

## ENVIRONMENTAL LAW: INTERCONNECTIVITY AND REFLECTION FROM LÉVINAS<sup>1</sup>

### *DIREITO AMBIENTAL: INTERCONECTIVIDADE E REFLEXÃO A PARTIR DE LÉVINAS*

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**Carla Bertoncini\***

\* Universidade Estadual do Norte do Paraná (UENP),  
Centro de Ciências Sociais Aplicadas, Faculdade de Direito, Jacarezinho/PR, Brazil  
Lattes: <http://lattes.cnpq.br/8287398590266450>  
Orcid: <https://orcid.org/0000-0002-4116-2431>  
[carla.bertoncini@uenp.edu.br](mailto:carla.bertoncini@uenp.edu.br)

**Bruna Guesso Scarmagnan Pavelski\*\***

\*\* Universidad Pública de Navarra (UPNA), Navarra, Spain  
Lattes: <http://lattes.cnpq.br/9701756143903023>  
Orcid: <https://orcid.org/0000-0002-1881-3961>  
[bruna.guesso@gmail.com](mailto:bruna.guesso@gmail.com)

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#### **Abstract**

From the perspective of environmental law, this article has the general objective of highlighting the increasingly prevalent environmental issues that arise as a result of the non-compliance with Brazilian constitutional provisions, as well as international protective measures. The study aimed to analyze how the Brazilian legal system has addressed and provided protection to the environment from the standpoint of the alterity principle proposed by Lévinas, considering the importance of viewing the environment as a transgenerational resource. Additionally, it seeks to examine the need

#### **Resumo**

*O objetivo geral deste artigo, a partir de uma perspectiva do direito ambiental, é destacar os problemas ambientais cada vez mais presentes no Brasil, que surgem como consequência do descumprimento das disposições constitucionais brasileiras e dos instrumentos internacionais de proteção. O propósito da pesquisa foi examinar como o sistema legal brasileiro tem tratado e assegurado a proteção do meio ambiente a partir da perspectiva do princípio da alteridade proposto por Lévinas, no qual se considera fundamental a importância do reconhecimento do meio ambiente como um recurso transgeracional.*

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to reflect on the care of “our common home”, as prescribed by *Laudato Si*, the encyclical letter of Pope Francis. To achieve this, a review of bibliographic research and legislation was conducted, using a hypothetical-deductive approach. As a result, it conclusively demonstrates the urgent need to practice alterity. Without a doubt, the conclusion is reached that the current capitalist system must be directly confronted, as, due to the culture of selfishness and a lack of responsibility, it is already possible to observe the beginning of the scarcity of natural resources that are essential for life, especially human life.

**Keywords:** otherness; ecologically balanced; Lévinas; environment.

*Além disso, pretende-se examinar a reflexão imperativa sobre a preservação de “nossa casa comum”, conforme estabelecido pela Laudato Si, a carta encíclica do Papa Francisco. Para alcançar esse objetivo, foi realizada uma revisão da pesquisa bibliográfica e da legislação, aplicando a abordagem do método hipotético-dedutivo. Como resultado, a necessidade urgente de colocar a alteridade em prática é demonstrada de maneira conclusiva. Não há dúvidas de que se pode inferir que o atual sistema capitalista deve ser confrontado diretamente, pois, diante da cultura do egoísmo e da falta de responsabilidade, já é possível observar o início da escassez dos recursos naturais indispensáveis à vida, especialmente à vida humana.*

**Palavras-chave:** alteridade; ecologicamente equilibrado; Lévinas; meio ambiente.

## Introduction

The Brazilian legal system enshrined the right to an ecologically balanced environment as a fundamental right in its most recent Constitution. In recent years, environmental concerns have gained increasing worldwide prominence, as global warming is the most evident result of continuous aggression against the environment.

The Brazilian Constitution, in Art. 225 clearly establishes that the defense and preservation of the environment are the responsibility of everyone, including both the State and the community. Furthermore, this obligation must be oriented toward present and future generations. The legislator intended to make society aware that today’s actions will directly impact the future. This is because, in most cases, the negative consequences of misuse of the environment rarely manifest themselves immediately, with few exceptions.

