

HOMESCHOOLING, THE TEACHING OF CONTROVERSIAL ISSUES AND THE NEW BRAZILIAN CONSERVATISM

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Abstract

The teaching of controversial issues is an important part of democratic education, and the school is a privileged space for the discussion of them, as it allows the encounter with the different. In 2019, the Brazilian federal government established the regulation of homeschooling as the main agenda for Education. The article aims to discuss the feasibility of teaching controversies in homeschooling. For this, a bibliographic investigation is carried out on the teaching of controversial topics and homeschooling and an analysis of legal documents and pro-homeschooling associations. The results indicate that the teaching of controversies is a duty of Brazilian education and incompatible with homeschooling. We conclude that homeschooling constitutes a threat to democratic education and to democracy itself.

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HOMESCHOOLING, ENSINO DE CONTROVÉRSIAS E O NOVO CONSERVADORISMO BRASILEIRO

Resumo

O ensino de temas controversos é parte importante da educação democrática, e a escola é um espaço privilegiado para a discussão dessas questões, pois permite o encontro com a diferença. Em 2019, o governo federal instituiu como principal pauta para a educação a regulamentação do *homeschooling*. O artigo tem por objetivo discutir a viabilidade do ensino de controvérsias no *homeschooling*. Para isso realizam-se uma investigação bibliográfica sobre o ensino de temas controversos e o *homeschooling*, e uma análise de documentos legais e de associações pró-*homeschooling*. Os resultados indicam que o ensino de controvérsias é dever da educação brasileira e incompatível com o *homeschooling*. Concluímos que o *homeschooling* constitui uma ameaça para a educação democrática e para a democracia em si.

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HOMESCHOOLING, ENSEÑANZA DE CONTROVERSIAS Y EL NUEVO CONSERVADURISMO BRASILEÑO

Resumen

La enseñanza de temas controvertidos es una parte importante de la educación democrática, y la escuela es un espacio privilegiado para la discusión de estos temas, porque permite el encuentro con la diferencia. En 2019, el gobierno federal estableció como la agenda principal para la educación la regulación de *homeschooling*. El artículo tiene como objetivo discutir la viabilidad de la enseñanza de controversias en el *homeschooling*. Para esto, se realiza una investigación bibliográfica sobre la enseñanza de temas controvertidos y el *homeschooling*, y un análisis de los documentos legales y de asociaciones pro-*homeschooling*. Los resultados indican que la enseñanza de controversias es un deber de la educación brasileña e incompatible con la *homeschooling*. Concluimos que la *homeschooling* constituye una amenaza para la educación democrática y para la misma democracia.

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L'ÉCOLE À LA MAISON, L'ENSEIGNEMENT DES CONTROVERSES ET LE NOUVEAU CONSERVATISME BRÉSILIEEN

Résumé

Apprendre des sujets controversés est une partie importante de l'éducation démocratique, et l'école est un lieu privilégié pour discuter de ces questions – vu qu'elle permet la rencontre avec la différence. En 2019, le gouvernement brésilien a mis la réglementation du *homeschooling* à l'ordre du jour. Le but de cet article est de discuter la viabilité de l'enseignement des controverses à l'école à la maison. Pour ce faire une recherche bibliographique à propos de l'enseignement des sujets controversés et l'école à la maison, ainsi qu'une analyse des textes légaux et des associations qui sont favorables au *homeschooling* est menée. Il résulte que l'enseignement des controverses est un devoir de l'éducation brésilienne et qu'il n'est pas compatible avec le *homeschooling*. En conclusion l'école à la maison représente une atteinte à l'éducation démocratique et à la démocratie.

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ALTHOUGH PRACTICED BY SOME FAMILIES, HOMESCHOOLING IS NOT LEGAL IN BRAZIL. The legalization has been discussed and disputed by conservative and progressive groups. While the former argue that it is a right of the families to educate their children as the parent's wish, the latter criticize the limitations of socialization, the fundamentalist religious values underpinning the proposal and the risk of violence against the children. This contention is part of a shift on the educational demands in the country: from the access to education to changes in teaching.

Access to formal education in Brazil, since the beginning of the Republic, has been uneven. Only with the Constitution of 1967 elementary education became mandatory, starting the process of universalizing basic education. More than forty years later, in 2013, through Law No. 12,796 (Lei n. 12.796, 2013), was included in the LDB¹ (Lei n. 9.394, 1996), mandatory enrollment and provision of preschool and secondary education.

Although the universalization of elementary education has been achieved, the secondary and upper education are not yet accessible to the entire population. In this context, until 2015, actions related to educational matters judged by the STF² dealt with access to basic education, formal education, and educational institutions, i.e., the "right *to* education" (Ranieri, 2017, p. 142, emphasis in the original, own translation). After this period and from the decisions in the ADI³ No. 4,439 (2017)⁴ and Extraordinary Appeal⁵ No. 888,815 (2018), the demands brought to STF shifted their focus to the freedom to teach, that is, to the "right *within* education" (Ranieri, 2017, p. 142, emphasis in the original, own translation).

