

SUSTAINABILITY AND DEVELOPMENT: OBSTACLES AND PATHS FOR THE REALIZATION OF SUSTAINABLE CONSUMPTION

SUSTENTABILIDADE E DESENVOLVIMENTO:
OBSTÁCULOS E CAMINHOS PARA EFETIVAÇÃO
DO CONSUMO SUSTENTÁVEL

ANA PAULA MARQUES ANDRADE¹

ABSTRACT

The present study seeks to investigate the reasons that prevent sustainable consumption from taking place and therefore seeks to present some proposals that aim to achieve sustainable consumption. The economic development model based on the high standard of consumption and production, adopted since the Industrial Revolution, despite the benefits brought to society, brought socio-environmental impacts, as it contributed to both the degradation of the environment and the quality of life of people. In this perspective, the research aims to demonstrate that consumerism is the main cause of environmental degradation, as well as to show that sustainable consumption is inextricably linked to the achievement of sustainability. Thus, in the work, it will expose some of the obstacles that prevent realizing this ideal in this consumer society and then the means that can contribute to the realization of sustainable consumption, which involve ethical, economic and legislative changes, will be pointed out. For this result, the study used the deductive method, appropriating exploratory research, using bibliographic and documentary sources.

Keywords: Environment; sustainable consumption; sustainability.

RESUMO

O presente estudo busca investigar os motivos que impedem efetivar o consumo sustentável e com isso busca apresentar algumas propostas que visam a alcançar a sustentabilidade do consumo. O modelo de desenvolvimento econômico baseado no alto padrão de consumo e produção, adotado desde a Revolução Industrial, não obstante os benefícios trazidos à sociedade, trouxe impactos socioambientais, pois contribuiu tanto para a degradação do meio ambiente, como da qualidade de vida das pessoas. Nessa perspectiva, a pesquisa objetiva demonstrar que o consumismo é a principal causa da degradação do meio ambiente, bem como evidenciar que o consumo sustentável está indissociavelmente ligado a concretização da sustentabilidade. Assim, no trabalho serão apresentados alguns dos obstáculos que impedem efetivar esse ideal nessa sociedade de consumo e depois serão apontados os meios que podem contribuir para a efetivação do consumo sustentável, que envolvem mudanças éticas, econômicas e legislativas. Para esse resultado, o estudo utilizou o método dedutivo, apropriando-se de pesquisa exploratória, por meio de fontes bibliográfica e documental.

Palavras-chave: meio ambiente; consumo sustentável; sustentabilidade.

¹ Master's degree from the Federal University of Mato Grosso (UFMT). Specialist in Labor Law and Procedure and Social Security Law by the Superior School of the Public Ministry of Mato Grosso (ESMP/MT). Substitute Professor at the University of the State of Mato Grosso (UNEMAT). Attorney. Member of the Research Group "The balanced work environment as a component of decent work" (GPMAT/PPGD/UFMT). ORCID iD: <https://orcid.org/0000-0001-9990-0524>.

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1. INTRODUCTION

The economic and social process that resulted in the constitution of the risk society, in which there is uncertainty regarding the consequences of the activities and technologies used in economic processes, so that they present “transtemporal” risks, of global reach and catastrophic potential, brought advantages, normally associated with everything that represents progress, such as electronic products, health services, telecommunications and transport, as highlighted by Carvalho (2008, p.14). On the other hand, this process also brought negative implications, such as the excessive exploitation of natural resources and the possibility of their depletion, the extensive production of waste generation, the exploitation of labor, the spread of diseases, the increase in social inequality and the production of ecological risks in general.

As society became aware of environmental and social problems and their connection with the production model adopted, proposals emerged to change the development model, in which it would bring less environmental impacts and better quality of life for individuals. Among the existing proposals, it is worth emphasizing the one that constantly appears in discussions that take place worldwide: sustainable development, which seeks to reconcile development and environmental protection.

This concern, at a global level, with the environment, which began since the Stockholm Conference in 1972, came to a conclusion 20 years later, at the United Nations Conference on Environment and Development, known as Rio 92, that the main causes of environmental deterioration are unsustainable consumption and production patterns, especially in industrialized countries, which prescribe that achieving sustainable consumption patterns should be given high priority.

Thus, the research problem boils down to the following question: how to implement sustainable consumption in a consumer society? In the search for an answer to this question, we tried, throughout the work, to answer the following questions:

- 1) What are the consequences of unbridled consumption?
- 2) What are the barriers that prevent the realization of sustainable consumption?
- 3) What paths should be followed to achieve sustainable consumption?

Thus, the research aims to demonstrate how sustainable consumption can be carried out in contemporary society. Therefore, the study was divided into three sections. The first chapter addresses the concept of risk society developed by Ulrich Beck, in which environmental problems are found at the heart of this theory, which are caused by the high level of production and consumption, an opportunity in which he presents what consumption is. sustainable, pointing out the deficiencies in the environmental laws that address this issue. Then, in the second chapter, the main obstacles that prevent the realization of sustainable consumption are exposed. Finally, the last chapter presents some ways to make sustainable consumption effective and, thus, make sustainability in society a reality. Therefore, the importance of the desire for sustainability and environmental education to achieve that ideal was highlighted.

Thus, the study used the deductive method, which starts from general to particular knowledge, appropriating exploratory research. This method seeks a better knowledge of the object on which it focuses, using, for that, bibliographical and documentary research.

2. CONSUMPTION AS THE MAIN CAUSE OF ENVIRONMENT DEGRADATION

The Industrial Revolution brought technological changes that ended up influencing the social and economic production process, as well as the way in which man relates to nature, as large-scale production and consumption intensified the use of natural resources. Thus, the system based on capital and salaried work was consolidated, at the same time that the emergence of social and environmental problems worldwide began (ANDRADE, 2020, p. 13).

In fact, in the 20th century, problems related to the environment were increased, as shown, for example, by global warming, the loss of biodiversity and the deforestation of forests. These damages occurred due to the industrial system and the new lifestyle of a large portion of the population, governed, in particular, by consumerism (ANDRADE, 2020, p. 43).

The problems becoming more and more complex and with the potentialization of risks, modern society has become a risk society, a theory developed by Beck. In the general context, the risk society is characterized by Leite and Ayala (2015, p. 125) as “a stage of modernity in which the threats produced so far by the economic model of industrial society begin to take shape”. As Beck (2011, p. 25) points out, while in the industrial society, wealth was distributed, in the risk society there is a distribution of risks, which are abstract, that is, invisible to the human sense, unlike the way they appeared in the industrial society, in which, to some extent, they were known.

