

# The Extinguishing Democratic State of Law — The Collapse Environment and Society Without “Tomorrow”

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**Abstract:** The main objective of this article is to discuss and examine the rise of neoliberal public policies proposed by the current Brazilian Executive Branch, which favor specific layers aiming at particular and strictly economic interests, threatening in existential plan the life of those who occupy and need the environment through measures inconsistent with the Brazilian jurisdiction of flexibilization of protection policies, in emphasis, the environmental. In this way, the repercussions of these attitudes over time are evident and show themselves to be harmful, not only in the socio-environmental plan but also in the political and regimental structure itself, compromising and putting in jeopardy the directives of the Democratic State of Law in Brazil in the light of the Constitution of the Federative Republic of 1988 and of the international human rights charters to which the country is a signatory. The qualitative methodology will be employed, promoting a complex amount of information in its multiple facets and of the monographic procedure with a bibliographical survey in the fields of Law and Social Sciences. With this, the research brings reflections on the Sustainable Development Goals (SDGs) in the UN’s 2030 Agenda and the rupture of this path with structural reforms that are based on the regression, violation of rights, destruction of ecosystems with the very backing of the State or its omission, signaling the extreme urgency of changes for the sake of a future showing that there cannot be the exercise of citizenship and the affirmation of human rights where there is no democracy, which is based on the harmonization of the will of the majority and, especially, in the protection and respect for minorities, as well as there cannot be a human life without adequacy of the capitalist model in the molds of projects aimed at environmental sustainability. Therefore, having as a foundation the defense of the international and constitutional charters, the Social State, and the foundations of a fair, sustainable and egalitarian society. With this, the present study brings into evidence the current social reality in decline and the negligence in the face of environmental problems in conjunction with the anti-democratic attitudes of a country like Brazil, which is going through a moment of uncertainty and without expectation in the governmental summit itself, which requires reflection and debates for the implementation of public policies with measures to prevent the collapse of biodiversity, of the people and fauna that occupy these spaces and, finally, ensuring sustainable development in a fair way aiming not only at the survival of biosystems and living beings but in cooperation for the progress of mankind within a system that cherishes all forms of life.

**Key words:** environment, democratic state, sustainability, human rights

## 1. Introduction

Given the current Brazilian political scenario, the main objective of this research is to analyze the rise of neoliberal public policies, which violate the political and regimental structure, therefore, the Democratic Rule of Law in Brazil, the Constitution of the Federative Republic of 1988, and the international Human Rights charters.

Therefore, the setback in environmental and social protection policies is evident due to an Executive Power, in particular the Federal, occupied by leadership with an aversion to fundamental rights. In other words, the existence of all forms of life is put at risk in the face of the interests of a small portion of the population, which are untouchable by constitutional precepts with the acquiescence and complicity of the current governing body.

Currently, the position of Head of the Federal Executive Branch of Brazil is occupied by President Jair Bolsonaro, who adopts numerous conservative and

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anti-democratic views, denying the environmental crisis, as well as several problems that the country is going through, in addition to following a policy of negligence, violation of human rights and the myth of progress. In this way, his government is sustained based on his ideals, which are similar to a portion of society, which holds great power.

When discussing environmental law, it is necessary to emphasize that the environment occupies a fragile part and must be protected in its entirety, especially when the State acts arbitrarily and in disrespect of legal norms.

In this way, the text is an invitation to reflection at a time when the myth of progress puts the existence of nature in check. However, this thought is contradictory, as progress and environmental preservation go hand in hand, as they entail countless positive repercussions when the economic model is sustainable, fair, and ecological. Therefore, *“to be sustainable, development must be economically viable, socially fair and environmentally correct”* [1].

However, the main problem is the state’s failure to recognize the basic foundations for a just, sustainable, and egalitarian society. Therefore, all its pillars are compromised with structural ruptures based on the violation of rights, the destruction of ecosystems, and the denial of the urgency of a change for the benefit of future generations.

In line with this, the minister of the Superior Court of Justice of Brazil, Herman Benjamin [2] states: “those who are not able to value and preserve the life of their species will certainly be deaf to the voice of reason that calls for protection of other living beings and ecological bases.”