In this context the debate on homeschooling develops in Brazil. Defined by MEC⁶ as "a teaching modality in which parents or guardians assume the role of teachers of their children",⁷ homeschooling is defined by its advocates as a right of parents and as freedom to teach and learn. Since 2015, more than ten PL⁸ have been presented in the Chamber of Deputies on the subject, demonstrating that there is an intense mobilization for its implementation. This mobilization was particularly strengthened after the Extraordinary Appeal No. 888,815 trial in the STF, which established the practice as illegal but not unconstitutional. Thus, a new law was needed to regulate it without any changes to the constitution. Endorsing such initiatives, president Bolsonaro established as one of the priority agendas⁹ of the government, the approval of PL No. 2,401 (Projeto de Lei n. 2.401, 2019). This bill, first presented by minister of Family, Women and Human Rights, Damares Alves, and by minister of Education, Abraham Weintraub, proposes the regulation of this practice.

Given the possible regulation of homeschooling in Brazil, it is essential to discuss the pedagogical assumptions and implications of this form of teaching. Among them, the teaching of controversial topics is a particularly relevant one since the interaction of children and youth with other people is more restricted during homeschooling than in school. In addition, the only educators are the children's legal guardians; hence, the contact of these children with a plurality of ideas and pedagogical conceptions is seriously limited. Nevertheless, curriculum documents, legal decisions

1 Lei de Diretrizes e Bases da Educação Nacional [Law of Guidelines and Bases of the National Education].

2 Supremo Tribunal Federal [Federal Supreme Court].

3 Ação Direta de Inconstitucionalidade [Direct Action of Unconstitutionality].

4 In this ADI, the STF ruled that confessional religious education, as an optional subject in public schools, is constitutional.

5 Recurso Extraordinário.

6 Ministério da Educação [Ministry of Education].

7 Own translation. <http://portal.mec.gov.br/component/tags/tag/educacao-domiciliar>

8 Projetos de leis [bills].

9 <https://www.camara.leg.br/noticias/725714-confira-a-lista-de-prioridades-do-governo-na-camara-e-no-senado/>

and educational researchers emphasize the importance of discussing these topics in school for the health of democracy and the development of social skills in students.

Thus, it is important to question whether homeschooling is compatible with the teaching of controversies. This article is therefore organized into three main sections. Initially, we discuss the importance and objectives of teaching controversies. Next, we seek to understand whether the teaching of controversies is as a duty or merely a possibility to evaluate its relevance for Brazilian education. For this purpose, our discussion is based on the LDB and the Brazilian Federal Constitution of 1988,¹⁰ as there is no specific legislation regulating home education. In the third section, we reflect on the possibility of teaching these topics in the process of homeschooling.

Why teach controversies?

In recent years, researchers and curricular documents have drawn attention to the importance of teaching controversial issues. Such subjects are related to different forms of inequality and discrimination, e.g., racism, bullying, LGBTQIA+phobia, and the impacts of human action on the environment and other living beings, provoking debates and political disputes concerning their teaching. Hence, there is a relevant literature regarding the teaching of controversial topics, which provides important reflections about these disputes and the objectives of addressing controversies in school. For Zimmerman and Robertson (2017), controversial themes are those that demonstrate: i) disagreement between different groups; ii) reasonable arguments presented by the parties in disagreement; iii) emotional issues involved; and iv) relationship with the public interest.

Hess (2009) and Hess and McAvoy (2015) state that the discussion of controversial topics in school is directly related to the health of a democracy. The teaching of these issues encourages students to reflect on current debates in society, learn about different points of view and exercise deliberation, which are fundamental to democracy. In this sense, they learn in and for democracy. If a school and its teachers refuse to discuss these topics – or if they are prevented from doing so –, this signals to their students that these issues are irrelevant or taboo. Discussing these issues is not only more instructive than ignoring differences but also increases the quality of decision-making, ensuring that multiple views in disputes are analyzed (Hess, 2009).

School is, therefore, a privileged space for the discussion of controversial topics for three main reasons (Hess, 2009). Firstly, school curricula involve a variety of topics that connect with controversies. Secondly, due to their training and experience, teachers have or can develop knowledge that allows them to present arguments and mediate discussions with students. Finally, school is one of the few spaces where students can engage with people who think differently from themselves and their families to discuss a particular subject and to do so with the mediation of an adult (the teacher).

For Hess and McAvoy (2015), the teaching of controversies is part of a proposal for democratic education that they call the political classroom, which has six main objectives: i) political equality; ii) political tolerance; iii) autonomy; iv) fairness; v) engagement; and vi) political literacy.

Political equality entails students must recognize each other as equals from a political point of view. That is, they must deliberate from the understanding that the members of a society have the right to life, freedom, and happiness. Second, political tolerance is the recognition that the coercive power of the State should not be used to promote unjust laws or persecute individuals and groups whose views are different of others. The development of autonomy is the third objective, which represents both the democratic idea that adults should be able to direct their own lives and the

10 Constituição Federal de 1988.

educational objective of helping children and youth to develop the necessary skills, dispositions, and knowledge to make well-informed decisions about how they want to live. The fourth objective, fairness, encourages students to think about the common good by balancing their self-interest with that of others, i.e., by seriously considering who is being harmed the most in each possible scenario. Fifth, engagement involves encouraging students to actively participate in political activities and democratic life. Finally, political literacy seeks to stimulate students to not only grasp controversial issues and related evidence but also identify competing ideologies about what a more just and democratic system requires.

Clearly, these objectives should be evaluated for each context, taking into account the issues discussed, the place, the time, the people, the political disputes and the material conditions available, and not be treated as a mere prescription. In addition, the teaching of controversial topics should not be restricted to a set of topics that are distant from political action or neutral, since the pedagogical choices that teachers make are central to their development.

