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## EDITORIAL

### HUMAN RIGHTS IN BRAZIL: POLICIES, PRACTICES AND STRUCTURAL CHALLENGES

#### Introduction

This Dossier brings together studies that critically examine the relationship between human rights, public policies, and structural inequalities in contemporary Brazil. Entitled *Human Rights in Brazil: Policies, Practices and Structural Challenges*, the collection articulates debates from different fields of knowledge and regions of the country, converging around three central axes: human rights education, public security and mental health policies, and the relationship between the State, social justice, and vulnerabilities.

The dossier opens with the article *Human Rights Education: Perspectives and Challenges in Brazilian Basic Education*, by Aldemir dos Santos Dias, Rodrigo de Moura Reis, and Wellington Sérgio de Souza, which discusses the tensions between international norms and the reality of Brazilian schools, highlighting structural barriers to the consolidation of a democratic culture. In the same vein, Weysller Matuzinhos de Moura examines, in *The Importance of Human Rights Education in Technology Degree Programs as a Mechanism for Guaranteeing Citizens' Rights*, the impacts of human rights education on citizenship training in programs traditionally distant from the humanities, emphasizing the role of interdisciplinarity in promoting egalitarian practices.

The group of articles devoted to public security and mental health presents important diagnoses regarding psychological distress in the sector. Pedro Filipe Cruz Cardoso de Andrade discusses, in *Psychological Illness and Occupational Health in Public Security*, the organizational determinants that shape the professional experience of security agents. Emerson Puche Bueno deepens this discussion by examining, in *Between Human Dignity and Stigma: Organizational Culture and Mental Health of Military Police Officers*, the organizational culture of military police forces and the psychosocial impacts of this hierarchical structure on their members. Subsequently, Bruno Patrício de Azevedo Campos presents, in *Programs, Actions and Challenges in Promoting Well-Being and Mental Health among Military Police Officers in Brazil*, a comparative analysis of national policies and initiatives. Edmilton Ricardo Emanuel Marques dos Reis and Wilquerson Felizardo Sandes discuss,



in *Hospitality and the Quality of Life and Work of Public Security Professionals*, the relationship between institutional support, recognition, and material working conditions.

The dossier broadens the debate by including reflections on the role of the State in addressing social inequalities. In the article *Public Finance and Human Rights: The Tax State as an Instrument for Promoting Social Justice*, Bruno Vilarinho Pires examines the distributive function of the tax system and its relationship with the realization of fundamental rights, addressing tensions between fiscal policy, public budgeting, and constitutional guarantees.

The dossier also incorporates discussions on technologies applied to public security. In *Body-Worn Cameras: Complementary Tools for the Preservation of Fundamental Rights and Guarantees in the Democratic Rule of Law*, Rachid Diniz Ferreira Sallé and Helena Esser dos Reis analyze the potential of operational video recording to prevent violations and strengthen institutional transparency, highlighting recent empirical evidence from the Brazilian context.

The final section of the dossier is dedicated to the challenges of protecting children and adolescents. The article *Youth Violence in the Capital of the State of Amazonas: An Analysis of the Progressive Increase in Criminal Occurrence Records*, by Juliana Tuma Gouveia Tavares, Maurides Macêdo, and Jéssica Painkow Rosa Cavalcante, presents a study on the increase in violence records and their correlation with socioeconomic factors and public policies designed to address them.

Complementing the volume, the **Articles Section** brings together three contributions that broaden the thematic scope of this issue and reinforce the interdisciplinary nature of the *Journal of Socio-Environmental Law*. In *The Economic Dimension of SADC: A Perspective Toward the Materialization of Economic Policies in Southern Africa*, João Luís Araújo analyzes the challenges of regional integration within the Southern African Development Community (SADC), discussing the limits and possibilities of economic policies aimed at cooperation and regional development.

Next, Matheus de Mendonça Gonçalves Leite, Joyce Machado Reinoso, and Carlos José Andrade Silveira present the article *Modernity, Coloniality and Mining: Neo-Extractivism and the Resistance of Traditional Peoples and Communities*, which investigates the links between coloniality, the expansion of mining frontiers, and human rights violations, demonstrating how contemporary socio-environmental conflicts are connected to the persistence of historical structures of domination and the resistance of traditional peoples and communities.