As a methodology, qualitative will be used, promoting a complex amount of information in its multiple facets and a monograph procedure with a bibliographic survey in the fields of Law and Social Sciences.

That said, the survey brings questions about the Sustainable Development Goals (SDGs) in the UN

2030 Agenda and the defense of international and constitutional charters. Seeking the urgency of reframing and rescuing environmental sustainability in its broader concept. In this sense, Ayala and Rodrigues [3] elucidate:

[...] the principle of sustainability must undergo a redefinition, to offer protection not only to situations that deal with ecological integrity as a means to enable the dignity of human life but to understand the environment, in its totality, as deserving of protection, for the intrinsic value it has.

Accordingly, Castro [4] understands that the redefinition of the concept of sustainable development occurred due to the environmental and social crisis that countries are going through.

Therefore, the importance of guaranteeing the Democratic State of Law, as well as the Socio-environmental State, is also discussed, even in the face of an uncertain period with inconsistent attitudes to national jurisdiction and full of anti-democratic measures that Brazil is going through. Therefore, resistance and debates for the implementation of public policies reveal themselves as the only way to prevent the collapse of biodiversity, people, and fauna.

Finally, as will be developed throughout the article, dialogue with civil society and cooperation for the affirmation of human rights and the progress of humanity, with respect and protection for minorities, as well as in harmony, is essential in a plural democracy. with the will of the majority.

## **2. State and Democracy in Brazil**

Initially, considering the topic to be discussed, it is essential to inquire about the current political regime of the Brazilian State, as well as the meaning of this complex structure, as it plays an essential role in understanding the current context that the country passes.

Thus, at first, it is important to conceptualize democracy, that is, a political regime that establishes the form of government of the State, which

encompasses a series of guarantees and rights, which are normally regulated by a Federal Constitution.

Just as Maria Victoria Benevides [5] understands democracy as a “*political regime based on popular sovereignty and full respect for human rights*”, which encompasses civil liberties, equality, solidarity, alternation, and transparency in power, in addition to other republican ideals.

It is noteworthy that some classical liberalism theorists, such as Alexis de Tocqueville, claim that this political regime is nothing more than the balance between two points that may be contradictory, but which reveal the essence of the democratic principle: equality and freedom, as well as the individual and society.

Going deeper, sociologist Florestan Fernandes [6] reflects that democracy is not merely a political organization, but a form of social organization, in which this would be a lifestyle intrinsic to the numerous spheres within society.

Thus, following the concept presented, it is relevant to bring to the debate the distinction of two types of democracy. The first of these being plural democracy, which consists of joint governance between the people and civil society, that is, the famous and acclaimed idea of a plurality of voices. And finally, authoritarian democracy, which entails a process of de-democratization.

It is worth mentioning that despite the intention to delimit the research as already presented, it is important to mention that there is a discussion about democracy being considered a limited regime. In other words, this model is not able to prevent the individualism of a portion from overcoming the interests of the community, which does not require examples when the current reality is full of inequalities and full of social injustices. Furthermore, there are numerous criticisms involving the capitalist system and the word balance.

However, this article assumes that the Original Constituent Power, elaborating the Federal

Constitution of 1988, provided in its first articles as a foundation the rule of law, social participation, representation, and democracy. The latter being based on pillars similar to those of the French Revolution (equality, liberty, and fraternity) [7], this period, according to Paulo Bonavides [8], that “*from the liberal principle comes the democratic principle. From the government of one class to the government of all classes*”. Certainly, each motto of this dividing mark between the Modern and Contemporary Age represents a form of the foundation of the Rule of Law, linked to the fundamental rights of generation, which are essential values within a Social Constitution.

Furthermore, article 170 of the Federal Constitution itself harmonizes the economic order and democracy itself, bringing dignity, social justice, and other points, which clarifies that economic relations have a close link with the construction of the rule of law legitimated in a way democratic.

Therefore, the basis for understanding the Democratic Rule of Law is to understand that all its actions are linked and bound to the law, in which it can only act if there is a legal provision for it, under penalty of violating the principle of strict legality. Therefore, it is a protection of individuals against the enormous power that the State has, as it prevents it from acting arbitrarily in front of its people.