Beck places environmental problems at the center of this theory, stating that there is no way to deny society’s relationship with nature, arguing that such problems:

[...] they are not environmental problems, but completely social problems - in origin and results -, problems of the human being, of its history, of its living conditions, of its relationship with the world and with reality, of its economic constitution, cultural and political (BECK, 2011, p. 99).

Thus, contrary to what a few scientists and even political leaders claim, many of the environmental problems that happen today are not attributable to natural factors, but to man himself and his activity on the planet, as already disclosed in the fourth report issued by the Panel Intergovernmental Committee on Climate Change, released in 2007. (IPCC, 2007).

With society’s current production and consumption patterns, the environment has been suffering constant aggressions that, in turn, result in its deterioration, and consumerism is already the main cause of environmental degradation and aggravation of damage to it, mainly because the population is projected to reach 9 billion by 2050, according to “Report on the World Situation 2012”, published by the UN, which will inevitably increase even more the rates of world consumption (UN, 2012).

To illustrate this problem at the spatial level, there is the scientific measure called “Ecological Footprint”, which “is a calculation of the land needed to provide resources to satisfy the population’s consumption needs” (SALZMAN, 1997, p. 1,250). Studies show that in 2007, the global ecological footprint was 2.7 gha per inhabitant, so that to maintain this level of consumption of natural resources 1.5 planets are needed (GLOBAL FOOTPRINT NETWORK, 2010, p. 106).

In this sense, it is worth emphasizing that, due to the growing impact of human activities on the earth and in the atmosphere, as a result of the irresponsible exploitation of natural resources, initiated mainly after the Industrial Revolution, 1995 Nobel Prize winner Paul Josef Crutzen and his colleague Eugene F. Stoermer, argue that a new geological era has been inaugurated, the Anthropocene, marked by environmental damage, such as species extinction and climate change, which, in turn, led to drought and sea level rise, among other ailments, as mentioned above. This new era, which follows that of the Holocene, even though it has not been formally accepted, places humanity as the main cause of environmental problems (KOTZÉ, 2012, p.2). According to this author (KOTZÉ, 2012, p. 5), these ecological changes have impacts on politics, economy and social life globally, and, as a result, people should review how to improve these impacts caused in the new era.

It was at Rio-92 that the unsustainability of production and consumption levels was emphasized, since, in the Rio Declaration on Environment and Development, principle 8 directly relates to sustainable² development to the need to reduce current levels of consumption: "To achieve sustainable development and a higher quality of life for all, States must reduce and eliminate unsustainable patterns of production and consumption and promote adequate demographic policies". In fact, the global Agenda 21, as Salzman argues (1997, p. 1.253) "attempts to provide useful meaning, breaking sustainable development into two parts, sustainable production and sustainable consumption", which dedicates a chapter to dealing with changing patterns consumption (chapter IV). It is noteworthy that, while sustainable production involves the least polluting mode of production and services, sustainable consumption is related to consumption itself, which in turn is divided into consumption patterns (linked to the quality of the product or service) and levels of consumption (SALZMAN, 1997, p. 1.253).

After this event, this subject became increasingly debated. In 1994, the Oslo Symposium on Sustainable Consumption took place, an opportunity in which consumption and sustainable production was conceptualized as being:

The use of services and related products that respond to basic needs and bring a better quality of life while minimizing the use of natural resources and toxic materials, as well as the emissions of waste and pollutants throughout the life cycle of the service or of the product, so as not to compromise the needs of future generations. (UNITED NATIONS ENVIRONMENT PROGRAM, 2012, p. 12)

Although there is a consensus on the unsustainability of production and consumption levels since ECO/92, which resulted in the two documents mentioned above, these levels are only increasing. Perhaps the explanation for this, according to Salzman (1997, p. 1.247/1.251), is that between production laws and consumption laws, those stand out, and the few existing consumption laws are more related to consumption patterns than at consumption levels. Possibly, thanks to technology, it becomes increasingly easier to achieve sustainable production, in which products and services are created and executed with less impact on the environment, on the other hand, sustainable consumption, specifically when it comes to consumption levels, impacts not only people's lifestyles, but also fundamental aspects of society, such as economics, which is why laws that address consumption limitation are so rare.

2 In April 1987, the "Our Common Future" Report, also known as the "Brundtland Report" was published. This document surveyed how humanity behaved in relation to natural resources and the environment in general and, by analyzing the environmental situation of the planet, built the idea of sustainable development, conceptualizing it as "the development that meets the needs of needs of the present without compromising the ability of future generations to meet their own needs" and presenting various strategies for nations and governments to achieve such a model of development.

Furthermore, current consumption laws are unable to achieve sustainability in this practice, for four reasons, as Salzman argues (1997, p. 1.267). First, they are unsatisfactory as they represent a tentative approach, focusing on specific and isolated impacts of consumption. Second, the laws do not take product lifecycle perspectives. Third, few of the initiatives capture, or even try to capture, the externalities generated by the products. Finally, and more problematically, with few exceptions, these laws address consumption patterns rather than consumption patterns, or how well we consume, rather than how much we consume.

That said, to achieve sustainable consumption, environmental laws must focus not only on consumption patterns, but especially on laws that address consumption levels, as there is no evolution if society consumes better products, but the consumption level tends to increase. In this sense, it is believed that, before looking for ways to solve the problem, one should try to get to know it better, the following session seeks to demonstrate the causes that prevent the realization of sustainable consumption.

3. CHALLENGES TO EFFECTIVE SUSTAINABLE CONSUMPTION

Quantifying what can be considered sustainable consumption is a complex issue, as it involves changing the entire structure of a society, therefore, laws that deal with consumption levels are rare, and this paper will address three barriers that anyway, they impede reaching that ideal, starting with the economic system, in which most societies preach economic growth as a reflection of development, and for this reason, consumption plays a central role, being widely encouraged.

In the current Rule of Law, for example, development (or the well-being of the population) is linked to the growth of the Gross Domestic Product (GDP). Thus, the greater the consumption and production, the greater the GDP, that is, the greater the development. This logic, however, is a mistake, as, as Freitas (2016, p. 29) reminds us, “if the incidence of diseases increases, the GDP will grow, as health spending will increase, which demonstrates the glaring distortion of the indicator” .