An example of the late consequences of poor use of the environment is global warming, as many of the effects that are currently occurring are the result of years of gas emissions without adequate control. On the other hand, there are situations in which nature responds immediately to aggression, as in the case of the collapse of the Vale mining company’s dam caused by mineral extraction in

a compromised location. This disaster caused the displacement of hundreds of families and resulted in a large number of fatalities.

The crucial issue is the urgent need to stop the environmental damage that is being continually committed. Otherwise, humanity will face a scarcity of resources and even more extreme climate change, increasing the incidence of environmental disasters, such as cyclones, earthquakes, tsunamis, and others.

This study highlights the increasingly evident environmental problems that arise precisely because of disrespect for this constitutional right.

Brazil, which has already hosted global environmental events such as ECO-92, is facing one of the worst moments in its history, with deforestation and fires growing frighteningly. It is essential to consider the attitudes that must be adopted to effectively ensure full compliance with environmental legislation.

This study reflects on the principle of otherness defended by Emmanuel Lévinas to analyze the current Brazilian environmental situation. This principle deals precisely with the importance of thinking about others because when nature is preserved, “the Other” is prevented from suffering since natural resources are indispensable for human survival. What we seek to question is to what extent society will remain inert in the face of the devastation that occurs daily, which compromises not only its current quality of life but, more importantly, can put the survival of humanity at risk since the Earth is the only planet known so far to be suitable for human habitation.

From this perspective, this article aims to demonstrate the importance of applying the principle of otherness in fulfilling the right to an ecologically balanced environment. This becomes evident when highlighting the urgency of this approach given the environmental situation faced by Brazil.

Thus, the hypothetical-deductive method was used through a bibliographical review that included searching for scientific articles related to this topic and consulting the Federal Constitution and other relevant sources.

## **1 Ecologically balanced environment as a fundamental right**

The Brazilian Constitution of 1988 was concerned with protecting the right to an ecologically balanced environment as a fundamental right, considering that it is essential to enjoy a healthy environment to have full access to the right to life. This is because a healthy environment is essential to guarantee the right to live fully. Thus, the interconnection of fundamental rights stands out since the absence of one automatically affects the viability of exercising the other.

It is important to note that, at a global level, there was already a trend toward environmental preservation since numerous adverse effects were experienced due to the misuse of natural resources, with unfavorable prognoses for the future. This led to the adoption of urgent measures to mitigate environmental consequences.

Regarding the historical development of measures aimed at environmental protection, Gurski, Gonzaga, and Tendolini highlight that (2012, p. 69):

After the end of the Second World War, catastrophes such as major oil spills and the dissemination of these events through the media made the topic of nature fall into public opinion. In 1968, UNESCO (United Nations Educational, Scientific, and Cultural Organization) organized the Biosphere Conference in Paris, symbolizing the awareness of the loss of environmental quality, placing the term environment in place of the one then used, “nature”, to give a broader meaning and to deal with international communal goods such as air, seas and oceans, space, oil pollution, and waste, demonstrating that this topic could be debated not only in the scientific sphere but also in the economic and political spheres. During this period, renowned people from different areas also studied global politics and economics, using mathematical formulas to address the environment and discuss sustainable development [...].

Historically, environmental protection only became relevant after long unrestrained exploitation. With the advent of new technologies, humanity plunged into the race for economic development, extracting natural resources without considering the possible consequences or conducting prior studies. Today, it is striking that, due to this thoughtless attitude, the race to find ways to contain the consequences of global warming is underway, and nature is explicitly responding to the damage done to it over the years.

Despite having suffered repeated aggressions, the environment is essential for the survival of humanity. Nature offers the most diverse energy sources, feeds, and provides the oxygen humans breathe. Unfortunately, in a society driven by unbridled development, it is surprising that a large part of the world’s population has not acted responsibly to preserve nature despite being aware of the finite nature of its resources.

A significant milestone in increasing global awareness of environmental urgency was the Stockholm Conference, as noted by Gurski, Gonzaga, and Tendolini (2012, p. 70):

The Stockholm Conference resulted in the recognition of the environmental problem and the need for action; the Stockholm Declaration (United Nations Declaration on the Human Environment) was created to describe responsibilities and guide future policies relating to the environment supported by the Action Plan for the

Environment composed of 109 recommendations, in addition to being considered a global legal framework.

Given the need to join this global movement and considering Brazil's immense natural wealth, conceiving the environment as a fundamental right was the most appropriate response.

