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# Precarity and coloniality in the Brazilian education field: an analysis of the Law no. 13,415/17 and the final years of the Primary School in the National Common Curricular Base

## Precariedade e colonialidade na área da educação no Brasil: uma análise da Lei n.º 13.415/17 e dos últimos anos da Escola Primária na Base Nacional Comum Curricular



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**Abstract** This article aims to analyse the current proposal for Brazilian Primary and Secondary School, particularly after the implementation of the Law no. 13,415/17, which modified Brazilian's national education guidelines and bases, regulated by the Law no. 9,394/96. Specifically, I propose to reflect upon this new law, how it shapes a new National Education Project and its impact on 'historically oppressed groups', such as Afro-descendant and Indigenous populations. I will also point out how these groups are framed by the new contents (and knowledge) of the *Base Nacional Comum Curricular* [National Common Curricular Base] (BNCC), focusing in the final years of the Primary School (5<sup>th</sup> to 9<sup>th</sup> grade). Against this backdrop, I will explore, within the contemporary Brazilian

**Resumo** Este artigo tem como objetivo analisar a atual proposta para a Educação Primária e Secundária do Brasil, particularmente após a implementação da Lei n.º 13.415, de 2017, que modifica as diretrizes e bases nacionais da educação, regulamentadas pela Lei n.º 9.394, de 1996. Especificamente, proponho refletir sobre essa nova lei, como ela configura um novo Projeto Nacional de Educação e seu impacto sobre os 'grupos historicamente oprimidos', tais como populações Afrodescendentes e povos Indígenas. Também destacarei como esses grupos são enquadrados pelos novos conteúdos (e conhecimentos) da Base Nacional Comum Curricular (BNCC), focando nos anos finais do Ensino Primário (5.º a 9.º ano). Nesse sentido, no campo da educação contemporânea brasileira, explorarei a compatibilidade da 'precariedade'

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education field, the compatibility of ‘precarity’ (Butler, 2009) and coloniality in relation to institutional racism and Eurocentric (Western) thought. Mainly based on the ‘Ecology of Knowledges’ by Santos (2007), I propose the necessity to work on both: on the recognition of the bases of these groups, that needs a critical and regulated education about their histories, contents and knowledge, which should be explicitly exposed in a transversal way in the BNCC; and the deconstruction of the vision of education focused only on the market logic, rather than an education for citizenship, equity, and diversity. Finally, my methodology has a qualitative approach, based on secondary documentation sources (bibliographic research), passing through diverse research specifications (descriptive, exploratory and explanatory analysis).

**Keywords:** National Common Curricular Base (BNCC); coloniality; Ecology of Knowledges; education; institutional racism; precarity.

## Introduction

Due to the last institutional and legislative changes in the Brazilian political scene, the Brazilian education system suffered diverse reforms. Beginning with the first act of Temer’s administration (2016–2018) a Provisional Measure (PM) no. 746/16, effected afterwards by Law no. 13,415/17, which modified Law no. 9,394/96, the ‘Law of Directives and Bases of Brazilian National Education’, and es-

(Butler, 2009) e da colonialidade em relação ao racismo institucional e ao pensamento Eurocêntrico (ocidental). Principalmente com base na ‘Ecologia de Saberes’ de Santos (2007), proponho a necessidade de trabalhar em ambas: nas bases de reconhecimento desses grupos, que passam pela necessidade de uma educação crítica e regulamentada sobre suas histórias, conteúdos e conhecimentos, que devem ser explicitamente expostos de forma transversal na BNCC; e a desconstrução da visão da educação focada apenas na lógica do mercado, e não na educação para a cidadania, a equidade e a diversidade. Por fim, minha metodologia é de abordagem qualitativa, baseada em fontes de documentação secundária (pesquisa bibliográfica), passando pelas diversas especificações de pesquisa (análise descritiva, exploratória e explicativa).

**Palavras-chave:** Base Nacional Comum Curricular (BNCC); colonialidade; Ecologia dos Saberes; educação; racismo institucional; precariedade.

tablished new national education directives and bases. From that standpoint, my intention here — as a Human Rights Education (HRE) researcher, interested in a critical approach — is to reflect upon this new law, how it shapes a new National Education Project and its impact on ‘historically oppressed groups’<sup>1</sup>, such as Afro-descendant and Indigenous populations.

<sup>1</sup> Historically oppressed groups mean, in this article, the vulnerable groups or marked populations which are discriminated by ‘playing the race card’

My argumentation is divided into six parts: 1. The context of contemporary Brazilian education; 2. The precariousness and grievable lives of historically oppressed groups; 3. The relations between institutional racism, coloniality and Eurocentric thought; 4. A brief approach to the 'Ecology of Knowledges'; 5. The Primary School new curriculum/education, based on the *Base Nacional Comum Curricular* [National Common Curricular Base] (BNCC); and 6. Final considerations.

### **The context of contemporary Brazilian education: modification of the law no. 9,393/96 (Law of Directives and Bases of Brazilian National Education) by Law no. 13,415/17**

Starting from a general approach, the Brazilian education system is composed by the following legal instruments: 1. 'Federal Constitution of Brazil' (CF) of 1988, which defines the main points of education in Brazil; 2. *Lei de Diretrizes e Bases da Educação Nacional* [Law of Directives and Bases of Brazilian National Education] (LDB), Law no. 9,394/96, which organizes and regulates the structure and functioning of the Brazilian education systems; and 3. *Plano Nacional de Educação* [National Education Plan] (PNE), Law no. 13,005/14, which establishes guidelines, strategies and education goals every ten years for Brazilian education (Brazil, 1988, 1996, 2014a).

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(Araújo, 2016: 15) ironically. Here, I am focusing on Afro-descendant and Indigenous populations.

