WHAT PRINCIPLE OF JUSTICE FOR BASIC EDUCATION?

VANDA MENDES RIBEIRO
TRANSLATED BY Alexandre Martorano

ABSTRACT

This article discusses principles of justice for basic education. François Dubet proposes the Rawlsian principle of justice, basic equality, which advocates that all students should master a basic framework of knowledge. Marcel Crahay proposes the equality of achievement. Both proposals avoid the principle of meritocracy, due to the contradiction between meritocracy and compulsory right. They are in the field of egalitarian distributive justice that values the results of policies due to the correlation between social and educational inequalities. The two authors claim fairness as a relevant part of educational equality; and, they relate tensions in school to principles of justice that express contradictory interests. For these reasons, they support permanent monitoring of policies and their consequences.

BASIC EDUCATION • EQUITY • EDUCATIONAL POLICIES • JUSTICE

N RECENT YEARS, THERE HAS BEEN a growing call for improvement in the quality of education in Brazil. Among the contents of the concept of quality of education are the outcomes, including student learning and fairness. Resources and processes of educational policy implementation are also regarded as dimensions of the concept in question (ADAMS, 1993; UNITED NATIONS CHILDREN'S FUND, 2000; OLIVEIRA, 2010). With respect to outcomes, studies show high levels of educational inequality linked to students' socioeconomic status (SOARES, 2005; SOARES; ALVES; 2003; ALVES, 2006; FRANCO et al., 2007). As regards financial resources, although an arguably low percentage of the Brazilian Gross Domestic Product – GDP – is allocated to education,[1] there is evidence of gradually increasing investments in basic education.[2]

Hence, there is evidence that a new challenge is taking form in the country – havingmore public resources available, managers of public basic education will be urged to implement more effective education policies. If this scenario truly comes to pass, research in Brazil on educational policies and school practices that are better able topositively affect fairness will become more relevant.

One particular principle of justice for schools exposes the political conception that supports implementing the distribution of "school education" social assets.[3] According to Waltenberg (2008), pure libertarians focus only on policy implementation processes, regardless of their consequences. For them, the outcome is the fruit of individual merit. Thus, if the process is fair, its outcomes will necessarily be fair. In contrast, egalitarians value the weight of social origin over merit and, therefore, acknowledge the need to address the distribution of the consequences and the processes. Hence, when considering fairness as part of the concept of quality of education, It is within the scope of political philosophy that proclaims the impossibility of achieving justice, in the type of society we live in, without taking into account the outcomes.

This article intends to discuss principles of justice that are aligned with the objective of fairness in basic school education, considering that we live in a democratic society in which the values "freedom" and "equality" are relevant representations. In order to do so, reference is made to theoretical discussions that relate justice and school, especially

[1] According to Oliveira & Gadelha (2010), "Considering the expenses in Education from 2002 to 2007, the values invested have remained close to 4% of the Gross Domestic Product (GDP). [...] In 2008, this amount rose to 4.5% and, in 2009, to 4.7%. Although they indicate an increase, the values achieved are still far below the 7% reported at the beginning of the [Lula] government." Amaral (2010) compares the level of GDP invested by Brazil up to 2007 with that of other countries in similar situations or experiencing greater difficulties in terms of GDP *per capita*. According to the author, these countries made greater efforts at the time, as concerns investment in education. Bolivia invested 6.4% of its GDP; Yemen, 9.6%; Botswana, 8.7%; and Mexico and South Africa invested 5.4%.

[2] Since 2006, there has been a yearly increase in the student/year value for this stage of schooling. (FNDE, 2012). Law n. 11.738 (BRASIL, 2008) established a minimum wage for teachers and has the potential to provide more resources to basic education.

[3] Michael Walzer (2003) conceptualized social assets as those which social groups conceive, raise, value, give meaning to and trade. Social assets are not only wealth. Public positions or recognition, political status, education, among others are also social assets that set people apart and require judicious distribution.

those of Crahay (2000) and Dubet (2008, 2009). The first author proposes a principle of justice for basic education based on Aristotle; whereas, the second claims to have been inspired by the ideas of John Rawls. The theoretically established relationship between justice and school is considered as the debate that supports the understanding of which principles of justice guide and define the distribution of the "school education" social asset, by means of education policies and practices that enable the identification of its consequences, within the scope of school and society.

