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EVOLUTION OF EDUCATION AS A CONSTITUTIONAL AND LEGAL PARADIGM: HISTORICAL CONTEXT AND PHILOSOPHICAL DISCOURSE

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Продан В.І. Еволюція освіти як конституційно-правової парадигми: історичний контекст та філософський дискурс.

Дана стаття присвячена дослідженню еволюції освіти як конституційно-правової парадигми в історичному контексті та філософському дискурсі. В межах роботи було розглянуто історичний шлях розвитку освіти, починаючи з первісно-античних часів і завершуючи сьогоденням. Акцентується увага на розвитку освітньої парадигми з погляду філософських та культурних аспектів, які справили вплив на сприйняття та регулювання освітнього процесу.

Зокрема, історичну градацію розвитку та утвердження освіти, як конституційно-правової категорії пропонується розглядати крізь призму наступних хронологічних рамок:

I етап: Епоха давнього світу (Первісна доба і Античність);

II етап: Доба Середньовіччя;

III етап: Епоха Просвітництва;

IV етап: Період індустріальної революції та модернізації;

V етап: Сучасність.

Стаття розглядає роль великих філософів та давніх юристів, таких як Аристотель, Демокрит, Платон, Сенека, Сократ, Ульпіан, Цицерон тощо у формуванні концепцій права на освіту.

Особлива увага приділяється тому, як історія освіти відображає суспільні та культурні зміни. Охоплюючи період від первісних форм навчання до сучасних систем освіти, ця стаття показує, як освіта завжди була не тільки правом, але й важливим чинником суспільної еволюції.

Акцентується увага на працях наступних відомих філософів, американського – Дж. Дьюї, бразильського – П. Фрейре та вітчизняного – П. Куліша, які справили вплив на формування та розвиток філософії сучасної освіти.

Висновки статті наголошують на тому, що право на освіту характеризується не лише юридичними нормами, але й суспільним контекстом

та філософськими поглядами. Вони підкреслюють важливість розуміння історичного розвитку освіти для сучасної інтерпретації конституційно-правової парадигми освіти, яка відображає динаміку суспільства та його потреби у навчанні та розвитку.

Ключові слова: освіта, освіта як конституційно-правова категорія, конституційне право на освіту, історичний розвиток, зародження освіти, філософія освіти, соціальні гарантії, права особи.

Prodan V. Evolution of education as a constitutional and legal paradigm: historical context and philosophical discourse.

This article is devoted to the study of the evolution of education as a constitutional and legal paradigm in the historical context and philosophical discourse. Within the framework of the work, the historical path of education development is considered, starting from primitive and ancient times and ending with the present. Emphasis is placed on the development of the educational paradigm from the point of view of philosophical and cultural changes that had an impact on the perception and regulation of the educational process.

In particular, the historical gradation of the development and establishment of education as a constitutional and legal category is proposed to be considered through the prism of the following chronological framework:

Stage I: The Age of the Ancient World (Primitive Age and Ancient times);

Stage II: The Age of the Middle Ages;

III stage: Age of Enlightenment;

IV stage: The period of industrial revolution and modernization;

Stage V: Modernity.

The article examines the role of great philosophers and ancient jurists, such as Aristotle, Democritus, Plato, Seneca, Socrates, Ulpian, Cicero, etc., in shaping the concepts of the right to education.

Special attention is paid to how the history of education reflects social and cultural changes. From primitive forms of learning to modern education systems, this article shows how education has always been not only a right, but also an important factor in social evolution.

Emphasis is placed on the works of the following famous philosophers, the American – J. Dewey, the Brazilian – P. Freire and the domestic – P. Kulish, who had an impact on the formation and development of the philosophy of modern education.

The conclusions of the article emphasize that the right to education is determined not only by legal norms, but also by the social context and philosophical views. They emphasize the importance of understanding the historical development of education for the modern understanding of the constitutional and legal paradigm of education, which reflects the dynamics of society and its needs for education and development

Key words: education, education as a constitutional and legal category, the constitutional right to education, historical development, the emergence of education, philosophy of education, social guarantees, individual rights.

