

**“THE FULL DEVELOPMENT OF THE PERSON” AND HIS ADHERENCE IN
HIGHER EDUCATION**

**“O PLENO DESENVOLVIMENTO DA PESSOA” E SUA ADESÃO À EDUCAÇÃO
SUPERIOR**

**“EL PLENO DESARROLLO DE LA PERSONA” Y SU ADHESIÓN A LA EDUCACIÓN
SUPERIOR**

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ABSTRACT: It is proposed to understand the meaning of Education as a constitutional matter, its presence in previous Constitutions, the reasons that led to the inclusion of the term "Full Development of the Person", and its effectiveness in Higher Education. The methodology followed was the deductive reasoning supported by bibliographical research and legal norms related to the term researched. The research has as characteristics to be multi/inter/transdisciplinary, aggregator and agglutinative, of the areas of knowledge used as keys. Adjusting cultural and economic patterns replicated by successive generations is necessary to achieve a balance between economic and social development and the development of the human being.

KEYWORDS: Education. Full development of the person. Federal Constitution.

RESUMO: *O estudo tem como objetivo destacar as incorporações do termo Educação como matéria constitucional, sua presença em Constituições anteriores, as razões que levaram à inclusão do termo “Pleno Desenvolvimento da Pessoa” e sua adesão ou não à Educação Superior. A metodologia seguida foi o raciocínio dedutivo, amparado em pesquisa bibliográfica e normas legais relacionadas ao termo pesquisado. A investigação tem como características ser multi/inter/transdisciplinar, agregadora e aglutinadora, das áreas dos conhecimentos usadas como chaves. Como resultado, verifica-se que ajustar padrões culturais e econômicos replicados por sucessivas gerações faz-se necessário à obtenção de um equilíbrio entre desenvolvimento econômico e social e ao desenvolvimento do ser humano.*

PALAVRAS-CHAVE: *Educação. Pleno desenvolvimento da pessoa. Constituição Federal.*

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RESUMEN: *El objetivo del estudio es resaltar las incorporaciones del término educación como un asunto constitucional, su presencia en las constituciones anteriores, las razones que llevaron a la inclusión del término "pleno desarrollo de la persona" y su adhesión o no en la educación superior. La metodología seguida fue el razonamiento deductivo respaldado por la investigación bibliográfica y las normas legales relacionadas con el término buscado. La investigación tiene como características ser multi/inter/transdisciplinaria, agregando y aglutinando, las áreas de conocimiento utilizadas como claves. El resultado demuestra que es necesario ajustar los patrones culturales y económicos replicados por generaciones sucesivas para lograr un equilibrio entre el desarrollo económico y social y el desarrollo de los seres humanos.*

PALABRAS CLAVE: *Educación. Desarrollo completo de la persona. Constitución Federal.*

Introduction

“What are the objectives of Education in Brazil?”, one asks, in the plural, deducing the existence of several objectives. If such question/reflection were put to Law operators (lawyers, magistrates or members of the Public Ministry), the vast majority of responses/reflections, without fear of making mistakes, would contain mention of article 205 (BRASIL, 1988) of the Constitution of the Federative Republic do Brasil (CRFB), for reasons that are not very complex. The Constitution of a State must have, as one of the main reasons (of existence and validity), to express values, rights and obligations sought by its Society and, consequently, guide, encourage, stimulate, determine and delimit (among many other functions) its execution and effectuation and, all of this, seems to be well absorbed by the legal practitioners. It is intuited that it is not enough just the legal vision/interpretation/reflection or, in the same sense, the educational, philosophical, anthropological, sociological or political vision, but all these and as many others as they are pertinent, in a way joint, integrative and without borders or disciplinary barriers. Thus, a norm, especially constitutional ones, should not be interpreted only by its origin or legal-political nature, but should be recognized as the product of a complex, heterogeneous and multidimensional society, the keys to its understanding and effectiveness being found in the various areas of human knowledge.