In short, a parameter to understand, at which point, plural or authoritarian, the political regime is, is observing how much the State respects the Major Law, therefore, an excellent way is the analysis of management marks arising from the government.

Hence, when the country’s governing body threatens the lives of those who live there and neglect the norms that structure society, it is an alarm. It can even lead to a process of de-democratization, in which, unlike plural democracy, does not make room for the right to resistance and struggle.

### **3. Brazilian Environmental Legislation and Human Rights Charts**

Moving on to the analysis of national environmental legislation, it can be divided into three phases, in a basic way: the first, without environmental laws and unbridled exploitation; the second, fragmentary with the advent of the Forest Codes of 1934 and 1965; and finally, the holistic phase, with environmental preservation, ensured and disciplined in the New Forest Code (Law Nº. 12,651/12, also known as the Native Vegetation Protection Law).

In addition to specific legislation, the Federal Constitution of Brazil itself addresses the environment in its chapter VI, which contains the following article:

Article 225: Everyone has the right to an ecologically balanced environment, a good for common use by the people and essential to a healthy quality of life, imposing on the Public Power and the community the duty to defend and preserve it for present and future generations [9].

Thus, through an integrative interpretation, it is revealed that, in addition to the Magna Carta providing for the Democratic Rule of Law and the economic order, it also provides for a Rule of Social and Environmental Law, in which the State is responsible for defending the environmental integrity together to ensure the quality of life and sustainability, just as society itself is a transforming agent of the environment.

As well, analyzes Eros Grau (2010, p. 256):

The principle of protecting the environment shapes the economic order (world of being), substantially informing the principles of guaranteeing development and full employment. In addition to being an objective in itself, it is a necessary – and indispensable – instrument for achieving the end of this order, that of ensuring a dignified existence for all. It also nourishes the dictates of social justice. Everyone has the right to an ecologically balanced environment, a good for common use by the people – says art. 225, caput.

Whatsmore, the environment is “a set of physical, chemical, biological systems and their relationships, and economic, social and cultural factors with a direct or indirect, mediate or immediate effect, on living

beings and man’s quality of life” [10]. Therefore, for the effective constitution of a Socio-environmental Rule of Law, the legal instruments need to undergo adaptations so that they encompass the environment in its plurality with the application of the principles of precaution, prevention, and, last but not least, integral reparation.

In this way, environmental preservation also comprises the very dignity of living beings, and it is not possible to disassociate the well-being of individuals with an ecologically preserved environment, which is why it must be protected. As well said by Sarlet [11]: “today also the rights of solidarity, as is the case especially of the right to live in a healthy, balanced and safe environment, began to shape its content, expanding its scope of protection”.

Furthermore, the Constitution of the Federative Republic of 1988 makes internal norms compatible with human rights treaties, abandoning the myth of self-sufficiency, in which the Powers (Executive, Legislative, and Judiciary) were seen as totally independent and isolated from the global legal order.

In this perspective, the international system acts as a brake on unbridled and arbitrary power, in which it is no longer acceptable to use as a pretext the supremacy of the state’s will to the detriment of the dignity of the human person.

According to the United Nations (UN), Human Rights are basically “universal legal guarantees that protect individuals and groups against actions or omissions of governments that violate human dignity”. In this way, when they are signed in the constitutional charters of the countries, they become fundamental rights.

Thus, Karel Vasak in the year 1979 creates a classification of generations of rights<sup>1</sup>, merely didactic, in which the fundamental rights are classified into three categories, termed both as “dimensions” and

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<sup>1</sup> Vasak’s generational theory divides human rights into first-generation (freedom), second-generation (equality), and third-generation (fraternity).

“generations”. The environment enters the third dimension of these rights.

With this, the Universal Declaration of Human Rights of 1948 does not discipline the environment but declares that “every human being has the right to life”, thus, it can be extracted that the environment is essential for human life, which without this it is not possible to think about life, therefore, this idea would be the basis for the environment to be recognized as a right in a few years.

That said, over time, the debate on the preservation of the environment to be a fundamental part of social development. Therefore, in 1972, the historic milestone responsible for the so-called Environmental Law was considered a fundamental right, in which the Stockholm Declaration was signed<sup>2</sup> and the United Nations Environment Program (UNEP) developed at the United Nations Conference on the Human Environment.

