THE TEACHING OF THE FEDERAL CONSTITUTION IN THE CONTEXT OF INTEGRATED HIGH SCHOOL OF THE FEDERAL INSTITUTE OF EDUCATION, SCIENCE AND TECHNOLOGY OF AMAPÁ (IFAP)

ORIGINAL ARTICLE

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SUMMARY

Our Federal Constitution of 1988 placed Education as a Fundamental Right in the list of social rights. One of the purposes of Education is to ensure and prepare the student for the exercise of the citizen. The proposals highlighted do not have the purpose of forming a bachelor's degree in law, but rather a conscious citizen, who recognizes his basic rights and duties before society and the State. The objective of this research is to verify the real possibility of introducing the study of the Federal Constitution (CF) in the IFAP, based on the knowledge of these students about basic understandings about the Federal Constitution. Structured questionnaires were used with closed and open questions, of a dissertation character and others of objective character, applied in January 2018 to the participants involved, with the help of *Google Forms*. The Brazilian High School, examined from a punctual cut in the technical course in buildings in the integralized form of the IFAP, Macapá campus, cannot comply with the recommendations of the CF and the LDB according to the result of the questionnaire applied to the students. This teaching occupies a privileged place in the Brazilian educational formation, between the elementary and the higher. Students show to be enthusiastic about the possibility of implementing basic scans in the technical course in buildings at IFAP, Macapá campus, even if optionally.

Keywords: EPT, Law, Education, Constitution, High School.

INTRODUCTION

Our Federal Constitution of 1988 placed Education as a Fundamental Right in the list of social rights, thus constitutionally consecrating its importance for formation and life in society. The education of a population is an indispensable condition for the development of a State whether in the social, cultural, economic and scientific sphere (BRASIL, 2012).

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The Constitution of the Federative Republic of Brazil 1988 (CFRB/1988) prescribes, in article 1, that: "the Federative Republic of Brazil, formed by the indissoluble union of states and municipalities and the Federal District, constitutes a Democratic State of Law and has as its foundations: II – citizenship; [...]" (BRAZIL, 2012).

According to ANTONELLO and NOREMBERG (2016), citizenship is a status in which, if its main object is to achieve the fullness of the exercise of fundamental rights inherent to the individual, a status that is intrinsically linked to the political regime, since, it will be through this that the citizen, through his representatives, will achieve his right to public policies, that is, an exemplary education, health, safety, among others.

The Law of Guidelines and Bases of Brazilian Education (LDB 9394/96) is the legislation that regulates the educational system (public or private) of Brazil, from basic education to higher education. One of the purposes of Education, is to ensure and prepare the student for the exercise of the citizen, the idea of this article is to discuss the best way to reach this purpose, basing and justifying all the positions taken (BRASIL, 2016).

On February 16, 2017, current President Michel Temer sanctioned Law No. 13,415 reforming high school, but this reform will depend directly on the development of the new Common National Curriculum Base (BNCC), which should be approved later this year 2018. new high school was edited through provisional measure (MP) strictly following the requirements provided for in the Federal Constitution, but some experts consider this form of action a social setback, since the changes should have been openly discussed with society, and not implemented via MP (BRASIL, 2017).

The Law of Guidelines and Bases of Brazilian Education (LDB 9394/96), in articles 2 and 22, establishes that education aims at the full development of the student and its preparation for the exercise of citizenship, ensured through basic education. But to achieve this goal, it is essential to democratize legal knowledge within society (BRASIL, 2016).

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In the search for this success, currently, the law has been observed with other eyes, no longer with a positivist and restricted view, but now as a necessary and indispensable knowledge for the individual's life. However, it is palpable the ignorance that a significant part of the Brazilian people presents in relation to the basics of the Federal Constitution, this perception was confirmed by a datasenate research made exclusively for a special edition in 2013 (SASSE, 2013)

According to MORAES (2013), "there are numerous reasons for legal subjects to be included in high school. But the basic thing is to form a citizen, individuals who form opinions, knowledgeable of their rights and duties." However, if the intention is the proper training of citizens through legal knowledge, it is prudent to show that, in a certain way, this idea is already being adhered to in Brazil, even in an incipient and punctual way.

