

Educación de calidad como un derecho y motor del desarrollo: Adaptación al Sistema Jurídico

Quality Education as a Right and a Driver of Development: Adaptation to the Legal System

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Recibido: 02 de agosto de 2025

Revisado: 12 de septiembre de 2025

Aceptado: 20 de noviembre de 2025

RESUMEN: Este artículo aborda la articulación del derecho a la educación de calidad en el sistema jurídico mexicano y su vinculación con el Objetivo de Desarrollo Sostenible 4 de la Agenda 2030. La investigación analizó la evolución del Artículo 3° Constitucional, destacando la transición del concepto de calidad a excelencia. Se empleó un método analítico-jurídico y documental para examinar las obligaciones estatales y su implementación. Los resultados demuestran que, aunque el marco normativo es robusto, persisten desafíos estructurales en equidad, asignación de recursos e implementación efectiva, limitando la consecución plena de las metas de la Agenda 2030.

Palabras clave: Educación de Calidad; Derecho Humano; Agenda 2030; Sistema Jurídico Mexicano; Equidad Educativa; Desarrollo Sostenible

ABSTRACT: This article examines the articulation of the right to quality education within the Mexican legal system and its connection to Sustainable Development Goal 4 of the 2030 Agenda. The study analyzed the evolution of Article 3 of the Constitution, highlighting the shift from the concept of quality to that of excellence. A legal-analytical and documentary approach was employed to examine the state's obligations and their implementation. The results demonstrate that, although the regulatory framework is robust, structural challenges persist in equity, resource allocation, and effective implementation, limiting the full achievement of the 2030 Agenda's goals.

Keywords: Quality Education; Human Rights; 2030 Agenda; Mexican Legal System; Educational Equity; Sustainable Development

Introduction

The right to education has become a central pillar of the modern rule of law, as it is recognized in both international instruments and national constitutions; in Mexico, this right is enshrined in the Political Constitution of the United Mexican States (CPEUM), specifically in Article 3, which

establishes that every person has the right to an education provided by the State. Furthermore, this constitutional article was amended in 2013 to expressly recognize quality education as a human right that must comply with the principles of universality, indivisibility, interdependence, and progressivity.

Furthermore, the 2030 Agenda for Sustainable Development adopted by the Member States of the United Nations includes, as Goal 4 (SDG 4), the target of “Ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all” (United Nations in Mexico, n.d.).

This global goal underscores the importance of education not only in terms of access but also in terms of outcomes and its capacity for social transformation (García & Albareda, 2021).

This article aims to analyze how the right to quality education is articulated within the Mexican legal system, how it has been interpreted and implemented, and how it impacts the achievement of SDG 4 within the framework of the 2030 Agenda. It also examines the challenges and prospects for this right to contribute to sustainable development, equality, and social inclusion.

Development

1. Regulatory and Institutional Framework for the Right to Quality Education in Mexico

The right to education in Mexico is grounded in a robust constitutional foundation. Article 3 of the Mexican Constitution establishes that education provided by the State is compulsory, free, and secular. The evolution of this provision is fundamental; the 2013 constitutional reform marked a milestone by introducing the concept of “quality education” as a human right, which entailed a transformation of state obligations, shifting from mere access to the guarantee of conditions and outcomes (CNDH, 2018).

Subsequently, the 2019 reform replaced the term “quality” with “excellence,” defining it as: “the comprehensive approach that contributes to the maximum achievement of student learning; this implies the continuous improvement of teaching processes and the maximum development of individuals” (Huerta-Estévez et al., 2021).

The mandate of excellence requires that the State not only guarantee the availability of schools and teachers, but also ensure adequate conditions for learning, including decent infrastructure, relevant materials, and innovative teaching methods. The National Human Rights Commission (CNDH) has been emphatic in pointing out that quality translates into the obligation to ensure adequate resources and competent teachers as essential elements of the right (CNDH, 2018).