The Stockholm Declaration (UN, 1972) states in its 1st Principle:

Man has the fundamental right to freedom, equality, and the enjoyment of adequate living conditions in a quality environment that allows him to lead a dignified life and enjoy well-being, having the solemn obligation to protect and improve the environment for present and future generations. In this regard, policies that promote or perpetuate apartheid, racial segregation, discrimination, colonial oppression, and other forms of oppression and foreign domination are condemned and must be eliminated.

Given this, there is a maturing of the global collective consciousness, in which nature is a common good and guarantees sustainable development, that is, “the ability of societies to meet the needs of the present without compromising the possibility of future generations to meet their own needs” [12]. Therefore,

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<sup>2</sup> Being considered the beginning of the debate and dialogue on environmental issues, since it brought together numerous countries to adopt measures to preserve the environment, given the environmental degradation caused by man, in which he is responsible for the serious risks and threats that humanity faces.

this concept is created in the Brundtland Report of the World Commission on Environment and Development (also called the “Our Common Future” report).

It is noteworthy that the concept of sustainable development involves criticism, as it is thought of during a capitalist system within the limits of the United Nations with a dominant Western vision and an anthropocentric approach. In this context, in Brazil this criticism is highlighted, especially when observing the non-effective inclusion of native peoples within this concept, as Ayala and Rodrigues [3] criticize:

[...] about the Brazilian legal-constitutional system, even considering a principle of sustainability [...] it is understood that the resulting levels of environmental protection are insufficient, as they are incapable of contemplating the protection of life in general, and culturally diverse minorities such as indigenous peoples.

Given the above, it is clear that Environmental Law does not deny the current political and economic model, but ensures that the environment is protected even in an exploratory system, demonstrating that one does not exclude the other, because in the end, for development to exist, they need to all forms of life are respected. Likewise, the Stockholm Declaration itself [13] in its preamble says:

Man is at the same time the work and builder of the environment that surrounds him, which gives him material support and offers him the opportunity to develop intellectually, morally, socially, and spiritually. In the long and tortuous evolution of the human race on this planet, a stage has been reached in which, thanks to the rapid acceleration of science and technology, man has acquired the power to transform, in countless ways and on an unprecedented scale, everything that about. The two aspects of the human environment, the natural and the artificial, are essential for the well-being of man and for the enjoyment of fundamental human rights, including the right to life itself.

In conclusion, both domestic and international environmental legislation prescribes the protection of the environment as an essential basis for well-being, human health, solidarity, respect for all forms of life,

social and economic development, and especially for the survival of an eventual future.

#### **4. Social Environmental Setbacks and Public Policies That Infringe Rights**

As previously mentioned, the integrality of the environment is extremely important, being this responsible for global vitality. However, in a State full of neoliberal public policies and flexibilization of fundamental rights with the sole purpose of privileging a portion, there is no doubt that these measures collide with all the dictates of the constitutional and human rights charters, in which the current panorama of Brazil.

It is evident that the Federal Constitution itself establishes essential and guiding principles for the Democratic State of Law, and this legal diploma itself gives normative force to the principles.

Therefore, it is important to highlight the principle of social non-regression, also known as the *cliquet* effect, which provides for the impossibility of reducing the rights achieved and provided for in the rules of the legal system, ensuring the progressive application of social rights.

In this sense, Luís Roberto Barroso exposes:

In this order of ideas, a later law cannot extinguish a right or a guarantee, especially those of a social nature, under penalty of promoting a setback by abolishing a right based on the Constitution. What is prohibited is the attack on the effectiveness of the standard, which was achieved through its regulation. Thus, for example, if the infraconstitutional legislator gave concrete form to a programmatic norm or made it feasible to exercise a right that depended on its intermediation, it cannot simply revoke the legislative act, making the situation return to the state of previous legislative omission [14].