Article 205 of the Federal Constitution (BRASIL, 1988) explains – not restricted to them only – the objectives that should, in principle, guide the country's Education System, which are three and focused on the person: their full development, their preparation for the exercise of citizenship and their qualification for work. Addressing the approach to Higher Education, there are two basic instruments that constitute the first tools to implement the constitutional objectives of Education. Law no. 13,005, of 25 June 2014, approved the National Education

Plan 2014-2024 (BRASIL, 2014) and Law no. 9,394/96 (BRASIL, 1996), called the “Law of Guidelines and Bases of National Education”, points of reference in our investigation regarding adherence to the constitutional objective of Education currently being studied. At first glance, starting from a very brief analysis, it is possible to observe the prevalence of the last mentioned objective (work), the growing inclusion of the second (citizenship) and the apparent forgetfulness/ignorance of the “full development of the person”.

The proposed study theme emerges, then: to investigate to what extent the "Full development of the person" is replicated or not in the two referred infraconstitutional norms, so that in future studies it can be deepened in the search for causes, reasons or even unfeasibility of the objective.

The present work is divided into two sections, in addition to the introduction and considerations of the article. In the first section, the meaning and scope of constitutional norms is addressed, and then the inclusion of the term Education in the texts of the Constitutions in force is indicated, making a brief comparison with the specific norm established in the current Constitution. The second section focuses on understanding the meanings and reasons that could justify the inclusion of the term "Full development of the person" as an educational objective and investigates the texts of Law no. 13,005/2014 and Law no. 9,394 /96 if they contemplate and replicate the “Full development of the person” as an educational objective in Higher Education.

It is admitted that the inclusion of the term "Person's full development" as one of the educational objectives, in the Federal Constitution, by itself, should already be reason enough to recognize its importance and also the resulting obligation of society to carry it out. Even if any other regulation is unnecessary, the repetitions in the other norms, which deal with the basic content in Higher Education, would have the effect of reinforcing the value of the objective and spreading its adherence, providing conditions for effectiveness and implementation as a guide for educational content.

And how to enable the search for the “self/full development” of the individual through the Educational System? What contents would allow your participation in society, your understanding of Social Institutions (public and private), your integration and effective participation in the human community? All of this, to allow an integral human being (participatory, critical, solidary, fraternal), involved in the search for a more balanced humanity, offering alternatives for their development.

It should be added that technological evolutions are apparently demanding as the main competences and skills directed at the human being's capacity to integrate his humanity with the “mechanical logic” of technologies. It is speculated that, among the various challenges facing the “Educational System”, facing the opportunity for human development is urgent in all stages of the system, including in Higher Education.

The methodology followed was deductive reasoning supported by bibliographical research and legal norms, using as keys works of Law, Education, Sociology, Philosophy and Bioethics, relating them to the term "Full development of the person", having the investigation as a multi/inter/transdisciplinary, aggregating and agglutinating, the areas of knowledge used as keys.

Education as a theme of constitutions

Alexandre de Moraes (2005, p. 2, our translation), Minister of the Federal Supreme Court (STF), cites the legal definition of the Constitution created by J. J. Canotilho:

The Constitution must be understood as the fundamental and supreme law of a State, which contains rules concerning the structuring of the State, the formation of public powers, form of government and acquisition of the power to govern, distribution of competences, rights, guarantees and duties of citizens.

Respect, appreciation and execution of the constitutional objectives of Education should be reflected in the actions of people, the State, Society and Institutions in an effective and efficient way.

Scope of constitutional norms

Without the intention of reversing the proposed logical course of development of the article, it is necessary, in the planning, to present a quick explanation as to the strength, reasoning and respect that should be observed in relation to constitutional provisions and other norms that have equivalence to them.

As seen in the article 205 of the Federal Constitution (BRASIL, 1988):

[...] *education*, a right for all and a duty of the State and the family, will be promoted and encouraged with the collaboration of society, *aiming at the full development of the person, their preparation for the exercise of citizenship and their qualification for work* (author's highlights, our translation).

Any rule - of a legal or administrative nature, public or private - related to Education must always, at least, promote the "full development of the person, his preparation for the exercise of citizenship and his qualification for full work", that is, such objectives guide the entire educational system.

