

**THE INFLUENCE OF INTERNATIONAL POLICIES ON EJA IN CONTEXTS OF DEPRIVATION AND LIBERTY RESTRICTION: AN ANALYSIS OF BRAZIL AND CHILE**

***A INFLUÊNCIA DAS POLÍTICAS INTERNACIONAIS PARA A EJA EM ESPAÇOS DE PRIVAÇÃO E RESTRIÇÃO DE LIBERDADE: UMA ANÁLISE DO BRASIL E CHILE***

***LA INFLUENCIA DE LAS POLÍTICAS INTERNACIONALES EN LA EJA EN CONTEXTOS DE PRIVACIÓN Y RESTRICCIÓN DE LIBERTAD: UN ANÁLISIS DE BRASIL Y CHILE***



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**ABSTRACT:** This article presents a study on the influences of international policies, particularly those of Unesco, on EJA in Spaces of Deprivation and Restriction of Freedom (EPRL) in Brazil and Chile. The methodological procedures were document analysis and bibliographic studies. Regarding EJA in EPRL, a dialogue was held with Julião (2016 and 2018) and Acuña (2015 and 2018). The references for studies in the field of public social policies, especially education, include the productions of Höfling (2001), Souza (2006), Shiroma et al. (2011), and Ventura (2008 and 2013). As a result, it was possible to verify an alignment between the policies for EJA in prisons in both countries, the globally structured educational agenda, and education in the prison system, which has assumed the promise of achieving social cohesion, reducing violence and crime, as well as preventing recidivism.

**KEYWORDS:** Youth and Adult Education. Spaces of Deprivation and Restriction of Freedom. Unesco. Public Education Policies.

**RESUMO:** O presente artigo apresenta um estudo sobre as influências das políticas internacionais, particularmente as da Unesco, para a EJA em Espaços de Privação e Restrição de Liberdade (EPRL) no Brasil e no Chile. Como procedimentos metodológicos, foram adotadas a análise documental e estudos bibliográficos. No que se refere à EJA em EPRL, dialogou-se com Julião (2018) e Acuña (2015 e 2018). Os referenciais para os estudos no campo das políticas públicas sociais, em especial de educação, contemplam as produções de Höfling (2001), Souza (2006), Shiroma et al. (2011), Ventura (2008 e 2013), entre outros. Como resultado, foi possível constatar um alinhamento entre as políticas para a EJA em prisões nos dois países, a agenda educacional globalmente estruturada e como a educação no sistema prisional tem assumido o discurso de promessa do alcance de coesão social, da redução de violências e da criminalidade, assim como de prevenção da reincidência.

**PALAVRAS-CHAVE:** Educação de Jovens e Adultos. Espaços de Privação e Restrição de Liberdade. Unesco. Políticas Públicas Educacionais.

**RESUMEN:** Este artículo presenta un estudio sobre las influencias de las políticas internacionales, particularmente las de la Unesco, sobre la EJA en Espacios de Privación y Restricción de la Libertad (EPRL) en Brasil y Chile. Los procedimientos metodológicos fueron el análisis documental y los estudios bibliográficos. Respecto a EJA en EPRL, se dialogó con Julião (2018) y Acuña, (2015 y 2018). Las referencias para estudios en el campo de las políticas públicas sociales, especialmente la educación, incluyen las producciones de Höfling (2001), Souza (2006), Shiroma et al. (2011) y Ventura (2008 y 2013). Como resultado, se pudo verificar un alineamiento entre las políticas de EJA en las prisiones de ambos los países, la agenda educativa estructurada globalmente, la educación en el sistema penitenciario, asumiendo entonces la promesa de lograr la cohesión social, reducir la violencia y el crimen, así como prevenir la reincidencia.

**PALABRAS CLAVE:** Educación de Jóvenes y Adultos. Espacios de Privación y Restricción de la Libertad. Unesco. Políticas Publicas Educativas.

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## Introduction

The current text presents the results of a thesis<sup>4</sup> investigation aimed at understanding the aspects that characterize the educational assumptions of Youth and Adult Education (YAE) in spaces of deprivation and restriction of liberty (DRL). Additionally, it addresses the consequent responsibilities directed towards teachers, considering the educational project of the United Nations Educational, Scientific and Cultural Organization (UNESCO) for Brazil. In this context, the article aims to present a study on the influences of international policies, particularly those of UNESCO, for Youth and Adult Education in Spaces of Deprivation and Restriction of Liberty (DRL) in Brazil and Chile.

Here, the defense presented by Julião (2018) is reaffirmed, stating that "education and work are understood today in South America as a social duty and a condition of human dignity for young and adult individuals in situations of restriction and deprivation of liberty," which demands a critical perspective on educational processes for this population.

## Educational public policies for the prison context

In the prison context, numerous challenges are evident for professionals working in the Brazilian prison system, especially those involved in education, primarily due to the conditions to which individuals serving sentences are subjected. In this context, this article is presented aiming to conduct an analysis within the scope of educational public policy studies to understand the reasons and criteria by which governments choose certain actions or directions.