The Statute of the Child and Adolescent (ECA) was established by Law No. 8,069 on July 13, 1990. It regulates rights and provides for the full protection of children and adolescents inspired by constitutional principles. Although the ECA is a law that has been in force since 1990, there have been a number of difficulties and challenges for its implementation in Brazilian society. The main responsible for the protection and enforcement of the rights of children and adolescents are, in addition to society in general, the family and public authorities (SARAIVA, 2017).

The Brazilian Bar Association (OAB) created a teaching project for high schools in Brazil, called OAB goes to school that began in 1993 at the initiative of the counselor of OAB SP and president of the Commission of Citizenship and Social Action, at the time, Nelson Alexandre da Silva Filho, in the city of Osasco, and expanded throughout Brazil, covering about 20 million public school pupils. Several public schools in Brazil were contemplated by the project, with the aim of clarifying the role of the OAB itself in the State and its functioning, in addition to contributing to the citizenship of students through lectures, booklets, educational films and, of course, with debates that stimulate their interest in legal knowledge. (SILVA FILHO, 2004).

DIAS and DE OLIVEIRA (2015) present some suggestions regarding the basic contents of law that can be integrated into regular education, namely the concepts of Human Rights, the Statute of children and adolescents, consumer rights, including with emphasis on the electronic market, tax education and also the paths of justice.

MORAES (2013) believes that it would be of great social value to include in high school the following disciplines: Introduction to Law, Constitutional Rights and Guarantees, Criminal Law, Civil Law and Sparse Laws, such as the study of some laws such as the Statute of Children and Adolescents. The student would also need to have basic knowledge about Public Administration, hierarchy of powers, the creation and promulgation of laws.

The proposals highlighted do not have the purpose of forming a bachelor's degree in law, but rather a conscious citizen, who recognizes his basic rights and duties before society and the State.

GOAL

To verify the real possibility of introducing the study of the Federal Constitution (CF) in the IFAP, based on the knowledge of these students about basic understandings about the Federal Constitution.

METHOD

Structured questionnaires were used with closed and open questions, of a dissertation character and others of objective character, applied in January 2018 to the participants involved, with the help of *Google Forms*.

The target audience was composed of 20 faculty members of the collegiate technical course in building in the integralized form, pedagogues and coordinators of technical courses in the integralized form, the director of teaching and the director general of IFAP, Macapá campus, in addition to some lawyers belonging to OAB in the state of

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Amapá, employees of IFAP itself. Another questionnaire with closed questions, of objective character, was applied to 106 students of the technical courses of ifap buildings on the Macapá campus without notice, divided into five sections to verify the degree of knowledge they presented in relation to the social visibility of the three powers in the municipal sphere, to the basic son of the Federal Constitution and in relation to the principles of justice, arising from the customs and/or common sense of a society.

RESULTS AND DISCUSSION

Both quantitative and qualitative analysis sought to group the questions by specific sections of items to be investigated to facilitate the interpretation of the data and discussion of the results.

QUESTIONNAIRE APPLIED TO IFAP TECHNICAL STAFF

Analyzing figure 01, we can observe that the majority of the participants of this questionnaire are in their thirties, most of which are 32 years old. This result is due to IFAP being a recent institution, where there is the constant entry of professionals to meet the growing demand of the target audience (IFAP, 2021).

Figure 01 Number interviewed according to age.

Figure 02: Percentage of interviewees according to gender.

Figure 02 shows a higher number of male interviewees, more than twice as many women, a fact that was not evidenced in the results of the questionnaire applied to students, which demonstrated a certain homogeneity in relation to gender. This is a reflection of the greater number of men in the Brazilian labor market (NÓBREGA et al., 2019).