Brazil, as guardian of the Amazon, known as the world's lungs, brought in its Constitution an express provision on environmental protection. Its Art. 225, *caput*, 1988, establishes:

Article 225. Everyone has the right to an ecologically balanced environment, an asset for the people's common use and essential to a healthy quality of life, imposing on the Public Power and the community the duty to defend and preserve it for the present and future generations (BRASIL, 1988).

It is clear from the provision mentioned above that the Constitution imposes the duty of defense and preservation on the Public Power and society as a whole. Even more intriguing is that the article mentioned above highlights that environmental protection should not be limited to the current generation but must last for generations to come, ensuring its effectiveness over time.

As Bôas and Werkema (2018, p. 26) state:

The normative and political force of the Constitution reinforces the guarantee and need to safeguard fundamental rights and proportionality and, therefore, takes on a particular dimension. Its application is a constitutional requirement for the protection of fundamental rights, so much so that much more than a simple technique or method, it reveals itself as a true principle.

The term "environmental protection" does not just refer to negative attitudes, such as not burning or not throwing garbage on the ground, but covers a complex set of duties, as the results of actions against or in favor of the environment will not be immediate. Therefore, this defense must be carried out to ensure that future generations have an environment capable of providing adequate living conditions, as today's actions or omissions will significantly impact future generations.

To detail this mandate established by the Constitution, the National Environmental Policy, per Law no. 6,938/1981, regulates the legal treatment of the environment on Brazilian soil. This law lists its objectives in Art. 2 (BRASIL, 1981).

The Brazilian legislator's effort to incorporate the relevance of the environment into regulations should be highlighted, recognizing it as a public good that must be ensured and protected. It is worth noting that the National Environmental

Policy is just one of several norms that regulate the legal treatment given to the environment in Brazil, given its immense importance.

## 2 The principles that govern Environmental Law

It is worth noting that, like all legal norms, environmental legislation is based on principles that guide its application and formulation so that it can successfully fulfill its objective.

The principles that underpin environmental law aim to address possible gaps in positive regulations and guide their application, as the environment is one of humanity's most invaluable resources.

Many principles guide environmental law, but it is essential to list the main ones here, which, according to Art. 2 of Decree No. 5,098 of June 3, 2004, are:

Art. 2. The guiding principles of P2R2 are those recognized as general principles of Brazilian environmental law, such as:

- I – the principle of information;
- II – the principle of participation;
- III – the principle of prevention;
- IV – the principle of precaution;
- V – the principle of reparation; and
- VI – the principle of polluter pays (BRASIL, 2004).

Regarding the principle of information, Rodrigues (2018, p. 279) adds:

Indeed, society's participation in implementing public environmental protection policies can only be successfully achieved if the population has broad access to effective information on everything that concerns the environment. Although the right to environmental information is linked to the idea of a means or instrument, it can also be an end. It is essential to clarify that the right to environmental information can end in itself. We all have the fundamental right to know everything about environmental goods essential to a healthy quality of life. Thus, for example, the population has the right to have accurate information about the environmental harm a product causes in nature, the biggest polluters and degraders of Brazilian forests, properties that do not connect to the sewage network in cities, etc. This information can be obtained to implement an action, such as a representation to the Public Prosecutor's Office, a notification, etc., or it can simply be an end in itself.

Considering that, as already mentioned, the defense of the environment is not only an obligation of the State, but of society as a whole, the principle of information is fundamental for this right to be respected. The principle of information is fundamental to ensure this right can be respected. Building a balanced environment is a collective task affecting all layers of society, and disseminating

environmental information is necessary to achieve this objective.

In line with information, there is the principle of participation, which stands out because preserving the environment is not limited to not doing things but involves the participation of public administration and society in general.

It is, therefore, a principle committed to constructing a genuinely democratic society. Through it, civil society must act actively, in parallel to the State, to define the directions to be taken in environmental policy (RODRIGUES, 2018).

This principle has a constitutional character since the *caput* of Art. 225 explicitly states that environmental protection must be a shared responsibility between the Public Power and the community, which consolidates the idea of democracy mentioned previously (MARSILLAC, 2020).