Including Canotilho adds to the debate the need for effective protection:

There is, however, another side of protection which, instead of stressing the excess, reveals the default prohibition (*untermassverbot*). There is a protection defect when entities that have to protect

(*schutzpflicht*) take insufficient measures to guarantee constitutionally adequate protection of fundamental rights. We can formulate this idea using a positive formulation: the state must adopt sufficient measures, of a normative nature, or material nature, conducive to adequate and effective protection of fundamental rights. The verification of insufficiency of state legality must take into account the nature of the threatened legal positions and the intensity of the danger of harm to fundamental rights [15].

This principle is violated when policies that threaten the lives of those who occupy and need the environment are implemented, or even measures that offend the most basic rights of a portion of the population. Therefore, more than a mere democratic rupture is seen, but this starts to walk towards a process of de-democratization.

Thus, rights-violating State management is the first step, in which, under the domino effect, plural democracy collapses and, consequently, the environmental community undergoes a process of extinction along with the population.

In short, this fact is exposed openly with time and when they break out they are disastrous, not only on the socio-environmental level but also on the negligent political and regimental structure itself.

Therefore, the result of a directive summit guided by personal interests with an aversion to human rights is the current moment that Brazil is going through, with the reduction of protected areas and the powers of the supervisory bodies, the paralysis of the urgent climate agenda, the approval of bills that seek to annul lands of native peoples<sup>3</sup>, the failures of dams due to state negligence, the blood of countless indigenous leaders and human rights defenders<sup>4</sup>, collapsing biosystems, depletion of natural resources, and environmental

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<sup>3</sup> The Bill of Law (PL 490/2007) allows the State to withdraw lands from original peoples that have been made official for more than decades.

<sup>4</sup> According to the report by the NGO Global Witness, in 2019, Brazil was considered the third most lethal country in the world for environmental activists. Furthermore, 90% of the murders took place in the Amazon, the main focus of struggles against invaders who seek to occupy the territories of the original peoples.

degradation brought about by illegal deforestation<sup>5</sup> of forests and loss of biodiversity.

Given the above, these are some of the numerous challenges that humanity faces, specifically in Brazil.

The worst violations of human and environmental rights are a reflection of undemocratic measures by political leaders and illegal exploitation of natural resources. Thus, “President [Jair] Bolsonaro's aggressive policies to encourage industrial-scale mining and agribusiness in the Amazon have had serious consequences for the indigenous population, as well as for the global climate” (Global Witness Report, 2020).

It is not surprising that human rights reports classify the period as retrograde, acting against sustainable development, replete with setbacks, and ineffective means of implementing measures to prevent the country's collapse. For example, according to the 2030 Agenda Light Report:

The data analyzed reflect a process of neglect of the public good in the name of maintaining the status quo and dismantling policies aimed at promoting dignity, reducing inequalities, enforcing human rights and socio-environmental sustainability, the result of decades of construction and achievements of society [16].

The current Executive Power of Brazil personified in President Jair Bolsonaro, when interviewed by journalists regarding the increase in fires in the year 2019 in the country, clearly demonstrates its position of masking reality, stating:

Crime exists, and we have to do what we can so that this crime does not increase, but we make money from NGOs. Of the transfers from abroad, 40% went to NGOs. There is no more. We also ended up with the transfer of public money. So these people are missing the money [...]. So, yes, yes, there may be, I am not saying, criminal action by these “ongueiros” to draw attention to me, to the government of Brazil. This is the war we face [...]. The fire was played, it

seemed, in strategic places. (It has) images from the entire Amazon. How come? Nor would you be able to have all the locations set on fire to film and send them out. By all indications, the people went there to film and set fire to it. This is my feeling [...]. Face, you have to understand something that this is not written, it is not written. They don't have a plan for it there. This is a conversation, people make decisions, and that's it. You can see, it takes what is sent billions in funds, 40% to NGOs, this NGO goes to these people to run the Amazon and campaign against us all the time. They lost their mouth too [...]. (The government) is not insensitive to the fires and is evaluating measures to be taken with the Defense and Environment Ministries. NGOs represent interests from outside Brazil [...]. I'm not saying (that NGOs are responsible for the fires). We have to fight crime, then we'll see who is possibly responsible for the crime. But, in my opinion, there is interest from these NGOs, which represent interests from outside Brazil [...]. The issue of burning in the Amazon, which in my opinion may have been boosted by NGOs, because they lost money, what is the intention? Bringing problems to Brazil [17].