Within this context, it is essential to discuss the modification of the LDB, the magna carta of Brazilian education, made initially by the Provisional Measure (PM) 746/16, one of the first acts of Michel Temer's administration, and later by Law 13,415/17. In order to do that, it is also important to analyse the new contents of the BNCC, a document that has been under discussion since 2014, of which the Primary's Education final version (third one) was approved and published in December 2017 (Brazil, 2017a), and the final version of the Secondary's School was only approved in December 2018<sup>2</sup>.

The BNCC is the national mandatory reference for the elaboration of curriculums and pedagogical proposals in the Brazilian education field (Brazil, 2017a: 5). Its approach includes norms for all stages under the Brazilian Basic Education, which are: Child Education, from 3 to 5 years old (kindergarten and pre-school); and Primary School, from 6 to 14 years, it includes: literacy (1<sup>st</sup> to 3<sup>rd</sup> year), beginning years

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<sup>2</sup> It is essential to pinpoint that the BNCC Secondary School version, worse than the BNCC Primary School version, passed with harsh critiques. The president of the Conselho Nacional de Educação [National Council of Education] (CNE) — an independent body with consultative functions linked to Brazil's Education Ministry (MEC) —, Cesar Callegari, resigned his position in June 2018, for not agreeing with the terms being proposed. Mainly, he argued that this new version will aggravate existing inequalities among Brazilian schools, since it does not critically highlight the limits and possibilities of Brazil's education. He stressed that: 'The school needs to be protected and valued, not threatened', and also claimed for the repeal of the Law 13,415/17 (Callegari, 2018).

(1<sup>st</sup> to 5<sup>th</sup> year) and final years (6<sup>th</sup> to 9<sup>th</sup> year); and Secondary School, from 15 to 17 years old (1<sup>st</sup> to 3<sup>rd</sup> year) (Brazil, 2014b).

Yet, it is essential to stress out the struggles in the Brazilian political scenario and all the ongoing structural, institutional and legislative changes which are part of a new reality started with the 'impeachment' of President Dilma Rousseff. Characterized by the implementation of a new National Political Project, the following Brazilian educational project was far from being progressive, mainly driven by the logic of the market and not by an education for citizenship. It is considered, as Lino reflects, 'a minimal state policy [...] and an unrestricted subordination to the demands of the market' (2017: 78).

Since the beginning, the lack of coherence in the institutional structuring of Brazilian education policy was evident. As Lino (2017) highlights, the first act of the new Temer's government in the education field was to use the PM 746/16 as an instrument to reform Secondary School. Hence, this measure was highly criticized as an 'authoritarian way to legislate' (Lino: 77), since, as the Constitution observes, PMs are legal acts, with law enforcement, which only can be used by the President 'in case of relevance and urgency' after it is judged by the National Congress (Brazil, 1988).

Surprisingly, the urgent character was justified by diverse data, although not recent at all, that demonstrates the well-known difficulties of the Brazilian education, such as school dropout, lack of meaning and students future per-

spective (especially the ones with low incomes) and low learning assimilation levels. Above all, the text justifies the reform under two prisms: 1. It blames education system failure on the previous curriculum, pointing to its 'extension', 'superficiality' and 'fragmentation' (that was composed by 13 disciplines), and the lack of dialogue 'with youth, productive sector, and twenty-first century demands'; and 2. It binds employability access to higher education, 'blaming' the students' 'poor placement' in the market due to a lack of proper education. As a salvation, the text proposed constructing a bridge between the school and the labour market (Brazil, 2016: 1–2).

With the objective of saving 'the social and economic results of the country' from a declining and aging population, alongside the urgent necessity of guaranteeing 'an economically active population sufficiently qualified to boost economic development' (Brazil, 2016: 2), the Law 13,415/17 was implemented. However, in a paradoxical way, as Motta and Frigotto (2017) observe, the new law announced an ethical-political incoherence in the education system besides being based under a capitalist morality.

Among many changes, I selected the most problematic points of this law (13,415/17) that impact directly students: a) Increased school hours (1800 minimum hours)<sup>3</sup>; b) Physical education, art,

<sup>3</sup> At first, the time load was 800 hours for the Primary and Secondary School, which progressively would pass to 1000 hours and 1400 hours, specifically for Secondary School, considering as the final

sociology and philosophy enter, in BNCC, as obligatory 'contents and practices', no longer being disciplines; c) Division of Secondary School in four areas of knowledge: 1. Languages and its technologies; 2. Mathematics and its technologies; 3. Nature sciences and its technologies; and 4. Human and Social Sciences; d) Creation of five 'Training Routes' for Secondary School, based on the same four areas of knowledge adding: 5. Technical Education and Professional Training; and e) The National evaluation processes to evaluate the assimilation of the BNCC mandatory contents (Brazil, 2017b).

In my view, against this backdrop, the changes proposed by this curriculum are very challenging because: 1. Increasing the number of school hours does not solve the problem of school dropout by itself. Firstly, it is essential to know the structural reasons that make students drop out of school; 2. To allocate physical education, art, sociology and philosophy as 'practices' gives them a lower baseline compared to other mandatory disciplines, which could invisibilize them as 'contents'; 3. Dividing curriculum in areas of knowledge and 'its paths' makes it narrow. Thus, the paths are offered according to the possibilities of the schools, making that public schools with low budgets, usually situated in marginalized areas, the most affected; and 4. Adding Technical Education and Professional Training as a path, besides being a way

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goal to achieve 1800 hours for the exclusive compliance of the BNCC.

to privatize education, as I will discuss, reinforces the argument of the existence of 'lose-able populations' to be educated — as I will bring in the next topic.

Other essential modifications that show the precarity of Brazilian education system are: a) The devaluation of the teaching profession (the recognition of 'professionals of notorious knowledge' as professionals of education, attested by their practices in 'private corporations in which they have worked'); b) The increase in the privatization of education by authorizing to 'sign agreements with institutions of distance education'; and c) The expansion of the public resources transferred to private institutions related to the productive system, such as System S<sup>4</sup>, capable of complementing 'Technical Education and Professional Training' (Brazil, 2017b: 3).