Regarding the principle of prevention, “[...] once it is known that a given activity presents risks of damage to the environment, such activity cannot be carried out; precisely because, if any environmental damage occurs, its repair is practically impossible” (RODRIGUES, 2018, p. 295).

As its name suggests, the principle of precaution is based on an existing known risk, supported by previous studies that demonstrate the potential impossibility of carrying out specific actions without causing irreparable environmental damage. This principle is fundamental, as its observance prevents environmental tragedies since the necessary information is already available, and there is no point in claiming a lack of knowledge.

Regarding the principle of precaution, it is essential to differentiate it from the prevention principle of prevention, as, although they have similarities, they do not apply to the exact situations. While the principle of prevention deals with known risk, the principle of precaution is the opposite. It precisely occurs when it is impossible to identify whether a particular activity may generate risk, i.e., when there is not enough information to provide certainty about an action aimed at the environment.

In the words of Minassa (2018, p. 178-179):

Precaution is based on the existence of a risk of serious or irreversible damage that a specific activity may cause to the environment. Risk, by nature, does not consist of elements that give it precision or certainty of occurrence. For this reason, it is said that to take a risky action, scientific knowledge must be sought as much as possible to prove that it is not just any risk but, above all, an imminent danger.

To date, the principles mentioned above are markedly preventive, as their application occurs before environmental damage materializes. However, despite the existence of numerous regulations aimed at environmental protection, it is not

always possible to avoid damage. Therefore, the need for the principle of polluter pays, or the principle of reparation, arises, as those who have caused environmental damage should not go unpunished. As Arruda (2014, p. 100) adds:

The principle of reparation, or the polluter pays, expressly appears from the constitutional text in the wording of § 3 of the Art. 225 mentioned above: *Conduct and activities considered harmful to the environment will subject offenders, whether individuals or legal entities, to criminal and administrative sanctions, regardless of the obligation to repair the damage caused.*

A practical example of the duty to repair environmental damage is the emblematic case of Brumadinho, in which the mining company Vale was ordered to compensate for the damage caused by the collapse of its dam in Brumadinho, Minas Gerais. This can be verified through an article published on the El País website:

Two years after the tragedy in Brumadinho, a billion-dollar agreement between Vale and the Government of Minas Gerais was finally signed for the mining company to repair the damage caused by the collapse of the dam at the Córrego do Feijão Mine, which killed 270 people and caused an environmental disaster. Among the total number of victims, there are still eleven people missing and the State Fire Department continues the search. According to the Minas Gerais Executive, the agreed value was 37.68 billion BRL, becoming the largest judicial agreement for reparation measures ever made in Latin America. Around 30% of the resources must be invested in Brumadinho (MENDONÇA, 2021).

The importance of the principles that underlie environmental law is notable, as they seek to protect the environment comprehensively and effectively, with the aim of not only preventing but also inhibiting harmful practices that may occur. Despite all environmental legislation, it is evident that we are still far from fully experiencing an ecologically balanced environment. However, what has been achieved so far represents a step towards promoting the preservation of this valuable resource.

### 3 Environmental status in Brazil

Although Brazil has broad legislation aimed at environmental protection, these provisions have not been fully implemented. Undeniably, the country has significant geographic dimensions and diverse biomes, theoretically making absolute control over the environment difficult.

In recent years, however, there has been unfortunate favoritism on the part

of the State toward large-scale exploiters of nature, with few reports of extensive fires and considerable deforestation affecting several regions. Although the Constitution establishes responsibility for environmental protection not only for the government but also for society as a whole, it is notable that when the State adopts a more flexible attitude toward environmental oversight, the consequences are almost immediate.

Regarding policy, a factor that stood out as a driver of environmental crimes observed in Brazil in the last two years was adopting a more “flexible” policy by environmental inspection bodies, including the Ministry of the Environment (SOUSA, 2020).

The Instituto Nacional de Pesquisas Espaciais – INPE (National Institute for Space Research), a federal institute in Brazil, carries out a project that annually surveys the deforestation in the Legal Amazon, as reported on the official website of the Federal Government of Brazil:

The PRODES project carries out satellite monitoring of deforestation through clear-cutting in the Legal Amazon. It has produced, since 1988, annual deforestation rates in the region, which the Brazilian government uses to establish public policies. Annual rates are estimated based on deforestation increments identified in each satellite image covering the Legal Amazon. The first presentation of data is carried out by December of each year in the form of an estimate when approximately 50% of the images covering the Legal Amazon are usually processed. Consolidated data is presented in the first half of the following year (INPE, 2021).