This is the concern of a political power that benefits from the weakening of inspection bodies and even discrediting NGOs, when the real responsible for environmental degradation is hidden, which demonstrates the State's agreement to illegal deforestation. Therefore, the lack of transparency and the search for a false enemy to mask reality is one of the anti-democratic characteristics that leverage the de-democratization process.

The context demonstrates what Florestan Fernandes [6] already precepted about the Brazilian society characterized by the sociopathic aversion to social changes, at a time not so far from the current one. That said, the political leaders' ideology of preserving obsolete privileges places ecology and sustainability as radical, extreme, fundamentalist, and irrational attitudes and, above all, opposed to progress. As such, they prefer to deny social and environmental collapse, as this would result in the diminution of their powers and privileges.

Sociologist Ulrich Beck [18] elaborates a thesis, entitled risk society, in which he demonstrates the way

<sup>5</sup> During 6 years, agribusiness has illegally destroyed about 32 million hectares of tropical forests, according to the Forest Trends study.

that the current social structure is organized in the face of risk. Therefore, legal mechanisms cannot guarantee environmental justice from the perspective of prevention, responsibility, and economic progress.

Environmental Law today is just a hostage of the commercial sector, as its effective protection reaches where the economic interests of the State of maximum exploitation are not reached.

Well, when there is no awareness of this reality added to a directive leadership that believes in outdated ideals, nature having an exclusive role of serving the human being, or that minorities have a duty to bow down to the majority. An ethical crisis is demonstrated in the recent Brazilian political scenario, in which political principles are subject to those of the economic system as a problem.

Thus, how is it possible to talk about democracy with a system that acts as an amplifier for inequalities and preserves the privileges of certain individuals at the expense of the environment, society, the most vulnerable groups, human rights, and future generations?

This is the big question for the struggle against conservatism and its anti-democratic policies since the people are the recipients of state benefits (negative and positive), that is, the State must ensure or abstain so that the realization of the rights of the population. It is also necessary that there is no tyranny of the majority, for this reason, Luís Roberto Barroso [14] highlights that democracy “[...] in addition to the procedural dimension of being the government of the majority, it also has a substantive dimension, which includes equality, freedom, and justice”.

In this sense, in the 21st century, human rights can be defined as “pluralism”. Therefore, it is necessary to guarantee the inclusion of diversity, as this reinforces the democracy of countless voices that add a cultural heritage and safeguard constitutional interests ensured in a real Rule of Law, in which this is legitimized by the democratic process.

The understanding that although, as a rule, democracy is respect for the popular will, this cannot allow the majority to abuse its powers to oppress the minority, so to reaffirm human rights and have a democratic system it is necessary to harmonize: the will of the majority and the respect and protection of minorities. Minorities are groups (be it racial, ethnic, religious, gender, among others) with little power of representation and therefore are more vulnerable to violations of their rights and dignity, mainly by the State.

Furthermore, it is necessary to fight and resist to achieve a Socio-environmental State, in which progress is linked to respect and environmental preservation, “after all, the Socio-environmental State has an active role to promote fundamental rights, especially concerning environmental protection” [3].

## **5. The 2030 Agenda and the Sustainable Development Goals (SDGs)**

Due to the above, contrary to what the Brazilian Executive Branch believes, progress goes hand in hand with the preservation of nature, because without the guarantee of a future generation with environmental integrity, there is no need to think about development. Soon, the myth of progress at any cost was exhausted.

In this perspective, at the international level, the 2030 Agenda is formulated at the UN headquarters in 2015, which demonstrates an action plan to seek to strengthen the planet, people, prosperity, and peace. Thus, the program presents the 17 Sustainable Development Goals, known as SDGs, and 169 goals.

In this way, the SDGs bring together and compile urgent responses to the challenges of humanity, in which they are “integrated and indivisible, and mix, in a balanced way, the three dimensions of sustainable development: the economic, social and environmental” [19].

This list of ambitious tasks is based on a partnership that goes beyond territorial limitations, as they are



based on global solidarity and bring the causes of the problems, not just the symptoms.

