

Florestan Fernandes and public education in the National Constituent Assembly (1987-1988)^{1 2 3}

Florestan Fernandes e a educação pública na Assembleia Nacional Constituinte (1987-1988)

Florestan Fernandes y la educación pública en la Asamblea Nacional Constituyente (1987-1988)

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Abstract

This text aims to discuss the struggles in the educational area in the National Constituent Assembly and its historical origins, following the theoretical and political ideas of sociologist and constituent deputy Florestan Fernandes. The challenge of breaking the democracy's Gordian knot in its articulation with the public education agenda constitute the reading key used to follow Fernandes' manifestations in the Constituent Assembly. The sources used were his articles in newspapers and his speeches in the Constituent Assembly, which are organized in collections and are available in the digital files of the Congress. In parallel with the four stages of the Constituent Assembly, we read Florestan Fernandes' texts and discourses in a chronological path that followed its main moments. Thus, the analyzed material was organized into three core themes deeply related to the hopes and impasses of the constituent process: (i) Historical challenges of the Constituent Assembly; (ii) The constituent process, popular participation, and education; and (iii) The transacted transition and the limits of the "New Republic." This last stage already shows the limits that the Constituent Process faced, which, again in Brazilian history, prevented the rupture of the Gordian knot of democratic reforms.

Keywords: public education, National Constituent Assembly, Florestan Fernandes

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Resumo

Discute-se os enfrentamentos na área educacional na Constituinte e suas origens históricas, segundo o percurso teórico e político do sociólogo e deputado constituinte Florestan Fernandes. O desafio de romper o nó górdio da democracia em sua articulação com a pauta da educação pública constitui a chave de leitura pela qual percorremos as manifestações de Florestan à época da ANC. As fontes utilizadas foram seus textos publicados em jornais e seus discursos na Constituinte organizados em coletâneas e que estão disponíveis nos arquivos digitais do congresso. Em consonância com as quatro etapas da ANC, procedeu-se a uma leitura dos textos e discursos de Florestan Fernandes num percurso cronológico que acompanhou os principais momentos da Constituinte. Assim, o material analisado foi organizado em três núcleos temáticos que têm profunda conexão com as esperanças e impasses do processo constituinte: (i) Desafios históricos da Constituinte; (ii) O processo constituinte, a participação popular e a educação; e (iii) Transição Transada e os limites da “Nova República”. Nesta última fase, já aparecem os limites com os quais a Constituinte se deparava e impediam mais uma vez na história brasileira a ruptura do nó górdio das reformas democráticas.

Palavras-chave: educação pública, Assembleia Nacional Constituinte, Florestan Fernandes

Resumen

Este texto pretende discutir los enfrentamientos en el área educativa en la Asamblea Constituyente y sus orígenes históricos, a partir del transcurso teórico y político del sociólogo y diputado constituyente Florestan Fernandes. El desafío de romper el nudo gordiano de la democracia en su articulación con la pauta de la educación pública constituye la clave de lectura por la cual traspasa las manifestaciones de Florestan en la época de la Asamblea Nacional Constituyente (ANC). Se utilizaron como fuentes sus textos publicados en periódicos y sus discursos en la Asamblea Constituyente, recopilados y disponibles en los archivos digitales del Congreso. En consonancia con las cuatro etapas de la ANC, se procedió a una lectura de los textos y discursos de Florestan Fernandes en un transcurso cronológico que acompañó los principales momentos de la Asamblea Constituyente. De esta manera, el material analizado se organizó en tres núcleos temáticos que tienen una profunda conexión con las esperanzas e impases del proceso constituyente: (i) Desafíos históricos de la Asamblea Constituyente; (ii) El proceso constituyente, la participación popular y la educación; y (iii) Transición Transacionada y los límites de la “Nueva República”; En esta última fase, ya aparecen los límites con los cuales la Asamblea Constituyente se deparaba e impedían, una vez más en la historia brasileña, superar el nudo gordiano de las reformas democráticas.

Palabras clave: educación pública, Asamblea Nacional Constituyente, Florestan Fernandes

... education is the most serious Brazilian social dilemma. Its lack harms in the same way as hunger and misery, or even more, because it deprives those hungry and miserable of the means that enable them to become aware of their condition, of the means to learn to resist that situation. Therefore, it may represent a factor in the diffusion of ignorance and cultural backwardness. With these mechanisms and an unfair and innocuous school system, there is a reproduction of the inequality system, the concentration of wealth, power, and domination.

(Notas taquigráficas da Constituinte de 1987-1988)

[Shorthand notes of the 1987-1988 Constituent Assembly]

Introduction

The decisive moments in the history of Brazilian education include the debates and directions attributed to the educational theme in the National Constituent Assembly (ANC) of 1987-1988. In the midst of the period known as the “New Republic,” it was necessary to build the legal foundations of the democratic order, after the departure of the military presidents. These circumstances bring back controversies that arose with the fierce disputes that were present in the projects of the first Law of Guidelines and Bases of Brazilian education (LDB), between the 1950s and 1961, regarding the place of public and private education in the State’s budget. The approach to confrontations in the educational area in the Constituent Assembly and its historical origins could be carried out in different ways; this text aims to treat them according to the theoretical and political path of sociologist Florestan Fernandes, who was elected constituent deputy in the 1986 elections by the Workers’ Party (PT).

Florestan Fernandes resisted joining a party association. Only in 1986, with the prospect of participating in the Constituent Assembly, the sociologist accepted the PT’s invitation to be a candidate for federal deputy. The Florestan Fernandes Study Journey at the São Paulo State University (UNESP) in Marília, that same year, was an important moment in this path that led to the launch of his candidacy. Big names in the social sciences in Brazil were present to discuss his work, and more than a thousand people from different parts of the country participated (D’Incao, 1987). Without having this intention, the journey helped to boost the patron’s candidacy (Soares, 1997).

The intellectual Florestan Fernandes, following the example of his academic performance, arrived at the ANC and personified the dignified and respected politician, averse to the traditional practices of privileging those from above (Soares, 1997).

Following the educational theme from his point of view constitutes a peculiar look inside the ANC, with a privileged position of observation, close and inside the constituent process and from a political position articulated with a theoretical elaboration built over more than 40 years of intellectual work addressing educational topics (Fernandes, 1989b).

