

## The essential role of in-person schooling in Brazil during the COVID-19 emergency: analysis of *Bill of Law n. 5,595/2020*

Essencialidade da educação presencial na emergência da COVID-19 no Brasil: análise do *Projeto de Lei nº 5.595/2020*

Esencialidad de la educación presencial en el surgimiento del COVID-19: análisis del *Proyecto de Ley n. 5.595/2020*

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In January 2020, the World Health Organization (WHO) declared the COVID-19 epidemic a Public Health Emergency of International Concern (PHEIC). Brazil is currently facing a severe social crisis with unprecedented unemployment rates in the country <sup>1</sup> and immeasurable economic, political, and scientific impacts and thousands of lives lost.

Brazil's social and educational inequalities have increased, causing an unprecedented crisis in the public school system. Most Brazilian children and youth have gone more than a year without in-person classes, with enormous harm to their development due to the precarious access to technological resources and internet <sup>2</sup>.

In addition, many families are unable to assist their children during remote teaching because of their accumulated activities, the search for means of survival, and their own low levels of schooling. The situation calls attention to the importance of recognizing markers of territory, class, gender, and race in this debate. Education's inclusive perspective has also been overshadowed by the health crisis. The social and educational needs of persons with disability have thus also been sidelined in the discussions.

This scenario is the point of departure for our discussion of *Bill of Law n. 5,595/2020* <sup>3</sup>, which "rules on the acknowledgement of Basic and Higher Education with an in-person format as essential services and activities", passed by the Brazilian Chamber of Deputies in April 2021. The article thus addresses a pressing current issue and was written by women committed to education, collective health, and above all the right to life.

The bill determines a ban on the "suspension of in-person educational activities" <sup>3</sup> in the public and private school system, even in periods of calamity and health emergencies. It is an attempt to solve the issue of school closures while ignoring the problem's multiple dimensions, the existing regulations <sup>4</sup>, and the diverse stakeholders in the discussion <sup>5</sup>. The determination is based on the certainty of the "essential nature of educational services" <sup>3</sup>, the bill's principal enunciation. What discourses, values, and techniques sustain the proposal? What are their implications?

It is undebatable that education is a both a core value for society and a Constitutional right. It is also undeniable that the school system is one of the sectors most heavily impacted by the COVID-19 pandemic, requiring efforts that guarantee promotion of the right. However, unlike the value of

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the right to education, the ways of promoting education need to be discussed, because in scenarios involving severe health threats, life is the greater value. The preservation of life forces us to question certainties and consider the problems' multiple dimensions, since there are many dangers in a single story, as Chimamanda Adichie warns us <sup>6</sup>.

The bill emphasizes the guarantee of education as a social right and the duty of the State and the family to provide it in "*equality of conditions for access and retention in school*" <sup>3</sup>. Education is thus considered essential for "*mitigating social inequalities*" <sup>3</sup>.

The bill underlines the fundamental role of education for the country's economic and social development. It also points to slow educational progression in Brazil, given the number of children out of school <sup>3</sup>. For the line of argument to gain rhetorical power, the text evokes the language of planning that views education as a service and activity <sup>3</sup>, while evidencing a value judgment on the insufficient work of local governments, which conceive of education as a primordial and nonessential activity. The bill thus detracts from the importance of regional and local decisions, while simultaneously overlooking the risks of the bill's own possible approval.

Further under the rhetoric of development, Brazil is situated in a position of disadvantage in relation to other countries based on the number of days without in-person classes and the lack of an effective guarantee for reopening schools. The idea of government's unpreparedness to ensure remote education constructs a perspective that schools should not remain closed for so long. The futurist discourse that palliative solutions will mean a real delay in educational progression produces the perspective of "lost time" for the country's development <sup>3</sup>.

By promoting education announced as a right, the bill overshadows other aspects of school closures during the current health emergency. This construct obfuscates the relationship of interdependence between various sectors as a fundamental element for adequate promotion of the country's Constitutional principles, serving as a fallacious discourse on the right to education. This narrative ploy associates the idea of access with the sense of education's essential nature and the concept of social protection with the practice of school retention. In doing so, it ignores that both closure and reopening can produce inequities. Social distancing has increased the risks of violence, food insecurity, and mental disorders, expanding the existing disparities <sup>7</sup>. The experience of other countries shows that safe reopening has been possible through the combination of mitigative measures, changes in the schools' structure, and continuous surveillance activities <sup>7,8,9</sup>. However, school reopening in Brazil may inflict serious risks on the lives of more vulnerable persons, due to differences between public and private schools <sup>5,10</sup> and difficulties with health surveillance.