In this sense, to reinforce these new policy changes and shape knowledge with a neoliberalism perspective, it is necessary to establish some 'essential learnings' that all students *must* develop. In the words of Callegari, former president of the National Council of Education (CNE),

the MEC [Ministry of Education of Brazil] proposal not only hampers an interdisciplinary and contextualized worldview of education, but can lead to the formation of a young generation who is low-skilled, uncritical, manipulative, incapable of creating and condemned to the simplest

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<sup>4</sup> System S is a set of nine Brazilian institutions concerned with professional categories, established as entities of private law, linked to the industry sector (first sector).

and most tedious jobs, more and more rare and poorly paid. (Callegari, 2018, n.p.)

In the next section, I will explore the precariousness and grievable lives of ‘historically oppressed groups’ and their lack of institutional recognition bases, not receiving proper ‘conditions to persist and flourish’ (Butler, 2009: 29).

### **The precariousness and grievable lives of historically oppressed groups**

For Butler there ‘is no life and no death without a relation to some frame’ (2009: 7), thus, everything is framed. All frames require breaking out, exposition and critical release in order to produce new ones — with new contents and recognitions. In that sense, it is important to be aware of the mechanisms and operations of power that underpin structures of the recognizability life. These could support different constitutions (that are variable and historical) and precede a proper life recognition. This is the reason why, in the full sense, some lives are not liveable and subjects are not recognizable, and do not count, as proper subjects (Butler, 2009: 1–12).

As it is known, to live life is not a matter of having, or better, ‘being’ a body. It has to be considered as such. For that, there are some bases that allow us to live life, such as *apprehension* and *intelligibility*. These bases prepare norms and frames, which are full of contents, for *recognizability* and, later, for *recognition*. The inter-

esting point is that to be recognizable (in order to be recognized) depends on the other as a subject — meaning we couldn’t do it on our own or be ‘recognized by itself’ since it is always a reciprocal action, based on reciprocity. It is based on, firstly, the admissibility of general conditions for recognisability (Butler, 2009: 5–14).

Hence, these conditions for recognisability pass through the precariousness and grievable foundations. For Butler, the precariousness of life ‘implies living socially, that is, the fact that one’s life is always in some sense in the hand of the other’ (Butler, 2009: 25). Besides, the precariousness of life is understood also by its capacity to be injurable. In contrast, grievability ‘is a condition of a life’s emergence and sustenance. Without grievability, there is no life, or, rather, there is something living that is other than life’ (Butler, 2009: 13–15). To be grievable refers to the capacity of claiming and being heard and, precisely, to overcome precarity.

In order to achieve recognition through social interaction, to be a ‘grievable life’ and pass through the ‘ungrievable’ zone, the relation of dependence needs to be sustained by conditions based on ‘both our political responsibility and the matter of our most vexed ethical decisions’ (Butler, 2009: 23). This is the reason why the idea of a ‘person’ requires a moral status and social conditions — both play an essential role in flourishing that possibility. Life is made by its diverse support conditions, which are social and established by interdepend-

ency, that reproduce and sustain social relations through environment and 'non-human forms of life' (Butler, 2009: 19).

As Butler (2009: 24) says: 'The differential distribution of grievability across populations has implications for why and when we feel politically consequential affective dispositions such as horror, guilt, righteous sadism, loss and indifference'. These diverse categories of precariousness and grievability shape the exclusion of minority groups, targeted as already 'lose-able' populations (Butler, 2009: 31).

According to the United Nations, in the Report of the Special Rapporteur Rita Izsák on minority issues during her mission in Brazil: 'Of the 56000 homicides that occur each year, 30000 victims are between 15 and 29 years old, of which 77 per cent are Afro-Brazilian male youth' (UN, 2016: 10). The contrast extends:

It is estimated that 75 per cent of the Brazilian prison population is Afro-Brazilian. [...] Of the 16.2 million people living in extreme poverty, 70.8 per cent are Afro-Brazilian. [...] Of the illiterate, 80 per cent are Afro-Brazilians, and 64 per cent of Afro-Brazilians have not completed basic education. (UN, 2016: 11)

According to the data from *Pesquisa Nacional por Amostra de Domicílios Contínua* [National Continuous Household Sample Survey] (PNAD), 7.3 per cent of white people have no education while 14.7 per cent of black or brown<sup>5</sup> people

<sup>5</sup> Because of the Brazilian Census, in which each person declares their own race and colour, the ter-

are in the same situation. Still, 22.2 per cent of white people have a complete upper level education compared with 8.8 per cent black or brown people who have the same status (IBGE, 2017).

As these data shows, black and brown population's rights in Brazil are constantly violated. Undoubtedly, there is a division for historically oppressed groups, framed as 'not count' or 'lose-able' populations, also in the education field. These groups clearly don't receive proper 'conditions to persisting and flourishing' (Butler, 2009: 29). On the contrary, they are excluded from access to the education system, particularly on high levels, they are framed by high rates of poverty, violence, criminalization (jail) and murder.

As Butler (2009: 28) suggests, precariousness needs to be seen by policy, here especially by education policies, as a 'politically induced condition [...] and the differential ways of exposing certain populations, racially conceptualized, to greater violence'. The education policies require responsibility and responsiveness — a 'way of responding to what is before us with the resources that are available to us' (Butler, 2009: 50). My view is that the new proposed curriculum did not produce a more egalitarian set of conditions for recognizability of the historically oppressed groups by failing to provide

minology black and brown is commonly used to conceptualize black populations. The Census races categories in Brazil are as follows: Branca (White); Preta (Black); Parda (Brown); Amarela (Yellow); and Indígena (Indigenous) (IBGE, 2011).



tools for criticizing their situation and struggle for recognition. Instead, the Law no. 13,415/17 and the BNCC, as it was approved, intended to shift the curriculum towards a logic based on education as an economic investment, trying to 'solve' the problem of the 'lose-able' populations by directing them into the market (Lemos et al., 2017: 454). Disconnected from its real social function, which is to educate for citizenship, equity, and diversity, the new project reinforces racism and disregards historically oppressed groups' claims.