In short, there is an interconnection between the objectives and their goals, which is why we cannot talk about economic progress without talking about a preserved and protected environment.

It is noteworthy that the SDGs are not binding, however, they have a powerful framework to guide medium and long-term planning, through public policies (social, environmental, and economic), therefore, bringing an alignment both at the national and sub-national levels.

Furthermore, the SDGs have a deadline to be fulfilled until 2030, safeguarding a future and a decent life for all. With this, the State must seek alternatives, take decisions and implement public policies collaboratively guided by these objectives to implement the 2030 Agenda.

In Brazil, the Institute for Applied Economic Research (IPEA) is responsible for coordinating a kind of process for adapting this international plan to the country's reality, in which it engages in a dialogue with current needs.

It is evident that this plan is not a break with the contemporary system, but the opposite, it is a means of keeping the current capitalist economic model alive, in which it has pillars in unrestrained and unconscious consumption, as well as in the exploration of all forms of life. However, given the environmental destruction and the repercussions caused both in nature and in the glaring social inequality, it was necessary to find a way to stop to guarantee the survival and existence of planet Earth and all who occupy this environment.

That said, given the vulnerability that Brazil is going through, a period full of uncertainties and violations of fundamental rights and guarantees, the SDGs have become powerful measures to prevent a setback.

The international plan has a great role in demonstrating that it is possible to seek an integration of economic growth, social justice, and environmental sustainability, despite the country's governing body

repudiating the idea. Therefore, it brings hope to a nation that believes in the plural democratic process, and in this way, conjunctures for articulation, mobilization, dialogue, and, even, possible resistance of civil society to the federative entities, begin. After all, in a country whose foundations are the participation of the people, the right to resistance and struggle will always exist.

## 6. Conclusion

As stated above, Brazil has laws aimed at protecting and conserving nature. However, both the public authorities and society need to protect them, according to Nalini's analysis:

In the rule of law, to administer is to comply with the law. This is the role of the Executive. And the National Environmental Policy obliges the administrator to act in the maintenance of the ecological balance. This means more than doing the administration's routine. But the administrative protection of the environment means a particular way of exercising qualified environmental management [20].

Because of the socio-environmental and political scenario in Brazil, it is evident that there is only a plural democracy, with the full exercise of citizenship and the affirmation of human rights, if this is based on human rights charters and the Major Law, as well as this democracy has two facets that must be harmonized: the will of the majority and the respect and protection of minorities.

Thus, this conciliation aims to prevent a tyranny of the majority, in the same way, prevent vulnerable groups and with little representation from becoming targets of the State, in which they often pose a threat to their existence. Therefore, the situation is a great alert, demonstrating the need not only for a response but for effective collective action.

If the governing body and its public policies on genocide are not contained, the collapse of all livelihoods will be inevitable, causing such profound and irreparable environmental and social damage, such

as the violation of the rights of minorities, affecting and endangering the existence of each.

Because of this, for Brazilian society to go through this moment of setback and violations of rights, the multiple reflections lead to only one way out: the need to implement plural democracy, the organization, mobilization, and resistance of civil society.

It is noteworthy that a civil society that values human rights, the constitutional charter, plural democracy, and all forms of life, should seek to develop proposals in a way that pressure and demand from the State in its entirety the recognition of plurality and the heterogeneity of the people, promoting the rights of democratic minorities.

Furthermore, not only the Democratic Rule of Law must be ensured, but also the legal system must meet the ecological dictates based on sustainable development in its broadest concept, whether in the environmental protection of ecosystems or the population, to which its existence has conditioned the survival of this medium.

After all, effective prevention, concern for precaution, and the guarantee of integral repair are the foundations of the Socio-environmental Law, using legal instruments so that environmental justice is protected for the sake of a future.

Note, therefore, that one cannot talk about plural democracy without talking about human rights. In the same way, the dictatorship is not the only great enemy and threat of this political regime, but, mainly, the pseudo-democratic governments that tread paths of oppression and violation, masking a reality under the pretext of false progress.

Finally, as very well developed at the Climate Summit at UN Headquarters by activist Greta Thunberg (2019): “We are at the beginning of mass extinction and everything you talk about revolves around money and a fairy tale of growth eternal economic. How dare you?”

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