Closing the issue, Pedro Henrique Corrêa Guimarães, in *Yanomami Territorialities: Margins Between Geography, Literature, and Law*, offers an interdisciplinary reflection on the multiple conceptions of territory present in Yanomami cosmology, bringing together contributions from cultural geography, literature, and law to challenge traditional legal interpretations of Indigenous territories and reaffirm territory as a space of identity, memory, and resistance.

The texts gathered here reflect the thematic, methodological, and territorial diversity that characterizes contemporary studies on human rights, social justice, and socio-environmental issues. They constitute relevant contributions to understanding the complexity of structural inequalities, the effects of state action on people's lives, the challenges of protecting vulnerable groups, and the possibilities for building public policies committed to human dignity, democracy, and socio-environmental justice.

## Editorial

Celebrating twenty-five years of the Interdisciplinary Center for Research, Teaching, and Extension in Human Rights at the Federal University of Goiás goes beyond recalling trajectories; it is about reframing a political, ethical, and academic commitment that has become a national reference in critical education and interdisciplinary production in human rights. The XV *Pensar Direitos Humanos*, held in 2024, was conceived precisely as this act of active memory, capable of bringing together past, present, and future in a collective reflection on the meaning and scope of human dignity in times of crisis.

Since its inception, the NDH has understood that thinking about human rights in Brazil requires confronting a reality marked by deep-rooted inequalities, persistent forms of violence, and a political culture that oscillates between democratic openness and authoritarian tendencies. In this context, the Center has consolidated itself as a space for epistemic reception and interdisciplinary articulation, affirming that no valid interpretation of reality can dispense with the encounter between knowledge, practices, and territories. The celebration of its 25th anniversary reaffirmed this vocation: it was not a nostalgic event, but a public reaffirmation that the university must remain a place of resistance, dialogue, and innovation.



The 2024 *Pensar Direitos Humanos* honored this trajectory through what has always constituted the strength of the NDH: critical debate, rigorous intellectual exercise, and openness to a plurality of voices and experiences. In its panels, roundtables, and presented works, it once again became evident that interdisciplinarity is not a conceptual ornament, but a necessary condition for understanding problems that cut across Brazilian society in multiple dimensions. Human rights education, mental health of public agents, citizen security, fiscal justice, child and youth violence, culture, religion, and media are not isolated topics; they are parts of the same mosaic that reveals the contours of a country in continuous dispute over meanings of humanity.

It is from this atmosphere of reflection, institutional maturity, and public commitment that this dossier emerges. The articles gathered here not only echo the theoretical depth that marked the commemorative activities, but also project possible paths for the renewal of democratic practices. They reveal that human rights remain a field of dispute, but also a fertile ground for political and social reconstruction. In all of them, we recognize the same pulse: it is not enough to diagnose the present; it is necessary to envision what can be transformed.

The studies on education reaffirm the centrality of schools and academic training as spaces of resistance in a country marked by recurring attempts at silencing and pedagogical control. Research on public security and mental health highlights the urgency of rethinking institutions historically marked by violence, proposing practices and policies that unequivocally defend the dignity of workers and the population. Analyses of public finances, body cameras, and child and youth violence show, each in their own way, that human rights permeate state management, the use of technologies, and the protection of children and adolescents, demanding institutional responses that combine justice, transparency, and care.

By bringing together these reflections, the dossier pays tribute to the formative spirit of the NDH: an institution that, over a quarter of a century, has nurtured the conviction that the defense of human dignity must be a collective endeavor, inseparable from the dialogue between university and society. As Paulo Freire reminds us, the hope that mobilizes action is not passive expectation; it is movement. In this sense, this dossier is an expression of this active verb that has marked the history of the Center: *to hope in action*.

May the twenty-five years of the NDH inspire us to continue building, inside and outside the university, research, teaching, and extension practices committed to democracy, solidarity, and the



struggles for social justice. And may the reflections gathered here continue to nourish this journey, keeping alive the commitment that sustained the XV *Pensar Direitos Humanos*: to think critically about the world in order to transform it.

Morrinhos, 30 de abril de 2026.

Dr. Elson Santos Silva  
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This version was originally submitted in Portuguese and translated into English with the assistance of Artificial Intelligence.