Countries that are among the largest economies in the world demonstrate that economic growth does not mean that current and future generations will enjoy a good quality of life. With regard to the 2019 Human Development Index (HDI), in which the calculation takes into account income, health and education, China, which has the 2nd largest economy in the world, reaches the 85th position of the HDI and is the first to more pollutes the environment.³ India, which, in

3 Such information is provided by the International Relations Research Institute (IPRI), an agency of the Alexandre de Gusmão Foundation (FUNAG), which recently released a table containing the world's largest economies with data from the year 2012 (Available at: http://www.funag.gov.br/ipri/images/analise-e-informacao/01-Maiiores_Economias_do_Mundo.pdf), and by the global research organization on environment and development, the World Resources Institute, which it released in February 2020, a graph showing the main emitting countries of greenhouse gases (Available at: <https://www.wri.org/blog/2020/02/greenhouse-gas-emissions-by-country-sector>).

turn, holds the title of 7th largest economy in the world, occupies the 129th position in the HDI and is the 4th country that emits the most greenhouse gases.⁴

From a purely environmental perspective, there is an assessment that analyzes the sustainability of a society, known as the Environmental Performance Index. This is a project developed in conjunction with the Yale Center for Environmental Law and Policy and the Center for the International Earth Science Information Network (CIESIN) at Columbia University's Earth Institute, and this index is produced in collaboration with the World Economic Forum (WEF). Among the criteria evaluated, the air, water and sanitation quality, forests, fishing, climate, energy and air pollution stand out.

Of the 10 countries considered sustainable⁵, according to the last evaluation process carried out in 2018, none of them are among the 10 nations that emit the most greenhouse gases, and, in relation to the HDI, they are occupying the first positions, with the lowest occupation belonging to France, which is in 26th place. Brazil, in turn, is considered the 69th most sustainable country, among the 180 countries evaluated, and, with regard to the HDI, occupies the 79th place. These findings allow us to conclude that there is a certain incompatibility between economic growth and protection of the environment and that countries concerned with the environment are more likely to guarantee the population's quality of life.

Alongside the economic system that prevents sustainable consumption, there is a socio-cultural barrier, since the intense consumption of goods and services has given rise to what has been called consumer culture or society, a phrase adopted by Jean Baudrillard (1995, p. 60), according to which, in this society, people do not consume the object for its use value, but for the meaning that its use represents, that is, for the social position that the material good gives it.

Based on this reasoning, Bauman (2008, p. 165) calls contemporary society the consumer society, in which personal fulfillment is guided by consumption, so that "excessive consumption [...] is a sign of success" and "[...] owning and consuming certain objects and practicing certain lifestyles are the necessary conditions for happiness". This explains the reasons that lead people to consumerism, whose collateral damage, according to the author, is the materialization of love, and, in this context, people increase their working hours to acquire material goods for themselves - which, as a result of media, become "necessary" goods – as well as to buy gifts for those who endure their absence, given the long workday required to maintain this level of consumption. On this issue, Bauman, citing Hochschild, highlights:

Consumerism works to maintain the emotional reversal of work and family. Exposed to a continuous barrage of advertisements thanks to a daily average of three hours of television (half of all their leisure time), **workers are persuaded to "need" more things. To buy what they need now, they need money. To earn money, increase your workday. Being away from home for so many hours,**

4 Global warming, the main point of the environmental issue, is a phenomenon caused by gases coming, above all, from the burning of fossil fuels and deforestation, preventing the dissipation of heat into the atmosphere, that is, it is the greenhouse gases, such as dioxide of carbon, nitrous oxide and methane. According to the 2019 Climate Change and Earth Report, issued by the Intergovernmental Panel on Climate Change (IPCC), climate change caused by this global warming can aggravate land degradation processes, through increased rainfall intensity, flooding, frequency and drought severity, sea level rise, among other situations (PADILHA, 2010, p. 10/11). According to the 2019 Climate Change and Earth Report, issued by the Intergovernmental Panel on Climate Change (IPCC), climate change caused by this global warming can aggravate land degradation processes, through increased rainfall intensity, flooding, frequency and drought severity, sea level rise, among other situations (IPCC, 2019, p. 6-7).

5 Next: Switzerland, France, Denmark, Malta, Sweden, United Kingdom, Luxembourg, Austria, Ireland and Finland.

they make up for their absence from home with gifts that cost money. They materialize love. And so the cycle continues (HOCHSCHILD, p. 208, apud BAUMAN, 2008, p. 153). (our italics)

In this sense, as discussed by Maloney (2011, p. 125), consumers in this modern society end up becoming victims, as they are manipulated by advertising so that they find happiness through the acquisition of a certain good or service, once the advertising is capable of making any product considered indispensable by consumers to meet their needs.

“Consumer culture not only negatively impacts the environment, but often leads us to seek the fulfillment of the wrong desires or to seek the fulfillment of the correct desires in the wrong way” (HARSCH, 1999, p. 547). And it is this cultural tradition that ends up following a person since birth, makes this search for excessive consumption become a natural part of life, when in fact, many of the services and products enjoyed are not innate manifestations of human nature, on the contrary, the desire for them has developed over the years, which have been reinforced by the market as needs that must be immediately satisfied.

For this reason, when there are attempts by the government or other actors to reign in consumer behavior, they are seen as excessive interference and it is considered an affront to individual freedoms and rights, this is what Maloney (2011, p. 127) calls a political barrier and ideological for reducing consumption.

In Western societies, the ideology of liberalism prevails, in which there is an emphasis on individual rights and freedoms, as a way to limit abuses of government power, so that in exceptional circumstances it is possible that there is interference by the government, however, provided that whether to protect or support individual rights. It so happens that when it comes to sustainable consumption, this liberal ideology becomes a problem, as it is based on anthropocentrism. Thus, when there is regulatory intervention, such as prohibitions, to prevent direct harm to human beings, such interventions are acceptable to individual freedoms, but if some type of prohibition is imposed on environmental grounds, it is seen as intrusive and unnecessary (MALONEY, 2011, p. 127/128).

As Burdon (2011, p. 38/39) points out, liberalism promotes individual freedom without imposing any duty to human society or the environment, and in a concept of liberal private property with fully anthropocentric roots, owners only aim to expand their interests, which causes environmental damage.

Faced with such barriers, it is unmistakable that the legal systems in Brazil and worldwide face complex obstacles to address consumption levels. Although the countries in ECO/92 entered into a consensus on unsustainable consumption, there was no consensus on how to specifically resolve which concrete measures will be taken, not pointing out, for example, the level of consumption considered sustainable.