Formulation of the problem. Education acts as a key tool for promoting democratic change in society. It is a process that leads to positive modifications and promotes the development of intellectual abilities, allowing us to think and act more consciously.

Study of the problem. The history of education owes a lot to the history of reform movements and ideas. Since Plato's «Republic», «education» can at least be seen as a cause or basis for changing society, culture, and individuals. In the late Roman Empire and early Christian times, education was seen as the voice of God and thus as the voice of the messiah. In the Middle Ages, education became a special force for heretical movements. After the Reformation, education was considered the cause of «inner» faith and personal salvation. The reform movements of the nineteenth and twentieth centuries mixed all these motives and made them a powerful prototype for the model of schooling and ideology that the public authorities developed in the nineteenth century. In turn, modern transformational movements are conducted in various directions, such as the emergence and active use of e-learning, the use of digital technologies in the educational process, the development of inclusive education, cross-border education, a new student prototype, etc.

The main research material. Along with the above, for understanding of the educational paradigm, let's turn to historical sources in order to reveal the path of development and establish the rudiments of education until the moment it

was proclaimed as a fundamental right. Since the use of the historical-legal approach in the study of the process of formation and development of the constitutional right to education is significant not only in the scientific dimension, but also in a practical sense, it creates a foundation for adapting the educational system and legislation to modern requirements and trends in the development of society and the state. For some reason, the lack of consideration of the historical context in the study of the problems of the formation of the right to education makes such an analysis incomplete and does not fully reveal the essence of this topic.

In addition to the above, for a deeper understanding of the evolution of the educational paradigm, one should refer to historical sources, with the aim of a deeper disclosure of the process of formation and spread of education up to the moment when it was recognized as a fundamental human right.

The use of a historical-legal approach in the study of the formation and development of the constitutional right to education is important not only in a scientific sense, but also in a practical context. This approach creates a basis for adapting the education system and legislation to current needs and trends in society and the state. Without taking into account the historical context in the study of the problem of establishing the right to education, the analysis may be incomplete and may not fully reflect the essence of this topic.

The classification presented below is based on two methods – chronological and periodization. The use of the chronology method allows you to organize the material in a logical sequence of events according to the time scale. In turn, the method of periodization helps to identify the key stages of the development of education as a paradigm and to determine the significant changes that took place in each of these stages, namely:

Stage I: The Age of the Ancient World (Primitive Age and Antiquity). The primordial epoch is the largest period in the history of mankind, which begins with the appearance of the first people, about a million years ago, and ends with the formation of the first states. The duration of this period varied among different peoples, and some societies still exist today in primitive conditions. Therefore, modern science determines the following time frames for this period, namely (II mill. - III mill. BC e.).

In particular, the following important phenomena were observed during the primordial era:

- during this period, the process of biological evolution of humanity took place, ending approximately 40 thousand years ago, leading to the emergence of a new biological species – Homo sapiens. Also, this era was marked by the formation of the main races of people;

- development of communication skills and thinking: During the period of the primitive era, there was an active development of intelligence and the expansion of human language skills;
- the settlement of people around the world and their settlement on different continents were important events of this period;
- there was a transition from a way of life, which included hunting and gathering, to forms of management, including agriculture and cattle breeding;
- the process of formation of social structures began with the clan organization and gradually moved to the tribal structure;
- the first religious and worldview concepts and systems of mythology appeared during this period [1].

Therefore, these phenomena became a kind of guideposts in outlining the key aspects of the evolution of humanity in its early stages of history.

At the same time, the primitive individual, whose culture reflected all aspects of his surrounding world, had a relatively fixed way of perceiving cultural traditions and chronology. The model of life was almost unchanged and absolute, passing from generation to generation with minimal deviations. However, over time certain changes began to occur in that area, in particular, how children interacted with adults. The situation evolved, with the memorization and transfer of instructions, physical punishments, which the mentors applied, began to be introduced.