In recent years, the adoption of restrictive spending policies, predominant in the national agendas of developing countries, has gained greater visibility. This logic advocates for new roles for governments, imposing the replacement of post-war Keynesian<sup>5</sup> policies based on classical liberalism, the welfare state, and the theory of human capital<sup>6</sup>, with dynamics of resizing state intervention in the economy and social policies.

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<sup>4</sup> This article was produced based on the thesis of one of the authors, titled *A EJA nos espaços de privação e restrição de liberdade: as apropriações das diretrizes da Unesco no direcionamento do trabalho de professoras(as)* (Youth and Adult Education in Spaces of Deprivation and Restriction of Liberty: Appropriations of UNESCO Guidelines in Directing the Work of Teachers), which was defended in 2019 in the Graduate Program in Education at the Federal University of Santa Catarina. The article expands the debate and brings contributions from the Chilean context.

<sup>5</sup> This notion was created by John Maynard Keynes, who advocated for the implementation of political actions that reconciled economic and social issues towards a welfare state.

<sup>6</sup> Created by Theodore W. Schultz based on his studies, in which he advocated issues related to explaining the productivity generated by the "human factor" in production.

It refers, as discussed by Souza (2006, p. 26, our translation), to a "field of knowledge that seeks, at the same time, to set the government in action and/or analyze this action, and when necessary, propose changes in the direction or course of these actions." Thus, it is of interest for the analysis of public policies to consider both their design and the parameters that guide their decisions, conduct, and implementation, as this set also influences the inherent conflicts in their deliberations. In other words, it helps answer questions such as "who gains what, why, and what difference it makes" (Souza, 2006, p. 24, our translation).

According to Höfling (2001, p. 31, our translation), the concept of public policies "cannot be reduced to that of state policies" but should be understood as the State undertaking actions directed at specific sectors of society. This encompasses the "implementation and maintenance from a decision-making process" involving various public agencies, organizations, and agents of society.

Social policies are related to the mechanisms of social protection carried out by the state, focused, in theory, on redistributing to reduce inequalities generated by socioeconomic development. This notion of social policies arises from the "popular movements of the 19th century, focused on conflicts between capital and labor, in the development of the first industrial revolutions," as pointed out by Höfling (2001, p. 31, our translation). In this context, the role of the neoliberal state in implementing social policies and programs is to "permanently qualify the workforce for the market," as well as "keep under control segments of the population not integrated into the productive process" (Höfling, 2001, p. 33, our translation).

The actions of the State in this dimension are attempts to regulate the "imbalances generated by the development of capitalist accumulation" and, at the same time, are seen as barriers to this development because they are considered causes of the "crisis that permeates society" (Höfling, 2001, p. 37, our translation). Precisely for this reason, considering the Latin American context, it has not been (and perhaps never will be) possible to "form political coalitions capable of minimally addressing the design of public policies capable of driving economic development and promoting social inclusion" (Souza, 2006, p. 21, our translation).

Under this understanding, the process of formulating public policies in our society involves the incompatibility of interests, disputes, and power relations intrinsic to the structures, state institutions, and society in general. The success or failure of a policy, as well as the solutions adopted for "public intervention actions," need to consider cultural elements that "historically construct differentiated processes of representations, acceptance, rejection, and incorporation of social achievements" (Höfling, 2001, p. 38, our translation).

In this sense, it becomes essential to seek an understanding of the central assumptions of Youth and Adult Education (YAE) in spaces of deprivation and restriction of freedom (DRF) through the analysis of relevant documents in the field. These documents play a significant role in the context of the movement of educational public policies in this domain. Due to the adopted methodological choice, which refers to the documentary analysis of texts generated in the context of the current neoliberal reform, normative and guiding documents constitute the starting point for this research.

The objective is to understand educational policy from the perspective of how certain aspects have consolidated a particular "discursive hegemony, the colonization of the vocabulary of reform, the bricolage of concepts [...], to read what they say, but also to capture what they do not say," since "meanings are not given in documents, they are produced; they are both within and beyond the words that compose them" (Shiroma; Campos; Garcia, 2005, p. 427, our translation).

With these purposes, an analysis was conducted on a set of international and national documents from international organizations, with an emphasis on UNESCO. This approach aims to map elements that contribute to understanding the process of consolidation of educational public policies for Youth and Adult Education (YAE) in spaces of deprivation and restriction of freedom (DRF). It is pertinent to revisit the strategic conceptual framework within the Brazilian educational context, originating from the so-called Education for All (EFA)<sup>7</sup> of 1990.

In the year 2015, the deadlines for the fulfillment of the agreements established by the Millennium Development Goals (MDGs) and the Education for All (EFA) targets, renewed in 2000 in Dakar, came to an end precisely due to the lack of progress in the 1990s compared to what had been proposed. The United Nations Conference on Sustainable Development (2012-Rio+20), despite not establishing practical commitments, served as a starting point for the formulation, in 2015, of the Sustainable Development Goals (SDGs), replacing the MDGs that had not set specific targets for Youth and Adult Education (YAE), mentioning only in one of the goals the intention to achieve universal primary education. Regarding this, the Global Education for All (EFA) Monitoring Report from UNESCO on the MDGs of 2014 acknowledged that the number of illiterates among young people and adults worldwide remained very high.