To clarify Dubet's (2008, 2009) Rawlsian propositions, John Rawls' (2003) principles of justice as fairness will be briefly presented. Why were Rawls' (2003) ideas so important to the universe of social policies in contemporary democratic societies? It could be said that his distributive theory unified the discussion on policy, democracy, justice and capitalist social relations in an attempt to lessen the gap between formal democratic rights and real life,[4] without proposing radical ruptures in social structure, but also without violating the idea that groups might organize themselves politically for such a change.

For Rawls, policies can guarantee institutions that are ruled by criteria of justice designed to maintain basic freedoms, equality of opportunity and justice in distributions that affect circumstantial inequalities (those produced by social relations throughout generations and for which individuals are not responsible). Rawls (2003) was able to propose a theory of justice that embraces good arguments from authors, such as Marx (1980), who related justice to the social issue. For him, focusing only on individual freedom does not guarantee distribution among everyone in such a way that social cooperation is preserved.

The idea of the outcome as satisfaction of the majority or of individual well-being, as advocated by utilitarianism,[5] is not present in Rawls (2003). The outcome is intertwined with the idea of social cooperation over time between equal and free people, as the fruit of rights that apply to all and to the collectivity, considering the preservation of social cooperation over generations and not of individual feelings, as proclaimed by utilitarianism. Regard for the outcome will therefore be linked to the interests of collective life, but in such a way that everyone is favored in the distributive processes even if this distribution does not presume equal portions.

In order to comprehend the Rawlsian concept of justice, it is necessary to clarify how the author understands the idea of natural talent which he expresses as "innate intelligence and natural aptitudes." For Rawls (2003), such talents can only be perceived and exercised through the mediation of social relations. He believes talents are accomplished or educated through institutional arrangements and the individual's experiences in social life, which can be more or less comprehensive

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A reference to how Marx (1980) indicated the contradiction between formal and real equality.

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This principle of justice arose in England, with Jeremy Bentham and Stuart Mill, and advocates that a policy can be judged as fair if it satisfies or yields results to the majority. It is criticized by Rawls (2003) who believes that, according to this type of proposition, justice can be achieved even if minorities are negatively affected.

considering circumstantial situations of origin. When accomplished, talents are not equivalent to what each individual possesses as intelligence or natural aptitude. They merely express what was possible to achieve due to these experiences and institutional arrangements. Trained aptitudes are only a selection among many possibilities and also depend on institutional arrangements.

This Rawlsian conception of talent has a wide repercussion on how individual merit is discussed as a criterion of justice. For him, aptitudes and talents are not independent of society and its institutions. Even when these institutions are appropriately organized to enable proper expression or education, of whatever talents or aptitudes individuals may potentially display, there is no way to measure if they are fully implemented in social life. For example, it would not be possible to say fairly that someone is more worthy due to their talents and natural aptitudes. It is not possible to accurately assess who has greater natural talents. Social institutions enable their establishment to a greater or lesser extent.

Rawls (2003) might be better understood if juxtaposed to Nozick (1991), his main opponent and defender of the merit principle. Nozick's (1991) theory of justice defends the individual's right to property and to formal equality of opportunity. The State is only justified when there is need for a guarantee of these two structuring elements of democracy. To Nozick, it is a mistake to state that "social cooperation creates the problem of distributive justice", as argued by Rawls (2003). He claims it is possible to say that "individuals who produce independently and (initially)"can also make "claims of justice" on each other:

> [...] if there were ten Robinson Crusoes, each working alone for two years on separate islands, who discovered each other and the facts of their different allotments by radio communication via transmitters left twenty years earlier, could they not make claims on each other, supposing it were possible to transfer goods from one island to the next? [...] In the social noncooperation situation, it might be said that each individual deserves what he gets unaided by his own efforts; or rather, no one else can make a claim of justice against this holding. (NOZICK, 1991, p. 204)

This argument by Nozick (1991) assumes that a man could exist on an island and produce through his own efforts, without social cooperation. To Álvaro de Vita (2007, p. 238), according to Nozick's principle of justice,

> [...] considered in isolation, a fair institutional complex will combine a competitive market economy with a formal (or legal) equality

of opportunity. The only necessary institutions, besides market institutions, are those intended to ensure that everyone has the same legal rights of access to privileged social positions.