In Brazil, the laws that end up linking the environment with consumption and production do not promote sustainable consumption. For example, in the National Environmental Policy, Law n. 6.938/81, one of its instruments is about sustainable production,⁶ but there is nothing related to sustainable consumption. Despite having been instituted the National Consumer Policy, through Law n. 13,186 of 2015, the objectives of this law are vague, as they do not present

6 Art 9 - The instruments of the National Environmental Policy are: (...) V - incentives for the production and installation of equipment and the creation or absorption of technology, aimed at improving environmental quality;

the ideal reduction for consumption to be considered sustainable, nor does it show how these objectives can be achieved. Likewise, the National Solid Waste Policy (Law No. 12.305/2010) has as one of its objectives, the reduction of solid waste, but it does not outline any goal. In turn, the law that deals with the consumption relationship, that is, the Consumer Defense Code, also does not have any provision that deals with the sustainability of consumption or that points out the need to observe the principle of sustainable development. Therefore, the conclusion is that the laws that deal with the subject in the Brazilian legal system end up being silent in the fight against consumerism.

In mid-2015, world leaders gathered at the United Nations headquarters in New York to outline an action plan to eradicate poverty, protect the planet and ensure people achieve peace and prosperity, thus seeking to achieve sustainable development. At the time, they prepared the 2030 Agenda, which contains a set of 17 Sustainable Development Goals, which must be achieved by 2030. One of the goals listed in this Agenda, specifically number 12, is “Ensure production and consumption standards sustainable”, and, for this, one of the stipulated goals is: “By 2030, substantially reduce the generation of waste through prevention, reduction, recycling and reuse”, which is also a vague goal, as it does not quantify what this reduction would be substantial.

In the following chapter, specific policy proposals will be presented on how the government can promote the ethics of sustainable consumption, through legislative changes that address the reduction of consumption levels, and it is essential that more and more laws are promoted in this regard, given that “we need to guarantee the overall sustainability of the planet, ecosystems and life itself. It is an inalienable issue if we still want to live” (BOFF, 2015, p. 26).

4. SUSTAINABILITY AND DEVELOPMENT: PATHS TO ACHIEVE SUSTAINABLE CONSUMPTION

As argued above, the prevailing economic system is one of the main obstacles to achieving sustainable consumption, and to overcome this adversity, productive activity cannot be privileged to the detriment of a minimum standard of living that must be ensured to human beings, but that, on the contrary, the preservation and sustainable and rational use of environmental resources must seek an improvement in the quality of life and, therefore, the economic factor must be conceived as development, not growth (ANTUNES, 2005, p. 23).

This does not mean that development should not be targeted, but it points to the possibility that it will no longer be seen as just economic growth, since true development is one that provides qualitative changes, both in people’s lives and in the search for reduction negative impacts on the environment. In this sense, that is why sustainability best represents this purpose and that is why, before presenting the paths for the realization of sustainable consumption, it is necessary to understand it better.

4.1 FROM SUSTAINABLE DEVELOPMENT TO THE CRAVING FOR SUSTAINABILITY

Sustainable development emerged as a response to deal with the environmental crisis, however, for many authors, such as Azevedo (2008, p. 125), the term sustainable development should be removed from environmental legislation as it is incompatible with the idea of environmental preservation, adding that the adjective sustainable was used in order to minimize this evident contradiction.

According to Boff (2015, p. 45), “sustainability and development constitute a contradiction in their own terms”, because, in practice, development is synonymous with material growth, that is, it is industrialist/capitalist/consumerist, so the term is regarded as anthropocentric, contradictory and misleading.

Anthropocentric, as it is centered on the human being, disregarding the other beings that are part of the planet. On being contradictory, Boff claims:

It is contradictory, as development and sustainability follow different and opposing logics. Development, as we have seen, is linear, must be growing, assuming the exploitation of nature, generating deep inequalities – wealth on the one hand and poverty on the other – and favors individual accumulation. Therefore, it is a term that comes from the field of industrialist/capitalist political economy.

The sustainability category, on the contrary, comes from the sphere of biology and ecology, whose logic is circular and inclusive. It represents the trend of ecosystems towards dynamic balance, cooperation and co-evolution, and is responsible for the interdependence of everyone with everyone, ensuring the inclusion of each one, even the weakest (BOFF, 2015, p. 45).

With this view, it can be said that sustainability better represents the ability to protect the environment, as it considers all beings as worthy of protection, being able, therefore, to ward off the anthropocentric character that still prevails throughout the world.

Sachs (2002, p. 55) also highlights the contradiction of the sustainable development discourse in this capitalist world, as it states that “sustainable development is, of course, incompatible with the unrestricted game of market forces”, since it has as its main objective making a profit at any cost. In this sense, Bosselmann (2015, p. 42) asserts that no state or corporate organization denies the importance of “sustainable development”, moreover, the multiple literatures on the subject would not exist if “sustainable development did not keep the promise of saving us of the collapse”. Thus, for the author, it would be irresponsible to ignore the concept of sustainable development for the simple fact that there is no consensus on its meaning, stating that it is necessary to perceive the ecological essence of the concept. in your words:

Either there is ecological sustainable development or there is no sustainable development at all. The perception of environmental, economic and social factors as being equally important for sustainable development is arguably the biggest mistake in sustainable development and the biggest obstacle to achieving socioeconomic justice (BOSELMMANN, 2015, p. 42/43).

With this, the author (BOSELMMANN, 2015) criticizes the concept of sustainable development brought up in the Brundland Report:

Sustainable development does not require a balancing act between the needs of people living today and the needs of people who will live in the future, nor does it require a balancing act between economic, social and environmental needs. The notion of sustainable development, if the words and its history have any meaning, is quite clear. It calls for development based on ecological sustainability in order to meet the needs of people living today and in the future. Understood in this way, the concept provides content and direction (BOSELNANN, 2015, p. 28).

Thus, for Bosselmann (2015, p. 78), “the fact that social and economic aspects are included in the concept of “sustainable development” means, therefore, that they do not require any deviation from the ecological core”. Thus, from this nucleus, which is considered a central point of reference, it is possible to relate the social and economic components of sustainable development.

For the author (Bosselmann, 2015, p. 50/52), as well as for Boff, the focus given to the concept of sustainable development is excessively anthropocentric, as it takes into account only human needs, when, in fact, they can only be within ecological limits, a message that was forgotten in the Brundtland Report.