Yacek (2018) and Levinson (2006) highlight the conditions for the development of controversies. Yacek (2018) argues that the teaching of controversies stems from a psychological condition, that is, an intellectual tension that exists between at least two different positions in a controversy, which should seem plausible to those who think about this issue. Without the perception of this tension by students, teachers are not actually teaching controversies.

Levinson (2006) offers a theoretical framework for thinking and teaching about controversies involving three dimensions: controversy levels, communicative virtues, and ways of thinking. First of all, controversies can occur at different levels. For some, evidence can be used to resolve them; for others, there are differences in the sets of fundamental values that inform them as a whole. For the former, it is possible that the differences that exist in principle can be resolved by analyzing the evidence; for the latter, however, it is unlikely that the parties involved will be able to find common ground for dialogue. This may result in future conflicts, agreeing to disagree, a complete lack of communication or a combination of all three. Different actors may make an effort to listen to others, but they may also find the other discourses used incompatible or incomprehensible (Levinson, 2006).

Discussing controversies is a dialogue that integrates differences presupposes communicative virtues, which form a group of affective and intellectual dispositions that collectively promote open, inclusive and undistorted communication (Levinson, 2006). Certainly, these virtues are more developed in contexts where different parties wish to engage in reasonable disagreement and not simply supplant opposing views. Some examples of these virtues are: agreeing on the rules of conduct; expecting that people truly express what they want to say and that discussion participants are committed to speaking the truth; and respecting people with the specific moral values that underlie the discussion to ensure that participants actively protect these values.

Finally, Levinson (2006) argues that there are two modes of thought that can organize personal experience and be used in disagreements: logic-scientific (concerning evidence, general causes and tests in empirical cases) and narrative (constructing stories, translating experiences between cultures). Although the former is more traditionally valued in schools, the latter is essential for different conceptions, experiences, and worldviews to be taken seriously and to stimulate the development of the virtues we have highlighted above.

In summary, the defense of the teaching of controversies is directly related to the defense of the plurality of ideas, subjects, and experiences in school education and to the training of students. Given the issues that motivate this article, it is worth questioning whether the teaching of controversies is supported by Brazilian educational legislation and whether it is possible to develop it in homeschooling.

Teaching controversial subjects: A possibility or a duty?

Reflecting on what subjects to teach requires revisiting the goals and principles of education. This exercise can be complex and controversial if it is based on different theories of education. As a result, it is necessary to use instruments that can point out such fundamentals and that can function as a reference for Brazilian education. Because they are legislative in nature and parameters for the entire country, the Brazilian Federal Constitution 1988 and the LDB are essential elements for these reflections.

The 205th article of the Constitution establishes that education should aim at three objectives: “full development of the person, his or her preparation for the exercise of citizenship and his or her qualification for work” (Constituição da República Federativa do Brasil, 2010, own translation). In this discussion, the second objective is our focus. The LDB, in addition to the Constitution, establishes, in its 3rd article, the principles to guide the education, namely, the pluralism of ideas and pedagogical conceptions, the respect for freedom and the appreciation of tolerance (Lei n. 9.394, 1996).

Education is a social and subjective right, i.e., the state has the obligation to ensure that everyone has access to it because it is characterized as a collective and individual good (Ranieri, 2017). Thus, education generates benefits both to the individual who is educated and to society. When a person attends to formal education, one is developing oneself, preparing for work and, at the same time, to the coexistence in a democratic and plural space. Thus, the two dimensions, individual and social, are necessary to achieve the goals of education and are entwined.

If this role is not fulfilled, in addition to individual loss, there is loss at the community level. Hence, education, according to the Brazilian Federal Constitution (Constituição da República Federativa do Brasil, 2010), has the obligation to promote the theoretical and practical teaching of the fundamentals of citizenship, whereby the experience with the other, must be a principle (Cury, 2017). It is therefore possible for children and adolescents to strengthen, in this stage, their ability to coexist and deliberate together with people with multiple views (Hess, 2009).

To guide the achievement of these objectives, some principles for teaching were listed in both the Constitution and the LDB. Pluralism of ideas and of pedagogical conceptions is part of this group, comprising the requirements of an education for citizenship. The plurality and differences present in society result in divergences, and conflicts in this coexistence. The educational process shall not only guarantee them but also value and promote them to ensure democracy both within and outside the educational context.

On these issues, Gilmar Mendes, minister of STF, when judging the ADPF¹¹ No. 467 (Arguição de Descumprimento de Preceito Fundamental n. 467, 2020), which dealt with the exclusion of any reference to gender diversity and sexual orientation in the municipal education of Ipatinga (in the state of Minas Gerais), pointed out that the prohibition of pedagogical practices that address gender and sexuality is unconstitutional. Furthermore, he stated that the stiffening of this debate promotes a traditional view and ignores the pluralism present in Brazilian society. Corroborating this, the minister continues:

It is true that social pluralism and the principles of solidarity and nondiscrimination are directly linked to other principles and values, such as the freedom of information and education, tolerance and debates on ideas. In this sense, I note that the Law of Education Guidelines and Bases correctly observes these constitutional values, expressly indicating that the freedom of teaching and learning, pluralism and tolerance are fundamental principles

11 Arguição de Descumprimento de Preceito Fundamental [Allegation of Noncompliance with a Fundamental Precept].

of teaching in the country (art. 3rd, II, III and IV, LDB). (Arguição de Descumprimento de Preceito Fundamental n. 467, 2020, p. 12, own translation).