Florestan Fernandes is considered by Professor Antonio Candido one of the great interpreters of Brazil. From humble origins, he made a difficult path as a working child until being admitted at the University of São Paulo as an undergraduate student in the 1940s (Candido, 1987). At this university, he built a brilliant career and played a prominent role in building the scientific bases of the Social Sciences in the country (Arruda, 1995). His works have an intricate relationship with the Brazilian historical process and its dilemmas, very well described by the author in his essay “Em busca de uma sociologia crítica e militante” (In search of a critical and militant sociology) (Fernandes, 1980).

Professor Florestan Fernandes was vigorously involved in the struggle for public education, in deep coherence with his social origin. We highlight the engagement in the Constituent Assembly in the 1980s and in the National Campaign in Defense of Public Schools during the period of clashes over the First LDB projects at the end of the 1950s, in which he claims to have been:

... spokesman for the frustrations and anger of my childhood and youth friends. My state of mind made the university professor speak on behalf of the son of the former Portuguese servant and laundress, who had to earn his living even before he turned seven, shining shoes or dedicating himself to other equally degraded occupations, severely at that time. (Fernandes, 1966 p. XIX)

Florestan Fernandes carried out the uncompromising defense of the public school, by the slogan “public funds for public schools,” as a structuring element of an educational reform linked to the creation of the foundations of the democratic order and the possibilities of building Brazilian capitalism on more autonomous and national bases.

When the law was enacted in 1961, Fernandes gave a very negative assessment of the results it had achieved, since republican principles concerning education were not respected in terms of: State autonomy in terms of administration and education policy; application of official resources intended for the instruction and intervention of public authorities in the democratization of school opportunities. It was, therefore, considered by him an anachronistic law, which showed the apathy of politicians towards education and did not respond to the historical needs of a national education system and an educational policy at that time, since it kept school education disconnected from the economic, cultural, and social processes that reshaped Brazilian society at the time (Fernandes, 1966).

According to Mazza (2003), the work of Florestan Fernandes in the 1940s and 1960s is not only permeated by educational issues but also has important repercussions on his later sociological production. From this first experience of Florestan Fernandes in the systematic involvement in the struggle for public schools, one of the concepts that later contributed to his reading of the difficulties encountered in the ANC in the 1980s was extracted. It is the “sociopathic resistance to change” by conservative circles in the country, described by him as follows:

... Its main negative trait lies in the fact that it does not involve a just and productive emotional and moral connection with the past; the greater effort is directed towards the pure and simple preservation of the status quo, without any concern in saving the social heritage by its renewal. Everything happens as if people and human groups placed above all the positions reached in the power structure of society. Innovative inflows and their predictable effects end up projected in the area of “evil forces” – being perceived, interpreted, and repelled in a context of irrational action. (Fernandes, 1976, p. 211)

Florestan Fernandes’ involvement in the 1961 LDB debates and the theoretical developments that this experience generated in his work are evident in his subsequent production aimed at understanding the peculiarity of the construction of bourgeois society in Brazil (Mazza, 2003).

In the early 1980s, the sociologist was very close to the organization of entities composed of teachers and researchers in the educational area. With a prominent role in the public debate, he presented a forceful speech for the opening of the II Brazilian Conference on

Education, in 1982, with the title “O novo ponto de partida” (The new starting point). On that occasion, he defended that education and the democratization of society appeared as real entities and concrete and interdependent processes, in an analysis focused on the cultural needs of the working classes (Fernandes, 1989c).

Thus, Florestan Fernandes’ militancy in the struggle for public education occurred in parallel with the sharpness of his analysis of the fresh historical process, in books and articles for newspapers of the time. In October 1983, the sociologist became a weekly member of the “Trends and Debates” section of the Folha de S.Paulo newspaper. This experience made his ideas reach a wider field of debate and action. According to Antonio Cândido (cited by Soares, 1997, p. 90): “It was thanks to his activity in the press that he really became a person known throughout the country and that one could see what his politics was about.”

In 1985, the first edition of *Nova República?* (Nova República?) was published, in which the author presented the possibilities open to Brazilian society in that new moment characterized by the “interrupted counter-revolution.” The theses developed in *A revolução burguesa no Brasil* (The bourgeois revolution in Brazil) are then resumed. Aimed at revealing the essence of the formation of Brazilian capitalism, these theses point out that the Brazilian specificities include the consolidation of the country’s industrialization not associated with the democratic and national reforms that characterized the classic bourgeois revolutions. The Brazilian bourgeoisie would have a form of domination marked by a strong autocratic principle, in addition to being counterrevolutionary, thus distinguishing itself from its European counterparts (Fernandes, 2006). In the mid-1980s, the dictatorial forces were retreating to the rear of the State “civilian power.” Florestan Fernandes emphasizes the ambivalence of this displacement, since on the one hand there was their permanence, even if behind the scenes, given that the transition was negotiated and was following the molds foreseen by the military, in a “slow, gradual, and safe” process exposed in the defeat of the “Diretas Já” (Direct [Elections] Now) and in the election in the electoral college. On the other hand, the social movement grew significantly in the early 1980s. In the struggle for rights, teachers, factory workers, health professionals, landless workers started to organize, with a strong presence of the progressive sectors of the Catholic Church, which together represented a powerful force in the defense of the democratic reforms that touched the structures of Brazilian society. Thus, Fernandes (1986, p. 33) states that:

There is a dialectical link between past, present, and future; the future is embedded in our present both as a counterrevolution and as revolution... It is up to us to prevent the past from being prolonged and reproduced in the present, making the future an expanded (and renewed) reproduction of the past, that is, it is up to us to extinguish a form of barbarism that should have disappeared with slavery or the First Republic. This is the core of the political reasoning that is not to be confused with “national conciliation.” Those who stopped the “capitalist revolutions” and then also stopped the counter-revolution that generated the institutional Republic must be remembered. But in a way that their mistakes are not repeated and that the Gordian knot of the democratic revolution is effectively cut.

The Gordian knot of the democratic revolution, not cut in the election of the first civilian president since 1964, appears as a central challenge in the constituent process, according to the author. The core of his political and intellectual concerns is constituted by the urgency regarding the forwarding of what he calls the “democratic revolution,” composed of reforms that would create more egalitarian social bases in the country. The uncompromising defense of public, secular, and free schools, as well as the exclusive allocation of State resources to public schools, appear as an essential part of these changes.