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<sup>7</sup> The World Declaration on Education for All was signed at the World Conference on Education for All held in Jomtien, Thailand.

Similarly, the EFA goal (1990/2000) of providing all children, young people, and adults with an education that meets basic learning needs was postponed to 2015 and unfolded, relating to YAE in two objectives: 1. Ensure that "the learning needs of all young people and adults are met through equitable access to appropriate learning programs and life skills"; and, furthermore, 2. Achieve "a 50% improvement in adult education levels by 2015, especially for women, and equitable access to basic and continuing education for adults" (Di Pierro; Haddad, 2015, p. 201, our translation).

Brazil is among the 53 countries that have not yet achieved the goals of Education for All (EFA) by 2015. Despite progress observed in the enrollment rate in elementary education, the 11th Global Monitoring Report on EFA from UNESCO, dated 2014, indicated that Brazil ranked 8th among nations with the largest contingent of adult illiterates (Di Pierro; Haddad, 2015, p. 203). This report points out that in Chile, there were disparities in the reach of school performance levels, with slight differences in the 4th grade, but in the 8th grade, 77% of rich students achieved minimum levels, compared to 44% of poor students.

Considering the commitments established by Education for All (EFA) and the lack of progress over two decades in the 1990s and 2000s, UNESCO, in 2015, together with the United Nations Children's Fund (UNICEF), the World Bank, the United Nations Population Fund (UNFPA), the United Nations Development Programme (UNDP), UN Women, and the United Nations High Commissioner for Refugees (UNHCR), approved the Incheon Declaration. This declaration expresses the commitment of the educational community, adopted by 184 member states, to the global Education Agenda for 2030 (Education 2030) and the 2030 Sustainable Development Agenda. These agendas aim to ensure "opportunities for quality, inclusive, and equitable education, as well as lifelong learning for all." Moreover, they define education as the key driver of development (Nacif *et al.*, 2016).

Based on this momentum toward global education agendas, elements of public policies for Youth and Adult Education (YAE) are presented, while guiding documents for this modality in spaces of deprivation and restriction of freedom (DRF) are analyzed. UNESCO, as the UN specialized agency for education, has disseminated international guidelines embraced by countries. Such appropriations define the lines of discussion and occupy a relevant space in the implementation of public education policies by governments regarding YAE in DRF. Given this, it is appropriate to reflect on a set of reference documents in the area, with the intention of understanding the educational assumptions for YAE in DRF and possible outlines for the work of teachers in these spaces.



The first document is the manual “*La Educación Básica en los Establecimientos Penitenciarios*”<sup>8</sup>, (Basic Education in Penitentiary Establishments), from 1994, which reveals the "commitment" of the international community to ensure access to basic education worldwide, considering the social problems faced by various countries, with the increase in violence and crime in recent years (Unesco, 1994).

Through the analysis of International Conferences on Adult Education linked to UNESCO, initiated in 1949, it is observed that these conferences have been spaces for disseminating global guidelines and policies for adult education over the last seventy years. Consequently, it is seen as a means capable of offering possibilities for solving significant humanitarian problems of a social, political, and cultural nature, as well as economic crises affecting the so-called "developing countries" (Knoll, 2009, our translation). Global agendas related to adult education are revisited and evaluated based on Confintea's proposals. It is identified that only from the V Confintea, held in 1997 with the Hamburg Declaration, was there an, albeit incipient, debate on YAE in DRF.

This fact requires observing the movement in Brazil, particularly from the 2000s, regarding the acceptance of the educational proposals disseminated by international agencies, especially UNESCO. In this regard, reference is made to the “*Educando para a Liberdade* (Educating for Freedom)” project, which sought to implement educational actions directed towards the prison system. This document was developed in Brazil, starting in 2005, through a joint effort involving UNESCO and the Ministries of Justice and Education, with support from the Japanese government through the EUROsociAL project<sup>9</sup>.

Around the same time, in Chile, a consultation was conducted that allowed diagnosis of the need to improve the quality and relevance of pedagogical processes. It was observed that the general conditions in which the educational process developed did not meet the inmates' needs, compromising the rehabilitation process's effectiveness. A Chilean program that shares

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<sup>8</sup>The manual *La Educación Básica en los Establecimientos Penitenciarios*, published in 1994; 2. The texts from the International Conferences on Adult Education (Confintea) of UNESCO, especially the Hamburg Declaration (Unesco, 1997) and the Belem Framework for Action (Unesco, 2010); 3. The “*Educando para a Liberdade*” project of 2005 by the Ministry of Education (MEC) and the Ministry of Justice (MJ), in partnership with UNESCO and the EUROsociAL consortium, funded by Japan (Unesco, 2006); 4. “*Educação em prisões na América Latina: direito, liberdade e cidadania* (Education in Prisons in Latin America: Right, Freedom, and Citizenship)” presents documents related to the II National Seminar Consolidation of Guidelines for Education in the Penitentiary System in 2007 and the Regional Meeting of Latin America on Prison Education in 2008 (Unesco, 2009); 5. Regulations related to the provision of ABE in EPRL.