As the idea of sustainable development arose from the awareness that the development model adopted is related to the environmental crisis, it is essential that the central core of this concept is linked to the preservation of nature. Thus, it can be concluded that the form of development only becomes legitimate in the face of global reality when the limits of nature are respected. It is true that all means of production, in some way, cause negative impacts to nature, but among these means, there are those that considerably reduce the harmful effects on the environment, as is the case, for example, with the use of solar and wind energy.

It is in this sense that Freitas (2016, p. 57) prefers to talk about sustainability rather than sustainable development, claiming “that sustainability should adjective, condition and infuse its characteristics to development, never the other way around”, and it cannot be seen as blind economic growth, at any cost. It can be said, therefore, that development should be pursued by all societies, as long as it is based on environmental protection, as an ecologically balanced environment is essential to a healthy quality of life, with respect for the dignity of all beings and to nature, so that current and future generations have the right to live decently.

In view of this goal of sustainability, there is recognition of its multidimensional nature, as it permeates all human relationships, with some authors defending eight dimensions of sustainability, such as Sachs (2002), while others, such as Freitas (2015), maintains that it involves ethical, social, legal-political, economic and environmental facets. However, as stated by Klinsky and Golub (2016, p. 166) “at the very least, sustainability forces us to consider the economic, social and environmental impacts of any action or practice”.

Sustainability thus suggests, given the socio-environmental problems - serious environmental crisis and alarming social inequality - a cultural change, in the sense of reconnecting man to nature and his fellow man, so that such transformations, as said, permeate all relationships human beings. Development, in this paradigm, must express this ideal of sustainability, in which not only man, but also nature and the beings that are part of it are valued as such.

It is a fact that not all activities are free to cause some impact on the environment, in addition, the need for development based on economic terms cannot be ignored, but for this form of benchmarking to become legitimate, the activities must cause the as little impact as pos-

sible, always respecting ecological limits. For this, a real transformation in the way of thinking, consuming and producing is necessary, in the sense that everyone performs their functions without harming the quality of life of present and future generations, as well as making nature worthy of respect and consideration, which, therefore, leads to a re-reading of art. 225 of the CRFB, aiming at the reintegration of the values of nature, even because the Magna Carta offers normative conditions so that the achievement of sustainability in the country becomes possible.

With this, it is recalled what Canotilho (2010, p. 8) taught about the categorical imperative of the principle of sustainability, which assumes that “humans should organize their behavior and actions so as not to live: (i) to nature’s expense; (ii) at the expense of other human beings; (iii) at the expense of other nations; (iii) at the expense of other generations”.

In this perspective, as defended by Boff (2015, p. 78), sustainability brings with it a new cosmology (or a new paradigm),⁷ that is, that of transformation, different, in turn, from modern cosmology, in which man is seen as the dominator of nature. The new cosmology inserts the human being in nature in harmony with the other beings that are part of it, recognizing the intrinsic value of each subject and not its mere use, valuing respect for all life.

Indeed, for sustainability to exist, “a macroeconomy is needed that, in addition to recognizing the serious natural limits to the expansion of economic activities, breaks with the social logic of consumerism” (VEIGA, 2015, p. 26).

And this is possible, because as happened once, as recalled by Boff (2015, p. 97), when, in the 16th century, due to the new science, the transition from terracentrism (the Earth would be the center) to heliocentrism (the Sun is the center), minds, churches and institutions had to change at great cost. Still, according to the author, the point is that this change ended up happening, so that, by deduction, it is believed that another revolution based on this new cosmology will be possible. In this sense, Kótze (2012, p. 17) speaks of a second Copernican Revolution, which, in the face of the Anthropocene Era, requires humanity to take responsibility for unleashing the environmental crisis that it itself caused and, therefore, take attitudes in this direction. .

For this, “the Earth Charter brought back the original meaning of the concept of sustainable development” (Bolssemann, 2015, p. 19), therefore placing sustainability as the only alternative to save the planet, as long as the environmental issue be ahead of social and economic concerns (BOLSSEMANN, 2015, p. 222).

As much as it may seem a utopian idea, as stated by Boff (2015, p. 145), it is “a necessary utopia, without which chaos would supersede order and the absurd would win the game over meaning”. In the same direction, Bosselmann (2015, p. 27) states that “the vision of a fair and sustainable society is not a distant dream, but a condition of any civilized society”.

From this perspective, the objective of humanity must be the transformation of society at risk into a sustainable society, because, due to all the environmental problems faced, with the existence of humanity itself being compromised, sustainability must be pursued by all social actors and in all its aspects, it should be pursued as a new way of life, which necessarily involves a substantial reduction in the levels of production and consumption.

7 Paradigm and cosmology have the same meanings, that is, they bring an overview of the universe, the Earth, life and the human being, which serves as a guide for people and societies and meets a human need for a globalizing sense of everything (BOFF, 2015, p. 77).

4.1.1 ENVIRONMENTAL EDUCATION AS A DRIVER OF SUSTAINABILITY

For the development of a society towards sustainability, the essential step is to invest in environmental education,⁸ because conscientious people tend to demand changes aimed at the collective well-being and, consequently, to fight for an ecologically balanced environment that is essential to a healthy quality of life.

At the first international conference that discussed the environment, the Stockholm Conference, environmental education was adopted as one of the principles⁹ present in its Declaration. Thus, in this first conference that focused on the environment, the importance of education for environmental protection was highlighted, with the purpose of allowing man to develop in all aspects.

Brazilian legislation does not lack rules on environmental education, as can be seen in the examination of the CFRB (art. 225, paragraph 1, VI), the PNMA (art. 2, X) and the National Policy on Environmental Education. In fact, another document resulting from Eco-92 is the Treaty on Environmental Education for Sustainable Societies and Global Responsibility, which indicates some principles, as well as an action plan for environmental educators, establishing a relationship between public policies on environmental education and the sustainability.

The Earth Charter, in turn, in its principle IV, in item 14, emphasizes the need to “integrate, in formal education and lifelong learning, the knowledge, values and skills necessary for a sustainable way of life” and that everyone should be offered “educational opportunities that enable them to actively contribute to sustainable development” (item 14.a).

Leff (2010, p. 247) states that the environmental crisis that puts life at risk brings with it a moral crisis that, in turn, questions the meaning of life. With this, it is not enough just a reflection, but a re-education, so that it is possible to “know the causes of the ecological crisis and the values that were being forged in parallel with the epistemology that constituted the conception of our world and our worlds of life”.