As for the profession/position, Figure 03 presents an expected result, in which the largest number of respondents were teachers of the common national teaching base of the technical course in buildings, since the disciplines of the BNCC accumulate approximately 69% of the total workload of the course (IFAP, 2019).

Figure 03 Number interviewed according to profession /position.

Figure 04 Number interviewed according to the time of professional experience.

In figure 04, we note that most of the interviewees do not have extensive professional experience, even though the results are considered very relevant, because all interviewees are public employees who do not need to omit or distort the answers for reasons of others (BRASIL, 1990).

The interviewees, when asked if they had already read or handled (vener) the CF, 90% responded positively, as evidenced in Figure 05 and the majority reported that the part that drew their attention was the "Fundamental Rights and Guarantees", especially Article 5 and the social right to education, listed in Article 6, showing that most professionals access the Carta Magna to know about their rights and guarantees and, logically, about the area of education, since most of the interviewees are teachers and work in the teaching area (BRASIL, 1990).

Figure 05 Percentage of interviewees who have read or handled (leafed) the CF.

Regarding the degree of knowledge that the participants of the interview consider to have in relation to the CF of 1988, 55% of them consider having insufficient knowledge for the full exercise of citizenship, 40% consider having sufficient knowledge and only one lawyer considered having an excellent knowledge of our Federal Constitution, which was to be expected, because it acts directly with the subject asked, this result can be evidenced in figures 06, which demonstrates a balance on the degree of knowledge of participants in relation to CF (FONSECA and FERNANDES, 2020).

Figure 06 Degree of knowledge in relation to CF 1988 - A) number of interviewees;
B) percentage of respondents.

When asked about the relevance of teaching Basics of the Federal Constitution in current basic education, the vast majority considered this teaching extremely important for students even if in its basic form, contributing to the intellectual and humanistic growth of students (LORENSET et al., 2021).

Regarding the knowledge of some proposed bill in an attempt to formalize the teaching of law in schools, only 20% answered to have knowledge (figure 07) and cited mainly the bill of Senator Romário, although superficially found that this bill is the best known with the academic community (ROMARIO, 2021).

Figure 07 Percentage of respondents who know some bill in an attempt to formalize the teaching of law in schools.

When addressed about the contents of Basic sums of the Federal Constitution that should be taught to students of basic education, the main subjects mentioned were: Fundamental Rights and Guarantees, Citizenship, Fundamental Principles, Statute of children and adolescents and human rights. From the point of view of 40% of the

interviewees, these contents should be studied both in elementary school and high school and, as shown in Figure 08, no interviewee chose the alternative of studying these contents only in higher education, which already demonstrates a favorable tendency to implement this teaching in basic education (HOHENDORFF et al., 2020).

Figure 08 Opinion on the stage that the Teaching of Basics of CF should be studied - a) number of interviewees; b) percentage of respondents.

The interviewees were asked if they had the opportunity throughout their academic life to study subjects such as Social and Political Organization of Brazil (OSPB) and Moral and Civic Education (EMC), 55% of the interviewees never studied such subjects and 45% had the opportunity to study them throughout their academic life. This reflects the age of the interviewees, because those over 35 years of age probably completed basic education at the time of the Military Regime, a period in which these subjects were widely disseminated in basic education in public schools (AMARAL and CASTRO, 2020). Most respondents who responded positively to the question argued that these disciplines contributed to the formation of a more critical thought, individuals more aware of their rights and duties and more prepared for the exercise of citizenship (TAVARES et al., 2020).

According to the possibility of implementing the teaching of basic sums of the Federal Constitution in the current scenario of Brazilian education, only two interviewees, one teacher from the common core and one from the specific nucleus, were opposed to this proposal, claiming a high workload in basic education and the fact that this proposal had to start from the Ministry of Education (MEC) to be implemented ,

otherwise it would be unfeasible. On the other hand, the majority of respondents were in favor of the proposal, claiming that technological advances would facilitate this teaching, in addition to promoting a gradual change in the current Brazilian political scenario and an increase in citizens' awareness about their rights and duties (TAVARES *et al.*, 2020).