Luís Roberto Barroso (2009), also minister of the STF, when dealing with the issue of constitutionality control, highlights two natural premises existing in the constitutional text: supremacy and rigidity. Barroso argues that constitutional norms are in a higher position in relation to other legal or administrative norms (e.g., Ordinary Laws, Complementary Laws, Ordinances, Resolutions, Administrative Acts etc.), which, in order to have their validity recognized, must respect the constitutional provisions, characterizing its supremacy. The rigidity stems from the way in which the Constitution is constructed, "[...] a process of elaboration that is diverse and more complex than that capable of generating infra-constitutional norms" (BARROSO, 2009, our translation), providing a basis for constitutional norms to guide the other legal or administrative norms and demand compliance with the meaning of the Magna Carta.

It is, however, pertinent to understand that the inclusion of the term "full development" in terms of Education in the Constitution represents the aggregation and recognition of values by society, which arise from contemporary interpretations or models aimed at human relations, in nations that adopt the democratic regime. By comparing previous constitutional texts, it becomes possible to identify the values present in the historical periods of validity of each Constitution, understanding the influences and directions that were traced for and/or by society.

Education in Brazilian Constitutions

Going back to the past – to identify values present in previous constitutional texts – requires recognizing the perspectives that influenced the data in the analyzed historical moment. To influence the contemporary view is to mold the past to the meanings of the term or its current understanding.

In Brazil, in addition to the Federal Constitution of 1988, six other Constitutions were in force (1824, 1891, 1934, 1937, 1946, 1967 and Constitutional Amendment no. 01/69). Using a quick search for the term "Education" in the preceding constitutional provisions, it appears that the "Political Constitution of the Empire of Brazil" (BRASIL, 1824) does not make reference to the term "Education".

The original text of the "Constitution of the Republic of the United States of Brazil" (BRASIL, 1891) also did not address the matter, which received a constitutional dimension only with the Constitutional Amendment of 1926, in article 34, item "30", which attributed private competence to the National Congress to legislate on Higher Education, a concurrent competence, also of the National Congress, to create Higher Education Institutions (art. 35, 3).

The first Magna Carta to include the term "Education" was the "Constitution of the United States of Brazil" (BRASIL, 1934), which determined the exclusive competence of the Union to "draw guidelines for national education" (art. 5, item XIV) and also innovated by containing in its body the "Title V", called "On the Family, Education and Culture" and also in Article 149 dictating the basic purposes of Education. See:

[...] education is a right for everyone and must be provided by the family and by the Public Authorities, who must provide it to Brazilians and foreigners domiciled in the country, in order to enable efficient factors in the moral and economic life of the Nation, and the awareness of human solidarity may develop in a Brazilian spirit (our translation).

In this way, providing Education was not seen as an exclusive duty of the State, and the aims sought were for the efficiency "of the moral and economic life of the Nation", in addition to the development "the awareness of human solidarity may develop in a Brazilian spirit" (BRASIL, 1934).

The "Constitution of the United States of Brazil" (BRASIL, 1937) makes reference to the theme "Education" without clearly presenting its objectives.

The "Constitution of the Federative Republic of Brazil" (BRASIL, 1946, 1964) and Amendment no. 01/69 (BRASIL, 1969) list "freedom" and "human solidarity" as inspiring principles of Education in all of them, and also add the "principle of national unity".

Given the above, it is observed that the clear definition of the objectives of Education, in terms of constitutional norms, only occurred after the promulgation of the Constitution of the Federative Republic of Brazil in 1988, with the linking of all Education in Brazil to the purposes of promoting the "full development of the person, his preparation for the exercise of citizenship and his qualification for full work" (BRASIL, 1988, our translation). However, after just over three decades of existence, it appears that the "full development of the person" does not appear to have had adequate receptivity in the infra-constitutional norms.

“Full development of the person”?

Concept or guiding elements?

What is the concept of the term “Full development of the person”? Is it reasonable to focus on finding a concept for the term? Is it possible to encourage and promote the “Full Development of the Person” without having an exact conception of the term?