Thus, this text brings results of a research project carried out between 2016 and 2019, with the title: “The educational proposal of Florestan Fernandes and its dialogue with educators in the National Constituent Assembly.” The research methodology was designed considering the relationships between the studies of Florestan Fernandes on social formation in Brazil, systematized in his work *A revolução burguesa no Brasil*, and the set of his texts on education in the 1980s.

Here, we focus specifically on the way in which the sociologist and constituent deputy addresses the challenge of breaking the Gordian knot of the democratic revolution in its articulation with the public education agenda. This corresponds to the reading key by which we went through Florestan’s manifestations at the time of the ANC. The selection of sources written by Florestan Fernandes has a chronological and thematic approach: it follows his texts published in newspapers and his speeches in the Constituent Assembly (1987-1988) organized in collections and which are available in the digital archives of the Congress (Fernandes, 1988, 1989c, 2014).

Education in the texts of Florestan Fernandes in the four stages of the ANC

According to the Internal Regiment approved on March 10, 1987, the ANC would conform to four stages; Florestan Fernandes served on the committee and subcommittee that dealt with the topic of education. The organization of work in the ANC responded to a logical plan: there would be eight constitutional committees, each subdivided into three subcommittees “... that would make it possible to distribute the various subjects or themes among groups of constituent deputies and senators who are more accustomed to the pertinent issues and their complexity” (Fernandes, 1989b, p. 81). There would still be the Systematization Committee, which would recompose the whole. It was a fragmented process. Since his first analyses on the constituent processes, Fernandes showed his perceptions about the conservative link present there, from the assignment of discrete, dispersed, and diluted tasks in the Committees up to the final voting decision in the ANC, mainly composed by right-wing and center parties.

In parallel with the four stages of the Constituent Assembly, we read Florestan Fernandes’ texts and discourses in a chronological path that followed its main moments. Based on the reading and chronological organization of the texts, we were able to identify the main theme that prevailed in the writings in each of the moments of the ANC⁴. Thus, three core themes were elaborated, which are deeply connected to the hopes and impasses of the constituent process: (i) Historical challenges of the Constituent Assembly – in these texts, Florestan Fernandes clarifies the historical task of the ANC before concrete reality, in the days that correspond to the installation the ANC and its Committees and Subcommittees; (ii) The constituent process, popular participation, and education – this set of texts include interventions that bring to the fore the advanced aspects related to popular participation in the elaboration of the new Constitution, as well as the insurmountable impasses in the climate of growing tension during the discussions in the Subcommittee and the Committee that dealt with the educational topic; and (iii) the transacted transition and the limits of the “New Republic,” a phase in which “Big Center” interventions that lead to the change of the ANC regiment are already outlined, in an increasingly difficult and tense context for popular demands, especially for public education. At this stage, the limits with which the Constituent Assembly faced already appeared,

⁴ The texts that were analyzed are organized in Table 1 and will be characterized with the title and original date of publication at the end of each direct quotation in which they appear, to favor their identification by the reader.

preventing, once again in Brazilian history, the rupture of the Gordian knot of democratic reforms that generated a less unequal correlation of forces between social classes. Chart 1 summarizes and organizes this information:

Chart 1 – Main topics addressed by Florestan Fernandes during the National Constituent Assembly

Chronology of the Constituent Assembly		Core themes of the texts and discourses of Florestan Fernandes
01/02/1987	Start of the Constituent Assembly	A) Historical challenges of the Constituent Assembly
10/03/1987	Approval of the Internal Regime of the ANC	
01/04/1987	Start of the eight thematic committees, divided into 24 subcommittees	
07/04/1987 - 25/05/1987	The Subcommittee conducted 192 public hearings	B) The Constituent Process, popular participation, and education
09/04/1987	Start of the Systematization Committee	
25/05/1987	Conclusion of the works of the subcommittees with approval of the 24 reports	
28/05/1987	Beginning of discussion of the 24 reports of the subcommittees by the committees	
12/06/1987	End of the works of the thematic committees	
15/06/1987	Referral to the Systematization Committee	
16/06/1987	National Campaign of support to popular amendments	
26/06/1987	The rapporteur delivers the first draft of the Constitution	
15/07/1987- 13/08/1987	Presentation of 20791 amendments to the draft of the Constitution, including 122 popular ones	
14/08/1987	ANC session discusses the topic of Educational	
26/08/1987	Beginning of the defense of popular amendments, in plenary session, of the Systematization Committee, by representatives of civil society	
28/08/1987- 05/09/1987	Deadline of presentation of amendments to the substitute draft, with receipt of 14320 amendments	C) "Transacted transition" and the limits of the "New Republic"
25/09/1987	Beginning of voting of the draft in the Systematization Committee, of the substitutes of rapporteur, and of popular amendments	
04/11/1987	First manifestations of the Big Center, with release of groups' document	
18/11/1987	Fernande's amendment to the chapter of education, on the exclusivity of public resources for public schools, is not approved, in Nov. 14, 1987.	
24/11/1987	Delivery of the project approved in the Systematization Committee, with 355 articles, in solemnity	
26/11/1987	Beginning of discussion, in plenary sessions, of the approved projected	
03/12/1987	Change in the Internal Regime of the ANC allows the possibility to offer amendments to all provisions of the Constitution project voted by the Systematization Committee	

05/01/1988	Approval of Resolution 03/88, which establishes the regimental reform proposed by the Big Center	
04/02/1988	Manifestation against the Big Center modification encompasses the National Congress	
30/06/1988	End of voting in first round, resulting in Constitution project with 322 articles	
27/07/1988	Approval of the Constitution project, except for highlights	
22/09/1988	The plenary session approves, in one round, in global voting, the final redaction, transformed into Constitution, with 315 articles (245 permanent provisions and 70 transitory ones)	
05/10/1988	the Constitution of the Brazilian Federative Republic is enacted	

Sources: Portal da Constituição Cidadã⁵; Fernandes (1988, 1989c, 1989b, 2014)

Historical challenges of the Constituent Assembly

The 1987/1988 Constituent Assembly, for the first time in Brazilian history, had popular participation mechanisms; there was strong pressure from the Catholic Church and Social Entities so that the population could intervene, either by public hearings or popular amendments (Michiles, 1989). According to Fernandes (1989b, p. 77), “the Catholic-reformist, social-democratic, and socialist-reformist impregnation of popular demand is well known. In Brazil, were it not for certain entities with this impregnation, the constituent process would be closed off.”