For the author, environmental education is the field of these new battles that are about to happen, in which one must go beyond informing about the environmental crisis and global warming, as it is the time to discover their root causes, prepare thinking and life for the unknown, thinking about the unthinkable and rehearsing other ways of thinking, feeling and acting, so that everyone can unite in a dialogue of knowledge (LEFF, 2010, p. 247).

Therefore, environmental education assumes a transforming function, in which the co-responsibility of individuals becomes an essential objective to promote this new type of development that is being pursued. To Jacobi:

8 According to the National Environmental Education Policy, in its art. 1st, “Environmental education is understood as the processes through which the individual and the community build social values, knowledge, skills, attitudes and competences aimed at the conservation of the environment, a good for common use by the people, essential to health quality of life and its sustainability”.

9 Principle 19: An effort towards education on environmental issues is essential, aimed at both the young and adult generations and that pay due attention to the less privileged sector of the population, to lay the foundations for a well-informed public opinion, and for good conduct. of individuals, companies and communities inspired by the sense of their responsibility for the protection and improvement of the environment in all its human dimension. It is equally essential that the mass media avoid contributing to the deterioration of the human environment and, on the contrary, disseminate information of an educational nature on the need to protect and improve it, so that man can develop. if in all respects.

Its focus must seek a holistic perspective of action, which relates man, nature and the universe, bearing in mind that natural resources are depleted and that the main responsible for their degradation is man. [...] Environmental education must be seen as a process of permanent learning that values the various forms of knowledge and educates citizens with local and global awareness. [...] (JACOBI, 2003, p. 189-206).

Given the importance of this theme, the National Environmental Education Policy, in its art. 2, it is foreseen that “environmental education is an essential and permanent component of national education, and must be present, in an articulated manner, at all levels and modalities of the educational process [...]”, therefore, it is clear that schooling it is important for environmental education to be carried out, as the Earth Charter also highlighted.

In this context, it is of fundamental importance that this topic is integrated into general education so that everyone has more awareness and knowledge in order to preserve nature, since environmental education is necessary to achieve a healthy environment, as well as to make it effective. sustainability, because through it, there can be a better quality of life and greater awareness of personal conduct, as well as increasing awareness of the relevance of harmony between beings of all species, which will undoubtedly lead people to behave more sustainable in relation to consumption.

4.2 PROPOSALS FOR EFFECTIVENESS OF SUSTAINABLE CONSUMPTION

As mentioned above, there are few environmental laws that promote sustainable consumption aimed at reducing the level of consumption, despite the existence of laws, including a National Consumption Policy in the country, which mention the need to reduce solid waste, for example, the devices are vague, as they do not present the paths for consumption to be reduced.

However, it should be emphasized that the change to be made is not just legislative or economic, as some that will be proposed below, it is initially necessary for people to realize that well-being and happiness can be found beyond material goods and the act of consumerism. In this way, the change needed to change consumption patterns and levels is fundamentally ethical, in which it must “overcome the idea of the human being as today’s consumer/commodity and assume the (real) idea of the human being as a being who seeks the Justice” (WALDMAN, 2014, np).

After this fundamental change, the barrier of the economic system, discussed above, that encourages consumerism needs to be overcome. As has been argued by many authors, development must be measured with new indicators, for example, through the expansion of freedoms, access to health and education, environmental protection and democracy.

On this issue, Sen (2000, p. 20), one of those responsible for creating the HDI concept, argues that “development should go far beyond the accumulation of wealth and the growth of GDP and other variables related to income”. In order to measure the development of a nation, in the author’s view, the quality of life and the freedom enjoyed must be taken into account. Sen (2000, p. 18), for example, sees development as a process of expanding the real freedoms that people enjoy:

Development requires removing the main sources of deprivation of liberty: poverty and tyranny, lack of economic opportunity and systematic social destitution, neglect of public services and intolerance or excessive interference by repressive states.

In this same perspective, Veiga (2010, p. 50) argues that the GDP, the criterion used to assess the development of a country, is outdated and, similarly to Sen, believes that:

the development of a society depends on how it takes advantage of its economic performance to expand and distribute opportunities for access to goods such as civil liberties, health, education, decent employment, etc. Even more for those who have already understood, too, that development will have short legs if nature is too badly attacked by the expansion of the economy, which is a subsystem highly dependent on the conservation of the biosphere.

Along the same lines, Harsch (1999, p. 607) argues that the Gross National Product (GNP) should be abandoned as an indicator of well-being, as he believes that this criterion legitimizes, in a way, consumerism, so he advocates considering as a gauge of the GNP riches that are not measured in economic value.

The development of a nation must be understood, therefore, not as a synonym for economic growth, but as an element that is intrinsically related to the quality of life that people live in that society, and it is also essential to protect nature for development be possible. In this sense, it is worth noting that the last paragraph of Sustainable Development Goal n. 17 of Agenda 2030 raises the need for GDP to be overcome. Likewise, Agenda 21 already indicated the need for other sustainable development indicators.¹⁰ The HDI, although it was created with the intention of evaluating quality of life, also needs to be reformulated, since it is limited to only three variables.

Thus, sustainability, the new ideal of the development of a society, must be measured by criteria that aim to assess the quality of life of people, which include access to education and health services with excellence, decent work and especially the possibility of living in a society with full freedom. At the same time, issues related to the protection of the environment must also be evaluated, such as air quality, water and sanitation, air pollution, among others.

Going forward to remedy the legislative deficiencies on the subject, proposals are being discussed around the world that are capable of contributing to sustainable consumption. Some propositions are presented by Harsch (1999, p. 604-605), among them, that countries start transmitting educational advertisements as a means of counterbalancing the harmful messages promulgated by advertisements.¹¹ As advertising is one of the main encouragers of consumerism, this proposal will certainly help to face the cultural obstacle of consumption, since advertisements in an educational way will address the negative impact of advertisements, enabling consumption levels to be reduced, such as as happened in places where this practice was adopted.

10 4.11. It is also convenient to consider the current concepts of economic growth and the need to create new concepts of wealth and prosperity, capable of improving living standards through changes in lifestyles that are less dependent on the Earth's finite resources and more harmonic with its productive capacity. This should be reflected in the design of new national accounting systems and other indicators of sustainable development.