As I will show in the next section, this approach in relation to the distribution of precarity and grievability across minority populations is deeply related to coloniality, institutional racism and Eurocentric (Western) thought.

### **The relations between institutional racism, coloniality and Eurocentric (Western) thought**

To conceptualize racism, Hesse analyses the work of Carmichael and Hamilton (1967), Blauner (1972) and Goldberg (2002), and suggests that:

[...] racism comprises a regime of practices, they locate the rationale and coherence of that regime in the colonial relation between white and black (i.e. non-white). (Hesse, 2014: 143)

After stating that 'the public expression of racism in front of the colonised and racially subjugated was to be studiously

repressed', Hess concludes: 'If this is part of our western cultural inheritance, then perhaps another name for institutional racism is race relations' (Hesse, 2004: 145)

The same idea is stressed by Goldberg (2006: 337): 'Race [...] is a set of conditions, shifting over time. Never just one thing, it is a way (or really ways) of thinking, a way(s) of living, a disposition'. He further states that: 'Race has to do [...] with the set of views, dispositions, and predilections concerning culture, or more accurately of culture tied to colour, of being tied to body, of "blood" to behaviour' (Goldberg, 2006: 349).

Racism, stressed here, is a changeable concept, yet remains strongly defined through the process of social relations established by a colonial reference and connected to a set of conditions that hierarchize, marginalize and subjugate. In that sense, as Araújo (2016: 306) points out, racism is related to the inequalities in the power structures and resources distributions — as I intended to illustrate in Butler's excerpts.

Also, Hesse (2004: 132) suggests that in our societies racism is identified as aberrant thinking, being unmarked or even 'disavowed' and not recognized as a part of the social and institutional structure. Similarly, Fitzpatrick (1987: 250) argues the same when he criticizes that racism is shown as the 'exceptional and remediable' of the norm. Hesse and Sayyid (2006: 25) reinforce this perspective, saying that: 'any acknowledgement of racism in the public

domain appears to be [...] more having the psychological attributes of irrationality, hatred, superstition and prejudice’.

As Fitzpatrick claims, the implicit racism underpins our societies and is covered and compatibilized by law too, he suggests that ‘liberal cosmology provides a particular protection of law’s innocence. Law is radically separate from the “material life”’ (Fitzpatrick, 1987: 249). So, supported by the abstraction and neutrality of law, as an ‘universal’ tool to enforce justice, racism is difficult to perceive. More precisely, quite often it is obscured through strategies like ‘is not racism but something different’, ‘qualitative differences’ and/or ‘telling instances’ (Fitzpatrick, 1987: 248–249), not to mention the ‘lack of intention to discriminate’ (Araújo, 2016: 314).

In addition to the implicit racism reinforced by law, Hesse (2004: 137) emphasizes that racism is founded on a major structured feature, ‘the accredited western culture’. Trying to be banned in a negative or defensive sense (denying and ignoring any sense of existence), it remains a continual ‘part of western ways of being’ (Hesse, 2004: 132–142). Yet, ‘European and American cultures of coloniality have clearly remained intact, albeit reframed, reformed and reformulated’ (Hesse and Sayyid, 2006: 16).

Similar to Fitzpatrick (1987), and my position here, Hesse (2004: 136) views the practices of liberalism as shaping race, and adds colonialism as a main role in modelling the experiences of racism in

the West’, overlapped by a ‘routine social practice’. Both authors contribute to the idea of how law serves to cover Western hegemony. However, Hesse goes further saying that the perpetuation of Western hegemony includes both ‘imposing its culture of rule and popularising its rule of culture’ (Hesse, 2004: 137). Indeed, under an oppressive perspective, law functions many times as a ‘gift’ to ‘those’ people with a different culture and ‘Race Relations Acts’ are observed as ‘privileges given to them and an advantage’ (Fitzpatrick, 1987: 258–259).

From a very sensible viewpoint, Hesse (2004: 139–140) shores up that Western democracies are created under western racism. He argues that representative democracy underpinned Western ideals of superiority and anti-colonialism/anti-racism struggle, but ‘the inherited antiracist tradition in the development of public policy has obscured the coloniality of the relationship between racism and democracy’.

Following this way, Fitzpatrick (1987: 256–257) remembers the necessity of contextualization based on a historical perspective before celebrating the ‘unity of the nation’. The same critique is pointed out here about ‘racial majorities’ — or minorities in terms of population density, as in the case of Brazil —, which have their privileges and try to cover up minorities (historically oppressed groups) by incorporating them into their discourse, under the guise of democracy

and legalism, as though all of the 'citizens of the Nation' have equivalent opportunities to claim and be heard:

Everyday ways in which a racial majority can be invoked democratically as popular opinion or the national way of life, racial minorities find their place in a colonial relation, as politically dependent subjects and unofficially second class citizens. In this scenario the relation between democracy and antiracism [...] conforms to that which the representatives of postulated racial majority are prepared to indict. (Hesse, 2004: 141)

All of them, Araújo (2016), Goldberg (2006), Fitzpatrick (1987), Hesse (2004) and Hesse and Sayyid (2006), motivate me to reflect into the deep relation between racism, law, coloniality and power relations. For my discussion, it will be essential to expose the use of law as the 'expression of national superiority', in a colonial power relation, that incorporates racism and is 'captured as an expression of it' (Fitzpatrick, 1987: 258). In short, race relations were and still are 'part of a western imperial discourse of segregation and colour bars' (Hesse, 2004: 135) and this evidence is highly perceivable in both the Law no. 13,415/17 and the BNCC.