The method chosen for the elaboration of the Constitution excluded the use of a preliminary project, thus suggestions from the constituents, as well as representatives of civil society and the State, were received. Based on these contributions, the first drafts would be voted on, in the construction of the constitutional text.

As shown in Chart 1, in the initial phase of the Constituent Assembly, Florestan Fernandes’ public interventions are focused on the emphasis on the “Historical Challenges of the Constituent Assembly,” in which the hopes and risks involved in the elaboration of the new

⁵ http://www2.camara.leg.br/atividade-legislativa/legislacao/Constituicoes_Brasileiras/constituicao-cidada/o-processo-constituente/

Constitution are unraveled. Thus, on February 12, 1987, Florestan Fernandes makes the following speech to the ANC⁶:

We had several Constitutions, but we never had such an important Constitution in the history of Brazil. And, unfortunately, we have never had such adverse conditions for it to be elaborated, given the nature of the problems we face. To discuss the issue of the sovereignty of the National Constituent Assembly, one must understand that it results from an inescapable political process. There was a transition that was called “transacted,” that is, the current New Republic was born from a birth of the dictatorship, and what we inherited was an illegal institutional order. The Constitution of 1967, with the complements of 1969 and the entire set of institutional acts and decrees, is a constitutional Frankenstein, and here we see priests who kneel before it, as if it were a model of all Constitutions that must guide our behavior within this House. In fact, there was a rupture, which should have been consummated in the election of Tancredo Neves and was not. It will be consummated now, on a plan that a well-known author, Max Weber, would call a revolution in the sphere of Law. The rupture could have taken place as a result of the “Diretas Já” movement, but it did not. One could say that, due to the cowardice of many politicians, the convenience of many powerful people, and the blindness of our ruling classes, today this rupture is inevitable. We are not here to draft a Constitution for the 50s or the 60s, but for today and for the next 25 or 50 years, and within a historical situation in which it is impossible to deny that profound structural transactions are taking place in Brazilian society. (Fernandes, 1988, p. 61)

This speech indicates what was at stake in the Constituent Assembly: the overcoming of the political conditions of the dictatorship that were present in the process of transition to democracy. Emblematic of this permanence was the defeat of the popular movement “Diretas Já,” with the election of Tancredo Neves by the electoral college. Florestan Fernandes defends that the elaboration of the Constitution must incorporate the legal bases for carrying out the structural reforms that were on the political agenda in the early 1960s and were suspended by the dictatorship from 1964 onwards, such as the Educational Reform that promoted the substantive equality of opportunity and the Land Reform. In the absence of these structural reforms, a “savage capitalism” would be developed in Brazil, with alarming rates of concentration of income and wealth. Thus, the economic crisis of the 1980s appearing in the impasses of the external debt and in the galloping inflation would have deep relations with the structural crisis. To overcome the crisis in its structural and conjunctural aspects, it would be necessary to have political space for greater action by workers in the fight for their interests.

⁶ The following texts by Florestan (1989a) that were published in *O Pasquim São Paulo* and *Folha de S.Paulo* are also in Core Theme A: *Congresso Constituinte sem sonhos* [Constituent Congress without dreams] (Dec. 1986); *Pacto Social e desmobilização* [Social pact and demobilization] (Jan. 1987); *A crise* [The crisis] (Feb. 1987); *Nem ditador nem Kerensky* [Neither dictator nor Kerensky] (Mar. 1987); *Autofagia* [Autophagy] (Mar. 1987).

In the following passages, extracted from texts that date from immediately previous moments and in the first weeks of the Constituent Assembly, these ideas are highlighted:

At the end of the 20th century, Brazil needs a Magna Carta to have a civilized civil society, a State open to class struggle, and a democracy that associates it with the Nation and the promotion of its development, without the deformations and inequities of the 1% and 5% richest and most powerful. The Prison State, forged by the realities of direct colonialism, needs to give way to the State of a civilized civil society, albeit under capitalism. (*Congresso Constituinte sem sonhos* [Dec. 1986] cited by Fernandes 1989a, p. 52, bold added)

... A combination of conjunctural crisis and structural crisis usually points to a historic revolution. This is certainly germinating, underground and on the surface of Brazilian society. However, there are alternatives to revolution and an oscillation that gives it a political character, of a revolution within the order. A step forward, at this moment, means the conquest of a popular political form of democracy, a “pluralist democracy” with two faces: one proletarian, the other bourgeois. ... (*A crise* [Feb. 1987] cited by Fernandes, 1989a, p. 66)

... the current ANC appears as the tolerated link in a chain, which began with the 1964 coup, reached its apogee with the 1968-69 triumvirate, and reached maturity with the transitional policies of the governments of Generals Geisel and Figueiredo. This maturity gave birth to the candidacy of Tancredo Neves, the current Government, and the present ANC, which puts, from the perspective of brute force, what was intended to be achieved, in the long term and on a conservative level, by the Electoral College. If the ANC cooperates with the usurpation, it will endorse the organic link between the Electoral College and an anodyne Constitution, which will express how far we are from a national and democratic revolution. (*Nem ditador nem Kerensky* [Mar. 1987] cited by Fernandes, 1989b, p. 69)

The constituent process, popular participation, and education

Once the constituent was installed, in the first stage, the work took place in the 24 thematic Subcommittees, among which there was the Subcommittee on Education, Culture, and Sports. Subcommittee meetings were open to the public and, in the case of education, there were four public hearings at this stage, in which about 15 entities in the area were heard (Pinheiro, 1995). Thus, we enter Core Theme B⁷, in which Florestan Fernandes’ interventions

⁷ The texts that make up Core Theme B include: *A fragmentação do processo constituinte* [The fragmentation of the constituent process] (Apr. 1987); *Invasão e desafio* [Invasion and challenge] (May 1987); *Controvérsias sobre a Constituição* [Controversies about the Constitution] (Jul. 1987); *O jeitinho brasileiro* [The Brazilian “little way”] (Aug. 1987), 1989; *Controle burguês do processo constituinte* [Bourgeois control of the constituent process] (Jul.-Aug. 1987); *Crise de poder e Assembleia Nacional Constituinte* [Power crisis and the National Constituent Assembly] (Jul. 1987); *Educação e Constituição* [Education and Constitution] (Aug. 1987); *A constituição em perspectiva* [The Constitution in perspective] (Aug. 1987); *Um depoimento curto e grosso* [A straightforward testimony] (Aug. 1987); *A nova conciliação* [The new conciliation] (Aug.-Sep. 1987), 1989; Articles published in Fernandes (1989b).

highlight the difficulties of the constituent process, the importance of popular participation, and the disputes on the subject of education, focusing on the problems and forms of referral in the Subcommittee of Education, Culture, and Sports and on the next phase related to the Thematic Committee VIII.