<sup>9</sup> It is the result of the partnership between the United Nations Office in Vienna and the UNESCO Institute for Lifelong Learning (UIE).

similarities with the Brazilian project is called *Educación para la Libertad*<sup>10</sup>. (Education for Freedom). This program started in 2001, was developed until 2010, interrupted, and resumed in 2014.

*From its inception, this proposal has aimed to contribute to the improvement of the quality and relevance of educational processes in educational centers located in confinement contexts. To this end, the design of its implementation strategy included two moments: the first aimed to establish suitable conditions for the development of educational processes and promote greater integration between the academic center and Genchi<sup>11</sup>; and the second aimed to contribute to improving the quality and relevance of students' learning, with a central focus on the link between education and social reintegration (Chile, 2016-2018, our translation).*

In the Brazilian context, in 2009, in line with the initiatives of the “*Educando para a Liberdade*”, project, it resulted in the production of a book entitled “*Educação em prisões na América Latina: direito, liberdade e cidadania*<sup>12</sup> (Education in Prisons in Latin America: Right, Freedom, and Citizenship)”. This work was developed through a partnership between UNESCO, the Ibero-American States Organization for Education, Science, and Culture (OEI), and the Spanish Agency for International Cooperation for Development (AECID). The book presents documents related to the II National Seminar Consolidation of Guidelines for Education in the Penitentiary System, held in 2007, and the Regional Meeting of Latin America on Education in Prisons, born in 2008.

The purpose of this publication was to deepen the debate on education in prisons, conceived as a subjective right of the person deprived of their freedom, as well as to discuss the role of education in the process of social reintegration (Unesco, 2009). The document also records a preparatory debate for the First International Conference on Prison Education, initially scheduled by Unesco for 2008 in Geneva but postponed to 2009 and eventually canceled.

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<sup>10</sup> As a result of this work, we have produced the document *Educación para la Libertad - Propuesta de mejoramiento de la calidad y pertinencia de los procesos pedagógicos para establecimientos educacionales en contextos de encierro*, dated 2016-2018.

<sup>11</sup> GENCHI is an acronym for Gendarmería de Chile, an institution under the Ministry of Justice responsible for the prison system and security in the country. Its mission is to "Contribute to a safer society, ensuring the effective fulfillment of preventive detention and penalties imposed by the courts, providing dignified treatment to those affected, according to their status as individuals, and developing social reintegration programs aimed at reducing the chances of recidivism." Source: <https://www.gendarmeria.gob.cl/historia.html>. Accessed in: 5 Nov. 2023.

<sup>12</sup> It focuses on the field of education for young people and adults, not restricted only to the initial literacy stage but also to the elevation of educational levels and opportunities for learning and education throughout life, with special emphasis on individuals deprived of freedom.



The debate in the Brazilian context regarding YAE in EPRL, "guided" by international recommendations, resulted in various regulations that guide Brazilian national guidelines for educational offerings in spaces of deprivation and restriction of freedom<sup>13</sup>. After the approval of these regulations, orientation seminars were held in 2011, 2012, and 2013, aiming to allow federative units to develop their state plans for education in prisons. These plans encompass pedagogical concepts, diagnoses of units in terms of educational and structural offerings, establishing an action project with at least six goals related to the expansion of enrollments in EJA, creation of libraries or reading spaces, access to non-formal educational activities, professional qualification, certification exams, and monitoring the quality of education. Ongoing discussions are taking place in the preparatory meetings for the National Conference on Education (Conae) in 2024.

In Chile, between 2010 and 2020, during the governments of Sebastián Piñera (2010-2014) (2018-2021) and Michelle Bachelet (2014-2018), policies related to justice and human rights, education, and work were addressed through different regulations. Under Piñera, issues related to employment and vocational training were advocated through various regulations (Ministry of Justice and Human Rights, Decree No. 943, 2011), including the modification of alternative measures to privative or restrictive penalties (Ministry of Justice and Human Rights, Law No. 20,603, 2012).