Social differentiation and conflict reinforced the process of education, and physical punishment came to be seen as a necessary measure. Gradually, a collective practice of education and training emerged, which led to the creation of special «Youth Houses» for children and teenagers. Similar institutions existed in various cultures, including African tribes in New Guinea, the Aztecs and Mayas in America, the Maori in New Zealand, and others. In fact, these were the ancestors of modern educational institutions, designed for the training of citizens, the transfer of skills, knowledge and cultural rituals [2].

Continuing the study of the historical development of education as a paradigm and constitutional law, it is important to pay attention to the ancient period of the history of education, with a focus on the experience of Greece and Rome. The era of antiquity (800 BC e. – 600 CE) became famous not only for the development of great civilizations, but also for the birth of key ideas and practices that have a significant impact on the further development of education.

Thus, during the ancient period, views on the right to education differed from the previous historical period. In this context, it should be noted such prominent philosophers and ancient

jurists as Aristotle, Democritus, Plato, Seneca, Socrates, Ulpian, Cicero and others who developed value concepts that were of great importance for understanding the right to education in the ancient period. Therefore, for a deeper understanding of the educational paradigm and the evolution of educational ideas in the ancient period, it is useful to consider the foundations of their scientific views.

It should also be emphasized that despite the absence of the terms «education» and «right to education» in the writings of ancient philosophers, they contributed to the formation of the foundation of natural legal understanding, laid the foundations for realizing the need to study social phenomena and actively influence them. They discovered the importance of acquiring certain knowledge and continuous self-development.

The pro-democratic ideas set forth in the work of Democritus (460 BC e. – 370 BC e.) encompass ideas that differ from traditional ones. Democritus expressed doubts about religious and mythological explanations of law, believing that law has a natural development. In particular, the philosopher developed a natural-law approach, protecting the interests of the individual before the interests of society. He emphasized that individuals have needs, which in turn determine the accumulation and transfer of knowledge, the development of ideas and science, and even the formation of society. Democritus expressed the idea of «needs as heads in everything» [3].

Thus, the analysis of Democritus' scientific views emphasizes the importance of upbringing and education, which he considered as an important factor in personality development. He believed that education carried out in accordance with natural laws «rebuilds a person, creating a second nature for him».

Socrates (469 BC e. – 399 BC e.) was one of the most famous philosophers and educators of the Hellenistic period. In addition to the relationship between law and freedom, the rationalist approach in interpreting the role and essence of knowledge in the life of society was key in Socrates' scientific views. According to Socrates, the level of knowledge determined the degree of involvement of a person in the divine ideal and determined his justice in society. He argued that those who have knowledge of the laws related to human behavior perform righteous actions. This approach is clearly reflected in one of his sayings: «He who knows the decrees of the law, which concern people, does just things. He who does just things is just» [4].

Socrates' successor, his student Plato (427 BC e. – 347 BC e.), developed a utopian view of education in his concept of an ideal state. Plato believed that in an ideal state there are four important virtues – wisdom, courage, prudence and justice. According to the philosopher, it is wisdom that is synonymous

with knowledge. Therefore, for Plato, education and training were the most effective means of achieving ideological good. He believed in diverse education, which meant identifying the innate talents of different people and developing those talents as much as possible. In his ideal state, some people would be warriors, others would be craftsmen, and the most intelligent would be future rulers. The pinnacle of human achievement is the ruler's mentality, equipped with knowledge of art, history, philosophy, and mathematics. However, education should be imparted to all at an early stage without any discrimination. Plato never claimed that the education system was tailored to those who wanted to become the rulers of an ideal state, and this particular aspect caused widespread criticism [5].

Aristotle (384 BC e. – 322 BC e.), like Socrates and Plato, emphasized the importance of creating a personality that would be harmoniously developed. It should be emphasized that education according to Aristotle was centered around the education of virtue, the development of practical skills and the pursuit of knowledge. The philosopher believed that education should be purposeful and aimed at realizing the inner potential of the individual.

Aristotle advocated individual learning, recognizing the unique characteristics of each student. And for the philosopher, teachers played the role of guides and facilitators, contributing to the development of critical thinking and intellectual curiosity in students. Finally, the philosopher emphasized the importance of humanitarian education, which would give people a comprehensive understanding of the world and equip them with the necessary skills for reasoned discourse [6].