According to official data from the federal government, published on Thursday (18) by INPE, the deforested area in the Amazon between August 2020 and July 2021 was 13,235 km<sup>2</sup> (DANTAS; MANZANO, 2021).

Brazil currently has more advanced technology, which allows satellite monitoring and visualization of deforested areas. However, what is observed is that this technology is not enough to stop the practice. In fact, instead of decreasing, there has been a steady increase in annual logging in the Legal Amazon over the years.

In addition to deforestation, the rate of fires has also increased steadily in Brazil, with annual fires estimated to cover an area equivalent to that of England, according to information from the MapBiomias project:

An unprecedented survey, carried out by the MapBiomias Project after analyzing satellite images between 1985 and 2020, shows the impact of fire on the national territory. In these 36 years, Brazil burned an area larger than England's: 150,957 km<sup>2</sup> per year, or 1.8% of the country. The accumulated result for the period amounts to practically a fifth of the national territory: 1,672,142 km<sup>2</sup>, or 19.6% of Brazil, with 65% of the total burned area being native vegetation. The State of Mato Grosso had the highest occurrence of fires, followed by Pará and Tocantins (A CADA..., 2020).

It is important to note that, in addition to the flexibility demonstrated by the government, another serious problem is with private companies, which do not always act ethically and honestly. They generally seek astronomical monetary gains, regardless of the means employed, which often results in irreparable environmental damage. The mining company Vale, for example, used fraudulent documents to support its mining operations in unsafe locations, as mentioned by Ferreira and Romero (2020, p. 121):

Without a doubt, the collapse of the dam at the Córrego do Feijão Mine in Brumadinho proved the promiscuity relationship established by Vale with its certifiers, especially TÜV SÜD, which led to a fraudulent stability certification. It is necessary to immediately end the self-monitoring of dam safety by auditors chosen and paid by mining companies. It is unacceptable that Vale hired the same company with consultancy contracts to certify its dams' stability.

As it was conceived in many cases, economic development becomes a significant obstacle to achieving the desired ecological balance. It is not impossible to boost the economy and preserve the environment, but the point is that it is not possible to have them all. Sustainable development requires investing, and, in general, no one wants to lose a penny. Exploring without preserving is much cheaper, especially since most people currently exploring will not even be alive to see the long-term damage.

The current environmental devastation reflects an inversion of values, in which material possession has become disproportionately important compared to well-being and being. It can be said that such a problem would be due to a lack of environmental awareness. However, this information is somewhat inaccessible, as there have been many campaigns about the importance of conservation over the years. This topic is featured in mass-circulation newspapers, on social media, and practically everywhere.

If society has the necessary information, effective enforcement in cases of non-compliance with environmental legislation may be the best solution. This requires a more significant commitment from public authorities to ensure compliance with the law per its requirements.

Such thinking, which seems to be an attractive word, still has not been fully understood by a large part of society. If immediate concern for the sustainable exploitation of natural resources is not demonstrated, a situation will arise in which there will be nothing left to explore because natural resources are finite. Furthermore, it is essential to remember that when nature is damaged, not only the soil and vegetation suffer, but also the population's health is directly affected,

as pollution, deforestation, and fires reduce the quality of oxygen.

Preserving the environment is necessary. There can be no quality of life without a balanced environment. The imbalance leads to extreme climate change, environmental tragedies, and a series of problems that are becoming increasingly difficult to solve.

Only the collective perception that the environment is deteriorating to the point of leading to total inhospitality on this planet will lead to appropriate measures being taken. As already mentioned, there is no lack of information available, but perhaps there is a lack of awareness about the seriousness of the problem. If those who should be leading the charge to stop environmental devastation do not demonstrate the necessary flexibility, it will be even harder to expect others to do their part.

#### 4 Lévinas: the principle of otherness in the environment

Environmental protection has a constitutional status in the Brazilian scenario. It is an imposition aimed at the community to project it to future generations. Literally, talking about environmental preservation is a constant exercise in thinking about others because it is others who will feel the positive or negative consequences of actions in favor of the environment in the future.