In 2015, Adult Education, recognized as an educational modality by the General Education Law (2009), was aligned with the goals of the global EFA program. The reform of Youth and Adult Education, promoted since 2000, slow and challenging to implement, was

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<sup>13</sup> Among these guidelines, we highlight: a. National Guidelines for the Provision of Education in penal establishments, elaborated by the National Council of Criminal and Penitentiary Policy (CNP/CP), linked to the Ministry of Justice (Resolution No. 03, of 11/3/2009); b. Opinion of CNE/CEB No. 4 of 9/3/2010, under the report of Adeum Hilário Sauer, addressing the National Guidelines for the Provision of EJA in penal establishments; c. National Guidelines for the Provision of Education for Youth and Adults in Situations of Deprivation of Liberty in Penal Establishments (CNE, Resolution No. 2, of 19/5/2010); d. Decree No. 7,626 of 24/11/2011 establishes the Strategic Education Plan within the Prison System; e. Opinion CNE/CEB No. 05/2015 and Resolution No. 4 of 30/5/2016 provide for the National Operational Guidelines for sentence remission through the study of individuals in deprivation of liberty in Brazilian prison system establishments; f. Amendments to the Penal Execution Law No. 7,210/1984, where Law No. 12,245/2010 authorizes the installation of classrooms in prisons; Law No. 12,433/2011 regulates the remission of part of the sentence through study or work; and Law No. 13,163/2015, which establishes the offering of high school education in penitentiaries and establishes the penitentiary census (which must map data related to the demand/educational attendance in penal units and information for the educational improvement of individuals deprived or restricted of freedom); g. Recommendation No. 44, of 26/11/2013, from the National Council of Justice (CNJ), which deals with complementary educational activities for the purpose of sentence remission through study and establishes criteria for remission through reading; and Information No. 07/2014 from the National Council of the Public Ministry, which addresses Recommendation No. 44/2013 of the CNJ regarding the need for adherence, by members of the Public Ministry, to articles 126 to 129 of Law No. 7,210/84 (Penal Execution Law – LEP), to also promote actions aimed at offering courses and making books available to individuals deprived of freedom.

interrupted during the first government of Sebastián Piñera. The National Coordination of Youth and Adult Education at the Ministry of Education changed its name to "Normalization of Studies" between 2010 and 2014 and then returned to its original name during the government of Michelle Bachelet (Acuña, 2015). However, one of the most significant agreements was the collaboration between the Chilean Ministry of Education and the Ministry of Justice to develop educational activities for individuals deprived of freedom in the prison system (Decree No. 1447/2013).

During Piñera's second term, one of the directives was to accelerate the modernization of the Penal Code, update issues related to young offenders, reform the law on adolescent responsibility and create a new juvenile social reintegration service based on the modernization of the police system and the development of reintegration policies (2019 Project of the Ministry of Justice and Human Rights). In the second term of President Michelle Bachelet, the Subsecretariat of Human Rights was established and incorporated into the Organic Law of the Ministry of Education and Human Rights in 2016. Additionally, in 2017, a public policy for Social Reintegration was implemented.

Given the set of regulations presented in both countries, the analysis will now proceed to examine UNESCO documents and their influences on the South American educational landscape in recent decades.

### **The Influences of UNESCO on the Formulation of National Guidelines**

Public policy in the educational sphere has undergone significant modifications. In the 1960s and 1970s, educational reforms were rooted in a policy aligned with national<sup>14</sup> development, following the principles of "education for the formation of human capital"<sup>15</sup>. During this period, there were contradictory and complementary movements involving the expansion of educational offerings and political-ideological control at all levels of education and its spheres.

In the disputes surrounding the Brazilian National Guidelines and Bases Law (Brazil, 1996), among the consequences of policies adopted in the 1960s to 1980s, larger interests

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<sup>14</sup> Before the 1990s, education was always linked to the idea that countries had the right to development. However, with the implementation of neoliberal reforms, the emphasis shifted to education for all.

<sup>15</sup> The theory of human capital is associated with an economic perspective, connecting education and the labor market, "modernization of consumption habits, integration of educational policy into the overall development and national security plans, defense of the state, repression, and political-ideological control" (Shiroma; Moraes; Evangelista, 2011, p. 29, our translation).

emerged that transformed demands into limiting mechanisms for establishing public education through democratic channels in the 1990s and 2000s. As highlighted by Shiroma, Moraes, and Evangelista (2011, p. 44, our translation), this is attributed to some changes resulting from educational reforms: teacher training was condensed into "professionalization, the participation of civil society as an articulation of entrepreneurs and NGOs." Decentralization led to a reduction in state obligations, while autonomy was presented as justification for resource constraints. Equality transformed into equity, and "critical citizenship" became "productive citizenship," guiding the formation of citizens to meet market demands. Quality, in turn, became a device for adapting to market requirements, relegating the student to a mere consumer position.

In Chile, between 1973 and 1990, during the Military Dictatorship established after the coup d'état, the process of municipalizing education emerged in the 1980s. In this context, teachers lost their rights in the public sector, becoming subject to the Labor Code. Simultaneously, the administration of public education was transferred to municipalities. The reduction of resources allocated to these organizations was decisive in the decline in the quality of the school system in the 1990s.

Another significant reform in the 1980s was that of higher education, organized into three levels: technical training centers, professional institutes, and universities. There was a reduction in state funding for the universities that formed the Council of Rectors, initially composed of eight universities active in higher education in the 1980s. During this period, numerous private universities emerged, increasing the number of available positions, but the quality became varied and difficult to control despite efforts by the Higher Education Council.