## **HUMAN RIGHTS EDUCATION: PERSPECTIVES AND CHALLENGES IN BRAZILIAN BASIC EDUCATION**

### **EDUCAÇÃO EM DIREITOS HUMANOS: PERSPECTIVAS E DESAFIOS NA EDUCAÇÃO BÁSICA BRASILEIRA**

### **EDUCACIÓN EN DERECHOS HUMANOS: PERSPECTIVAS Y DESAFÍOS EN LA EDUCACIÓN BÁSICA BRASILEÑA**

**ALDEMIR DOS SANTOS DIAS<sup>1</sup>  
RODRIGO DE MOURA REIS<sup>2</sup>  
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#### **ABSTRACT**

The article aims to map and analyze recent scientific publications that address Human Rights Education (HRE) in the context of Brazilian basic education, identifying methodologies, challenges, and social impacts of this pedagogical practice. The methodology adopted was the State of Knowledge approach by Morosini and Fernandes (2014),

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through which it was possible to carry out a systematic analysis of academic production on the topic of human rights applied to basic education. Thus, the study was organized into three distinct stages. First, the search term and the inclusion and exclusion criteria for the works to be retrieved from the CAPES portal were defined, along with the selection of the material to be analyzed. In the second stage, the works were analyzed based on their titles, abstracts, and keywords. In the third stage, a report was produced with a descriptive presentation and a reflective discussion of the results found. Based on the analyzed studies, it was evident that Human Rights Education (HRE) develops socio-emotional competencies, such as empathy and cooperation, and strengthens students' critical skills. Transversality and interdisciplinarity stand out as effective strategies for integrating human rights into the school curriculum, promoting citizenship education. However, challenges such as insufficient teacher training, lack of teaching materials, and community resistance persist. Despite these challenges, positive experiences demonstrate the transformative potential of HRE, especially through interdisciplinary approaches. Therefore, it is recommended to invest in teacher training, contextualized teaching materials, and the strengthening of dialogue.

**Keywords:** Human Rights Education. Human Rights. Basic Education.

## RESUMO

O artigo tem como objetivo central mapear e analisar publicações científicas recentes que abordam a Educação em Direitos Humanos (EDH) no contexto da educação básica brasileira, identificando metodologias, desafios e impactos sociais dessa prática pedagógica. A metodologia adotada foi o Estado do Conhecimento de Morosini e Fernandes (2014), por meio da qual foi possível realizar uma análise sistemática da produção acadêmica sobre o tema dos direitos humanos aplicados na educação básica. Dessa forma, o estudo foi organizado em três etapas distintas. Primeiramente foi definido o termo de busca e os critérios de inclusão e exclusão dos trabalhos a serem buscados no portal da CAPES e a seleção do material a ser analisado. Na segunda etapa, os trabalhos foram analisados pelos parâmetros de títulos, resumos e palavras-chave. E na terceira etapa, realizou-se o relatório com a apresentação descritiva e discussão reflexiva dos resultados encontrados. A partir dos estudos analisados, evidenciou-se que a Educação em Direitos Humanos (EDH) desenvolve competências socioemocionais, como empatia e cooperação, e fortalece habilidades críticas nos estudantes. A transversalidade e a interdisciplinaridade destacam-se como estratégias eficazes para integrar os direitos humanos ao currículo escolar, promovendo uma formação cidadã. Contudo, desafios como a insuficiência na formação docente, a falta de materiais didáticos e a resistência comunitária persistem. Apesar dos desafios, experiências positivas mostram o potencial transformador da EDH, especialmente com abordagens interdisciplinares, dessa forma, recomenda-se investir na formação de professores, materiais pedagógicos contextualizados e no fortalecimento do diálogo.

**Palavras-chave:** Educação em Direitos Humanos. Direitos Humanos. Educação Básica.

## RESUMEN

El artículo tiene como objetivo central mapear y analizar publicaciones científicas recientes que abordan la Educación en Derechos Humanos (EDH) en el contexto de la educación básica brasileña, identificando metodologías, desafíos e impactos sociales de esta práctica pedagógica. La metodología adoptada fue el Estado del Conocimiento de Morosini y Fernandes (2014), mediante la cual fue posible realizar un análisis sistemático de la producción académica sobre el tema de los derechos humanos aplicados a la educación básica. De este modo, el estudio se organizó en tres etapas distintas. En primer lugar, se definieron el término de búsqueda y los criterios de inclusión y exclusión de los



trabajos a ser consultados en el portal CAPES, así como la selección del material a ser analizado. En la segunda etapa, los trabajos fueron analizados a partir de sus títulos, resúmenes y palabras clave. Y en la tercera etapa, se elaboró el informe con la presentación descriptiva y la discusión reflexiva de los resultados encontrados. A partir de los estudios analizados, se evidenció que la Educación en Derechos Humanos (EDH) desarrolla competencias socioemocionales, como la empatía y la cooperación, y fortalece las habilidades críticas de los estudiantes. La transversalidad y la interdisciplinariedad se destacan como estrategias eficaces para integrar los derechos humanos en el currículo escolar, promoviendo una formación ciudadana. Sin embargo, persisten desafíos como la insuficiencia en la formación docente, la falta de materiales didácticos y la resistencia comunitaria. A pesar de estos desafíos, experiencias positivas muestran el potencial transformador de la EDH, especialmente mediante enfoques interdisciplinarios; de este modo, se recomienda invertir en la formación docente, en materiales pedagógicos contextualizados y en el fortalecimiento del diálogo.

