


Margaret Brinig (ed.)

# INTERNATIONAL SURVEY OF FAMILY LAW 2020



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# BRAZIL

## INTUITU PERSONAE ADOPTION IN THE BRAZILIAN LEGAL SYSTEM

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and David ACCIOLY DE CARVALHO\*\*

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### Résumé

Dans le présent article, la faisabilité juridique de l'adoption dite *intuite personae* ou dirigée est examinée, en tenant compte du cadre législatif actuel brésilien ainsi que des arguments favorables et défavorables. La position adoptée en fin d'article vise à encourager les échanges à ce sujet. La discussion s'appuie sur l'analyse d'éléments fondamentaux, tels que la définition de l'adoption elle-même, ses fondements normatifs et la solidarité ainsi que sur d'autres principes intrinsèques au thème, notamment celui dont la primauté est absolue : l'intégrité familiale et l'intérêt supérieur de l'enfant ou de l'adolescent. La recherche est éminemment bibliographique et se termine par une proposition de changement législatif.

### 1. INTRODUCTION

One of the purposes of the law is to protect people in society, and the family – the paramount human social organisation<sup>1</sup> – has long been acknowledged as

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<sup>1</sup> A.J. PEREIRA JÚNIOR, *Poder Familiar Contemporâneo. O dever dos pais, da sociedade e do Estado em face da criança e do adolescente. O Papel do Conselho Tutelar*, Boulesis Editora, 2016, p. 31.