At the same time, while studying Aristotle's philosophical views, the philosopher's characterization of the state-wide nature of education, which meant that education is a state matter, regardless of the country's system, is valuable, in our opinion. For him, education was a means of maintaining stability in society and preventing state unrest. The philosopher also proposed an age periodization of education, paying attention to the nature of the child's development. His approach was to take into account the child's age during upbringing and education, which is quite moderate and resembles the modern education system.

The ancient approach to the development and approval of ideas regarding the right to education gained its popularity also in the writings of ancient Roman jurists-philosophers. Thus, ancient philosophers such as Democritus, Socrates, Plato, Aristotle, Marcus Tullius Cicero, and Lucius Annaeus Seneca had a significant impact on the development and understanding of education in the ancient world. There were several common features in their philosophical and legal concepts that determined their attitude to education:

- *Natural law approach:* Philosophers of antiquity believed in the existence of natural laws that determined the rights and duties of a person. They believed that education is an important factor in the development of these natural rights.

- *The role of knowledge and morality:* Ancient philosophers emphasized the importance of knowledge and morality for the development of the individual and society. They believed that education contributes to the formation of moral values and mental development.

- *Education for citizenship:* Philosophers of antiquity saw education as a means of forming responsible citizens capable of serving the state and contributing to its prosperity. They considered education as an important element of civic education.

- *Natural need for education:* Ancient philosophers believed that people have a natural need for education and self-improvement. They saw this process as a way to understand themselves and the world.

Thus, the foundations of ancient philosophy in the development and establishment of education as a paradigm and the right to education emphasized the importance of natural laws, knowledge, morality and citizenship. Their ideas became the foundation for further developed concepts of education and remain relevant and improved in the modern world.

II stage: The days of the Middle Ages. The Middle Ages is a long period of history that spans more than twelve centuries. In science, this period has been divided into three main periods: from 5th to 11th centuries, from 11th to 14th centuries and from 14th to 16th centuries, which is also known as the *Renaissance*.

Unlike the Primitive stage of development, where general cultural and social human skills were formed, as well as the period of Antiquity, when education developed and evolved under the influence of various philosophical currents, the period of the Middle Ages was significantly different.

During the Middle Ages, education and the right to it were influenced by social, religious and political changes. The influence of Christianity, which gave preference to a person who is purposefully concerned about the salvation of his soul and inner self-development, in contrast to the ancient ideal of physical strength and external beauty, the role of monasteries in the preservation and dissemination of knowledge, as well as the feudal system of organization of society became key factors that determined the character education and the right to it during this period.

An important moment in the popularization of education in medieval society was the reign of Emperor Charlemagne at the end of the 8th century. The emperor, in particular, issued the «Capitulary on Education», which provided for the opening of schools

at monasteries and expressed the idea of compulsory education for free male schoolchildren [7].

Let us emphasize that three levels of educational institutions can be distinguished in medieval Europe:

- *the first level of schools* existed at churches and monasteries and provided for the provision of basic knowledge to those who wished to devote their lives to the service of God. Here the students studied the Latin language used for worship, prayers and the order of worship;

- *the second level of schools* most often developed near episcopal residences and provided the opportunity to study the seven «liberal sciences»: grammar and rhetoric, arithmetic and geometry, and dialectics;

- *higher level of schools*. Starting from the 11th century, higher educational institutions appeared in Europe, which later received the name of universities (from the Latin «universitas», which means «community»). This name arose because early universities were communities that united teachers and students (students called the university «alma mater», which translates as «loving mother»). These associations had their own rules of conduct, structure and sought independence from the authorities of the city where they were located [8].