In Chile, the General Education Law of 2009 regulates the rights and duties of the educational community. In the second article, minimum requirements are established for each level of education, including preschool, primary, and secondary education, defining, "*La educación es el proceso de aprendizaje permanente que abarca las distintas etapas de la vida de las personas y que tiene como finalidad alcanzar su desarrollo espiritual, ético, moral, afectivo, intelectual, artístico y físico, mediante la transmisión y el cultivo de valores, conocimientos y destrezas*" (Chile, 2009, p. 1). Thus, it is also evident in Chile an understanding that

*Education has been recognized by the international community as essential for the development of all children and adolescents, acknowledging that it constitutes a fundamental human right, emphasizing its transformative*

*character at both individual and collective levels (Unesco, 2014). Along the same line, education in confinement contexts has become essential to provide a new opportunity for children and young people in conflict with the law (Meléndez, 2017<sup>16</sup>, our translation).*

*In Chile, several international educational standards have been adhered to from a rights-based approach, and it is necessary to consider them to observe the path that our country has taken and traversed (Sanhueza, 2020, p. 13, our translation).*

It is understood, therefore, that educational reforms in both Brazil and Chile are characterized as interventions consented to and operationalized by academic authorities, following definitions from international agencies "in the context of the universalization of capitalism, directed by instrumental reason and the pursuit of general social consensus" (Silva Júnior, 2002, p. 206, our translation). According to Silva Júnior (2002, p. 206, our translation), there has been a consolidation of a process of commodification of the political sphere in general and, specifically, the educational dimension, understood as a "privileged locus for the State in forming the social being, therefore, in constructing a new social pact."

In the 1990s, educational reforms advocating for accessible education for all and UNESCO's role in defining educational policies gained even greater prominence. The agency emerges as "the defender of human rights, especially the right to education," and in this case, the "fundamental rights of all prisoners that must be at the service of the integral development of their personality" (Unesco, 1994, p. 8, our translation). This idea is present in other related documents, as the agency constitutes itself as the entity capable of "promoting strategies that enable the foundations of a global culture of peace" (Unesco, 2006, p. 16, our translation).

The notion of world peace would be the basis for the "sustainable, equitable, and just development of the continent and for the millions of young people and adults so far excluded from the right to education" (Unesco, 2009, p. 15, our translation). Thus, "UNESCO has played a fundamental role in advocating for the right of illiterate adults to quality education and learning, [...] part of this advocacy <sup>17</sup> and theoretical elaboration process are the Confintea, a privileged space for dialogue and discussion, a unique moment to establish guidelines for adult education" (Unesco, 2009, p. 13-14, our translation). There is also a recurring approach in the

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<sup>16</sup> MELÉNDEZ, Pamela. **Oferta educativa para niños, niñas y jóvenes privados de libertad**: descripción, desafíos e propuestas de política pública. Faculdade de Economia e Negócios. Universidade do Chile, 2017.

<sup>17</sup> The term "advocacy" does not have an exact translation into Portuguese and has been consistently used in documents from international organizations with a sense of defending or assisting people in vulnerable situations, which civil society organizations should provide for greater visibility of issues or themes with the intention of influencing the formulation and implementation of policies or, in this case, promoting changes in the legal framework related to education. This notion is linked to think tanks – consulting institutes that analyze problems and propose military, social, and political solutions (Wacquant, 2008, p. 29, our translation).

documents (Unesco, 1994; 2006; 2009, our translation) regarding the importance of partnerships for education in prisons: "both the formulation and implementation of this policy are processes that are built collectively and democratically between the Union, states, organized civil society, and the actors directly involved: teachers, agents, and prisoners" (Unesco, 2009, p. 17).

In the analyzed documents, it becomes evident that UNESCO has been committed to building a consensus around the idea that basic education represents an inalienable right for every human being, essential to address and guarantee their lifelong learning needs. However, over this period, the focal points of discussions converge and complement each other.

The Manual for Basic Education in Penitentiary Institutions (1994) emerges from international community concern with the assurance and universalization of basic education on a global scale. This perspective reinforces the commitments established at the 1990 World Conference on Education for All in collaboration with UNDP, UNICEF, and the World Bank. In this conference, lifelong primary education was established as a human right aimed at preparing individuals for social integration, as well as being a strategy allied with economic development, social justice, and the consolidation of world peace. In this way, it is seen as capable of combating the scenario of violence and reducing crime by providing individuals with better conditions to obtain employment and fully exercise their citizenship (Unesco, 1994).

In complementarity to this idea, the "Educating for Freedom" Project, a document published in Brazil by UNESCO, presents the challenges of ensuring the rights of individuals deprived of freedom and the lack of benchmarks for educational offerings with higher quality, considering the demands of this population (Unesco, 2006). It advocates for two fronts of action for education in penitentiary institutions: the "restoration of self-esteem and [...] the subsequent reintegration of the individual into society," aiming at "personal fulfillment, the exercise of citizenship, and preparation for work" (Unesco, 2006, p. 14, our translation).