Besides the use of the law as an expression of institutional racism, it is essential to highlight the use of legal process to manipulate and overlap political powers inequalities — undermining possible formulations based on 'a critical consciousness of racial domination'

(Hesse, 2004: 135). Another problematic issue is the intentional individualistic dimension of law, which inhibit collectivist perspectives and/or damage litigation, in general, supposing the struggle against racism is always a punctual task (Fitzpatrick, 1987: 253).

In my perspective, when we isolate racism as an individualistic and aberrant fragment, not perceiving the institutional colonial framing behind it, sustained by Western thought, we lose our ability to deal and struggle with it. First, we need to make racism visible in order to criticize it. Any shift in culture and knowledge is part of the essential struggle against colonial thought. Therefore, to keep discussing about the racist structure of both the law and the curriculum it is essential to subvert this framework.

Next, I will briefly discuss about the 'Ecology of Knowledges' as a counter-balanced tool against the hegemonic view, and the 'Abyssal Thinking', which is based on decolonization, departriarchalization and radical democracy (Arata, 2016) and the importance of the explicitly incorporation of the 'diverse knowledges' (Santos, 2007) in the new curriculum, as well as diversity and inter-knowledge relations.

### **A brief approach to the Ecology of Knowledges against the Abyssal Thinking**

Regarding the same Butler (2009) discussion and other authors, about our interdependency, Santos (2015: xiv) ex-

plains that there is no individual autonomy to choose life chances and/or choices, since: 'no one in society depends solely on him- or herself' and 'there is no autonomy without conditions of autonomy'. He emphasizes that 'the individuals that are most pressed to be autonomous are precisely those most deprived of the conditions that would enable them to be so' (Santos, 2015: xiv).

Additionally, Santos (2015) discusses the tensions between individual and collective rights. Collective struggles, such as Afro-descendants and Indigenous populations, are highly contested of their collective rights. He argues:

Since collective rights are not part of the original canon of human rights, the tensions between individual and collective rights result from the historical struggle of the social groups that, being excluded or discriminated against as groups, could not be adequately protected under individual human rights. (Santos, 2015: 6)

In 'Human Rights: a fragile hegemony', Santos (2014: 1) highlights that, based on a hegemonic view, the world's inhabitants are more objects of human rights discourses than subjects of it. Underlining a parallel with 'Beyond Abyssal Thinking', Santos (2007: 1) argues that the world is divided between **metropolitan** (the visible line/system, the 'human' world, that sustains the human rights claims) and **colonial societies**/territories (the invisible and the 'non-human' world)

that are the foundation of the first realm. These lines englobe law and rights which are centred on Western modernity and thinking what he called 'Abyssal Thinking'.

Thus, a special feature of the Abyssal Thinking, emphasized by Santos (2007: 1), is the 'impossibility of the co-presence of the two sides of the line'. According to this rational, one side of the line prevails submitting the other to nonexistence, invisibility and 'non-dialectical absence'. Since modern knowledge and law are greater manifestations of Abyssal Thinking, 'the regulation/emancipation dichotomy only applies to metropolitan societies' (Santos, 2007: 1–2).

Furthermore, within the realm/arena of knowledge, there is a strong division (so, dispute) between scientific and non-scientific forms of truth. 'Popular, lay, plebeian, peasant, or indigenous knowledges' are allocated on the invisible side. They are not real knowledge, just 'raw materials', which, one day, could turn into scientific ones (Santos, 2007: 2). For 'decentring effort', Santos (2007: 1) proposes: 'The struggle for global social justice must be a struggle for global cognitive justice as well. In order to succeed, this struggle requires a new kind of thinking, a post-abyssal thinking'.

As an alternative, the 'Postabyssal Thinking' bears on the diversity of the world and an absence of adequate 'epistemological diversity of the world' (Santos, 2007: 1). Comprehended as an 'ecological thinking', it recognizes the gap levered by modern Western thinking and goes 'be-

yond it' in a 'radical break' through an epistemology/learning of/from the South. Ecology of Knowledges intends to build inter-knowledge relations, pluralities and intersections through knowledges and ignorances (what was forgotten and not learned) (Santos, 2007: 11–12).

Indeed, Santos' proposal sees the Ecology of Knowledges as a counter-epistemology, as well as deeply 'self-reflective undertaking' (Santos, 2007: 18), for two reasons: 1. It embraces global resistance to capitalism, considering 'non-scientific and non-western forms of knowledge'; and 2. It underpins an infinite pluralistic thinking, which is known by its diverse global alternatives. Moreover, it rests on an intercultural translation and is constituted by 'destabilizing subjectivity'.

Likewise, Santos (2007: 13), in the Ecology of Knowledges, considers the importance of 'knowledge-as-intervention-in-reality is the measure of realism [...] this intervention always combines the cognitive with the ethical-political'. Therefore, this epistemology is based on 'the concrete interventions [local subaltern experiences of resistance] in society and in nature the different knowledges can offer' (Santos, 2007: 15). Another important factor is that this diversity of knowledge 'guarantees the greatest level of participation to the social groups involved in its design, execution, and control and in the benefits of the intervention' (Santos, 2007: 15).

In that sense, as a counter-epistemology approach to combat Abyssal

Thinking, Ecology of Knowledges puts into question power relations, while promoting dialogue, diversity and inter-knowledge relations, thereby holding essential tools to criticize invisibilities and inequalities. Unfortunately, my argument here is that this approach is far from being considered by the new Law 13,415/17. It does not produce a 'radical break' through Western and hegemonic thought and knowledge. Rather, it supports the abyssal line between historically oppressed groups, not considering them as subjects, thus reinforcing capitalism and embracing education as a platform for the market.