In his speech on April 23, 1987 at the ANC, during the period in which the Subcommittees were active, deputy Florestan Fernandes speaks of the importance and legitimacy of the teachers' demonstration in the Constituent Assembly:

... For the first time, they came [applause from the galleries] and we felt the heartbeat of the Brazilian people responding to the words of the speakers who defended the cause of education. It is necessary to understand the teachers' struggle, the bitterness of this struggle, the humiliation of this struggle. Those who give their all to educate other parents' children, those who sacrifice their time, their being, to reproduce knowledge, to create a democratic society within a rustic and savage world, are reduced to a starvation wage, are treated as miserable, do not find anyone who listens to them, neither among the owners of private schools nor in the State, which owns public schools, not even in the bionic Governor of the Federal District, an enlightened man who, at the same time, tarnishes his intellectual condition by refusing to understand the meaning of this strike and the need to put an end to this situation that we are experiencing here. The teachers have raised their flag, the teachers have shown how education is defended. Education defends itself as if it were waging a war. They are inside trenches. They are fighting like militants. They are not only fighting for their salaries: they are fighting for us, they are fighting for our children and for the future of Brazil. (*Notas taquigráficas da Constituinte de 1987-1988*)

In this phase, the participation of the population was intense, and Florestan's interventions expresses the hopes placed in the exercise of this popular pressure, as an essential force to break the Gordian knot of democratic reforms:

Ultimately, we see the world upside down! *The People flood the ANC and fill the subcommittees with proposals, information, and dreams.* The underground rises to the surface in all its splendor and underlines how poor our State is and how stingy our Government is.

...

The constituent process, opening itself to the pressures of civil society, releases the vitality of the democratic movement of Brazilian society and leads to the destruction of what remains of the dictatorial complex. (*Invasão e desafio* [May 1987] cited by Fernandes, 1989b, p. 88-89)

In the education subcommittee, the main issues were the exclusive allocation of public funds to public education and its secular nature. The privatist lobby was directly against the thesis of exclusivity of public funds for public schools, just as the representatives of religious schools attacked the secularity of public education. Still in the subcommittees, it was possible

to have a strong participation of the organized social movement, as well as a strong participation of the National Forum in Defense of Public Schools with the constituents and in the plenary sessions. This engagement strengthened the progressive deputies, who managed to defeat the privatist report by Senator João Calmon, rapporteur for the Subcommittee (Cardoso, 1989).

In the second stage, the work took place in the eight Thematic Committees. Education was addressed in Commission VIII, along with the topics of Communication, Science and Technology, Culture, Sports, Family, Minors, and the Elderly. Discussions focused more intensively on the issue of communications, overlapping with educational issues that shifted to the issue of free education; moreover, there was a more cohesive action by the privatized group (Cardoso, 1989). The action of civil society at this stage was different, no longer taking place by participation in debates and starting to occur by the pressure exerted on the constituents. The two drafts presented by the Commission were defeated in voting. In this case, it would be up to the Systematization rapporteur to elaborate it (Pinheiro, 1995).

The interventions by Florestan Fernandes expressed the difficulties experienced in Commission VIII, with emphasis on the following articles: *Educação e Constituição* (Aug. 1987); *A constituição em perspectiva* (Aug. 1987); *Um depoimento curto e grosso* (Aug. 1987) (Fernandes, 1989b). The Deputy reports on the impossibility of reaching an agreement in Commission VIII and on the fateful day of June 14, 1987, when it was not possible to extract from this phase of the ANC a draft with the theme of education, due to the strategies built by the group defending the interests of private and religious schools:

One cannot ignore the naked facts. After the split broke the Science, Technology, and Communication Subcommittee, thanks to the courage of rapporteur Cristina Tavares and her companions, it seemed that the Family, Education, Culture, Sports, Science and Technology, and Communication Committee would be spared of the repetition of tragedy as comedy. However, this expectation did not take place. The 36 “conservatives” compelled the “27 progressives” to wage an ungrateful and inglorious political struggle, which tarnishes the National Constituent Assembly. *An authoritarianism that reproduces the lessons of the military dictatorship and a bossiness worthy of the former slave masters or the old oligarchy of the First Republic actually served as a screen to hide an outrageous piracy.* The anti-republicanism of the defenders of private schools was re-edited with all vigor, which put the commercialism of the education industry and the pharisaism of the Catholic schools back into the same trench. The uncontrollable power of the new “robber barons,” who command the mass communication industry in association with the government, emerged in all its splendor. The booty, despite being plentiful, was too small, especially for the appetites that competed for prey, public resources for education, and state concessions for radio and television services. This made “a gentlemen’s agreement” between stakeholders impossible. As a result, the “consensus” among the constituents was left for later. The draft bill and the substitute of the rapporteur, deputy Artur da Távola, were rejected, and the deputy could not even present a new substitute, which would accommodate the immense area of indisputable consensus and viable agreements between the opposing parties. The leaders and constituents of the “conservative” majority did not want an agreement. They wanted an unconditional surrender that would ensure that their demands were met, in essence an assault on the public purse and an affront to the sovereignty of the Nation, condemned to a predatory form of sub-colonial capitalist accumulation.

...

June 14, 1987 will remain in my memory as a day of bitter memories, buried hopes, and a full stop. (*Um depoimento curto e grosso* [Aug. 1987] cited by Fernandes, 1989b, p. 133)

“Transacted transition” and the limits of the “New Republic”

The Systematization Committee started on June 15, 1987, inserted in Chart 1, in Item C: “Transacted Transition” and the limits of the “New Republic” The terms “transacted transition” and the questioning about the existence of novelty in the period that begins with the indirect elections for president of the republic qualify the way in which Florestan Fernandes interprets the social and political challenges imposed on the country in the 1980s. This way of seeing national problems permeates the set of texts by the author analyzed in this Item C and constitutes the title of two of his books published at the time: *Nova República?* (New Republic?), from 1985, in which he shows the way that the new regime is extracted from a “rib of the dictatorship”; and *Que tipo de república?* (What kind of republic?), from 1986, which brings together a set of articles published in the Folha de S.Paulo, in which, according to Antonio

Candido (2007, p. 20), Fernandes performs “a severe analysis of the New Republic in terms of deception, continuity, and false promise.”