This is one of the great differences between Nozick (1991) and Rawls (2003). In order to address policies, the latter acknowledges that man cannot survive outside of social life. Nozick's (1991) distributive theory, on the other hand, views the individual as ready and capable of judgment and production, regardless of any prior social relation or institutional arrangement that produces such a capacity. Nozick (1991) focuses his argument on the notion of merit, "of being better or worse endowed." This merit is individual and has no link or relation of dependency on institutions, previous or current, political or social. Rawls' (2003) proposition not only states that an individual cannot exist and be capable of judgment and of expressing his talents and aptitudes – regardless of whatever social life allowed him – but also maintains that it would be unreasonable to adopt a theory of justice based solely on the idea of individual merit. For Rawls (2003), in this way it is impossible to be fair: there is no way of knowing exactly how much an individual alone deserves, by analyzing their talents and aptitudes, because they depend on prior experiences and institutional arrangements.

However, this option does not mean that, for Rawls (2003), an individual does not express greater or lesser talents and aptitudes. They are revealed in social experiences and in the framework of institutional arrangements. For Rawls (2003), the principle of equal opportunity cannot be ignored as it is necessary to guarantee the idea of an individual's basic freedom, and not only of equality, in democratic societies. This guarantee presupposes the preservation of a social mobility that is regulated by equal opportunity, which in turn contemplates merit. However, from the perspective of the organization of social and political life, the aforementioned author introduces the concept of fair equality of opportunity: the focus is not on the individual who is more or less worthy because of their talents, but on the institutional arrangements that are more or less capable of generating equality of opportunity and simultaneously ensuring equality and freedom.

Dubet (2009) claims to have used Rawlsian arguments to ponder current justice in schools. According to the author, due to the massification of education, justice in schools is experienced as a tragedy: the principles governing it express intense social conflicts since the "social issue" lies within institutional walls. For him, there are many, often conflicting, principles of justice that legitimize action and interests in school. In order to cope with the relation between social inequality and educational inequality, it would be necessary to consider that an entirely fair school cannot possibly exist.

The author states that, over the last 40 years, the Sociology of Education has pored over the goal of achieving pure equality of opportunity: the means by which schools would be able to nullify the reproduction of social inequality into educational inequality. Nevertheless, he believes no country could boast of having overcome the impact of the former on the latter. For Dubet, this is explained by the relationship between school and meritocratic justice, which transcends the institution itself and finds meaning in the foundation of democratic societies. These societies characteristically display the following contradiction: on the one hand, their essential representations are fundamental equality (expressed by the Declaration of the Rights of Man) and freedom (expressed by the ability to act, judge and decide for oneself), thus generating the representation of the freedom to transcend circumstances of origin (e.g., birth); on the other hand, however, they are also structured by social hierarchies in which advantageous positions are rare in social and political life.

Dubet (2009) exemplifies this contradiction: in these societies, access to the rare advantageous positions does not depend on transmission by inheritance or by factors related to fixed circumstances (e.g., belonging or not to a noble family). In the absence of positions fixed by birth, individuals must compete and resort to their own effort to achieve advantageous positions. Dubet (2009) believes that, in light of this situation, school came to have the task of organizing this competition. And, in this context, merit plays an articulating role between the fundamental equality of individuals and the hierarchy of positions. To the author, this explains why meritocratic justice became the central fundamental principle of school justice.

