms and according to the state guidelines for these evaluation systems that may restrict them.

What can be understood is that the freedom of professorship guarantees that the activities, teaching and student, are immune to conditioning in the attributions of teaching, learning, researching and disseminating thought. The desired result must be the construction of citizenship with a view to overcoming common sense, thus realizing the social role of Education as enunciated by article 205 of CF/88; "Education, the right of all and the duty of the State and the family, will be promoted and encouraged with the collaboration of society, aiming at the full development of the person, their preparation for the exercise of citizenship and their qualification for work" (BRASIL, 1988 , n/p, our translation).

Barcellos (2011, p. 615-616, our translation), points out that there are:

[...] abundant evidence demonstrating the role played by education [...] in the development of the person, in preparation for citizenship and in qualification for work. The conscious decision regarding the vote in each election, the information about the most elementary rights - e. g, consumer rights, and even the right to action - access to the productive market, all of which today depends, to a large extent, on formal education.

By legally teaching in this sense, Toledo (2017) contributes by stating that the limits to teaching educational practices are inscribed in the legislation of minimum content, counting of school days and national guidelines, but that these limits do not reach any limitation regarding the manifestation content critically and with its ideological underpinnings.

However, the difference seems to occur when we look at the system of large-scale assessments. For Maciel and Dias (2018), the evaluation system has gained space in current policies with an emphasis on competitiveness by goals and classifications by

performance. These authors affirm that the large-scale evaluations impact on the professional autonomy of the teacher and on the control of pedagogical actions, and that they distort the external image of the school through regimes of accountability of the principals and teachers.

In this same sense, Cerdeira, Almeida and Costa (2014) reported several effects that they considered “perverse” in this context. They demonstrated that there was school dropout, especially when they are associated with accountability policies, due to the shift from the focus of classes to the training to exams instead of the focus on the teaching-learning process. In addition, they report special investment only in students with a chance to increase performance, with the opposite stimulus for students with low performance to miss tests. An absurd process that they called “gaming”.

Thus, it remains to be considered whether these formats given to large-scale external evaluations, as a measure and stimulus for educational quality, in fact, remove academic autonomy, encircle the actors of their professorship freedom and gain airs of control and intentional accountability. In the same way, research will indirectly affect the quality of life and human dignity of all the educational actors involved, tarnishing their rights foreseen in a constitutional affront.

Final considerations

Educational policies through their instruments can deepen the study of the factors that actually democratize access to knowledge and, therefore, favor the expansion of investments where there are proven positive impacts on the quality of national education, with the objective of reducing social inequalities and the resulting marginalities.

However, to the extent that educational policies start to greatly value the quantitative classificatory aspect of large-scale external evaluations, there is a deviation from the theoretical and practical purpose of these instruments that can be considered as an intentional deviation.

What seems to be unraveling is in fact an ideological fabrication that directly strikes freedom and autonomy in the teaching-learning process and that hides the spurious interests of economic exploitation and political alienation by maintaining the abysmal inequality between social classes.

The logic of power and control over educational policies has been imposed by the most economically favored social classes, under a cover, of a greater acquisition of skills and abilities, resulting in said progress or by the investiture against an alleged educational backwardness of the Brazilian people.

In fact, it may be hiding an affront to the right to the freedom of professorship to the extent that it does not respect the necessary didactic-pedagogical balance in its relation of means with the greater end that is the primacy of Education.

In this sense, it is necessary to expand the discussions and reflections about broad educational assessments with the prism of legality in the environments of educational representativeness, of the general society and of the legal universe. If so understood, this is a look that can foreshadow questions about unconstitutionality actions before the Brazilian Supreme Court.

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