Respect and tolerance, according to ADPF No. 467 (2020) and the LDB (Lei n. 9.394, 1996), as already indicated, should also guide educational work. These two principles are associated with both pluralism and freedom of teaching and learning. As such, identifying the multiple ways of being and expressing oneself (and facilitating the freedom for them to occur) entails that the State needs to develop methods to ensure good coexistence. Here, respect and tolerance function as regulators that have a dual character: limiting those who abuse the freedom of others, and providing freedom to those who would not otherwise have it due to some imposed restriction.

In times of political polarization, when intolerance to the different attains an increasingly larger space, the sense of justice can become clouded. The development of tolerance, already established in the LDB (Lei n. 9.394, 1996), is therefore essential for the health of democracy. When basic education approaches issues that generate conflict, students are motivated to avoid using force and behaving irrationally towards those who adopt divergent stances, fostering this important capacity for democratic coexistence (Hess & McAvoy, 2015).

The two legal instruments that currently support Brazilian education clearly articulate the purposes of education and the guidelines that serve to assist this process. Citizen education, more than mere words, is one of the foundations of the educational process and, therefore, must mobilize resources to ensure it. Thus, those responsible for the development of the educational process must translate this ideal into actions that endure throughout the entire process without being restricted to specific moments.

Having discussed the objectives and principles of education, it is necessary to return to the initial reflection of this section. The teaching of controversial issues, according to Hess (2009) and Hess and McAvoy (2015), encourages students to address the following question: “How should we live together?” Since education should provide instruments for democratic citizenship, seeking evidence for or even suggesting answers to this question are configured as fundamental elements.

As discussed, there are no ways to learn and reflect on community life and deliberate on social-political issues, while respecting the law, without teaching controversial subjects within a diverse environment. When this practice is adopted, children and adolescents develop the ability to mobilize the skills that contribute to the strengthening of the democratic State. Thus, in addition to a possibility, the teaching of controversies is characterized as a duty according to the laws governing Brazilian education.

In addition to these aspects related to public life, i.e., the social dimension of education, learning about controversial issues provides individual benefits. Young people are given the opportunity to improve their argumentation skills, to learn to analyze their thoughts, and to become more flexible when confronted with other claims. In addition, they are stimulated to research and developing critical thinking, which allows them to better distinguish opinion from fact (Zimmerman & Robertson, 2017). These aspects are linked to what has been identified as the individual dimension of education.

The laws that guide Brazilian education ensure the right of students to learn about subjects that generate controversy because the preparation for citizenship requires such conditions. The normative documents of the curriculum point in the same direction and indicate a series of themes that whether for experts in their respective areas, community, or both, are immersed in disputes from divergent views. Accordingly, given the imminent regulation of homeschooling, it is necessary to explore whether this form of education has the capacity to teach controversies according to the relevant legislative precepts.

Neoconservatism and neoliberalism as pillars of homeschooling in Brazil

Homeschooling, as a movement, entails the exemption of enrolment in an educational institution for children and adolescents of school age. Supporters argue that this option is a legitimate right of parents, based on the idea that they have priority in choosing the type of education that their children receive. Amid the universalization of the basic education school, this movement breaks with this institution and restricts children to the private and family environment.

Notably, at first, the population that was interested in this practice was composed of people who criticized the State and its mode of government, anarchists, and people from the progressive field. In this first moment, the movement had no social or even legal approval. After some judicial decisions against homeschooling in 1972 in Wisconsin (USA), the right to homeschool was granted, for the first time, to an Amish¹² family. This decision was based on the First Amendment of the American Constitution due to the religious nature of the family's motivations (Knowles et al., 1992).

This judgement highlights one of the turning points of the movement. Until then, the main motivations for the defense of homeschooling were critics to the state itself. Afterwards, they involved beliefs in the need to limit the contact of children with the secular ideas guaranteed by the secularity of the state, an outrage according to fundamentalist religious groups. An important element that contributed to this change was the rise of new conservatism in the USA in the 1970s among a coalition of religious conservatives, right-wing intellectuals, and neoliberals (Lacerda, 2019). From then on, the homeschooling movement grew and began to attain many supporters worldwide.

Accordingly, the Brazilian literature indicates that homeschooling advocacy rests on two pillars: neoconservatism and neoliberalism (Cecchetti & Tedesco, 2020; Oliveira & Barbosa, 2017; Picoli, 2020; Vasconcelos, 2017). The former, through a complex dynamic, acts to maintain the *status quo* and modify and control the moral order according to its interests. Cecchetti and Tedesco (2020), for instance, indicate that Christian religious fundamentalism shapes this notion of morality, functioning as the backbone of neoconservatism. Thus, the defense of the traditional, patriarchal, heteronormative, and God-fearing family translates to the rejection of discussions on gender and the expansion of rights to LGBTQIA+ people in defense of patriotism via a punitive agenda. Brazilian neoconservatism has strong links with the American one, with the Christian Right as one of the main driving forces in both countries. In addition, neoconservatism advocates the natural rights, i.e., the idea that there are natural and immutable rights, which denies positive law, i.e., laws are the result of law and reflect the life of a society at a given time. Thus, the movement argues that the right of parents over their children is a natural right, ahistorical, immutable, and incontestable (Fassò, 1993).