Excuse the bad example – it is not an apology for any environmental crime – visualize a young wild bird being placed in captivity. Even if they receive food, health care regularly, in a large space and have their needs met, even with all that, their existence would be limited to the walls or bars of their nursery, to the limits of understanding and recognition (as needs) of those who care for the bird and would only be assisted when the caregiver recognized them.

To elaborate a concept closed to the term "Full Development of the Person" would be to try to contain the flow of a right/value/guarantee of a fluid nature, which presents itself in countless forms, changes according to time and place, adjusts with the coexistence among human beings, moving from the perspective of the individual to the diffusely collective dimension, in a continuous back and forth.

Here, we choose the path of working with the term considering it open and submitted to constant and permanent (re)elaboration, as a right/value/guarantee in perpetual dialogue with reality.

Despite choosing the option of not seeking a conceptualization of the term, it would be possible to guide the understanding of the objective “Full Development of the Person” via elements that contribute to its understanding and implementation, which are found in international documents.

Before indicating some guiding elements, it is necessary to emphasize that the first perceptions attributed to the term under study immediately linked development to the economic/financial and collective plan (States, Nations, communities).

The Universal Declaration of Human Rights (UDHR), in its article XXII, brings the term “free development of personality” as a human right and, a little earlier in the same article, associates the indispensability of “economic (social and cultural) rights to development” (ONU, 1948).

In the same sense, the first article of the “*Pacto Internacional de Derechos Económicos, Sociales y Culturales*”, aimed at the free determination of peoples, associates the term “development” with the economic, social and cultural dimensions of development (ONU, 1966).

Still on the international stage, the change in orientation is exposed in the “*Declaración sobre el derecho al desarrollo*”, expressed in Resolution no. 41/128, adopted by the General Assembly on 4 December 1986 (ONU, 1986).

It is extracted, especially in the first two articles, from the text of this declaration, that the right to development is an inalienable human right, of collective and individual scope, with the human being as the central recipient both as holder, trigger and active responsible for such creative right, directly linked to collective and individual well-being.

As a constitutional objective of education

The attempt to identify the reason for including, in a constitutional provision, the term “Full Development of the Person” as an objective of Education must also undergo a verification in the previous Constitutions of Brazil. As previously indicated, the 1934 “United States of Brazil Constitution” included the theme Education in its “Title V” and dictated in Article 149 basic purposes of education, how to enable “factors in the moral and economic life of the Nation”, which were linked to being developed “in a Brazilian spirit the awareness of human solidarity”. The individual human being was not considered the focus of Education, their participation was linked to a collective interest (moral and economics of the Nation) and human solidarity depended on the limitations of a Brazilian spirit to be developed. In other words, the selective ruler was aimed at the “Brazilian nation” (BRASIL, 1934).

The expression "human solidarity" is again repeated in the "Constitution of the Federative Republic of Brazil" of 1946, 1964 and its Amendment no. 01/69 and, in the last two, added to the expression "freedom" linked to the "Nation" and to the “principle of national unity” (BRASIL, 1964, 1969). The human being, considered in its individuality, was not yet a constitutional educational issue.

It should be noted that the inclusion of the theme “Education” in the Constitutions is directly related to the way in which human organizations (States, groups, agencies etc.) consider their individual members. Thus: if the individual is placed in the foreground, organizations also include among their objectives their development; if the State prevails over individuals, their development involves competencies aimed at strengthening the State (work skills, sense of nationality, citizenship etc.).

In a study aimed at understanding the term "human dignity", Rocha (2016) highlights that the concepts of compassion, love for others, solidarity, among others, changed the previous dominant perspective, which placed, so to speak, the human being as " object" of the State to

identify him as a child of God (VALLS, 2013), and his image and likeness (JORDANA, 2013), grounding his dignity, already sowing a universalist vision that, over time, ends up winning (LEPARGNEUR, 2009).

Marshal, developing aspects of citizenship, identifies three phases in the process of modifying the state's relationship with the individual. In the first (identified by the author as a civil element) the rights necessary for individual freedom are affirmed (coming and going, press, thought, faith, property, justice etc.). The second phase (political element) involves the right to participate in political power as a member of a political body or as a member's voter. Finally, there is the assumption of the minimum economic well-being and security of the right to participate in the social heritage and live according to the standards of society (social element) (MARSHAL, 1967).