Such a path assumes that gifts and talents are normally distributed in the various social groups. From a meritocratic standpoint, the fair school would be one in which pure mobility prevailed, whose ideal measure would be the percentage of less privileged students who reached higher education. Despite its power, however, Dubet (2009) believes the principle of justice, identified with republican equality, cannot be the only one. There are other relevant principles for achieving a fairer school – without disregarding merit, but without massacring concepts that do not approach this principle. According to the author, if we maintain meritocratic equality as the only principle for regulating justice in schools, we will always be faced with the primordial conclusion that it is more fruitful to act on social inequality than to do something for educational inequality.

Dubet (2009) attempts to show the hardships of having meritocracy as the only criterion of justice in schools. In the early years of schooling, when study in school is compulsory, the principle of meritocracy becomes inconsistent, for him, with the idea of the rights

of everyone. Merit presupposes losers in the competition. In that case, what happens with these individuals? How can it be said that losers are subjects of rights if they are nevertheless prematurely excluded from the competition by the distribution of knowledge, even before concluding the period of compulsory schooling? Moreover, how can an education that marks individuals as losers in future challenges be defended? In order to solve this contradiction, while reaffirming rights, the author considers that basic schooling would be fair if all children, from worker families or not, admitted to elite meritocratic schools or not, had school assets and resources to ensure their *basic equality*. This is an example of Rawlsian reasoning, according to Dubet (2009). But why does Dubet declare that this *equality*, as a criterion of justice, is a type of reasoning in the light of Rawls? What does it consist of?

For Dubet (2009), basic equality bears two central characteristics: it defines a level of learning below which no one could be, at the risk of losing their dignity and self-respect within the scope of the school institution; and, it allows a new form of measuring the level of justice. According to Rawls' (2003) justice as fairness, everyone should have the right to distribution in such a way that the idea of social cooperation is not diminished. Within the school institution, it could be said that all students master a framework of predefined knowledge without which they would be relegated to indignity and to the lack of respect – thus characterizing them as losers and giving rise to issues of self-esteem and school violence, employed by the "losers" as a way of claiming their own existence within the system[6] – and without which they would also be severely hampered throughout their schooling.

From the perspective that the criterion of justice, "basic equality" requires another measure (unguided by the pursuit of pure school merit), Dubet (2009, p. 37, author's translation) states that,

> [...] the fairest school is not only that which nullifies the reproduction of social inequalities and promises pure merit, but also that which ensures the highest school level to the greatest number of students and, above all, to the weaker and less privileged. Here, equal opportunities allow the equality of performance (basic equality) and the elevation of the level of the weakest.

This argument therefore brings the notion of fairness, from the perspective expressed by Rawls (2003) and Vita (2007), to the field of education, since it presumes a principle capable of correcting inequalities in favor of those who benefit less from the distribution of social assets. For Rawls (2003), the idea of fairness evokes the notion of what is reasonable: to admit a distribution of resources that does not deprive any individual of being perceived as apt for social cooperation, which

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Dubet (2001) maintains that school violence is also a result of the lack of respect with which the "losers" (students who do not achieve good learning results) are treated, a situation generated by the use of meritocratic justice in basic schooling.

also contemplates each person's interests. With basic education, it could be said that it is reasonable to act so that everyone may acquire a given level of knowledge which ensures a condition of citizenship and dignity that provides a sense of self-respect and self-esteem, and allows more equal participation in future processes. In fact, the principle of justice for this could be meritocracy, when the notion of Right is no longer one of compulsory right. Therefore, one justification for basic equality would be intrinsic to basic education due to the right to schooling and its compulsory nature; and, another would be external, referring to the possibility of competitive participation in future processes, including selection for higher education.

Conversely, Crahay (2000) also reflects on ways to operationalize justice within the setting of basic education. The author states that justice and efficacy at this stage of schooling depend on a regard for the facts (research and observation), as well as care with the principles of justice that legitimize and shape policies. According to Crahay (2000), educational policies in several Western countries have been influenced throughout history by three different pedagogical ideologies: *equality of opportunity*, *equality of treatment* and *equality of acquired knowledge*. From the author's standpoint, each of these pedagogical ideologies combines its own conception of justice with statements from empirical experiments.