In the realm of secondary legislation, the General Education Law reinforces this obligation by establishing that the State must provide educational services with equity and excellence. Institutionally, the Ministry of Public Education (SEP) (n.d.) has aligned its programmatic framework, as seen on its website, which directly links national education policy goals with the standards of SDG 4 of the 2030 Agenda. This regulatory framework links the Mexican legal system to progressive international obligations and places the right to quality education at the center of the analysis of sustainable development.

2. Quality Education and Its Meaning in the Context of the 2030 Agenda

SDG 4 of the 2030 Agenda goes beyond basic schooling. It defines quality education as education that is inclusive, equitable, and promotes lifelong learning opportunities for all.

This goal is broken down into seven substantive targets covering the entire educational life cycle, from the completion of free and equitable primary and secondary education (Target 4.1) to equal access to technical, vocational, and higher education (Target 4.3), and the acquisition of the skills necessary for employment and global citizenship (Targets 4.4 and 4.7).

From a human rights perspective, quality education is considered an empowering right, as argued by Latapí (2009); it empowers individuals to exercise other rights, participate in society, develop fully, and contribute to sustainable development. An example of this is that UNESCO emphasizes this interconnection: “Quality education under conditions of equality and equity is an intrinsic human right and an indispensable means for the realization of other human rights” (UNESCO, as cited in García & Albareda, 2021, p. 196).

An analysis of Mexico's progress toward SDG 4, according to Huerta-Estévez et al. (2021), reveals notable advances in expanding coverage, but persistent challenges regarding the quality and equity of outcomes. Reports indicate that the implementation of Mexican education policies, although aligned with the SDGs, has not yet succeeded in ensuring adequate conditions and outcomes at a sufficient pace to achieve the 2030 targets; therefore, the right to quality education implies a requirement not only for legal access but also for structural transformation of education policy to guarantee the relevance and appropriateness of learning.

3. Impact of the right to quality education on the Mexican legal system and the goals of the 2030 Agenda

Elevating the right to quality education to constitutional status has a systemic impact on governance and the design of Mexican public policies:

3.1 Strengthening the Human Right to Quality Education

The inclusion of “excellence” in Article 3 implies a higher binding standard for the State; that is, the authorities (executive, legislative, and judicial) are obligated to guarantee not only the existence of schools but also the existence of a dignified and effective educational process. Legally, This means that education becomes a benchmark for assessing the constitutionality and compliance with international conventions of public policies; for example, case law has interpreted that the State's obligation extends to “preparation for active life” and that education must be “child-centered,” focusing on the child's holistic development (SCJN, as cited in CNDH, 2018).

This holistic approach aligns with key goals of the 2030 Agenda. For example, by requiring Goal 4.3 to ensure equitable access to quality higher and technical education, the constitutional right imposes an obligation to eliminate financial, geographical, and cultural barriers that limit young people's progress, thereby creating specific legal requirements for the State.

3.2 Equity, Inclusion, and Social Justice

The principle of equity is inseparable from the concept of quality. In Mexico, the obligation to ensure quality education entails addressing the structural inequalities that affect vulnerable groups, such as indigenous populations, people with disabilities, and residents of rural areas. The

dimension of equity requires the implementation of differentiated and compensatory policies that ensure substantive equality in outcomes, not just in opportunities (García & Albareda, 2021).

This approach is fully aligned with the interlinkages among the SDGs. By ensuring educational equity (SDG 4), it directly contributes to gender equality (SDG 5) and the reduction of inequalities (SDG 10), confirming the central role of education in the 2030 Agenda.

3.3 Educational governance, accountability, and institutional framework

The pursuit of educational excellence requires robust educational governance, which includes the creation of monitoring and evaluation mechanisms to assess student performance, teacher competence, and the adequacy of infrastructure. The integration of the 2030 Agenda compels the Mexican system to align its national metrics with international human rights commitments, ensuring that resources and policies are directed toward the goals of quality and equity.