Next, finally, I will analyse the new curriculum (BNCC) for Primary School, launched in December 2017, to understand how it frames historically oppressed groups.

### **The primary school new curriculum and its approaches to historically oppressed groups' contents**

In order to understand the bridges between Primary and Secondary School bases, I will analyse here the BNCC launched in December 2017, with 472 pages, regarding Primary School<sup>6</sup>. My focus will be on exploring how the previous contents/knowledge, specific to the final years (5<sup>th</sup> to 9<sup>th</sup> grade), framed Afro-

<sup>6</sup> It is important to observe that currently, in 2019, the integral version of the BNCC (combining all stages of the Brazilian Basic Education) has the same contents, and text, for Primary School that were analysed in this article (Brazil, 2019).

descendant and Indigenous populations. Based on a word counting technique, I recorded the amount of times and ways in which words related to those specific groups were used and contextualized.

In reference to the shape given by Law no. 13,415/17, the BNCC for Primary School is divided into the following mandatory areas of knowledge: 1. Languages (Portuguese, English, Arts and Physical Education); 2. Mathematics; 3. Science; 4. Human Sciences (Geography and History); and 5. Religious Education (Brazil, 2017a). These knowledge areas have contents in accordance to each year of teaching and are also divided into: 1. **Thematic units** (TU); 2. **Objectives of knowledge** (OK); 3 and **Abilities/skills**. As the document stress, **skills are not described as mandatory contents** (Brazil, 2017a: 31). For this reason, I opted to analyse, inside the final years (5<sup>th</sup> to 9<sup>th</sup> grade) only the BNCC's mandatory contents, so TUs and OKs.

### *Black(s)/African(s)/slavery/slaves/enslaved/quilombos<sup>7</sup>/quilombolas/racism*

The new curriculum, in almost all the final years (6<sup>th</sup> to 9<sup>th</sup> year), deals with themes related to black population and slavery, but only through the History discipline.

The approaches are diverse: 'Knowledge of African and pre-Columbian peo-

ples expressed in material and immaterial culture' and 'The internal logic of African societies', 'The tutelage of the indigenous population, the slavery of blacks and the tutelage of the graduates of slavery'. Likewise, it also includes political contents, such as 'Social movements and the black press', 'Afro-Brazilian culture as an element of resistance and overcoming discrimination' and 'Resistance processes: the indigenous and black issues and the dictatorship' (Brazil, 2017a: 420–428).

The discipline of History, practically throughout all the final years (5<sup>th</sup> to 8<sup>th</sup> year), has contents related to slavery. It passes through the contextualization of the 'old world' to the contemporary years (Brazil, 2017a: 418–420). It is interesting to see a critical approach in the 8<sup>th</sup> year that deals with the 'enslaved revolution in San Domingo and its multiple meanings and developments' (Brazil, 2017a: 422).

Nevertheless, the BNCC does not discuss the approach to *quilombos* and *quilombolas* as a mandatory content. Similarly, unfortunately, the content of racism is addressed in only one subject (History, in 8<sup>th</sup> grade), in the debate between 'Darwinism and racism' (Brazil, 2017a: 424).

### *Indigenous/original inhabitants*

Content related to the Indigenous people, as happened with content about black populations, is only found in the History discipline, although it appears in almost all the final years (6<sup>th</sup> to 9<sup>th</sup> year). First-

<sup>7</sup> The *Quilombos* were places of refuge, small villages, where African slaves and Afro-descendants, seeking freedom, fled from slavery in the colonial and imperial period. The refugee slaves were called *Quilombolas*. Currently, the name continues to demarcate its descendants.

ly, it is analysed from the classical world and its formation, as 'Indigenous inhabitants originated in the current Brazilian territory and their cultural and social habits; after the colonial period, 'Indian resistance, invasion and expansion in Portuguese America' and 'Indigenous extermination policies during the Empire'. Finally, it ends with the discussion about how indigenous population live after the democratization period, not specifically nowadays: 'Indigenous Peoples' Guidelines in the 21<sup>st</sup> Century and their forms of insertion in local, regional, national and international debate' (Brazil, 2017a: 418–430).

The content passes through a political view, analysing: 'The civilizing discourse in the Americas, the silencing of indigenous knowledge and forms of integration and destruction of indigenous communities and populations', and 'Resistance of indigenous peoples and communities in face of the civilizing offensive' (Brazil, 2017a: 424).

Based on how the historically oppressed groups are framed, I can say that the History discipline, especially in the final years is, by far, the most (and unique) progressive content in the BNCC for Primary School. It speaks, in a transversal way, at least in terms of content, about human rights, prejudice and violence issues. However, the critical assimilation depends, essentially, on *how* the contents will be approached and transmitted by the professors in the classroom.

Another very essential issue, that was not my focus, is how Primary School

BNCC does not deal, at all, with topics such as gender, gender identity and sexuality. BNCC states: 'The enormous inequalities between the groups of students defined by race, **sex** [emphasis added] and socioeconomic status of their families are widely known' (Brazil, 2017a: 15). Due to politics, for the final elaboration of BNCC, the Education Ministry withdrew the terms 'gender' or 'gender identity' and substituted it for 'sex' searching for some 'neutrality' (Agência Brasil, 2017), which is highly questionable and perverse, since it reaffirms silence (politically) that allows prejudice, stigmatization and violence against women and LGBT population in Brazil's education system.

Moreover, it is also important to highlight the return of Religious Education, known for its 'confessional or inter-confessional bias' (Brazil, 2017a: 433), as a mandatory area of knowledge in BNCC. This content was entered in a final version of BNCC, in an uncritical way — mixing it with human rights and philosophy content, continuing to pick the hegemonic discourse of human rights linked with the Christian morality and the Western values. One good example of how this is working as new content comes from the 7<sup>th</sup> year in an 'OK' called 'Ethical principles and religious values Leadership and human rights' (Brazil, 2017a: 452).