Equality of opportunity is, to Crahay, the most widespread pedagogical ideology within educational policies. In the author's perspective, it is supported by the principle of proportional justice, in which each individual receives according to what they supposedly contribute to society, considering merit.[7] From an empirical standpoint, it is supported by the notion that people have natural gifts, which must be assured conditions for their development despite any difficulties of origin associated with their bearers such as birth, color, gender, home location, etc. The first objection the author makes to this *ideology* is that this principle of justice would not be compatible with the subjective right to education. If the child or family does not choose to be in school (has no freedom of choice) and if the State is obliged to provide free schooling during basic education, then it should be equally received by everyone, regardless of judgments of individual qualities. And, for the author, "receiving equally" does not simply mean "equal treatment." Decisions on processes cannot waive the regard for outcomes in terms of learning.

The second objection refers to the empirical conclusion that underlies this ideology. Based on studies by John Bissell Carroll, Crahay (2000) claims it is no longer possible to concur with the idea of a gift as something natural that grants the ability to acquire given knowledge to some but not to others.

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Crahay uses the differentiation between proportional justice and corrective justice created by Aristotle in the *Nicomachean Ethics*.

> [...] Carroll establishes an epistemological rupture. To him, aptitude can no longer resemble an indestructible structure that determines what the individual can or cannot learn. He proposes that we consider aptitude as a beginning an individual characteristic that affects how fast a certain domain can be learned. The consequences are clear and capital: to state that a student cannot learn a given thing no longer makes sense. (CRAHAY, 2000, p. 46, author's translation)

According to Crahay (2000, p. 36), research has proven that most students are capable of learning anything, so long as they are subject to quality educational situations and their different learning periods are considered.

Still according to Crahay, the *ideology of equality of treatment* is also inappropriate for fairness, because it treats unequals as equals:

> This position, satisfactory to the eye of many at the ethical level [since it functions according to the principle of exact equality in distribution], is misleading within the range of reality. Marx was the first to criticize the ideology of equality of treatment. In the nineteenth century, he said that, if the situations and abilities of the individuals were not equal, nothing would change by offering the same rights and the same conditions of existence to everyone. (2000, p. 45, author's translation)

Crahay (2000) states that educational policies guided by the *pedagogical ideology of equality of treatment* are not only unable to shatter social inequalities, but also easily tend to reproduce them. The author proposes to face this situation through educational policies guided by principles of corrective justice and by new research on how children learn. The educational logic that supports formulating and implementing policies based on these axioms is termed, by the author, the *ideology of equality of acquired knowledge*.

With no reference to Rawls or Dubet, Crahay (2000) indicates the principle of corrective justice as a way of maintaining coherence between an educational policy and the idea of the compulsory right to basic education. His thesis is not directly inspired by the relation between fairness, the principle of difference, and the maintenance of the social cooperation necessary for democracy – as indicated by Rawls (2003). Furthermore, he does not specify the relationship between merit and the foundation of democratic society, as does Dubet (2008, 2009). However, even without having these two authors as references, Crahay's (2000) production can be interpreted as a complement to Rawls' (2003) and Dubet's (2008, 2009) theoretical discussions on principles

of justice. Crahay (2000) relates his discussion on principles of justice (maintaining some similarities with the aforementioned references) to the concreteness of pedagogical practices and educational devices empirically shown to be more capable of improving efficacy and justice in basic education.

Crahay's (2000) interpretation of the link between principles of justice (in the light of Aristotle) and matters of fact (research and observation leading to the accumulation of knowledge) – in order to define the types of *pedagogical ideologies* – shows that educational practices and devices display principles of justice, although they might not be present as explicit intentions in discourses and documents. And such practices, along with their principles, lead to outcomes that are more or less effective and fair.