**Palabras clave:** Educación en Derechos Humanos. Derechos Humanos. Educación Básica.

## INTRODUCTION

Human Rights Education (HRE) constitutes a fundamental basis for the formation of conscious, ethical, and critical citizens, promoting values such as equality, dignity, and social justice. Despite its relevance, challenges persist regarding the effective integration of HRE into the school curriculum, including teacher training, the development of specific teaching materials, and the adaptation of pedagogical practices to local realities.

In Brazil, the implementation of HRE in Basic Education is aligned with the principles of the National Common Curricular Base (BNCC), which affirms its importance in building a more democratic and inclusive society.

The ninth general competence of the BNCC proposes an education that goes beyond traditional curricular knowledge, guiding students to act ethically, responsibly, and with critical awareness in relation to themselves, others, and the world. In the context of Human Rights Education, this competence seeks to promote the construction of a more just and inclusive society, integrating respect for diversity and the fight against social inequalities. The integration of Human Rights in the classroom allows teaching to go beyond the theoretical scope, providing an education oriented toward social practice and the development of citizens and students.

The ninth competence aims for students to be able to:

Exercise empathy, dialogue, conflict resolution, and cooperation, ensuring respect for themselves and promoting respect for others and for human rights, with acceptance and appreciation of the diversity of individuals and social groups, their knowledge, identities, cultures, and potential, without prejudice of any kind (Brazil, 2017, p. 600).

Human Rights Education is a response to historical and contemporary inequalities that permeate the Brazilian educational system. Through it, the aim is not only to teach content about rights but also to promote a culture of respect and appreciation of diversity. However, the effective introduction of this theme in basic education requires coordination between public policies, teacher training, and community engagement. This work is justified by the urgent need to consolidate transformative pedagogical practices capable of ensuring a broad, critical, and inclusive citizenship education.

The main objective of this study is to map and analyze recent scientific publications addressing Human Rights Education in the context of Brazilian basic education. It seeks to identify the methodological approaches used, the potentialities and challenges in implementing this theme in schools, as well as the social impacts generated by these pedagogical practices. To this end, the methodology adopted was the State of Knowledge approach by Morosini and Fernandes (2014), thus contributing to the strengthening and development of this field in national educational practice.

Regarding the methodological criteria, aiming to map scientific publications on the application of HRE in the teaching-learning process in education and its implications and potentialities, the State of Knowledge (Morosini; Fernandes, 2014) was used, as it enables a systematic analysis of academic production on the topic of human rights applied to basic education. This makes it possible to identify trends and gaps in the researched knowledge, which are essential for the formulation of comprehensive educational practices, through the survey of scientific articles available on the CAPES Journal Portal (Coordination for the Improvement of Higher Education Personnel).

This portal was selected to collect the studies due to its significance as one of the largest repositories of scientific articles in Brazil, bringing together a wide range of content across diverse fields of knowledge. According to its description, it aims to reduce regional disparities in access to scientific information, encouraging technological development and innovation. It is considered a unique initiative worldwide, as numerous institutions access its collection and it is entirely funded by the Federal Government (CAPES, 2024).

Regarding the method chosen for mapping and analyzing the data, it allows for: “[...] identification, recording, and categorization that lead to reflection and synthesis of scientific production in a given field, within a specific time frame, encompassing journals, theses, dissertations, and books on a specific theme (Morosini; Fernandes, 2014, p. 155).

The present study was organized into three distinct stages. In the first stage, the search term and the inclusion and exclusion criteria for the works to be retrieved from the CAPES portal were defined, as well as the selection of the material to be analyzed. In the second stage, the works were

analyzed based on their titles, abstracts, and keywords. In the third stage, the report was prepared with a descriptive presentation and a reflective discussion of the results found.