11 In his article, the author mentions the existence of California's Proposition 99. This Proposal imposes a tax of 25 cents per pack of cigarettes to provide funding for a health education campaign. An ad funded by this Proposition 99 is a parody of the Marlboro billboards, featuring two cowboys walking at dusk in the open lane. The caption says, "Hey Bob, I'm sure I miss my lungs." Such counter-announcements seem to have been effective, as smoking in California has dropped 27%, or three times faster than the national average, since the passage of Proposition 99.

Another mechanism proposed by Harsch (1999, p. 604-605) is also related to advertising, as the author defends the need to reestablish commercial limits for open television broadcasters, as they are responsible for encouraging consumption. This proposal, like the one presented above, helps in facing the cultural obstacle of consumerism.¹²

Still as a way to effect the sustainability of consumption, many defend the reduction of the working hours, being even suggested by Harsch (1999, p. 606). As one of the collateral damages of consumerism is the materialization of love, which ends up taking people through a cycle of exhausting journeys to buy goods (gifts) in order to compensate for their absence, with the reduced journey, workers will be able to spend more time with their families, reducing the consumption of non-essential goods.

Furthermore, there are other positive effects of the workload reduction, such as the generation of employment and the improvement in the quality of life and maintenance of the work-life balance. In the studies by Carneiro and Ferreira (2008, p. 44) on the quality of life of workers in an experience of reduced working hours in a Brazilian public organization, it was found that the reduction of working hours improved the quality of life of individuals outside the work, which now has more time to dedicate to family, health and other activities; there was an improvement in the quality of life at work, such as better use of time and concentration, which, consequently, generated an improvement in workers' productivity.

But for this proposal to be successful, people need to be aware that well-being is mainly related to immaterial things, so that consumption, for this reason, must be sustainable, as its excess involves individuals in a cycle of hard work, reducing leisure time and family and social interaction, not to mention that it is one of the main reasons for environmental degradation. In this sense, calls attention to Farber:

If consumption is not central to the quality of life (at least above a minimum level of need), neither is production. In general, the most pleasurable experiences do not derive from work – people obtain greater satisfaction from social activities, although work can be important for their self-esteem. Interestingly, the happiest people tend not to be super entrepreneurs; apparently, what drives people to the highest levels of performance doesn't fit with personal satisfaction. In general, materialism does not lead to well-being. Thus, most of the factors that determine happiness are non-economic (FARBER, 2011, p. 23).

In fact, sustainability will require people to change “with respect to well-being and happiness, in order to detach it as much as possible from the act of consumption”, starting with letting go of an arduous work routine (OLIVEIRA, 2012, p. 106).

Another specific proposal, also brought up by Harsch (1999, p. 607-608), is to abolish harmful practices and substances placed on the market. As stated by the author, currently, environmental policy regulates production processes in a way that does not attribute any particular value to the final use for which the manufactured product is intended. Thus, he argues that an alternative approach would be to prohibit the use of harmful substances or processes when the end product does not compensate for the ecological imbalance it creates (for example, the plastics manufacturer may be allowed to use a dangerous chemical when making syringes, but

12 It is worth remembering that in the Municipality of São Paulo, the standardization, limitation and prohibition of outdoor advertising was implemented, depending on the advertisement, through the Clean City Law (Law n. 14,223/2006). Although the objective of the law was not directly to reduce the level of consumption, it ends up contributing to this objective, given that advertising ends up influencing unrestrained consumption.

not to make toys. This would not mean a ban on toys, but a ban on certain methods of making toys). Thus, this approach would differentiate between end products based on the importance of that product. With this, the legislation would no longer agree with the notion of the liberal market, in which just because a consumer is willing to spend money on a product, he has the right to create the ecological imbalance that results from fulfilling his desire as a consumer.

Harsch (1999, p. 608-610) further argues that the government should promote an environmental ethic through public education campaigns that encourage people to make decisions about whether or not to consume and weigh the ecological damage that inevitably results from most of the consumption. To that end, it cites eco-labelling products as an example to provide useful information to help consumers make decisions, as well as serve as a constant reminder that almost all products carry hidden costs.

More accurate pricing mechanisms must also be implemented to reflect the environmental costs of the entire product life cycle, that is, internalizing externalities. As a result, there would be different prices for merchandise on the shelves and, in some cases, very different products as well. What's more, durable goods would likely be less expensive than disposable goods, and all goods would be supplemented by more comprehensive information about their environmental impacts. These market failures - which do not consider all the environmental costs of a product - justify State intervention, as supported by Salzman, such as through antitrust law (SALZMAN, 1999, p. 1.257-1,259), this because for more that this issue of putting the right price has been recognized since ECO/92, in Agenda 21,¹³ hardly the market at the time of setting the price of the product does not capture the following costs:

- 1) the resources and emissions from transporting these raw materials around the world, 2) the natural damage of tailings from mining or oil exploration resources, 3) manufacturing waste, 4) the contribution of volatile organic compounds to pollution; and 5) product disposition. The retail price also fails to capture depletion costs as finite resources are spent (SALZMAN, 1999, p. 1.257).

Thus, when environmental costs are reflected in the product and the consumer receives this information, this induces the consumer to have a more sustainable behavior when shopping.

Still one of the paths to more sustainable consumption, although not exactly establishing legislative norms, is when the State can encourage and influence citizens to adopt more sustainable behaviors, which is possible with the application of the nudge behavioral economic theory, that in the words of Coelho and Ayala:

[...] is concerned with the analysis of individual behavior in order to improve the accuracy of the prediction of how human beings will act in certain contexts and, based on this finding, promote a contextual arrangement that is favorable to direct individuals to adopt a desirable conduct. The logic of this theory can be better understood when the key concepts that identify it are clarified: libertarian paternalism, architect of choices and freedom. [...] the architect of choices is responsible for organizing the context in which individuals must exercise a decision, in order to structure an architecture that influences them to adopt a pre-determined conduct desired by the architect. [...] it is paternalism because

13 (e) Development of an environmentally sound pricing policy: 4.24. Without the stimulus of prices and market indications that make clear to producers and consumers the environmental costs of energy consumption, raw materials and natural resources, as well as the generation of waste, it seems unlikely that, in the near future, they will occur significant changes in consumption and production patterns. 4.25. With the use of adequate economic instruments, it began to influence consumer behavior. These instruments include environmental charges and taxes, deposit/refund systems, etc. This process should be encouraged, in light of the specific conditions of each country.

it is concerned with improving the quality of life and well-being of individuals, but libertarian because it does not do it through commandments such as order, prohibition or permission, but only through guidance towards adopting a better course of action for your own well-being. [...] Nudge is, therefore, a behavioral model for stimulating choices in the interest of favoring individual freedoms (COELHO e AYALA, 2018, p. 418-419).