Equality of acquired knowledge is, for Crahay (2000), the most appropriate ideology for the stage of compulsory education because it assertively articulates two important conditions so that there may be justice in basic education. It articulates regard for how children learn, according to the most recent scientific research (relation between opportunities for quality education, current emotional conditions and respect for individual learning periods).It also articulates the principle of corrective justice according to which knowledge is evenly distributed. For the author, this is the principle that better integrates the subjective right to education in the early years of schooling. At this stage, it is the duty of the State to ensure that everyone has access to a given set of knowledge, according to what is defined as relevant by this institution. Crahay claims it is

> [...] imperative to accurately define the skills we believe children must necessarily have acquired when they leave basic education; to determine intermediate levels in terms of learning objectives. And, for teachers of a same educational system, to provide children with sufficient learning opportunities so they may acquire the particular skills. (2000, p. 402, author's translation)

This idea is similar to basic equality proposed by Dubet (2008, 2009), although it is defended not only by the bias of the discussion of principles of justice but also by the fact that children learn more when the curriculum defines what is essential, indicating what should be learned by all students over time. In addition to this structured curriculum, Crahay claims a "steering system" is necessary:

> At the central level, those responsible for policies should speci-fy intermediate levels of learning as concerns time, in addition to outlining didactic clues, suggesting instruments for formative

and summative assessment [...] But this will still not suffice. [...]
Whatever the reasons, programs have no force of law with respect
to the performers of education, who will wait for such practices
to be changed by the enactment of lists of objectives and skills,
or even by the publication of a structured curriculum. A "steering
device" is required, articulated with regular external assessment
operations. [...] (2000, p. 402-403, author's translation)

Crahay (2000) specifies school practices supported by the
different principles of justice which, according to Dubet (2009),
express existing conflicts in massified schools. Both Dubet (2008, 2009)
and Crahay (2000) identify reasons for which a guideline or piece of
knowledge consolidated by extensive research is often unable to change
school practices and, consequently, educational outcomes. Both are
aware of the difficulties of weaving a school in which all students learn.
Crahay (2000) resorts to his knowledge of empiricism and to his relation
with principles: the resistance of teachers to what is new and how often
programs are not followed. Dubet (2008, 2009) maintains his arguments
by referring to the conflicts between the different principles of justice
and, therefore, of interests present in democratic societies.

Crahay (2000) associates school practices and educational
policies to the *ideology of equality of opportunity* when its link to the idea
of merit can be perceived.[8] According to this perspective, homogeneous
classes (children who are considered more "apt" remain in the same
classroom; those who are less "apt" are put in different classrooms),
for example, would be an educational device that would ensure that
the worst students did not hamper the best. This is a common belief in
many schools, although it lacks empirical evidence, and is guided by the
idea of preserving the merit of those who learn more easily, according
to Crahay (2000). Failure would be another educational device, that
would disregard the different times children require for learning, also
guided by the notion of merit.

The *ideology of equality of treatment* could be identified by
verifying the distribution of public service: Do schools have the same
infrastructure regardless of students' socioeconomic situations? Do
teachers in different schools have the same background? Are policies
deliberated within the frame of the need for equal and impartial
treatment for everyone?

Education policies and school practices supported by the
ideology of equality of acquired knowledge allow the principle of corrective
justice and the need to know (and acknowledge) the differences so that
policies may have inherent mechanisms to treat them. In other words,
education is not organized to satisfy the notion that those who are more
apt should receive more. On the contrary, the focus is on the idea that

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Dubet (2008, 2009)
corroborates this view.

those who experience greater difficulties at the time, for a number of reasons, require differential care in order to learn what is defined as necessary. Positive discrimination initiatives – such as tutoring for children with learning difficulties, classes with diversified pedagogical practices for children with different learning levels, no-fail policies associated with high performance and low educational inequality, and more experienced teachers working with children who display greater difficulties at the time – would live up to the principle of corrective justice in the school setting. Heterogeneous classrooms (comprising both students who learn easily and those who experience difficulties), collective teaching strategies that are not guided by the individualization of learning, and focus on learning objectives are also associated with this perspective in view of evidence correlating them with higher levels of justice in school. For Crahay (2000), these practices are also ethically associated with notions of good, such as mutual help and solidarity.