The search term used was “human rights education in basic education” (searched in quotation marks). The following filters were applied: open access yes; resource type article; period from 2023 to 2024; national production yes; peer-reviewed yes; field humanities; language Portuguese. This resulted in 13 findings, of which 4 met the research objective, as they were directly related to the theme of human rights applied to basic education.

The publications found in the CAPES portal were analyzed in depth, with the aim of extracting ideas and applications that may guide future pedagogical practices and educational policies, as well as identifying gaps in knowledge that may be explored in future studies.

## **1 THE NATIONAL PLAN FOR HUMAN RIGHTS EDUCATION (PNEDH)**

One of the main documents that guides and directs the implementation of Human Rights Education (HRE) in Brazilian basic education is the National Plan for Human Rights Education (PNEDH). This plan is a public policy aimed at building a society grounded in the principles of democracy, citizenship, and social justice. It promotes a human rights culture based on solidarity, respect for diversity, and the defense of equality. Developed between 2003 and 2006, the plan resulted from broad social participation and a partnership between the former Special Secretariat for Human Rights, the Ministry of Education, and the Ministry of Justice.

Structured into five axes—Basic Education, Higher Education, Non-Formal Education, Education for Justice and Public Security Professionals, and Education and Media—the PNEDH presents guidelines, objectives, and actions aimed at implementing a critical and transformative education. Among its priorities are the continuous training of educators and administrators, the inclusion of human rights topics in school curricula, and the promotion of pedagogical practices that strengthen democracy, combat prejudice, and ensure respect for diversity.

Human Rights Education is conceived as a systematic and multidimensional process, oriented toward the formation of rights-bearing subjects. It articulates historical knowledge, ethical values, civic practices, and participatory methodologies, seeking to promote social inclusion, protect against discrimination, and foster a culture of peace and harmonious coexistence. In this sense, the PNEDH reinforces the importance of ensuring a safe and respectful environment at all levels and modalities of education, especially when it states that “it is essential that human rights education be a continuous process, involving the whole of society and implemented at different levels and modalities of education” (National Plan for Human Rights Education, 2018, p. 32).

The PNEDH presents as its main guidelines the training of educators and administrators, focusing on continuous capacity-building that integrates the promotion and defense of human rights into pedagogical and administrative practices. A central aspect of the plan is the inclusion of human rights themes in school curricula and educational practices, promoting a critical and reflective education within the school environment. This approach is complemented by an emphasis on guaranteeing fundamental rights, with actions aimed at protecting against discrimination, violence, and exclusion, ensuring everyone the right to learn in a safe and respectful environment.

The plan is also committed to promoting a culture of peace, encouraging the peaceful resolution of conflicts, respect for differences, and harmonious coexistence among individuals and social groups. In addition, it prioritizes social inclusion and accessibility by implementing actions that ensure full access to education and human rights, regardless of origin, ethnicity, gender, age, or disability.

According to the National Plan for Human Rights Education (2018), education should be understood as a central instrument in building a democratic society that respects and promotes human rights. This perspective encompasses both formal and non-formal education, aiming to reach all individuals and promote active citizenship.

To ensure the effectiveness of its actions, the plan proposes monitoring and evaluation mechanisms, coordinating efforts among different levels of government and civil society. It also reaffirms Brazil's commitment to international human rights treaties, such as the Universal Declaration of Human Rights and the International Covenants on Economic, Social and Cultural Rights. In this way, the PNEDH is consolidated as a strategic instrument for transforming education into a pillar of social justice and inclusion.

## **2 HUMAN RIGHTS EDUCATION IN BASIC EDUCATION**

Basic education in Brazil has undergone a significant reform with the implementation of the National Common Curricular Base (BNCC), which expanded instructional hours and emphasized the connection between theory and practice in the teaching-learning process.

The National Common Curricular Base was created with the purpose of becoming a guiding document for the development of curricula in all schools in the country, whether public or private, as well as guiding teacher training, the production of teaching materials, and assessment methods.

In addition to traditional curricular content, the BNCC places emphasis on the development of students' socio-emotional competencies. To this end, content from different areas of knowledge

has been integrated through structuring axes, with the aim of developing essential skills in students that previously lacked emphasis.

According to the Law of Guidelines and Bases of National Education (LDB No. 9,394/96), the school has the social function of forming citizens, as described in Article 22: “Basic education aims to develop the learner, ensure the common training indispensable for the exercise of citizenship, and provide the means to progress in work and further studies” (LDB, 1996).