Lévinas' principle of otherness precisely translates what the legal system seeks in protecting the environment. The Brazilian Constitution, which establishes that it is everyone's duty to take care of the environment for present and future generations, brings the meaning of this principle to the practical world.

It requires considering the ethics of responsibility concerning the "Other". The Other here is in a transgenerational sense.

Lévinas thinks of ethics as an experience that consists of experiencing oneself through the transcendence of the idea of infinity that is the other.

The relationship with the other, transcendence, consists of telling the world to the other [...] The generality of the word establishes a common world. The ethical event, located at the basis of generalization, is the deep intention of language [...]. Language does not externalize a pre-existing representation in me: it puts in common a world that was until now mine [...] The vision of the face is not separated from this offering that is the language. Seeing the face is talking about the world. Transcendence is not an optic but the first ethical gesture (LÉVINAS, 2015, p. 189-190).

Thus, to be “faithful to the logic of otherness, it is necessary to consider the ‘sensitivity of the face’ as an ethical force exercised over someone, i.e., as a moral power that crystallizes in a self”. What he proposes “in this epigraph is to reconstruct, from the perspective of linguistic pragmatics, the ethical plot that is organized based on this expression” (NAVARRO, 2008, p. 180)

In effect, “the ‘sensitivity of the face’ aims to signify the corporeality of the other, but taking into account that, because of its ethical connotations, it breaks the sensibility. In this sense, the ‘face’ is a discourse that will structure the responsibility of the self” (NAVARRO, 2008, p. 184).

It is undoubtedly important to remember that every interaction – good or bad – in the environment leaves its trace.

Lévinas observes that “every sign is a trace. In addition to what the sign means, it is the past of the person who left it. The meaning of the trace doubles the meaning of the signal emitted, given the communication. The sign remains in this trace” (LÉVINAS, 2005, p. 78), in which “The trace is the insertion of space in time, in it the world leans toward a past and a time. This time is a retreat from the Other and, therefore, forms some duration degradation, integral to memory” (LÉVINAS, 2005, p. 79).

In the words of Zanon (2020, p. 79):

Emmanuel Lévinas, within the philosophical field, presents us with a bold and colossal novelty about ethical otherness, care, respect, and responsibility toward others. His proposal highlights an attempt to leave being, breaking with the traditional circle of classical philosophy that does not think about or conceive of the other as a relationship. Otherness is not understood just by my reason. It happens from the other. If ethics starts from ontology, then this ethics is an ethics of power, interest, oppression, and domination. Thus, Western philosophy does not seem to be a philosophy of otherness because it excludes and denies the other in its entirety.

Although practices diametrically opposed to otherness obviously prevail in the Western world, since the promotion of consumerism and selfish thinking does not welcome other people’s thinking, the implementation of this principle is a measure that is necessary to rescue to avoid the extinction of humanity.

Regarding otherness, argue Azevedo *et al.* (2011, p. 48):

Thinking about Otherness and Ethics in Sustainability refers to enabling man to better coexist with his fellow man and nature. Humanity lives in an environment that requires and depends on establishing the Ethics of Otherness to remain healthy and continue providing sustenance to all who need it to survive.

The exercise of otherness is fundamental. It becomes logical because if all

individuals in society understand their interdependence and begin to think about each other, there would automatically be an almost unbreakable chain, a union capable of strengthening human existence. Imagine applying this philosophy fully and effectively to preserving the environment and all aspects of life in society, and you would probably be looking at a future much brighter than the current one. Carrara teaches (2017, p. 16):

Environmental ethics shows that we form a community of life with all other living beings and that life is a chain in which the extinction of some implies the threat or even extinction of others, no longer justifying any form of anthropocentrism that sees nature solely as a means to human ends.

The responsibility the subject assumes concerning the Other and gives it meaning is the political attitude intended and necessary for a new relationship of respect and justice with the Other man and the Other nature (SOUSA; DUTRA, 2011).

Otherness in environmental matters is based precisely on seeing nature as a mere provider of human beings and understanding that it is also part of humanity. The Other described by Lévinas is not limited to people but also translates into the environment in which humans live. As mentioned by Soeiro, Pinheiro and Bautista (2017, p. 261):

The theoretical armor offered by Lévinas, introducing an ethical relationship before and beyond all ontology and epistemology, must be reinforced in Environmental Education, as his way of understanding the world opened a path toward the constitution of history based on an ethical relationship between the Being and the Other.