FINAL CONSIDERATIONS

Dubet (2008, 2009) proposes basic equality and Crahay (2000) the equality of acquired knowledgeas principles of justice to guide education policies for basic schooling. These principles share some similarities:

- They unveil the inconsistency between the notion of compulsory right and meritocracy – there would be no sense to basic education that is organized under the aegis of the merit principle and where subjects have no freedom of choice;
- They belong to the field of egalitarianism, i.e., they value the outcomes of the distribution of the social asset "school education";
- They regard student learning as an expression of the outcomes of this distribution;
- They indicate the relevance of establishing clearly what should be learned by everyone atthis stage of schooling;
- They are at the core of theories that recognize the correlation between educational inequality and social inequality, but admit the impacts of political educational action on educational inequality and view fairness as a relevant component of the quality of education.

These elements provide subsidies to reflections on outlining and implementing educational policies and pedagogical practices. Considering Crahay's (2000) contributions, it can be said that education policies and school practices should be imbued with information on the types of initiatives capable of better impacting justice in school. Thus, the background and experience of managers and teachers are coated with relevance. However, both Dubet (2008, 2009) and Crahay (2000) consider this knowledge to be insufficient considering the objective of

justice in schools. According to the authors, fairness in basic education is at the center of conflicts of interest, in the differential distribution of socioeconomic assets, in how this distribution is managed, and in school practices that are influenced by interests of various groups with distinct principles of justice. Hence, even if the political agenda already focuses on fairness (as a result of disputes between various groups), there is no safe harbor. Upon achievement of the policy, there is renewal of the conflicts between the various principles of justice, which express the interests of several groups of parents, teachers, etc. Therefore, there can once again be winners and losers, which is why implementing policies in democratic societies, considering the objective of fairness, requires monitoring inputs, processes and their consequences (outcomes).

From the perspective of justice as fairness, it is not enough to observe the levels of investment in education. It would also not be enough to monitor investments and policy implementation processes. These two components of the concept of quality of education would be essential, since the distribution of the "school education" social asset is dependent on them. However, given the constant tendency in contemporary democratic societies to produce educational inequality, due to conflicting interests that underlie different principles of justice, it would also be crucial to keep track of the outcomes of this distribution as an achieved purpose. According to the philosophical line that advocates justice as fairness, the possibility of fairness in school would derive from policies and practices that are knowledgeable of what empiricism and political philosophy suggest is more appropriate for the objective of seeking fairer schools. These policies and practices would be implemented within the scope of a permanent movement of informed decision-making based on monitoring the connections between resources, processes and learning.

Following the reflections of the authors discussed herein, it is possible to state that large-scale testing – as a way of verifying the distribution of part of the knowledge expected to be addressed in school – can have an important role, considering the objective of fairness. For that purpose, however, it should not be focused only on producing averages. They alone would not provide any information on the ability of education policies and practices to produce fairness.

Basic equality and equality of acquired knowledge require definitions of what all children must learn in basic education, in all its stages. The indetermination of precise learning objectives would hinder keeping track of the even distribution of knowledge, as well as student learning. The principles mentioned also require establishing clear criteria for the assessment of student learning, without which it would be impossible to achieve levels of knowledge that indicate their fulfilment.

Although merit is an inconsistent criterion with the compulsory right to basic education, for Dubet (2008, 2009) – who follows a Rawlsian perspective – it cannot be disregarded in the later years of schooling, otherwise the idea of castes may need to be readopted: for the author, democratic societies require a continuous representation of the relation between access to social positions and merit. He believes this situation is part of the contradictions experienced by contemporary democratic societies: at the same time as they are represented as free and equal, they continuously produce inequality.

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VANDA MENDES RIBEIRO
Associate research coordinator of the Centro de Estudos e Pesquisas em Educação, Cultura e Ação Comunitária (Center for Studies and Research on Education, Culture and Community Action) – Cenpec – and professor of the Graduate Program in Education of the Universidade Cidade de São Paulo – Unicid – São Paulo, São Paulo, Brazil
vandaribeiro2@gmail.com