As B. Yerasov and T. Tyshchenko rightly note, the development of the system of knowledge in the early Middle Ages was based on the works of four outstanding educators of that time, namely Marcian Capella, Boethius, Cassiodorus and Isidore. So, in the 5th century, Marcian Capella compiled a treatise called «De nuptiis Philologiae et Mercurii», which in translation from Latin is interpreted as «The Marriage of Philology and Mercury», which became an important guide for the study of all branches of science that took place in those the times Boethius (480–524) created one of the most complete commentaries on the works of Plato and Aristotle in the history of the Middle Ages. Cassiodorus (487–580) wrote a treatise on «Introduction to the Study of the Divine and Secular Sciences», where he explored the goals and content of studying the «seven liberal sciences». Isidore (approx. 560–570 – 636) authored «Etymology», an encyclopedic work that brought together all the knowledge that was worth studying at that time. His work included medicine, laws and chronology, the Bible, heavenly and earthly hierarchy, etymology, as well as a large number of other topics, including people, animals, geography and many others [9].

Stage III: The Age of Enlightenment - XVII-XVIII centuries. This stage is an important period in history when ideas of reason, science and education began to dominate traditional religious and feudal views. Famous representatives of the Age of Enlightenment, such as John Locke,

Jean-Jacques Rousseau, Voltaire, Denis Diderot, Claude Helvetius and others, made an invaluable contribution to the development of the theory of human rights and freedoms. Their ideas essentially created the concept of natural law and human rights as we understand them today. At the same time, the term «human rights» was first widely used during the Great French Revolution at the end of the 18th century.

Thus, the Age of Enlightenment introduced a new vision of freedom that overcame the Christian ideas of duty to God and at the same time rejected the European absolutization of deism. Immanuel Kant points out the importance of the individual dignity of a person and emphasizes that a person who is higher than a machine and has his own dignity is useful to society. For Kant, freedom becomes an indispensable condition for the «public» use of reason, which involves the enlightenment of the masses and their ability to think independently. Kant's concept, which emphasizes freedom as the natural right of man to make choices to achieve his life goals, is close to the views of John Locke. Locke also believed that reason is a key condition for the realization of natural freedom and the preservation of human life and liberty. However, the mechanistic approach to the knowledge of the human essence did not take into account the possibility of inner freedom [10].

The work of the French philosopher-materialist Claude Adrian Helvetius «De l'homme, de ses facultés intellectuelles et de son éducation» is notable in the field of education development during the Age of Enlightenment, which translated from French means «Work on the individual, his intellectual abilities and education», which emphasizes the idea of a natural potential for learning. The philosopher claims that from birth, a child is surrounded by opportunities for learning, and this process begins almost immediately. According to the philosophical teachings of Helvetius, the success of society depends on the laws that its citizens adopt and on the quality of the education they receive. The basis for personality development, according to the philosopher, was education, which determined intelligence, creativity and other features of human behavior. He emphasized that changes in laws and improvements in education are key paths to achieving overall success. Claude Adrian Helvetius also shared the view of J.-Zh. Rousseau on the need for social education, as opposed to private education. He emphasized the importance of schooling and recognized the benefits of schooling. Helvetius emphasized the fact that teachers should be educated people, and supported the idea of introducing schools as a means of ensuring quality education [11].

Thus, the development of educational thought during the Age of Enlightenment (XVII-XVIII) was

a period when the emphasis was on reason, logic, and rationalism as key aspects of education. This era was marked by an intellectual revolution and changes in approaches to education and upbringing. The main conclusions regarding the development of education during the Enlightenment period include the recognition of education as a means of increasing the culture and intelligence of society, improving the quality of people's lives, and fighting ignorance and religious dogmatism. Representatives of the Age of Enlightenment, such as John Locke, Jean-Jacques Rousseau, Immanuel Kant, etc., expressed the importance of human rights, including the right to education. During this period, education became more accessible and widespread, emphasis was placed on the formation of critical thinking and the development of rational abilities. Thus, the Age of Enlightenment played a significant role in the development of education, contributing to changes in worldview and approaches to learning.

IV stage: The period of industrial revolution and modernization (middle of the 19th century – middle of the 20th century). The period of industrial revolution and modernization is a period of significant transformations in world history. It began approximately in the middle of the 19th century and lasted until the middle of the 20th century, when significant changes in many spheres of society gained momentum. This period was marked by industrialization, the growth of cities and mass migration of the population to large urban centers. An important part of this stage was intensive modernization, which included changes in technology, economy, politics and culture.