The environmental situation is critical on Brazilian soil and affects all nations worldwide. Thus, reinforcing care for the environment is an appeal that must be made to everyone. Unfortunately, not all world leaders are committed to reducing environmental damage for economic reasons.

In this sense, Bauman's "liquid modernity" concept applies, which refers to a condition where social structures and institutions become increasingly fluid and unstable. It is characterized by rapid changes, constant uncertainty, and erosion of traditional forms of social organization (BAUMAN, 2003). Although Bauman applied this concept to the analysis of contemporary society, it is also possible to relate it to the environment and concern for future generations in the following ways:

Unsustainable consumption: In the context of liquid modernity, there is an emphasis on individualism, consumerism, and the search for immediate

gratification. This mindset often leads to unsustainable consumption patterns, such as overusing resources, generating excessive waste, and disregarding long-term environmental consequences. The focus on short-term satisfaction can neglect the needs and well-being of future generations (BAUMAN, 2003).

**Fragile environmental commitments:** Liquid modernity is characterized by weakening collective norms, values, and commitments. This can translate into a lack of sustained commitment to protecting and conserving the environment. Environmental concerns and the interests of future generations can easily be displaced or forgotten amid the constant flow of priorities and changing social dynamics (BAUMAN, 2003).

**Uncertain future:** Liquid modernity thrives on uncertainty and unpredictability, which poses significant challenges for environmental planning and sustainable development. Long-term environmental problems like climate change require stable and lasting solutions. However, the fluid nature of liquid modernity often impedes the formulation and implementation of such strategies, making it difficult to effectively meet the needs of future generations (BAUMAN, 2003).

**Disconnecting from nature:** In liquid modernity, there is an increasing distance from natural processes and ecosystems. The rapid pace of technological advances and urbanization has led to a disconnection with the natural world. This disconnection can harm the development of ecological awareness and the sense of responsibility toward the environment and future generations (BAUMAN, 2003).

It is essential to cultivate a sense of collective responsibility, promote sustainable practices, and create long-term visions for environmental protection to face such challenges. This implies a reassessment of the values and norms that underpin so-called “liquid modernity” and a strong emphasis on intergenerational equity as well as the well-being of future generations in decision-making processes.

Emmanuel Lévinas’ philosophy has never been more relevant than in today’s world, with the critical global environmental situation faced. This context further highlights the importance of Pope Francis’ call for action (2015, p. 12) concerning environmental issues:

13. The urgent challenge to protect our common home includes a concern to bring the whole human family together to seek a sustainable and integral development, for we know that things can change. The Creator does not abandon us; he never forsakes his loving plan or repents of having created us. Humanity still has the ability to work together in building our common home. Here I want to recognize, encourage and thank all those striving in countless ways to guarantee the protection of the home which we share. Particular appreciation is owed to those who tirelessly seek to resolve the tragic effects of environmental degradation on the lives of the

world's poorest. Young people demand change. They wonder how anyone can claim to be building a better future without thinking of the environmental crisis and the sufferings of the excluded.

In addition to being urgent, reflection on the environment must be built on an actual handshake, as it is not a problem that a single person can solve; it literally requires the collaboration of everyone. Thinking about others, both in terms of people and other nature, is the only possibility of preserving not only the environment but the general existence of humanity. In the words of Gurski, Gonzaga, and Tendolini (2012, p. 77-78):

The conflict between society and the economy in the face of sustainable development will always occur because its objectives are paradoxical. Human activities, for the most part, are closely related to the environment. Therefore, the real challenge is to conserve the environment by choosing efficient development strategies [...].

Furthermore, establishing connections between “from existence to existence” and environmental concerns is fundamental to environmental protection and future humanity. Lévinas’s emphasis on movement toward the good and transcendence of being can be related to humanity’s relationship with the natural world. The concept of “excendence” can be seen as an invitation to move beyond a limited understanding of the environment and recognize humanity’s interconnectedness with it. Lévinas’s argument that the pursuit of happiness and transcendence is rooted in the self can be applied to recognizing that well-being and fulfillment are closely linked to health and environmental sustainability. In this context, the book *Existence and Existents* encourages overcoming the anthropocentric worldview and adopting a more ethical and responsible relationship with the environment and all living beings (LÉVINAS, 2020).