In the texts that address the Constituent Assembly, during the period of the Systematization Commission, Fernandes resumes his analysis of the “transacted transition,” configured in the mold of the interests of the military, in a “slow, gradual, and secure” way after the non-approval of the Calmon amendment, which proposed the return of direct elections for the presidency of the republic and the formation of the Democratic Alliance that led to the election of Tancredo Neves for the presidency of the republic by the Electoral College⁸. For Florestan Fernandes, the ANC, although difficult, would be a new opportunity to “break the Gordian knot of democracy” and overcome the “transacted transition.” In the final phase of the Constituent Assembly, the challenge proved to be unfeasible after the change in the Regiment by the “Big Center”:

The ANC is not functioning under democratic and pluralistic practices. It moved away from democratic and pluralistic constitutional procedures, and went where it should never have entered: the favoring of the powerful and the neglect of those considered to be powerless. Negotiations that update traditionalist politics and vicious politicism must be banned.

Our dream – the great dream of the people – would be that from this ANC we would put an end to the residues of the dictatorship and the “transacted transition,” and we would forge the starting point for the formation of a new society. (*A nova conciliação* [Aug.-Sep. 1987] cited by Fernandes, 1989a, p. 137)

In two of the texts from this phase, it was possible to verify that Fernandes uses his concept of “sociopathic resistance to change” to explain the way in which conservative sectors express themselves in the Constituent Assembly, at a time when attempts to avoid a broad democratization of Brazilian society become clear: “... Big Center’s maneuvers unmask the commitment of political parties and professional politicians to resisting change in Brazilian society. ...” (*Derrota as esquerdas?* (Defeat the left?) [Dec. 1987], cited by Fernandes, 1989a, p. 189). In *O Quadro político actual* (The current political framework) [Apr. 1988], Fernandes (1989a)

⁸ Core Theme C focuses on the issue of the transacted transition and the limits of the “New Republic”: *A Nova conciliação* [The new conciliation] (Aug.-Sep. 1987); *A “transição democrática”: novas perspectivas?* [The “democratic transition”: new perspectives?] (Oct. 1987); *Adens à transição* [Goodbye transition] (Oct. 1987); *O apogeu do processo constituinte* [The apogee of the constituent process] (Nov. 1987); *Ser ou não ser estadista* [To be or not to be politician] (Nov. 1987); *O teste parlamentar* [The parliamentary test] (Apr. 1988); *As contradições do centro* [The contradiction of the Big Center] (Apr. 1988); *A qualidade da Constituição* [The quality of the Constitution] (May 1988); *Esperanças ameaçadas* [Threatened hopes] (May 1988); Articles published in Fernandes (1989a).

once again asserts that a relentlessly reactionary minority, resistant to change in a sociopathic way, was responsible for holding up progress in the ANC.

At this critical moment for the ANC, Florestan Fernandes (1989a, p. 245) states that it would be necessary to start fighting to avoid setbacks: “The “Big Center” (or “Big Right”) lent itself to this role, and now the defensive struggle is not aimed at improving the Constitution project. It turns to the minimum: to prevent the onset of growing regression” (*O quadro político atual* [The current political framework] (Apr. 1988), cited by Fernandes, 1989a, p. 245).

The most emphatic and extensive manifestations of Florestan Fernandes on the educational theme, in a fierce defense of the public, secular, and free school, are found in the Systematization phase, in which the threat of setbacks increasingly arises. On June 25, 1987, Florestan Fernandes comments on the news that came from the newspapers, highlighting the threats that were already evident to the exclusivity of public resources for public education, and once again denounces what would be an attack on the possibilities of democracy in Brazil:

Today we know that the Systematization Committee decided to choose between the so-called progressive spirit and the conservative spirit. But, judging by the news I read in the newspapers, the progressive spirit comes in like a cake topper. There is no doubt that it could be worse, especially for someone like me who worked in the Family, Education, Culture and Sports, Science and Technology, and Communication Committee and did not even manage to see the substitute draft approved. *What is happening is not the worst outcome, but the news that appears in a newspaper, according to which the exclusivity of public resources for public schools would have been eliminated, with the introduction of an anti-democratic, anti-republic, and anti-educational trafficking to allocate a part of public resources to private, commercial, mercantile, or religious schools, to associate the State with the development of the public system and, at the same time, of the private education system. This represents a mortal blow to the growth of democracy in Brazil.* (Notas taquigráficas da Constituinte de 1987-1988)

Having participated in the movement in defense of the public school in the 1950s, having figured as one of the most expressive participants, Fernandes perceives the reappearance of the risks experienced in the elaboration of the first Law of Guidelines and Bases. These interventions by the then constituent deputy express a privileged view of the process of elaboration of the New Constitution regarding educational dilemmas, since he is a character with a long history of participation in the clashes that took place over the previous three decades:

... We will not have a great future if we do not manage to fight the illiteracy of young people and adults, if we do not win the battle against school dropout, if we do not manage to increase the participation of the poor strata of the population in secondary and tertiary education degrees. The dismantling of the public education system began thanks to the approval of the Law of Guidelines and Bases, redone by the initiative of educators who, at that time, could even be called “rightwing,” and who found sponsorship from Carlos Lacerda for the text they presented.

The public school defense campaign was partially defeated and partially victorious, because it prevented the worst. But if my fellow constituents compare data, for example, from a study I conducted on education in 1940 with the situation of education today, they will find that public sector growth has been overshadowed by private growth. The education industry grew, religious education grew and, at the same time, there was a deterioration of the public education system, which was dismantled in favor of the growth of the private sector, and with public resources. This is a dramatic, calamitous, and regrettable situation! For many, it seems to be the best sign of the times, the implantation of democracy, and a spirit of freedom. *But, if we go to the bottom of things, we will see that the democratic revolution in Brazil is compromised, and that this National Constituent Assembly failed in its main mission, which consisted of revitalizing the public education system and supporting the democratic revolution in a broad process of educational revolution. (Notas taquigráficas da Constituinte de 1987-1988)*

In *Educação e Constituição* (Aug. 1987), Fernandes resumes the struggles for education reforms, especially those related to the university reform between 1964 and 1968, emphasizing the role of the entities that led to the ANC the pedagogical contribution that was born and matured against and under the dictatorial regime. In this text in particular, there is a detailed account of the faces of the Catholic Church. On the one hand, under the influence of Liberation Theology, this institution acted in an engaged way in the defense of Indigenous people and for land reform. On the other hand, it has not lost its reactionary and obscurantist face, since “... it committed itself to the preservation of the land it already owns and to the multiplication of its relative advantages against public, secular, and free education” (Fernandes, 1989b, p. 121).