From the same perspective, systematizations of Brazilian and Chilean debates in this area show that education should promote "the integral development of these men and women, reducing their vulnerabilities and expanding forms of participation in society" (Unesco, 2009, p. 17, our translation). As in previous documents, there is a strong connection between education and public security, attributing to education the role of reintegrating individuals released from prison.

During this period, there is a greater focus on the pursuit of the quality of education offered in prisons, which requires "respect for the dignity of the person, justice, democracy, and

human rights [...] is a requirement for the success of the social reintegration of individuals deprived of liberty, a contribution to the real and sustainable development of society that puts it into practice" (Unesco, 2009, p. 133, our translation).

### **Education as a human right and lifelong learning**

Considering the guidelines associated with UNESCO, it becomes relevant to reflect on the underlying principles of conceptions that establish education as a human right, intrinsically linked to the idea of *lifelong learning*. Additionally, emphasis is placed on advocating for access to basic education, perceiving it as a means for the social reintegration of individuals deprived of liberty. From this perspective, educational provision is understood as an essential strategy for promoting social cohesion, justice, and peace, contributing to sustainable development, labor market integration, income generation, and, consequently, the reduction of violence and crime.

Arguments in this vein lead us to agree with Evangelista and Shiroma (2006, p. 63, our translation), who states that the right to primary education disseminated by international agencies carries the intention to contain "[...] poverty, increasing the productivity of the labor of the poor, reducing fertility, improving health, and endowing people with the attitudes they need to participate in the economy and society fully".

Regarding the prestigious role played by UNESCO in shaping public policies, it is worth remembering that this occurred, especially in 1990 in Brazil, with the valorization of efficiency and credibility principles guided by what is called "new public management and restrictive fiscal policy" (Souza, 2006, our translation), followed by the governments. Both principles aim to bring to the discussion of public policies the "diminution of the risks of collective action," to be achieved through a balance resulting from the "struggle between competing interest groups" and "deregulation, privatization, and reforms in the social system" (Souza, 2006, p. 34-35, our translation).

Efficiency becomes the epicenter of any public policy, associated with credibility, ensured by transferring power to institutions with supposed neutrality or political independence. In this movement, ideas of participatory public policies emerge and are propagated, on the one hand, by international organizations and, on the other hand, by constitutional precepts and assumed political-party commitments.



Based on the presented discussion, it is highlighted that educational proposals for Youth and Adult Education (YAE) in spaces of deprivation and restriction of liberty (EPRL) incorporate the guidelines advocated by UNESCO for formulating and implementing educational public policies in this context.

This debate has been strengthening, seeking the need to move beyond the stage of recognizing the incarcerated individual's right to education, especially after the approval of regulations in the area in 2009. It is now imperative to direct efforts toward the development of public policies that actualize this right. Ireland (2011, p. 35) revisits the recognition of the right to education, considered "inherently contradictory" when considering the social role attributed to prisons.

It is worth noting that "the discussion movement about education in the prison system, initiated in the Brazilian scenario in 2005/2006, had been making progress that was interrupted in 2016 due to another blow to Brazilian democracy" (Cabral, 2023, p. 397, our translation).

Conceptions of lifelong learning and education reflect an instrumental perspective, as established in documents from international organizations such as the World Bank and UNESCO. These conceptions attribute a qualifying function to Adult and Youth Education (EJA). This concept was presented in the context of two documents, the Faure Report (1972) and the Delors Report (1990), which aimed to "ensure the national state's role as coordinator of capitalist relations." The first dealt with "lifelong education" capable of responding to the demands of capitalist industrial society throughout the 20th century, while the second, with its "humanistic proposal," sought to consolidate the hegemony of an educational proposal that provided a foundation for the "flexible accumulation phase of the capitalist system" (Ventura, 2013, p. 39, our translation).

In this sense, the individual is responsible for their formation and becoming "employable" for the market. It is the responsibility of each member of the "information society" or "knowledge society" (Chauí, 2003, p. 8-9) to expand their range of opportunities.

As a paradigm to be achieved, lifelong education leads us "to the globally implemented consensus that this would be the best alternative for semi-peripheral nations and the most emancipatory for adult education students" (Ventura, 2013, p. 41, our translation). Subordinated to this line of thought, education would presumably have two possibilities: in the first, it is reconfigured as professional and continuous training, linked to the economy and businesses (and, in this case, prosperous); in the other, it insists on its tradition of social change and "awareness, articulating with popular social movements, renewing the ideals of political

education and critical literacy (and, in this case, running serious risks)" (Lima, 2007, p. 56, our translation).

### **Analysis of normative documents for YAE in EPRL**

Discussions about adult learning, which culminated in the Hamburg Declaration, also resulted in elaborating the Agenda for the Future (Unesco, 1998), which unfolded into ten study themes associated with 61 goals. Theme VIII addressed learning, considering the rights and aspirations of different groups. In one of its items (No. 43), the Agenda highlights education as a universal right, thus advocating for the implementation of actions that enable the inclusion of groups that still do not have access to adult education, such as "the elderly, migrants, gypsies, other peoples without fixed or nomadic territories, refugees, disabled persons, and **prisoners**" (Unesco, 1998, p. 19, emphasis added, our translation).