In fact, Religious Education background document proposes to 'problematize social prejudiced representations about the other, in order to combat intolerance, discrimination and exclusion'

(Brazil, 2017a: 434). Still, it fails to approach any content about non-hegemonic religions, especially black and indigenous ones, such as Umbanda, *Candomblé*, *Quimbanda*, *Jurema* among others. On the contrary, it speaks in a mandatory content about Christianity, what officially reinforces practices and readings that are already happening in the local level (in private schools, for example).

### Final considerations

Concerning this article, I tried to expose the contemporary Brazilian education challenges, mainly reflecting upon the new Law no. 13,415/17 and the BNCC for Primary School, which reinforce how precarity and coloniality are shaped into the Brazilian education field.

First, the modification of the ‘Law of Directives and Bases of Brazilian National Education’ (LDB) is contradictory within itself. Justifying the necessity for urgent changes, with old data, the government sustains the Brazilian educational project as a measure to deal with the economic results. The changes made in the Secondary School are very tendentious: to increase the school hours impoverishing the curriculum, to label critical knowledge as ‘contents and practices’ and, especially, to divide curriculum in different areas of knowledge, with diverse ‘paths’ (adding a ‘Technical Education and Professional Training’ path), reinforcing education as a market good. As we know, the market and liberalism does not balance

inequalities, on the contrary, it serves to further oppress even more the ‘historically oppressed groups’.

Second, as I illustrated, historically oppressed groups, here especially in education field, are framed as ‘lose-able’ populations to be educated. Not being considered and recognized as proper subjects, they do not receive proper conditions for ‘persisting and flourishing’. My argument is that both Law no. 13,415/17 and BNCC did not intend to produce a more egalitarian set of conditions for recognizability of these groups, providing tools for criticizing their situation, in order to struggle for recognition. As I argued, education policies require responsibility and responsiveness, however the new project sees education through economic investment lens.

Third, the relations between institutional racism, coloniality and Western thought are supported by the current Brazilian education norms. This abstract, neutral and universal normative perspectives, perpetuates and covers Western hegemony, thereby continuing an implicit racism. Furthermore, it approaches racism as an individualistic and aberrant thinking failing to recognize it as part of the social and institutional structure — related with inequalities of resources distributions. The problematic issue invisibilized is that the so-called ‘racial majorities’, which have privileges, continue to cover-up minorities (historically oppressed groups) by incorporating them



in their discourse, under the backdrop of democracy and legalism.

Fourth, I compared and contrasted the 'Ecology of Knowledges' with the 'Abyssal Thinking'. The abyssal division of the world, between metropolitan (visible) and colonial societies/territories (invisible line), requires a new kind of thinking, called Postabyssal. As a counter-epistemology approach, Ecology of Knowledges puts into question power relations, stimulates dialogues, diversity and inter-knowledge relations — which means it holds essential tools to criticize inequalities. Unfortunately, my argument was that the new Law 13,415/17 and the BNCC support the abyssal line, reinforces capitalism and embraces education as a platform for market.

Fifth, based on the BNCC for Primary (Child and Fundamental) School, in the final years (5<sup>th</sup> to 9<sup>th</sup> grade), historically oppressed groups are not framed in a critical approach. Beside the contents related to afro-descendant and indigenous populations being considered quite regularly in almost all the final years but only in one discipline (History), there is no mention of these groups in other seven contents. In particular, for some years, the approach could be more contextualized. Especially for indigenous populations, there remains a question about their insertion after the democratization period. This does not occur with black population. Nevertheless, critical contents, which touch on power structures, such as *quilombos* or racism (as well as

gender, gender identity and sexuality) are framed as invisible and unspeakable topics. Another problematic issue is the use of Religious Education as a mandatory area of knowledge, which is mixed, uncritically and in a confused way, with human rights, philosophy and fails to talk about non-hegemonic religions, especially black ones.

Finally, if cognitive justice is central to social justice, it is essential to explicitly incorporate 'different knowledges', through diverse contents/disciplines, in the BNCC, especially the ones that exposed 'historically oppressed groups', based on diversity and inter-knowledge relations. In order to conclude my main debate here, intending to mitigate the precarity and coloniality on the Brazilian education field, I propose the urgent necessity to work on both: on the recognition bases of the 'historically oppressed groups', that pass through the necessity of a critical and regulated education about their histories, contents and knowledge, which should be explicitly exposed in a transversal way in the BNCC; and on the deconstruction of the vision of education focused only on the logic of market, rather than an education for citizenship, equity, and diversity.