On August 14, 1987 the ANC session is dedicated to Education. At this moment, we can find the longest, most detailed, and energetic speech by Florestan Fernandes, from which the epigraph of this text was extracted. On this day, Fernandes exalts education as the most serious Brazilian social dilemma, because not facing it would mean a tragic reproduction of deep inequities, citing the German sociologist Karl Mannheim and rescuing the way the issue appears throughout our history. Here is one of the excerpts, which, although extensive, has significant relevance to the analysis that we are now developing:

I don't know how many of my colleagues have read Karl Mannheim, a German sociologist, considered a rosy sociologist, because he belonged to a very moderate wing of social democracy. He used to say that education is the main social technique of transforming the existing historical situation. For this social technique of transforming the existing historical situation cannot operate among us under these conditions. This brings us to the second fundamental issue – education. The National Constituent Assembly could not take a frivolous, equivocal, elusive attitude, as it happens concerning land reform, urban reform, hunger, misery, health, housing. Regarding education, the National Constituent Assembly was faced with one of its main problems. We inherited, from the Empire and the First Republic, education as a privilege. Anísio Teixeira was one of the combatants of this type of pedagogy of the powerful, of the privileged, but this pedagogy remains in force, despite the existence of the pedagogy of the oppressed. ...

After the Revolution of the Liberal Alliance, a political revolution, from 1930 onwards, the consolidation of the public education system expanded. The pioneers of the new education exercised a remarkable influence on the transformation of the pedagogical mentality and, at the same time, thought that they could make a bourgeois revolution in Brazil in the area of education. An illusion that many had and still today many of us cultivate. They even used a famous phrase in the book: “A Educação na Encruzilhada” (Education at the Crossroads), by Fernando de Azevedo, taken from a Minas Gerais political leader: “Let us make the revolution at school before the people make it on the streets.” However, this development began to outline the contours of a public education system. We see that in 1933, for example, there were 21,726 public education establishments, with 1,739,613 students enrolled. Private schools, including religious ones, were at that time with 6,044 establishments, with 368,006 students enrolled. In 1945 – see the leap that took place – there were already 33,423 official teaching establishments, with a total enrollment of 2,740,755 students. Private schools grew much less, with 5,908 teaching establishments and 49,085 students enrolled. The same trend will be reproduced in high school from the 1960s onwards. What happens in this situation? It is an evident fact: public education was expanding and, at the same time, private and religious schools could not grow. And what was the condition for making them grow? Asphyxiating public education. The pioneers of the new education had the idea of defending a law of Guidelines and Bases for National Education and helped to elaborate a project that would contribute powerfully to an educational revolution. However, Catholic educators and representatives of private schools prepared a substitute, presented to the National Congress on behalf of Deputy Carlos Lacerda – and thus several priorities were established, several precedents, at the end of 1961. (Fernandes, 1988, p. 29)

In these circumstances, the constituent deputy explains that, in the same way that the issue of public education was raised in the 1960s, it is once again placed, with the advantage of appearing now in the process of drafting a democratic Constitution, which was open to popular initiative:

We are doing something entirely new in the history of Brazil, we are trying to create a democratic Constitution, with popular initiative, in an attempt to build a new society in the country. What is the relationship that the National Constituent Assembly has with these problems? *One cannot make a project or a draft in the area of education without asking what are the educational tasks in the Brazilian situation and what is the position that the National Constituent Assembly should have in face of these tasks.* It is not about entering a terrain as complex as if you were taking a dip in a swimming pool. With all the popular participation, with all the care that we took in our subcommittee, we did not have an original work that could have organically reflected the educational tasks that this Assembly had to face and solve. I must say that the main problem of our education system is to establish a common education system. (Fernandes, 1988, p. 31)

It was a fundamental task of the ANC to inquire and seek answers about the Brazilian educational situation and thus list its tasks in this field. In this speech, Florestan Fernandes proposes three sets of pedagogical priorities, which can only be understood in depth if linked to the author's extensive work: (i) Guarantee of effective equality of educational opportunities; (ii) Appreciation of teachers and school staff; (iii) Pedagogical self-emancipation.

The first pedagogical priority concerned the effective equality of educational opportunities, at all levels and grades of education, which would involve the guarantee by the State of the financial, transport, and health care conditions that would provide the permanence in school of those from low-income families. To fulfill this objective, the motto of "public funds for public schools" was an essential condition. In all his analyses on the subject, since the 1950s, Florestan Fernandes emphasizes that the Brazilian educational challenges have to be seen from the real conditions related to the underdevelopment of the country, which are expressed in the alarming percentages of illiteracy over the decades, even during times of significant economic growth. Therefore, in one of the proposals for constitutional provisions, Fernandes (1989c, p. 216) writes that private entities "... and their sponsors or owners are categorically excluded from access to public resources intended for school education and from tax exemptions or concessions of any kind."

Thus, when Florestan Fernandes defends equal opportunities, he is dealing with an ideal of great complexity, which could not be restricted to minimum levels, that is, only to the universalization of primary education. It was about "... establishing a popular and working-class pole that shares the same educational guarantees that have become universal in the middle and upper classes. This is a *stricto sensu* pedagogical revolution" (Fernandes, 1989c, p. 30).

The second set of pedagogical priorities concerns the social value of the school, the appreciation of teachers and staff. In other words, there was a pressing need to value the human

agents of the school along with the enhancement of the social value of the school. This point expressed the need for decent working conditions for teachers and employees, as well as pointed to the demand for the school to be a democratic community. Florestan, in one of the proposals presented for the constitutional text, still at the stage of the Subcommittees, even describes the configuration of the School Councils, which should be composed equally of teachers, students, employees, and representatives of Parents' Associations (Fernandes, 1989b). The school is seen in this way because it is the space where democracy must be experienced, by the active participation of the agents that compose it in the decisions that concern it, since: "... a school that is not capable of functioning as an educational community does not educate a teacher, does not educate a student, and does not educate an employee. It uneducates everyone" (Fernandes, 1989c, p. 131). Thus, Florestan Fernandes connects with a totally new discussion in a National Constituent Assembly in Brazil: the democratic management.