According to this document, these groups should have access to educational programs based on a person-centered pedagogy that meets diverse learning needs and promotes participation in society. This approach aligns with the idea of education that enables the social reintegration of the individual deprived of freedom. Subsequently, goal No. 47 establishes the need to:

Recognize the **right of detainees to learning**: a) informing prisoners about existing education and training opportunities at various levels and **allowing them access to them**; b) developing and implementing comprehensive education programs in prisons, with the participation of prisoners, to meet their learning needs and aspirations; c) **facilitating the action of non-governmental organizations, educators, and other educational agents in prisons**, thus allowing prisoners access to educational institutions, encouraging initiatives that aim to connect courses offered in prison with those offered outside it (Unesco, 1998, p. 20 [emphasis added], our translation).

In the analysis by Spezia and Ireland (2014, p. 218), policies for youth and adult education should be based on "the culture specific to each society," prioritizing educational opportunities that respect diversity, "eliminating prejudices and stereotypes that limit access to education and restrict its benefits." However, the Hamburg Declaration, coupled with this idea, is that the education of inmates in institutions, in addition to being a basic right, is a fundamental factor for their reintegration and rehabilitation (Unesco, 1998).

According to D'Avila (2012, p. 102), the Hamburg Declaration served to "set the pace for the political movement driven by the momentum for greater social justice derived from left-

wing movements of the late 20th century," but this uprising was taken in the "molds of capitalist-imperialism"; the banner of social justice ended up, in many aspects, serving the reproduction of hegemonic social relations of capital.

When analyzing the situation in Europe, it is observed that adult education has focused especially on groups such as the unemployed, immigrants, ethnic minorities, and other marginalized sectors, such as refugees. However, adult learning for individuals in situations of deprivation or restriction of freedom, as warned by Spezia and Ireland (2014, p. 243, our translation), "has received attention in very few countries".

In the context of policies under the current government of Lula da Silva (2023-), a new narrative is being constructed, and in the future, we may contribute to telling it, especially emphasizing the denouncement that in the last years of the conservative government, social rights of the population, especially those living in prisons, have been suppressed.

In Chile, despite signing international treaties following UNESCO guidelines, this process is mediated by the political history of recent decades, marked by the civic-military coup of 1973. Only since the 1990s, with the consolidation of public policies in a democratic system, has there been progress in educational policies, including youth and adult education in prisons. However, the desired progress has not been achieved as expected. Center-left governments (Patricio Aylwin, Eduardo Frei, Ricardo Lagos, two governments of Michelle Bachelet) and two right-wing governments under Sebastián Piñera undoubtedly delayed the continuous implementation of public policies for adult education established in 2009. After the Confintea in Morocco, a follow-up on the agreements is being carried out by UNESCO and the Chilean government of Gabriel Boric (2022).

## **Final considerations**

It can be observed that the Confintea meetings did not provide significant specifications regarding education in prisons to support the development of public policies, although they defined the structuring of conceptual aspects of the Youth and Adult Education (YAE) field. As Ventura (2008) states, since Confintea V, Lifelong Learning (LLL) has been nationally assimilated in the YAE field and would (supposedly) be a kind of counterposition to a historically associated compensatory or remedial educational model. This process of transitioning references (or paradigms) would be justified by the criticism of specific and fragmentary YAE policies, reduced to study/schooling replacement. In this sense, the emphasis

on LLL is articulated with another paradigm, that of the "knowledge society" permeating both international organization documents, mainly from UNESCO, as well as government documents and research in the YAE field (Ventura, 2008, p. 103).

These definitions translate into guidelines with perspectives that prompt us to question the consequences for the educational process with individuals in deprivation/restriction of freedom. UNESCO conference documents for YAE validate global agendas for education defined by international organizations. In this transposition of general guidelines from basic education to Youth and Adult Education (YAE), UNESCO reaffirms its commitment to formulating public policies aimed at promoting: education for all, in the perspective of lifelong learning; the training of productive young people and adults capable of adapting and assimilating new knowledge, developing skills, abilities, and competencies for a constantly changing world (with the integration of technologies, information society, or knowledge); individuals who exercise their autonomy, responsibilities, and citizenship actively, critically, and creatively; democratic order, encouraging dialogues for justice and eliminating violence in the consolidation of a culture of social peace.

The state institutions responsible for ensuring the right to education in the prison environment must alleviate the gaps in the social vulnerability of detainees, making every effort to guarantee access to education (Braggio *et al.*, 2017; Acuña-Collado, 2018). However, some elements raise questions regarding the objectives of the educational project outlined by UNESCO, whose guidelines have been adopted in the Brazilian, Chilean, and other Latin American contexts. These questions focus primarily on the conceptual dimension, especially the notion of Lifelong Learning (LLL), which reveals a convergence between policies for Youth and Adult Education (YAE) in prisons and a globally structured educational agenda. In this agenda, education assumes the promising discourse of promoting social cohesion, reducing violence and crime, and preventing recidivism.

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