Unlike the traditional concern to enable individuals to achieve well-being and improvements in their own lives, the concern that resides in approaching a libertarian paternalism, when it comes to protecting the environment through nudge, as argued by Carvalho and Ayala, "is rooted in values beyond individuals and human life: here is the consideration of the collective well-being of future generations and all forms of life" (COELHO; AYALA, 2018, p. . 425).

A nudge proposal presented by Coelho and Ayala (2018, p. 422) for this purpose is that all establishments of State bodies could adopt as standard rules¹⁴ for printing "on both sides" of the sheet, which would lead to a reduction in paper consumption, such as the experience at Rutgers University, which in three years reduced paper consumption by 50%. At first, it may even seem like an insignificant attitude towards other environmental problems faced, but if it is taken to all State agencies, at a national level, the consumption of paper will be substantially reduced, thus contributing to the protection of nature.

With these proposals presented, it is important to emphasize that to achieve sustainability, even in the long term, it is necessary to change the way in which companies operate and also how people live. And this change occurs on two levels, at the level of individual decision-making, for that, it is necessary that people be given conditions to make sustainable consumption decisions, such as information; and at the social level it is necessary to provide communities and infrastructure that enable people to live healthier, more satisfying and sustainable lives, such as providing quality public transport. If people have access to a good public transport service, there will be a reduction in the consumption of cars and fuel, for example (FARBER, 2011, p. 58).

Although it is not an easy task, the shift to sustainable consumption will be possible with the help of the application of the Jurisprudence of the Earth, proposed by Thomas Berry, in 2001, which seeks to redefine the relationship between human beings and the environment. that the theory of anthropocentrism be disregarded in favor of the theory of ecocentrism, in which nature will no longer be seen as a resource to be exploited for the good of man, since until then, the way in which nature is treated has not maintained the integrity of ecosystems, on which the entire community (humans and non-humans) depends (ALEXANDER, 2014, np).

The Jurisprudence of the Land thus aims at a deep ecology of law, so that the set of legal norms must respect the laws of nature, and nature is seen as a value in itself and not as a resource to satisfy the needs of men. And it is in this sense that Michel Serres (1990, p. 76/77), defends the existence of a natural contract, so that nature also holds a right, so that there is a balance between man and nature/world.

14 Nesse sentido, esclarecem Coelho e Ayala: Uma arquitetura de escolha baseada em regras-padrão, portanto, se identifica por um padrão pré-estabelecido pelo arquiteto de escolha dentre algumas outras opções, e que acaba permanecendo caso os indivíduos não tomem medidas para alterar e sair desse padrão, ou seja, as regras-padrão se estabelecem quando as pessoas optarem por não fazer nada. Salienta-se que, ainda que essa nudge se baseie no estabelecimento de uma regra-padrão, o exercício das liberdades ainda é respeitado, porque a todo momento os indivíduos possuem a opção de não o adotar, isto é, possuem a liberdade de *opt-out*: não se trata de restringir ou limitar liberdades, pois todas as demais opções de escolha são mantidas ao alcance do indivíduo (COELHO; AYALA, 2018, p. 422).

In this context, Robinson (2013. p. 502) also argues that “reforms are needed at local, regional and state levels and at international and intergovernmental levels (...) and it is human laws that need to better identify and conform to laws of nature”.¹⁵

Given the circumstances, the restriction of individual freedom, through the imposition of consumption restriction, is necessary, so that nature is protected. The well-being must not only suit human beings, but also the unnamed beings that are part of the universe. In this way, so that human beings do not see their individual freedom as an intrusion when seeking to protect nature, it is necessary that this philosophy of the Jurisprudence of the Earth is effectively achieved, as this way, the human being will be reconnected to nature, understanding that it is just another member of this world and not simply that nature must serve all your needs.

5. FINAL CONSIDERATIONS

The development towards a sustainable society, worldwide, remains a continuous challenge, and environmental policy is still deficient in protecting nature, because one of the causes that most harm the environment is consumerism and there are few laws that address consumption patterns, as well as reductions in consumption levels, or in other words, that seek to implement sustainable consumption.

This deficiency happens because one of the barriers faced when trying to change the mode of consumption, especially with regard to trying to reduce consumption levels, is seen by society as a violation of individual freedoms.

However, it is possible that changes occur in society's behavior so that they review the mode of consumption, in order to protect the environment, without being considered as a violation of the exercise of individual freedoms. There is no denying that it will be a sensitive transformation, because it is related to a change in individual and social behavior, and not all people are prepared for this. Furthermore, such changes will be more controversial in industrialized/developed countries because it goes against economic interests.

Everyone – government, individuals, market – must seek changes in attitudes and in the construction of a new ethics, so that changes in consumption patterns and levels can effectively protect nature, since everyone is responsible for ensuring an ecologically balanced environment.

The State, despite not being the only author, is the one with the best conditions to empower environmental policies, in fact, it is also the State that has assumed countless international commitments and must therefore comply with them. It turns out that in many States, especially in Brazil, the State is structured under an anthropocentric perspective, not being able to effectively protect nature.

However, we are facing a new geological era, the Anthropocene era, in which human beings compromised the earth's ecological processes, making them irreversible, requiring new directions to be taken, because until then, despite the numerous legislations added all over the world, they are not being able to protect nature. Therefore, an ethical, economic and legislative change

15 ROBINSON, Nicholas. Keynote: Sustaining society in the Anthropocene Epoch. *Denver Journal of International Law and Policy*, vol. 41: 4, p. 467-506, 2013. p. 502.

is necessary, so that the protection of nature is prioritized, and no longer economic growth and consumption, as is currently the case.

Thus, a change in the law is necessary, therefore, one of the paths to be followed is to adopt the philosophy of Jurisprudence of the Earth to guide this change that is so urgent and necessary. The main challenge is to set aside this anthropocentric vision and adopt an ecocentric vision, which consists of recognizing the dependence of humanity, the connection of man with nature, and more recognizing the intrinsic rights of nature, so that human societies must become fit within the limits of the natural world, that is, human laws must respect the laws of nature. From this angle, it is possible that there will be a transformation from the consumer society to a sustainable society that lives within the limits of the planet.

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