"Pedagogical self-emancipation" constitutes the third set of pedagogical priorities, as Fernandes states in the session of August 14, 1987: "... we need a school autonomy that is dialectically related to economic independence, to national emancipation, and to the democratic revolution. These elements are reiterative interactors. ...". The "pedagogical self-emancipation" acquires greater analytical richness if understood in the light of the innovative interpretive effort that Florestan Fernandes undertook about dependent capitalism. According to Miriam Limoeiro Cardoso (1996), the sociology of Florestan Fernandes founds a new approach to the study of Brazilian society, taking as the main reference for his analysis not the national society, but modern capitalism. Thus, since the 1950s, Fernandes produced a theory according to which the form of integration of Brazilian society into modern Western civilization takes place in a particular and specific way, configuring a dependent capitalism, with economic, social, political, and cultural ramifications. In Florestan Fernandes' texts on university reform during the 1960s, this is the outline of the problem. For the author, the university issue in Brazil would have to be thought of according to a rupture with cultural dependence, in connection with the goals of autonomous development of Brazilian society (Fernandes, 1975). Likewise, throughout the Constituent Assembly, Florestan Fernandes claims the urgency of Brazilian education being permeated by creative and creator relationships to respond to the needs of the national reality. In an interview with *Língua e Literatura* (Language and Literature) magazine, in the early 1980s, Fernandes states:

... The imperial centers have a nucleus, a dynamic of their own, and they do not address our needs for knowledge – they address the need for their cultural domination, their professionalism, and their conception of “cosmopolitanism in science.”

We must escape this cultural domination. This, in the field of science, means producing basic knowledge for us: what do we have to know? We live in the special conditions of an underdeveloped, undernourished people, of dependent capitalism, which faces the greatest difficulties in terms of decolonization, national revolution, democratic revolution. One must use science in demanding terms, to produce high-level, highly qualified knowledge in those areas that are vital for us; the others, let them be cultivated in “advanced research centers.” (Fernandes, 1989c, p. 192)

The fundamental issues raised by Florestan Fernandes did not materialize; in particular, the exclusivity of public funds for public schools was not obtained. According to Leher (2012, p. 1167), the constituent deputy presented 93 amendments, “... 46 related to education, of which 27 are conceptual in nature or about the organization of Brazilian education, seven on issues related to Science and Technology (S&T), and three about the university.” Of the total number of amendments presented, 34 were used in the constitutional text:

Among them, the following stand out: the didactic-scientific, administrative, and financial autonomy of the university included in article 207 of the Constitution; the allocation of part of the budget revenue of the States and the Federal District to entities that promote scientific and technological research, contained in the fifth paragraph of article 208; State commitment to the promotion of scientific development, autonomy, and technological training, reflected in article 18; the guarantee of care in day care centers and preschools for all children from zero to six years of age, reproduced in article 208, item IV (Soares, 1997, p. 111).

Final considerations

By following the interventions of Florestan Fernandes during the constituent period, it was possible to capture the dramatic moments of the ANC. Throughout the texts, the movement between open perspectives and frustrated hopes, the impasses of the Subcommittee and Committee that addressed the educational theme, the clashes between public and private interests, from the singular point of view of a constituent deputy who already had a profound interpretation of the Brazilian social formation and the place of educational challenges in dependent and peripheral capitalism. Thus, an intense relationship was established between the politician and the intellectual concerned with educational issues.

Concepts constructed by Florestan Fernandes during his participation in the National Campaign in Defense of Public Schools in the late 1950s reappear in his texts and illuminate reality: when one speaks of “sociopathic resistance to change,” the difficulties of overcoming archaic aspects related to the maintenance of the status quo in Brazilian society come to the surface. In an often professorial tone, the speeches of the constituent deputy brought historical explanations for the social dilemmas that were re-established in the country's political scene, after years of military dictatorship. Since, according to him: “The masquerade ball is over. The bourgeoisie and proletarians face each other in a new historical scene” (Fernandes, 1986, p. 36).

The class struggle in Brazil was then passing through decisive moments, opening up the possibility of breaking the Gordian knot of democracy and overcoming the “transacted transition”. In this process, the struggle for public education acquired a strategic character, composing the list of revolutions within the order (Fernandes, 1981).

The three pedagogical priorities listed by Florestan Fernandes are articulated within this strategy. His emphatic defense of the need for public resources for public schools was justified as a basic tool to create the conditions for the presence of workers, those excluded and oppressed, those uneducated or semi-educated in the meshes of the school network and, thus, to enable equality of educational opportunities (Fernandes, 1989c).

Another axis would be the substantive strengthening of democracy within the school, understanding this space as a small nucleus in which democracy is lived and learned. Florestan Fernandes had an accurate view of the weight of the past in our social formation, as well as the maintenance of backwardness that referred to the despotism and particularism of the possessing and privileged classes. Therefore, it is possible to extract from this defense of democracy within the school the search for the construction of an important tool of resistance and defense of the public school. The agents that compose it – students, employees, and teachers – would thus acquire a greater voice and political force inside and outside the school environment.

The ANC, as the culmination of a decade in which popular demonstrations in defense of democratic reforms emerged, had in Florestan Fernandes, along with other important names, an exemplary fighter. Of high intellectual character, he led to the Constituent Assembly a life dedicated to the understanding of Brazil, and made efforts to put the tasks of public education in a dependent and underdeveloped country on the order of the day. He elaborated 96 amendments to the constitutional text, 34 of which composed the final text.

Despite this, the outcome of the ANC determined a Constitution that was, in a certain sense, modern and advanced and which, at the same time, consolidated the existing order, not breaking the Gordian knot of democracy. According to the author: "... Above the Constitution or through it, class prevails as an instrument of economic, social, and political domination, as well as ideological conformation of those below to the interests and values of those above" (Fernandes, 1989c, p. 284). Thus, his assessment is that the achievements for the left were relative, since there were agreements with the center in which castrations and arrangements were accepted, thus preventing responses to the pressing demands of our historical situation.

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