QUESTIONNAIRE APPLIED TO IFAP TECHNICAL COURSE STUDENTS

Figure 9 shows that the majority of students who participated in the research are between 15 and 18 years old, this is due to the fact that the interviewees are high school students in the integralized form that fit this age group. We also detected that most participants were 15 years old, this result is confirmed by the graph of Figure 10, which explains that most of the students who answered the questionnaire are enrolled in the 1st year, that is, they are beginning high school students with an average age of 15 years (IFAP, 2019).

Figure 09 Distribution of participating students according to age.

Figure 10 Distribution of participating students according to grade/year.

Of the 106 students who participated in the research, 56 are male and 50 are female, which demonstrate a balance in relation to the gender of the interviewees, this result can be evidenced in figure 11, where these figures show that 52.83% of the interviewees are male and 47.17% are female (IBGE, 2010).

As for family income, figure 12 shows that the majority of the interviewed public belongs to the poor class. This is the public of high school in the integralized form of ifap, regardless of campus or course, reflecting in a similar way the income pyramid of Brazil (IBGE, 2021).

Figure 11 Distribution of participating students according to gender.

Figure 12 Distribution of participating students according to family income.

He wondered about the spatial location of the three powers in Macapá. Knowledge of the location of the three powers in urban space is evidence of their social importance. The result showed that the executive is the most visible, followed by the legislature and finally the judiciary, as shown in figure 13, where 44.65% of the interviewees correctly answered questions about the notoriety of the executive branch. This reflection of the social visibility of the three powers is due to a greater investment by the executive and legislature in the media than the judiciary, mainly because its occupants are elected by the people, which makes this notoriety increasingly necessary for their personal promotion, while the occupants of the judiciary, mostly, they take office via public tender, that is, they are based on the principle of meritocracy to hold office and do not require the popular vote (FIGUEIREDO, 2019).

Figure 13 Social visibility of the three constituent powers in Macapá.

The four figures below (14 to 17) make a correlation between the social visibility of the 3 powers in Macapá and the factors that could influence this notoriety index. Among the 4 factors surveyed, the one that presented a more evident trend line was the one that related the social visibility and the series/year of the participants, shown in Figure 15, where it was detected that the social visibility of the 3 powers increases as students move on to the next grade.

Figure 14 Social visibility of the three constituent powers in Macapá according to age.

Figure 15 Social visibility of the three constituent powers in Macapá according to the series/year.

Figure 16 Social visibility of the three constituent powers in Macapá according to age.

Figure 17 Social visibility of the three constituent powers in Macapá according to age.

This result may be due to knowledge acquired at school, with the family or before society, which with the greatest social interaction that students acquire throughout their lives, end up assimilating a greater amount of information about the constituent powers (SILVA FILHO, 2004).

Figure 18 shows that 49.01% of the answers chosen by the interviewees were mistaken, without taking into account the percentage of 5.38% of blank answers, which probably the participants did not know the correct answer. This shows that the constitutional text remains a stronghold of experts and that the vast majority of students probably never even handled the Federal Constitution, which means that it does not make up the reality of high school in the integralized form. It is not worked, discussed by the students. It is therefore easy to assume that they are certainly also unaware of their basic rights and duties expressed there. If, when they complete high school, they do not master such knowledge, it remains to be believed that they will come throughout their citizen life, on occasions of conflict, or in other milder ones, if

they come, when an event affects their freedom or property (DIAS e DE OLIVEIRA, 2015).

Figure 18: Outcome of questions on Basics of the Federal Constitution.

Figures 19, 20, 21 and 22 below show the results of questions in the section on Basics of the Federal Constitution in relation to factors of age, grade/year, sex and family income, respectively. In these results, we found the percentage of correct answers in relation to the answers of the questions about the basic son of CF according to the criteria researched.

Figure 19 Percentage of correct answers on the basics of CF according to age.