Furthermore, neoliberalism is defined by Brown (2019) as a set of political actions aimed at privatization to decreasing the role of the Social State. Neoliberal parents have advocated the idea of the nonexistence of the social, but only individuals and their families, besides the State. Thus, the only function of the State is to defend the individual and family sphere. The State's role in education, therefore, should be to protect the will of the family through law. This notion is based on the concept of individual freedom. In this privatist perspective, the common good and the notion of the collective are rendered unfeasible due to the exaltation of the individual perspective. In addition to the oft-discussed topic of privatizing public services, neoliberalism seeks to privatize anything that is abstract yet interferes concretely, as the notion of grouping, which is fundamental for the maintenance of coexistence. The well-known statement by the former UK Prime Minister

12 This fundamentalist religious group of American origin has ultra-traditional customs and habits. Thus, its members reject modernity to the point of forming small communities that are closed to external contact.

and leading figure in neoliberalism, Margaret Thatcher, “there is no such thing as society. There are individual men, and women and there are families”,¹³ summarizes such ideas.

Brown (2019) argues that it is possible to identify Friedrich Hayek’s defense of traditional customs – including traditional family values – as a form of opposition to state intervention. For this neoliberal economist, more than guaranteeing a protected personal sphere in which the state should not act, it is necessary to expand this sphere. Thus, the extension of the protected personal sphere facilitates the occupation of the political and the social as a form of the defense of freedom. For Brown (2019), consequently, traditional morality occupies a place within neoliberal reason. Both market and traditional morality are the result of “spontaneously evolved orders carried by tradition” (Brown, 2019, p. 118, own translation), and any attempt at social justice is flawed, limited and undesirable because it opposes this evolution.

The defense of family tradition and values by neoliberalism and neoconservatism is the foundation for the defense of homeschooling in Brazil. PL No. 3,262 of 2019, for example, states that natural right guarantees the primacy of parents over the education of their children, whose will belong to their parents (Projeto de Lei n. 3.262, 2019). However, for the rights of parents over their children to have this nature, it is impossible for children to be deemed subjects of the law. For the right of parents to be so limitless, the only possibility is that children must have no rights. The imbrication of neoliberalism and neoconservatism is also reflected in the idea that rights exist because there are duties. That is, the fact that parents are legally responsible for their children, including from a financial point of view, functions like a property title. That is, children belong to the family, or rather, to the father. Hence, it is not a coincidence that in his bill on homeschooling, PL No. 3,261/2015, federal deputy Eduardo Bolsonaro mentions father power instead of family power, even though the former was replaced by the latter in the new civil code of 2002 (Projeto de Lei n. 3.261, 2015).

Concerning the legal point of view, the article 205 of the Brazilian Federal Constitution states that “Education, the right of all and the duty of the State and the family, will be promoted and encouraged with the collaboration of society, aiming at the full development of the person, his or her preparation for the exercise of citizenship and his or her qualification for work” (own translation). Moreover, according to article 227 of the Federal Constitution (Constituição da República Federativa do Brasil, 2010, emphasis added, own translation):

It is the duty of the family, society and the State to ensure to children, adolescents and young people, *with absolute priority*, the right to life, health, food, education, leisure, professionalization, culture and dignity, respect, freedom and family and community coexistence, in addition to making them safe from all forms of neglect, discrimination, exploitation, violence, cruelty and oppression.

It is therefore essential to understand that such shared responsibility creates a child protection network, defined as an absolute priority, against abuses that may be committed by any of three agents: State, family, or society.

Although there is relative consensus regarding the absolute priority of child protection, at least in the letter of the law, who has the duty to educate as a priority is still in dispute. As mentioned above, the constitution, which highlights the state, and then mentions the family, the LDB, however, with neoliberal traces (Freitas & Figueira, 2020), first reverses the role of the agents and the state: “Education, a duty of the *family* and the *State*, inspired by the principles of freedom and the ideals of

13 <https://www.theguardian.com/politics/2013/apr/08/margaret-thatcher-quotes>

human solidarity, aims at the full development of the student, his or her preparation for the exercise of citizenship and his or her qualification for work” (Lei n. 9.394, 1996, our emphasis). This is not by chance. The role of the protagonist also bears most of the burden and vice versa. Thus, when parents claim for themselves the full burden of the education of their children, they also claim for themselves the total rights over the life of their children.

The break in the shared responsibilities between the State, family and society also entails unraveling a child’s safety net, making the child far less protected against the various forms of violence that he or she cannot defend himself or herself from. One of these forms of violence may be the impediment of this child or adolescent to fully develop his or her personality by being deprived of coexistence in society, i.e., in a group of people larger than their own family with varying and often conflicting beliefs and values.

Is homeschooling compatible with teaching controversial issues?

When inserted into this coalition of forces, the pro-legalization movement of homeschooling has been strengthened and has reached different countries, including Brazil. The practice, which is not ensured by the Constitution or the LDB, is in the process of being regulated in the legislative houses and may be regulated soon. However, even before such approval, the Ministry of Education (MEC, 2021) has prepared and released a booklet¹⁴ about homeschooling, clarifying, and presenting the proposal. This demonstrates its lack of commitment to the relevant legislative rights and, simultaneously, its interest in promoting the practice.

This booklet, entitled *Educação domiciliar: Um direito humano tanto dos pais quanto dos filhos*,¹⁵ establishes guidelines for homeschooling in Brazil. It provides: i) a definition of the practice of homeschooling; ii) the justification for its adoption, based on article 26 of the Universal Declaration of Human Rights, the number of countries where the practice is legal and the supposed number of Brazilian families adhering to the practice; iii) the purposes for homeschooling’s regulation; and iv) information about the teaching and learning process of homeschooled Brazilian children.