Education played a key role in this period, because the development of industry and technology required new knowledge and skills from the population. Pedagogical approaches and education systems have evolved, and the role of education in society has become more significant. In this context, we will consider important aspects of the development of education at the IV stage of historical development proposed by us and its impact on the social and cultural changes of this time.

As T. Kolyada rightly observes, industrial transformation and agrarian reform significantly changed the class composition of English society. Despite the active modernization and development of society, the church still held a significant influence on education. However, at the beginning of the 19th century, the government of Great Britain first paid attention to the issue of education for workers and began to look for ways to regulate it. In particular, W. Pitt, the head of the Tory party, in 1802 passed the first law, which is officially known as «The Health and Morals of Apprentices Act». This act established requirements for employers, which included providing children with sanitary conditions,

providing elementary education (reading, writing, mathematics, religion), limiting the working day to twelve hours, a complete ban on working at night, and providing other benefits.

At the same time, in 1870, under the influence of economic needs and the struggle for universal education, a law related to the basics of primary education (Elementary Education Act) was passed. This law, in particular, introduced the first English state primary education system [12, p. 184].

The period of industrialization and modernization had a significant impact on education systems in many countries. Among the main shifts and trends that characterize this period, we can mention: general access to education; compulsory education; industrial and technical education; the role of women in education; standardization of education; the role of the state in education; mass use of textbooks; the impact of new technologies.

Stage V: Modernity (starting from the middle of the 20th century and up to the present time). In today's world, education is recognized as a basic human right, and many countries are implementing legislation that guarantees access to quality education for all citizens.

Modernity is a period in human history that began in the second half of the 20th century and continues to the present day. It is characterized by global and rapid transformations in all aspects of social life. Among the important components of this period, it is worth highlighting political changes, economic transformations, cultural flourishing, high growth of technologies and modernization of education. The latter is an era of significant advances in science and technology, as well as major societal and global challenges such as environmental conservation, social inequality, and political conflict.

Within the framework of the fifth stage of the historical gradation of the development of education, the following key factors that have contributed to the development of education up to this point and skillfully continue to do so in the future should be named, namely:

- *globalization of legal systems.* Modern education takes into account the need for global knowledge and skills. Global educational programs, the opportunity to study foreign languages and cultures, as well as cooperation between universities and educational institutions from different countries are key aspects of modern education.

- *digital revolution.* The use of information and communication technologies has greatly expanded the possibilities of education. The Internet, computers, online learning programs and mobile applications allow you to acquire knowledge anywhere and at any time.

- *an inclusive approach.* Modern education actively works to create inclusive environments

where people with different needs have the opportunity to receive quality education. Inclusive education helps reduce social exclusion and promotes equal opportunities for all.

– *modification of educational approaches.*

The emergence of modern pedagogical methods, such as active learning, problem-based learning, distance learning and others, contributes to more interactive and attractive learning.

– *collaborationism and strategic planning in education.* Such a factor as the cooperation of educational subjects at this stage acquires a completely new character and meaning in the light of current world events and is integral in the development of strategic plans in the field of education, which are developed in accordance with the needs of modern society and the economy.

At the same time, we emphasize that the concept of scientific and philosophical thought is a defining element of this research, which is aimed at revealing fundamental approaches and assumptions to modern education.

The interdependence of philosophy and education is clear from the fact that the great philosophers of all times were also great educators, and their philosophies are reflected in their educational systems. This interdependence can be better understood by analyzing the application of philosophical principles in the field of education.

It should be noted that the term «philosophy of education» first appeared in the text of an encyclopedia published in the USA during 1911–1913. In 1941, in the same context, the Society for the Philosophy of Education was founded. The field itself began to form in the second half of the 20th century with the aim of analyzing the crisis state of human existence and development in the modern world, as well as the application of basic philosophical principles to the field of education [13, p. 40].