The bill produces contradictory meanings and underestimates the critical health context in which school closures were decreed – an extremely serious scenario, not a momentary problem as the bill's wording suggests <sup>3</sup>. Brazilian and international epidemiological data show that most regions of the world reported a decline in the number of deaths in July 2021. However, Brazil was the country that reported the most deaths <sup>11</sup>. In addition, serious COVID-19 cases in children are rare, but they occur <sup>12</sup>.

The text's discursive tactic suppresses the attempts to protect lives through social distancing measures, which aim to ensure "*beds, ventilators, personal protective equipment, and sufficient staffing to absorb the increasing demand*" <sup>13</sup>, in addition to "*access and care for COVID-19 cases*" <sup>13</sup> without discontinuity in healthcare services. In doing so, the bill also implies that some lives are worth less, since in the absence of protective measures and healthcare to save lives, those who lose are marked by color, class, and functionality.

The WHO determines that in a situation of community transmission, the approach should be based on risk and public health measures to guarantee the continuity of children's education <sup>14</sup>. According to the WHO, a wide range of measures is necessary in areas with upward trends in COVID-19 cases, hospitalizations, and deaths, including school closures <sup>14</sup>. However, by determining cross-the-board opening of schools, the bill not only ignores the validity of the WHO recommendations, but also strains health policy guidelines in Brazil. The bill fails to explain which safety measures would guarantee the schools' uninterrupted functioning. Besides, what has government done to attenuate the pandemic's impacts on public schooling in the country?

According to data from the press <sup>15</sup>, as of March 2021, no state of Brazil had purchased digital equipment for remote teaching. In addition, the Ministry of Education had the lowest budget in a decade, with substantial cuts in 2021.

The bill's discourse highlights development and education's role to promote it. From this perspective, children and youth who remain out of school are considered an obstacle. Furthermore, the bill contends that prolonged school closures are due to the inefficiency of local governments<sup>3</sup>. The idea of lost time is linked to prospects for continuity of development and governance of childhood. By shifting the meaning of education from primordial to essential, the bill ensures rhetorical power and promotes its acceptance, but fails to build the conditions for its enforcement in the pandemic's scenario.

The process of approval in the Chamber of Deputies evidences the importance of timely audiences for achieving political purposes<sup>16</sup>. The sagacity of the bill's line of argument lies in the capacity to produce a specific value judgment and promote adherence to it. To establish adherence, the discursive production's underlying values must be accepted in the realities to which they are addressed and must be part of them<sup>16</sup>. Adherence, a qualified audience, and value judgment – this triple intercession organizes the rhetoric established in the bill as a persuasive technique. According to Adichie<sup>6</sup> (p. 12), *“Power is the ability not just to tell the story of another person, but to make it the definitive story of that person”*, that is, to rule that person.

The discourse of protection of childhood that sustains the promotion of the right to education in the bill and the enunciation of lost time that displays its persuasive techniques constitute veritable devices of governance over persons' lives<sup>17</sup>. The process of building the meaning of education's essential role in order to make schooling's in-person format compulsory excludes the indispensable dimensions of when and how to reopen schools, and which should be part of a broad discussion: insufficiency of social protection measures and policies; insufficiency of vaccines for the population; vaccination of children; mental health of children, teachers, and school staff; public transportation; budget freeze on public policies.

We also emphasize the fact that the discourse of education's essential nature in the in-person format is based on the lack of social protection produced by the State itself. Its production targets the demands of persons with the greatest social needs and thus garners support from the most vulnerable populations in the face of the pandemic – another way of producing values and adherence. This occurs in a scenario of precarious promotion of the Constitutional right to social assistance.

The return to in-person classes is urgent, but it needs to be discussed in expanded forums in light of the local epidemiological situation, based on evidence and the diversity of experiences, from the perspective of complexity and requiring changes that are difficult to achieve in the short term<sup>5</sup>. Thus, considering the central importance of educational institutions, our position is against the universal in-person format promoted by the bill, and we call on society at large to discuss the return to educational activities from a perspective that includes the various sectors involved. Given the currently dramatic epidemiological scenario<sup>11,12</sup>, the promotion of education according to the bill of law will produce not only contradictions and uncertainties, but above all a serious threat to life, a dangerous single story that needs to be widely debated and refuted.

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L. N. Silva, M. D. Pletsch, and F. S. Dias participated in all stages of article production.

## Additional informations

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