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## References

- Agência Brasil. 2017. MEC retira termo 'orientação sexual' da versão final da base curricular | Agência Brasil — Últimas notícias do Brasil e do mundo. [Accessed in 21-3-2019]. Available at: <http://agenciabrasil.ebc.com.br/educacao/noticia/2017-04/mec-retira-termo-orientacao-sexual-da-versao-final-da-base-curricular>.
- Arata, N. 2016. Los desafíos de la educación popular latinoamericana: aportes desde el Foro Mundial de Educación. *El País*, 15: 1–11
- Araújo, M. 2016. A very 'prudent integration': white flight, school segregation and the depoliticization of (anti-) racism. *Race Ethnicity and Education*, 19(2): 300–323. DOI: 10.1080/13613324.2014.969225.
- Brazil. 1988. *Constituição da República Federativa do Brasil (1988)*. Brasília: Supremo Tribunal Federal. [Accessed in 21-3-2019]. Available at: [https://www2.senado.gov.br/bdsf/bitstream/handle/id/518231/CF88\\_Livro\\_EC91\\_2016.pdf](https://www2.senado.gov.br/bdsf/bitstream/handle/id/518231/CF88_Livro_EC91_2016.pdf).
- Brazil. 1996. Lei nº 9.394, de 20 de dezembro de 1996. [Accessed in 21-3-2019]. Available at: [http://www.planalto.gov.br/ccivil\\_03/leis/l9394.htm](http://www.planalto.gov.br/ccivil_03/leis/l9394.htm).
- Brazil. 2014a. Lei nº 13.005, de 25 de junho de 2014. [Accessed in 21-3-2019]. Available at: [http://www.planalto.gov.br/ccivil\\_03/\\_Ato2011-2014/2014/Lei/L13005.htm](http://www.planalto.gov.br/ccivil_03/_Ato2011-2014/2014/Lei/L13005.htm).
- Brazil. 2014b. Saiba como é a divisão do sistema de educação brasileiro — Governo do Brasil. [Accessed in 21-3-2019]. Available at: <http://www.brasil.gov.br/educacao/2014/05/saiba-como-e-a-divisao-do-sistema-de-educacao-brasileiro/view>.
- Brazil. 2016. Medida provisória nº 746, de 22 de setembro de 2016. [Accessed in 21-3-2019]. Available at: [http://www.planalto.gov.br/ccivil\\_03/\\_ato2015-2018/2016/Mpv/mpv746.htm](http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2016/Mpv/mpv746.htm).
- Brazil. 2017a. Base nacional comum curricular: educação é a base (2017). [Accessed in 21-3-2019]. Available at: <http://basenacionalcomum.mec.gov.br/abase>.
- Brazil. 2017b. Lei nº 13.415, de 25 de junho de 2017. [Accessed in 21-3-2019]. Available at: [http://www.planalto.gov.br/CCIVIL\\_03/\\_Ato2015-2018/2017/Lei/L13415.htm#art1](http://www.planalto.gov.br/CCIVIL_03/_Ato2015-2018/2017/Lei/L13415.htm#art1).
- Brazil. 2019. Base nacional comum curricular: educação é a base (2019). [Accessed in 21-3-2019]. Available at: <http://basenacionalcomum.mec.gov.br/a-base>.
- Butler, J. 2009. *Frames of war: when is life grievable?* New York, Verso.
- Callegari, C. 2018. *Carta aos conselheiros do Conselho Nacional de Educação*. In: Centro de referências em educação integral. [Accessed in 21-3-2019]. Available at: <http://educacaointegral.org.br/reportagens/entenda-as-divergencias-sobre-reforma-ensino-medio-bncc-que-fizeram-callegari-renunciar>.
- Fitzpatrick, P. 1987. Racism and the innocence of law. *Journal of Law and Society*, 14(1): 119-132.
- Goldberg, D. T. 2006. Racial europeanization. *Ethnic and Racial Studies*, 29(2): 331–364. DOI: 10.1080/01419870500465611.
- Hesse, B. 2004. Discourse on institutional racism: the genealogy of a concept. In: Law, I.; Phillips, D.; Turney, L. (eds.). *Insti-*

- tutional racism in Higher Education*. Stoke on Trent, Trentham Books: 131–147.
- Hesse, B.; Sayyid, S. 2006. Narrating the post-colonial political and the immigrant imaginary. In: Ali, N.; Kalra, V. S.; Sayyid, S. (eds.). *A postcolonial people: South Asians in Britain*. London, Hurst: 13–31.
- IBGE — Instituto Brasileiro de Geografia e Estatística. 2011. Características étnico raciais da população: um estudo das categorias de classificação de cor ou raça. 2008. Rio de Janeiro: IBGE. [Accessed in 21-3-2019]. Available at: <https://biblioteca.ibge.gov.br/visualizacao/livros/liv49891.pdf>.
- IBGE. 2017. Educação 2016, PNAD (1): 1–12. [Accessed in 21-3-2019]. Available at: [https://agenciadenoticias.ibge.gov.br/media/com\\_mediaibge/arquivos/95090ddfb63a3412f04fedafd6d65469.pdf](https://agenciadenoticias.ibge.gov.br/media/com_mediaibge/arquivos/95090ddfb63a3412f04fedafd6d65469.pdf).
- Lemos, L. H. de G.; Silva, M. N.; Costa, M. C. F. S.; Lopes, M. V. M.; Albuquerque, S. L. 2017. A reforma do ensino médio integrado a partir da lei nº 13.415/2017: nova lei — velhos interesses — um recorte histórico a partir do decreto nº 2.208/97 aos dias atuais. In: Araújo, A. C.; Silva, C. N. N. (Orgs). *Ensino Médio integrado no Brasil: fundamentos, práticas e desafios*. Brasília, Editora UFB.
- Lino, L. A. 2017. As ameaças da reforma: desqualificação e exclusão. *Revista Retratos Da Escola*, 11: 75–90. [Accessed in 21-3-2019]. Available at: <http://www.esforce.org.br>.
- Motta, V. C. da; Frigotto, G. 2017. Por que a urgência da reforma do Ensino Médio? Medida provisória Nº 746/2016 (Lei Nº 13.415/2017). *Educação & Sociedade*, 38 (139): 355–372. DOI: 10.1590/es0101-73302017176606.
- Santos, B. de S. 2007. Beyond Abyssal Thinking: from global lines to ecologies of knowledges. *Review*, XXX(1): 45–89. DOI: 10.3726/978-1-4539-1797-8.
- Santos, B. de S. 2014. Human Rights. A fragile hegemony. [Accessed in 21-3-2019]. Available at: <https://stanfordpress.typepad.com/blog/2014/12/human-rights-a-fragile-hegemony.html>.
- Santos, B. de S. 2015. *If God were a human rights activist*. Stanford Studies in Human Rights. California, Stanford University Press.
- UN — United Nations. 2016. *Informe de la Relatora Especial sobre cuestiones de las minorías relativo a su misión al Brasil*. [Accessed in 21-3-2019]. Available at: <https://www.acnur.org/fileadmin/Documentos/BDL/2016/10360.pdf>.