One of the purposes of regulation it offers is “Defending the RIGHT TO FREEDOM of families to educate their children and the RIGHT of their children to quality education, aiming at their personal development” (MEC, 2021, p. 11, emphasis in the original, own translation). In addition, it states that legalizing homeschooling “Provides one more education option for young people and children [by] respecting the right of families to educational freedom” (MEC, 2021, p. 11, own translation). These statements create the false idea that families currently lack the right to the freedom to educate their children, contrary to the Constitution and the LDB, as previously discussed. In addition, the Constitution, in article 206, establishes, as a principle of school education, the “pluralism of ideas and pedagogical conceptions”, as well as the “coexistence of public and private educational institutions” (Constituição da República Federativa do Brasil, 2010, emphasis added, own translation). This same principle appears in the LDB in sections II to V of article 3rd, which provide the following:

- II – freedom to learn, teach, research and disseminate culture, thought, art and knowledge;
- III – pluralism of ideas and pedagogical conceptions;

14 In May 2022, we found that the booklet had been removed from the website of the Ministry of Education, but it can be accessed at https://web.archive.org/web/20220412191740/https://www.gov.br/mec/pt-br/media/aceso_informacao/pdf/CartilhaEducacaoDomiciliar_V1.pdf

15 Free translation: Home education: A human right of both parents and children.

IV – respect for freedom and appreciation of tolerance;

V – coexistence of public and private educational institutions.

That is, parents already enjoy the freedom to choose the school education that will be offered to their children, because there are public and private schools with relative autonomy and even religious denominational schools. In addition, guardians are free to provide out of the school education as they wish, as long as the rights of a child are respected. What is this freedom of choice that has not been made possible by the existence of public and private, lay and denominational schools, with the most diverse political and pedagogical projects that can be read and discussed by parents and guardians? What freedom of choice has not yet been included in Brazil's educational legislation?

Regarding the teaching-learning process, the above booklet discusses the materials to be used, the pedagogical practices to be adopted and how socialization occurs. Specifically, it indicates that such interactions occur within the groups of families that adopt homeschooling and with children's cousins, colleagues, clubs, and condominiums where their families live (MEC, 2021). According to the booklet, socialization could also occur in a political context. In this section, there are images of children in front of the Planalto Palace,¹⁶ the headquarters of the national executive power, with pro-homeschooling posters and of a child speaking to representatives of the federal government (MEC, 2021).

Furthermore, referring to a speech by a 12-year-old teenager in the Legislative Assembly of Pernambuco¹⁷ in 2019, the booklet states that moments of socialization occur all the time, e.g., during trips to the market and conversations with doormen, bus drivers and elderly individuals in public squares (MEC, 2021). Clearly, these elements underscore the MEC's strong emphasis on the idea that coexistence with others is an intrinsic and fundamental part of homeschooling.

This is also advocated by the ANED,¹⁸ one of the largest pro-homeschooling Brazilian organizations that strongly participates in the MEC. On its website,¹⁹ ANED argues that parents who teach their children at home are concerned with teaching tolerance and respect for difference and diversity. It also states that "studies show that homeschooling students have greater political and religious tolerance than students from conventional schools" (ANED, 2021, own translation). Nonetheless, on the webpage in question, there are no mentions or citations of any research that supports this assertion.

This booklet strives to demonstrate how important socialization is as part of its practices. Nevertheless, the key points discussed by the theoretical frameworks adopted in this study are neglected. Indicating that socialization occurs together with other families that adopt homeschooling ignores the low diversity of these groups, yet diversity is an essential factor for the preparation of citizenship and the exercise of tolerance and respect, as discussed above. According to Andrade (2014), homeschoolers have similar social profiles. When interviewing 57 families, the researcher noted that slightly more than 96% declared themselves Christian and that most parents had completed high school or some higher education. Possibly, these parents are likely to share moral values, as they have opted for a practice that emerged from neoconservative and neoliberal ideals.

The same problem concerning homogeneity reasonably occurs amid coexistence with cousins and other family members. Certainly, socializing with other family members is important

16 Palácio do Planalto.

17 Assembleia Legislativa de Pernambuco.

18 Associação Nacional de Educação Domiciliar [National Association of Home Education].

19 <https://www.aned.org.br/index.php/conheca-educacao-domiciliar/perguntas-e-respostas>

and beneficial, but families usually share values, beliefs, and habits. It is also likely that they belong to the same economic class and identify with the same race.

According to MEC, social interaction also occurs in clubs, complexes, and neighborhoods. Again, these places are typically frequented by people who have similar socioeconomic profiles. In addition, because of the structural racism present in Brazil, Black people experience segregation, hindering the access of this portion of the population to certain places, such as those that used as examples in the booklet. Conversely, in a speech given by a homeschooler and portrayed in this publication, other environments for interaction are pointed out that are distinct from the others and offer greater diversity. However, the socialization required to teach controversies and the preparation of the exercise of citizenship cannot be effectively fostered in these places.

In informal environments, such as those cited, the intentionality of teaching is impaired. Although there is a plurality of divergent thoughts and views among people who enter a market, a precept of the educational process of controversial topics, the practice of deliberation, discussion, and reflection is unfeasible because the other market patrons are in that environment for noneducational purposes. Thus, it is unlikely that this socialization provides the conditions that education for citizenship requires.