Figure 20 Percentage of correct answers on the basics of CF according to the series/year.

Figure 21 Percentage of correct answers on the basics of CF according to gender.

Figure 22 Percentage of correct answers on the basics of CF according to family income.

Although the graphs in figure 19 and 20 present some distortions in their trend lines, we can notice a higher percentage of correct answers as students advance to the next grade and, consequently, have a higher age, this is the result of a social interaction maior on the part of the surveyed. The distortion of the last two columns of the two above-mentioned graphs probably reflects the insonous ity of these students with the questionnaire or because they are mostly repeat students who do not show interest in the teaching and learning process of the institution (ALMEIDA and ALVES, 2021).

We can also note in Figure 21 a balance in the correct answers of the male and female interviewees, which reflects that this factor does not directly interfere in the results obtained. As for figure 22, we found a slight tendency of respondents with higher family income to present a higher rate of correct answers, but this influence is not very significant and can be easily questioned (FERREIRA and LEISMANN, 2020)

The result of Figure 23 shows that most interviewees demonstrate that they have principles of justice and philosophy that are essential for social interaction, not presenting contradictions in their principles, although we detect some contradictory and blank answers from some interviewees.

Figure 23 Percentage of students who demonstrate to have some principle of justice and philosophy. Figure 24 Percentage of students who answered the answers with influence of their social life.

Figure 24 shows that few students intend to attend law, this was already expected, since the interviewees attend edifications, course in the exact area, reflecting that the intention to attend law did not significantly influence the answers obtained.

On the other hand, we show that 52.83% of the interviewees have already witnessed a judicial process at some stage of their life, which may have contributed to their answers, this is a warning to society, because increasingly it is essential that citizens have basic knowledge of law, since they will need this knowledge in their daily lives (LOTTERMANN *et al.*, 2020).

The negative point is that few students confirmed that they answered the questions of the questionnaire with what they learned at school, demonstrating a failure in teaching, since the social function of the school is the propagation and democratization of the knowledge necessary for the formation of conscious, participatory and active citizens in society, and having as principles and objectives of the Federative Republic of Brazil in the construction of a free society, fair and supportive (LOTTERMANN *et al.*, 2020).

Although Figure 25 shows that only 35.85% of the students interviewed made some comment, all comments written in this section, in general, were positive. Among the comments of the students there was a gender homogeneity and for the more advanced classes, we always obtained a smaller number of comments.

Figure 25 Percentage of students who commented on the questionnaire.

Most of the comments recorded reported that the questionnaire was very interesting and well elaborated, corroborating the relevance of the CF study in schools. We also detected that some students woke up to the lack of knowledge about the subject, reporting that they never learned this in school (MORAES, 2013).

We had some unexpected comments, such as the fact that a student did not reside in the municipality of Macapá, hindering his answers about the spatial location of the powers. Another comment stated that the questionnaire aroused the student's greater appreciation for the law course, which he intends to enter, not to mention the games, typical of students in this age group, using words such as: "top", ten, etc., to describe the questionnaire.

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CONCLUSIONS

Despite the different projects carried out so far in relation to the implementation of law in basic schools, this effort has not yet managed to reach the entire Brazilian nation, but it is an effort to be practiced with responsibility and hope on the way to a social transformation.

The goodwill of the majority of the subjects involved in changing the Brazilian reality was perceived by teaching a discipline of vital importance. This was verified in the results of the questionnaires, believing that their own application was quite salutary, because it aroused debates and doubts among those involved, which ended, in a way, qualifying the participants.

The Brazilian High School, examined from a punctual cut in the technical course in buildings in the integralized form of the IFAP, Macapá campus, cannot comply with the recommendations of the CF and the LDB according to the result of the questionnaire applied to the students. This Teaching occupies a privileged place in Brazilian educational education, between the elementary and the higher.

Students show to be enthusiastic about the possibility of implementing basic scans in the technical course in buildings at IFAP, Macapá campus, even if optionally.

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