The CNDH and parliamentary documents have noted that quality is achieved through the institutionalization of excellence, which involves ensuring teacher training, the relevance of materials, and oversight of compliance with standards. This demand for effective institutionalization reinforces the rule of law and contributes to SDG 16 (Peace, Justice, and Strong Institutions), as quality education is a foundation for fostering an active and informed citizenry.

In short, the Mexican legal system is undergoing a transformation based on the understanding that it is no longer enough to simply legislate access to education; rather, quality, equity, and educational relevance must be guaranteed as the highest standards, in line with the 2030 Agenda's vision of sustainable development.

4. Challenges and Prospects for Consolidating the Right to Quality Education by 2030

Despite regulatory and institutional progress in Mexico, significant challenges remain in ensuring that the right to quality education has a full impact within the framework of the 2030 Agenda, including:

- **The difference between access and quality:** Although more children are gaining access to education, learning outcomes and teaching conditions still show gaps and inequities. Mexico's analysis of SDG 4 makes this clear, indicating that the gap is widening among the most vulnerable populations.

- **Unequal allocation of resources:** Educational segregation, regional and ethnic disparities, as well as a lack of adequate infrastructure and sufficient teaching staff, continue to hinder the effective exercise of the right to a quality education, in violation of the principle of equity established in the Constitution.
- The need to strengthen evaluation, transparency, and accountability mechanisms so that public policies meet the standards of quality, equity, and inclusion established by both the Mexican Constitution and the 2030 Agenda.
- **The impact of the COVID-19 pandemic:** The pandemic exacerbated educational challenges in Mexico and Latin America, reversing some progress and widening inequalities in access to digital resources and the continuity of learning, which means that achieving the goals of the 2030 Agenda will require intensified, innovative, and coordinated efforts.
- **Legal and social considerations:** Finally, it is worth noting from a legal perspective that the right to a quality education must have a tangible impact on people's lives and not remain merely a statement of principle; this requires legal activism, social oversight, and the involvement of all stakeholders (families, the community, and the government).

In short, transforming the “right to quality education” from a mere normative statement into a tangible reality in every person's life requires strategic and systemic change; it is imperative to strengthen mechanisms for evaluation, transparency, and accountability to ensure that public policies are rigorously aligned with standards of quality, equity, and inclusion.

The final reflection on social oversight and legal activism is crucial, as the law alone does not bring about change; the consolidation of this right demands the coordinated involvement and shared responsibility of all stakeholders: the State, families, the community, and civil society. Only through a reinforced, innovative effort focused on dismantling the barriers of inequality in the distribution of resources and opportunities can Mexico aspire to fully achieve Sustainable Development Goal 4 by 2030.

Conclusions

The right to quality education occupies a strategic and interdependent position within the Mexican legal system; its constitutional enshrinement goes beyond a mere statement: it requires

conditions for progressive enforceability and becomes the fundamental standard that guides public policies toward sustainable development. The explicit incorporation of this right into the 2030 Agenda framework enhances its impact, transforming education into a cross-cutting pillar for equality, inclusion, human development, and democratic governance.

However, the reality in Mexico shows that there is a wide gap between the regulatory framework and its effective implementation, demonstrating that the challenges of quality, equity, and investment remain structural. The consolidation of this right cannot be achieved through legislation alone; it requires a comprehensive strategy that addresses budget allocation with a focus on equity, the ongoing and relevant professional development of teachers, and the transformation of infrastructure to make it inclusive and accessible.

Achieving the goals of SDG 4 is not only an international obligation but also the most effective path to building a more just society. In this regard, quality education serves as a fundamental enabling right, empowering people to exercise their full citizenship, participate actively in the economy and decision-making, and break the intergenerational cycles of poverty and exclusion.

Therefore, the Mexican legal system and the State must take decisive steps to move from legislation and policy to effective implementation, tangible equity, and educational outcomes of excellence. Only by ensuring that every person, regardless of their background or circumstances, has access to transformative education can Mexico fully achieve the Sustainable Development Goals and lay the foundation for a more prosperous and equitable nation by 2030.

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