Regarding this goal of education, the booklet highlights the participation of homeschooled children in protests and meetings with government actors. Such actions, even in a political context – as cited –, do not provide the basic conditions for the discussion of controversies, according to Hess and McAvoy (2015), the Federal Constitution (Constituição da República Federativa do Brasil, 2010) and the LDB (Lei n. 9.394, 1996). These actions lack the components of the political classroom and do not promote the plurality of thoughts and ideas that has been ensured in legislation. Furthermore, the actions in such demonstrations are directly related to the interest of parents; there is no fertile ground for disagreements, debates, or other perspectives.

A significant feature of the teaching of controversies is the stimulation of the exercise of tolerance and the favourable conditions for this activity. As noted above, the ANED states that homeschooled children become more tolerant than other children. The association does not present any evidence to support this statement; however, in the vast literature on the subject, we identified a work that achieved this result. Cheng (2014), studying students at a fundamentalist Christian university, compared students who had graduated from private and public schools and homeschoolers. The study's results indicate that the latter are more tolerant than the former.

In addition, Ray's (2017) literature review indicates that adults who study at home are receptive to multiple environments and are tolerant of diverse viewpoints. However, regarding these findings, some elements should be noted. Ray does not cite the studies he is referring to or the names of their authors or years of publication, precluding any further analysis of the study's data. Moreover, Ray is an important figure on the list of advocates for the practice, as president and one of the founders of the National Home Education Research Institute (NHERI), an organization that has extensively advocated homeschooling, which indicates bias.

In turn, the results of the study by Cheng (2014) are not subject to generalization, given that the research focuses on only one university and a small sample compared to the number of homeschool supporters in the United States. This may indicate a defect in the chosen field because the case university population has similar traits to the homeschooler population, e.g., moral, and religious values, and one of its objectives is to provide an education based on the Bible. Thus, a limitation of this study is that the university's students may be attracted by these characteristics, entailing a group of participants with little diversity, and hindering the chances of the research to obtain rather accurate results.

Hence, although the ANED and a leading researcher in the field claim homeschoolers are more tolerant than other students, no consolidated results can be found, whether on the association's website or in the study by Ray (2017), that support this statement. Clearly, however, there is a strong discourse regarding the aspects of socialization among the groups that defend homeschooling, whether they are representatives of the state, organizations, or scholars.

In this sense, the following question emerges: "Why do supporters of homeschooling who value coexistence with the other and the different choose to remove their children from a plural space, i.e., school?". The Brazilian draft laws regarding the regulation of the practice in question provide some evidence of the salient motivations. In 2008, deputy Walter Brito Neto presented PL No. 4,122/2008 (Projeto de Lei n. 4.122, 2008), which justifies the choice for the adoption of homeschooling. Among the motivations are poor quality public education, violence in the school environment and divergent moral values between institution and family. In another bill, PL No. 3,261/2015, presented by deputy Eduardo Bolsonaro, it is indicated that the motives for homeschooling have ideological, social, moral and religious origins.

In their research, Fuhr and Alejarra (2020) and Gaither (2017) have corroborated these bills with evidence. The former looks at a small sample of homeschooling Brazilian families and indicates that their removal of children from schools was due to their dissatisfaction with the school system and its divergence from their moral values. The latter comprises a literature review regarding homeschooling in the United States and points out that concern with possible episodes of violence, bullying and the quality of the education are some motivations, in addition to moral and religious factors.

In these arguments, two main points stand out: disbelief in public education and the importance of moral and religious values for families. Moreover, the findings of Andrade (2014) suggest that there is a tendency for Brazilian homeschooled students to come not from public schools but rather from private schools. Thus, the argument that public education is not adequate loses meaning. As these groups have access to different private schools and can choose the one that best fits their ideal of education, it is therefore worth once again questioning their choice to remove their children from a collective space to offer them the most privatist education possible within their families.

In Brazil, the existence of "confessional private schools, with specific confessional orientation and ideology" is currently allowed (Lei n. 9.394, 1996, own translation), which benefits parents who seek to keep their children in contexts similar to the family one. In addition, the ANEC,²⁰ whose objective is to "promote an evangelical-liberating Christian education", disagrees with the practice of homeschooling. In its Technical Note on Home Education²¹ – ANEC No. 003/2019 (ANEC, 2019, own translation), this association states that the practice should not be adopted by the Brazilian education system because schoolchildren's training for the exercise of citizenship in a democratic society should be performed in a school. It also states that given the low quality of education, the answer is not to remove children and adolescents from these environments but rather to take responsibility as a society for the improvement of the entire system. Finally, the ANEC argues that "the school is a privileged place for the construction of democratic thought and for the integral formation of the human being".

Further elaborating on socialization, Ribeiro (2020) points out that this problem with homeschooling generates high risks for the formation of "social bubbles". The author clarifies that this phenomenon, common in the virtual world, limits individuals to contact with people

20 Associação Nacional de Educação Católica do Brasil [National Association of Catholic Education of Brazil].

21 Nota Técnica sobre o Ensino Domiciliar.

who have similar opinions to their own. A family tends to intentionally select or exclude people from its coexistence by using certain criteria to socialize with those who have similar sociocultural characteristics and values. This whole process is completed to protect minors from possibly divergent values and beliefs.

Thus, during homeschooling, by always keeping their children under their control and supervision, plurality in coexistence is impaired by parents. It is highly unlikely students in such a homogeneous environment will learn to deliberate, tolerate, weigh contrary arguments, and critically reflect on political issues that influence life in common. Instead, these lessons must occur in an informal environment without adequate conditions for discussion, such as a supermarket, according to the MEC booklet.