Throughout history, in the relationship between the State (Kingdoms, Cities, Society, Community etc.) and the individual, was initially highlighted that this individual was an object of the State and its development was aimed at meeting the needs of the State (military, economic, political, religious etc.). As a result, certain rights aimed at freedom and equality among human beings are affirmed, generating some limitations in the interventions that the State could have in the lives of individuals without, however, significantly changing the relationship as to the reasons sought to encourage the development of the human being, continuing to serve to meet the needs of the Society. Continuing, with the participation of individuals (the right to vote, for example), respect for the individual and, consequently, the encouragement of personal development is recognized as a value to be sought and guaranteed by the State, which receives limits and tasks of protection/assistance of the human being (ROCHA, 2016).

It is considered the possibility and need for greater deepening - in the search for the meaning and application of the objective put in the term "Full Development of the Person" - based on transdisciplinarity, which would be more useful and effective, however, it could cause the distance from the purpose of this article, considering the vastness of content and academic limits of the author.

John Dewey (1978, p. 53, our translation), although dealing with early childhood education, indicates an idea of development, discussing the meaning to be sought in the term:

Development does not mean taking something out of nature itself. True development is development through experience. And this will be impossible if we do not provide an educational medium that allows the functioning of the interests and forces that are selected as the most useful. These interests and these forces, or capacities, must come into operation, which will essentially depend on the stimuli that involve them and the material on which they are exercised. The problem of direction is, therefore, the problem of selecting the stimuli suitable for the instincts and impulses we wish to develop.

Thus, promoting and encouraging the "full development" of the individual, through the Educational System, would move both towards self-knowledge and by encouraging their participation in society, their understanding of Social Institutions (public and private) and their integration and effective participation in the human community. All of this to allow an integral human being (participatory, critical, solidary, fraternal), involved in the search for a more balanced humanity, offering alternatives for their development.

In higher education

In 1550, in Bahia, the Jesuits founded the first higher education establishment, offering courses in Arts and Theology from 1553 onwards. The current higher education model did not follow the model of the Jesuits, but rather of the various institutions created at the beginning from the 19th century, followed by isolated professorships of higher education – Medicine in Bahia and Rio de Janeiro in 1808, and Engineering in the Military Academy also in Rio de Janeiro, in 1810. In 1827, Emperor Pedro I added in Olinda and São Paulo the Legal Courses to the frameworks of existing courses. The students in this long period were basically children of civil servants, plantation owners, cattle raisers or miners. Essentially, the goals pursued in Education aimed at the knowledge necessary to perform professional functions, increase family prestige or as a means of achieving better living conditions, occupying positions with higher remuneration, prestige and power (CUNHA, 2015).

Law no. 13,005, of 25 June 2014, approved the National Education Plan 2014-2024 (BRASIL, 2014), highlighting the objectives of Education:

Article 2. The PNE guidelines are:

- I - eradication of illiteracy;
- II - universalization of school services;
- III - overcoming educational inequalities, with an emphasis on *promoting citizenship* and eradicating all forms of discrimination;
- IV - improving the quality of education;
- V - *formation* for *work* and *citizenship*, with an emphasis on moral and ethical values on which society is based;

- VI - promotion of the principle of democratic management of public education;
- VII - humanistic, scientific, cultural and technological promotion of the country;
- VIII - establishment of a target for the application of public resources in education as a proportion of the Gross Domestic Product - GDP, which ensures that expansion needs are met, with a standard of quality and equity;
- IX - valuing education professionals;
- X - promotion of the principles of respect for human rights, diversity and socio-environmental sustainability (author's highlights, our translation).

In terms of plan, it appears that there is no mention of the constitutional objective "Full Development of the Person", and item "12.11" presents as a strategy aimed at Higher Education "fostering studies and research that analyze the need for articulation between formation, curriculum, research and the *world of work*, considering the country's social, cultural *economic needs*" (BRASIL, 2014, author's highlights, our translation).