When there is a genuine concern for “the Other”, efforts must focus not only on achieving economic development, which is also good, but on seeking it intelligently, with strategies that make the environment sufficient for today and tomorrow.

### Final considerations

Despite being widely supported by the Brazilian legal system, the right to an ecologically balanced environment is not yet entirely in force. This leads us to reflect on the extent of the lack of implementation of this right, which is considered fundamental.

In reality, there is no lack of positive regulation, at least in Brazil. However,

it is undeniable that the management of natural resources presents a very complex relationship of interests. This is because resources extracted from nature, in addition to being valuable, also have the potential to generate significant economic benefits. However, it is clear that the considerable controversy is not in avoiding extraction but in doing it consciously and sustainably. In other words, it is necessary to invest in less harmful practices. Ultimately, what we seek is to achieve a balance.

However, the question is: Who is really responsible for such an unfavorable environmental situation in Brazil? The State? The community? Large private companies?

What can be observed is that all the personalities mentioned above have their share of blame, whether due to actions or omissions. The State is becoming increasingly flexible but has not acted vigorously to defend the environment as required. On the other hand, society remains inert because of the blatant destruction that is taking place before their eyes, perhaps because they are not fully aware of it or because it suits them at the moment since they benefit indirectly from the uncontrolled exploitation. As for large companies, which really have a high potential for environmental destruction, it is clear that they irresponsibly act because they do not want to lose a cent; profit is their true north.

Faced with this reality, the principle of otherness defended by Emmanuel Lévinas makes more and more sense today, as human beings are incapable of thinking about others. It is in the future that one will suffer the consequences along with others, and future generations will be penalized for illegal acts concerning the environment.

The need to exercise otherness is to confront the current capitalist system directly because, faced with the culture of selfishness of “having” without responsibility, it is already possible to observe the beginning of the scarcity of natural resources essential to life, i.e., human life.

It is necessary to remember that the environment in which people live has been asking for help for many years. It is not an issue that can be left in the background. If the layers of society do not wake up to the actual complexity of the problem, it will soon be too late.

Therefore, it is necessary to reflect on what values are being passed on to the next generation and, more than that, question what planet humans are leaving for those who will come. In other words, there is an urgent need to think of the environment as a transgenerational and fundamental asset.

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## ABOUT THE AUTHORS

### **Carla Bertoncini**

Ph.D. in Civil Law from the Pontifícia Universidade Católica de São Paulo (PUC-SP), São Paulo/SP, Brazil. Master in Constitutional System of Guarantee of Rights from the Instituição Toledo de Ensino (ITE), Bauru/SP, Brazil. Graduated in Law from ITE. Adjunct professor of the Stricto Sensu Postgraduate Course (Masters/Doctorate) and the Undergraduate Course at the School of Law of the Center for Applied Social Sciences at the Universidade Estadual do Norte do Paraná (UENP), Jacarezinho/PR, Brazil. Professor of Civil Law (Family and Succession Law) at Centro Universitário UNIFIO (UNIFIO), Ourinhos/SP, Brazil. Attorney.

### **Bruna Guesso Scarmagnan Pavelski**

Ph.D. student in Theories of Justice (Justice and Exclusion) at the School of Law of the Center for Applied Social Sciences of the Universidade Estadual do Norte do Paraná (UENP), Jacarezinho/PR, Brazil, in co-supervision with the Universidade Pública de Navarra (UPNA), Navarra, Spain. Master in Law from Centro Universitário Eurípides de Marília – UNIVEM (2018). Graduated in Law from Centro Universitário Eurípides de Marília (UNIVEM), Marília/SP, Brazil. Research professor at UPNA. Attorney.

### **Authors' participation**

Carla Bertoncini actively participated in discussions of the research results. She played a supervisory role, ensuring the quality and direction of work. She validated the results and contributed to data visualization. She reviewed and edited the article, ensuring clarity and cohesion. She played a crucial role in the final review and approval of the article. Bruna Guesso Scarmagnan Pavelski contributed to the conception of the research objectives' ideas, formulation, and evolution. She played a crucial role in data curation, funding acquisition, and research. She contributed significantly to the definition of the methodology used. She was responsible for writing the original version of the article.

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