It is difficult to guarantee that homeschooling will be able to foster and exercise the citizenship and a plurality of thought and ideas, although national legislation grants both of them. The LDB legislates school education, which does not cover the proposal in question. To remedy this issue, deputy Luisa Canziani prepared a substitute for PL No. 3,179/2012, establishing changes in the LDB and similar guidelines to govern unschooling practices. Thus, homeschooling should also follow, for example, the obligation to follow the National Common Curriculum Base,²² to perform regular evaluations and to guarantee community coexistence. Despite these regulations, there is no way to assure that they will be met, which would entail that government agencies inspect all homeschooling families.

Regarding the question that opened this section, sparked by our discussion of the literature, it is worth exploring whether it is possible to teach controversies during homeschooling. In terms of the six goals listed by Hess and McAvoy (2015), it would be difficult for homeschooling to achieve them. First, these objectives depend on the interaction of students with each other and teachers, especially in ideologically diverse environments. As the arguments presented in recent years in defense of homeschooling in Brazil center on family values, it is difficult to believe that guardians who choose this teaching practice will stimulate contact with divergent ideas.

In addition, all six goals depend on the performance of teachers with adequate training who are willing to deepen both a specific topic under discussion and the didactic strategies that encourage discussion in the classroom. Given that there is no requirement, so far, for those responsible for homeschooling to have a degree, it is not possible to ensure that they are able to develop pedagogical strategies and build favourable environments for the discussion of controversial topics.

Without the presence of other young people and teachers who disagree with a student's personal position, the opportunity to explore different points of view, life experiences and languages, as Levinson (2006) argues, is unlikely. Accordingly, the psychological condition of intellectual tension, proposed by Yacek (2018), cannot be guaranteed by homeschooling.

Furthermore, with respect to the selection of content deemed controversial, homeschooling leaves room for fragile arguments, which are not based on evidence. Negative positions and/or theories grounded in historical revisionism can be considered legitimate by those responsible for students' education. Thus, it is possible for creationism to be taught as scientific and for the holocaust to be denied, for example.

22 Base Nacional Comum Curricular.

Final considerations

To determine the compatibility of the teaching of controversies with homeschooling, it was necessary to establish the instruments that could guide this research. First, we focused on the internationally produced literature on the teaching of controversial topics. Dialoguing with different authors in the field, we have shown how the teaching of controversies fosters the plurality of ideas, positions, and subjects in the training of students. This promotes a debate on issues that inform life in society, functioning as a fundamental exercise for democracy. In addition, based on researchers' assumptions, we identified the need for a diverse environment and the mobilization of certain knowledge and techniques for the practice of teaching controversies.

The legal bases of Brazilian education were also part of our research. We have found support for our argument in the Constitution and the Law of Guidelines and Bases of Education. Both guarantee the pluralism of ideas and pedagogical conceptions as well as respect for freedom and appreciation of tolerance, aspects involved in the teaching of controversies, and both state that preparation for citizenship is the objective of education. Finally, based on research on homeschooling, we brought important aspects of neoconservatism and neoliberalism to light, exposing their relationship with the pro-homeschooling movement.

Given these theoretical bases, we analyzed the booklet prepared by the Ministry of Education, *Educação domiciliar: Um direito humano tanto dos pais quanto dos filhos*, and the characteristics of homeschooling. We have demonstrated that the teaching of controversial issues is not compatible with the practice of homeschooling, as it undermines some educational principles set out in the LDB and the Constitution and weakens the development of an education for democracy.

Furthermore, it is essential to discuss some of the multiple problems that the homeschooler movement has generated for the democratic advances that Brazilian education has achieved over time. By calling into question the rights of children and adolescents and prioritizing the rights of families, the movement has dismantled the notion of a child as a subject of rights that should be protected as an absolute priority by the State, society, and family, according to the Brazilian Constitution.

Homeschooling has also a limited socialization. Families remove their children from all educational institutions, whether the public, private or confessional schools in Brazil, seeking to protect their values and beliefs and control the socialization of their children. This dynamic, in addition to hindering the debate on divergent ideas, impedes the right of children and adolescents to be educated to foster their community and diversity, that is, to live in society.

Although the number of homeschooling families in Brazil is not representative compared to the number of all children enrolled in schools,²³ its legalization will have a symbolic impact, especially on the educational field. The movement holds neoconservative and neoliberal flags, it transforms a public good, education, into a private right, assuming an individualist perspective and positioning itself in opposition to a democratic perspective. Thus, it establishes that private moral values are hierarchically above collective values. In addition, it creates space for the further advancement of neoconservatism and neoliberalism in education. With homeschooling's regulation, it is possible to foresee the creation of new niches of educational companies that prepare homeschooling materials with a Christian fundamentalist bias, providing space for additional actions.

Finally, it is essential that we position ourselves in favour of the public school as the institution most capable of teaching controversial topics and preparing students for the exercise of citizenship.

23 There is no official number of homeschooling supporters in the country, as the practice is in the process of regulation, which makes it difficult to collect data. However, the ANED estimates that there are more than 7,500 homeschooling families in Brazil.

It is true that this institution has serious problems, such as precariousness and a lack of physical infrastructure. However, as we have articulated in this article, public school must be defended; due to its diversity, it is a fertile ground to achieve the goals of democratic education.

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Note on authorship

The three authors also participated in the text writing, theoretical discussion, and data analysis.

Data availability statement

The contents underlying the research text are contained in the manuscript.

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