Law no. 9,394/96 – Law of Guidelines and Bases of National Education – in its article 2, defines (BRASIL, 1996):

[...] education, a duty of the family and the State, inspired by the principles of freedom and ideals of human solidarity, aims at the *full development of the student*, his preparation for the exercise of citizenship and his qualification for work (author's highlights, our translation).

Further on, in the same legal provision, in "Chapter IV", dedicated to Higher Education, nothing appears in relation to the "full development of the student":

Art. 43. Higher education aims to:

- I - stimulate cultural creation and the development of the scientific spirit and reflective thinking;
- II - train graduates in different areas of knowledge, able to enter professional sectors and participate in the development of Brazilian society, and collaborate in their continuing education;
- III - to encourage research and scientific investigation work, aiming at the development of science and technology and the creation and dissemination of culture, and, in this way, to develop an understanding of man and the environment in which he lives;
- IV - promote the dissemination of cultural, scientific and technical knowledge that constitutes human heritage and communicate knowledge through teaching, publications or other forms of communication;
- V - to arouse the permanent desire for cultural and professional improvement and enable the corresponding implementation, integrating the knowledge that is being acquired in an intellectual structure that systematizes the knowledge of each generation;
- VI - to encourage knowledge of the problems of the present world, in particular national and regional ones, provide specialized services to the community and establish a reciprocal relationship with it;

VII - to promote the extension, open to the participation of the population, with a view to disseminating the achievements and benefits resulting from cultural creation and scientific and technological research generated in the institution.

VIII – to act in favor of universalization and improvement of basic education, through the formation and qualification of professionals, the carrying out of pedagogical research and the development of extension activities that bring the two school levels closer together.

It is worth repeating that the inclusion of the term "Full Development of the Person" as one of the educational objectives in the Constitution of the Federative Republic of Brazil, in itself, should already be sufficient reason to recognize its importance and also the common social obligation to make it effective. The infra-constitutional norms, when they replicate the term, could have the effect of disseminating and reinforcing the value of the objective, its effectiveness and implementation, as a guide for educational content.

Final considerations

The prevalence directed, in the State's efforts, to the also constitutional objective of Education to prepare the human being for work, under the justification of promoting the country's economic and social development, reinforces a patrimonial matrix geared, preferably, to the object, to goods, to production and little to human beings. The qualification for work was included as an objective of Education from the first decades of the last century, as a reflection of the change of a considerable part of the rural population to the industrial urban environment. Seeking to meet the demands of various skills that were not part of the daily life of the rural population, since then it continues to reverberate in the most varied infra-constitutional norms.

The preparation for the exercise of citizenship, another objective of Education, can be thought of as an almost simultaneous consequence of the new configuration of the Brazilian population establishing itself in cities, in the first decades of the last century, generating great transformations in the normative dimension as well.

At the national level, Brazil was establishing itself as a nation in the search for identity, external recognition and adjusting to its economic, financial, legislative and political role.

In the international arena, two major world conflicts (re)marked the divisions between countries or groups of these also in the economic, financial, commercial, ideological, political dimensions, among others. All of this is reflected in the relationship between the population and the State.

It would not be absurd to intuit that the reflections mentioned in the two previous paragraphs demonstrate the greater projection of the constitutional objectives of Education aimed at work and citizenship.

We live, witness and discover, nowadays, great transformations resulting from new technologies - real/virtual, analog/digital, public/private, among others -, and also for these reasons the inclusion of a goal with a root aimed at promoting the development of the being human presents itself as a great challenge.

Adjusting cultural and economic patterns replicated by successive generations is necessary to achieve a balance between economic/social development and human development.

The aim was to encourage reflection on the term "Full Development of the Person" with the potential possibility of establishing the study connecting different areas of knowledge to combine knowledge in a plural way, having as goals the realization, promotion and encouragement of the most unknown and ignored constitutional objective of Education.

Preparing to live with technological developments may require targeted competencies and skills related to the ability of human beings to integrate their humanity with the "mechanical logic" of technologies, and education that aims to develop human beings in balance with economic and social development may be the key to be achieved.

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