Moving on to revealing the essence of the meaningful content of the term «education», first of all, we will provide an understanding of education through the work of the outstanding American philosopher and educator John Dewey. In particular, the philosopher claimed that education is a social process. According to the philosopher's approach, this process should not be used to prepare for life in the future. Dewey argued that education is life itself, not preparation for it.

J. Dewey argued that education and learning are social and interactive processes, and thus the school itself is a social institution through which social reform can and should occur. Furthermore, he believed that students thrive in an environment where they are allowed to experience and interact with the curriculum, and all students should be able to participate in their

own learning. In particular, the scientist claims that in order for education to be most effective, its content should be presented in such a way that the student can connect information with previous experience, thus deepening the connection with new knowledge. To resolve this dilemma, Dewey advocated an educational structure that balances the imparting of knowledge with consideration of the student's interests and experiences. He notes that "the child and the curriculum are simply two boundaries that define a single process. Just as two points define a straight line, so the child's current perspective and the facts and truths of research define learning." It is because of this reasoning that Dewey became one of the most famous proponents of practical or experiential learning [14].

Paulo Freire (1921–1997), an outstanding Brazilian educator, activist and researcher, is another no less famous representative of the field of philosophy of education.

Central to Paulo Freire's social philosophy is his understanding that repressive dynamics lead to the loss of humanity in both the oppressor and the oppressed. In his book, published in 1968 and entitled «Pedagogy of the Oppressed», Freire calls for a revision of pedagogical methods and teaching practices. For the philosopher, education was important not only in the ability to earn a living through a profession, but also in empowerment and transformation for both the individual and the community. Education is seen as a process that leads to the achievement of social justice.

In particular, the main ideas of Freire can be summarized as follows:

– Education is aimed at humanizing the individual through conscious actions aimed at changing the social order.

– Dialogue is considered as a key pedagogical tool for progressive learning.

– The concept of «seeing, analyzing and acting» is the basis of Freire's methodology, which involves assessing the situation, analysis, determining the root causes of negative phenomena and taking active actions to eliminate them, while observing the principle of social justice is an integral part of this methodology [15].

The era of philosophical study of education in Ukraine has its origins in the second half of the 19th century. During this period, prominent philosophers such as P. Kulish, P. Yurkevich, K. Ushynskiy, Yu. Bachynskiy and others made a significant contribution to the study of the philosophy of education in Ukraine. In particular, the philosophy of education outlined in the thoughts of P. Kulish is extremely valuable and relevant even at the present stage.

In particular, the basis of the concept of P. Kulish's philosophy of education was the

formation of a harmonious personality through a deep understanding and feeling of one's own national culture, which is based on ancient traditions revealed in language, interaction with nature and the process of family education. P. Kulish inspired the cultural elevation of the mind and emotions, as this contributes to the formation of a wise and virtuous personality [16, p. 83].

Conclusions. Thus, the development of modern philosophical and educational discourse is determined by the influence of key trends in philosophy, such as a multifaceted approach to the worldview, methodology and theory of knowledge, an expanded understanding of rationality, the integration of approaches arising from positivism, social anthropology and postmodernism, as well as the application of cultural and hermeneutic methods of analysis, etc.

Therefore, in the process of researching the evolution of education as a constitutional-legal paradigm in the historical context and philosophical discourse, it seems appropriate to outline the following key aspects that contribute to a better understanding of the essence and meaning of this phenomenon.

Firstly, the historical analysis of the development of education indicates a constant change of views and values related to the right to education throughout the ages. From ancient times to modern times, this evolution has been marked by a variety of philosophical, cultural and historical approaches to education.

Secondly, the philosophical discourse significantly influenced the formation of educational paradigms and legal principles. From the ideals of ancient philosophers, who emphasized the role of education in the formation of morality and reason, to modern discussions about accessibility and equality in the educational process, philosophy has played an important role in the development of concepts of education.

Thirdly, the history of education shows that this process has always been closely related to social evolution and cultural change. The transition from primitive forms of education to modern education systems reflects the transformation of society and the role of education in this process.

At the same time, it is important to understand that education is not only a right, but also an important component of social development that reflects the spirit of the times and the needs of modern society.

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