The definition of human rights is relatively recent and can be understood as the basic rights and freedoms of all human beings, therefore being inherent to all individuals, regardless of race, sex, nationality, ethnicity, language, religion, or any other condition. These include the right to life, liberty, freedom of opinion and expression, as well as the right to work and education, among others (UN, 1948).

According to Silva (2010, p. 49):

Human Rights Education is not limited to the contextualization and explanation of the social, economic, political, and cultural variables that influence and guide educational processes. It goes beyond contextualization, although this is essential for understanding its construction. Part of this education involves grasping the content that shapes this field, that is: the history, the processes of evolution of achievements and violations of rights, the legislation, pacts, and agreements that provide support and guarantee to rights are contents to be addressed in the basic curriculum. [...] these contents must be associated with the development of values and ethical behaviors, from the perspective that the human being is always incomplete in terms of their formation. Due to this incompleteness as a social, temporal, and situated being, human beings have a permanent need to know, construct, and reconstruct rules of coexistence in society.

According to Bobbio (1992), the recognition and protection of human rights must be present in the main modern democratic constitutions. It is common to hear that we are all born with equal rights; these rights exist to ensure a dignified life, and it is the role of the State to safeguard them. Freedom, equality, tolerance, dignity, and respect are fundamental values that must be guaranteed to all, without distinction of race, color, religion, political opinions, or social class. These principles allow each person the opportunity to live with dignity and to pursue what they consider essential.

### **3 HUMAN RIGHTS IN BASIC EDUCATION IN CAPES JOURNALS**

The studies analyzed in this research were conducted by Daminelli and Machieski (2023), Fernandes and Medeiros (2023), Freitas (2023), and Adrião *et al.* (2023). The investigation focused on four scientific articles (Table 1), all addressing the theme of Human Rights Education in the context of basic education. The selection of these works made it possible to identify the main theoretical and practical contributions produced by each author, enabling a critical and reflective

analysis of the integration of human rights into the teaching-learning process. Below, Table 1 presents the respective titles, authors, years, and journals of publication.

**Table 1.** Human Rights Education in Basic Education

| TITLE                                                                                                                       | AUTHORSHIP                                                      | YEAR | JOURNAL                                     |
|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|------|---------------------------------------------|
| Child and Adolescent Rights Guarantee System: A Proposal for Continuing Education for Basic Education Teachers              | DAMINELLI, Camila Serafim; MACHIESKI, Elisângela da Silva.      | 2023 | Socioeconomic Development in Debate Journal |
| The Teaching of Literature from a Human Rights Perspective: A Methodological Proposal                                       | FERNANDES, Maria Clara de Oliveira; MEDEIROS, Jalon Barbosa de. | 2023 | Foco Journal                                |
| Human Rights Education in the School Context: A Cross-Curricular and Interdisciplinary Approach                             | FREITAS, Claudiane Lopes de Carvalho.                           | 2023 | Foco Journal                                |
| Educational Provision and the Influence of Private Actors: Implications for the Realization of the Human Right to Education | ADRIÃO, Theresa; DOMICIANO, Cassia; DRABACH, Nádia.             | 2023 | Journal of Educational Policies             |

Source: Prepared by the authors, 2025.

The results of the research show that Human Rights Education plays a crucial role in the development of socio-emotional competencies, such as empathy, cooperation, and respect for diversity, in addition to strengthening students' critical and reflective skills. Pedagogical practices that integrate HRE into the school curriculum promote a broader education, enabling students to face the challenges of a constantly changing society.

The analyzed experiences revealed initiatives that integrate HRE in an interdisciplinary and cross-curricular manner. School projects based on real cases of rights violations allow students to develop socio-emotional competencies such as empathy and cooperation. Furthermore, the school, as an agent of the Rights Guarantee System, can act directly in the promotion and protection of human rights, strengthening a culture of peace and respect for diversity.

The work of Freitas (2023) complements this perspective by emphasizing cross-curricularity and interdisciplinarity in HRE, highlighting that the integration of human rights across all school subjects creates an environment conducive to critical reflection and dialogue. This approach broadens the scope of HRE, promoting the comprehensive education of students and reinforcing values such as equality, justice, and human dignity.

Freitas (2023) also highlights that the interdisciplinary approach enables students to understand the relevance of human rights across different areas of knowledge and in everyday practical situations. This process promotes the internalization of fundamental values and the development of a critical and engaged civic awareness. Working in a cross-curricular manner helps to demystify prejudices and stereotypes, contributing to the construction of a more inclusive and democratic society.

Fernandes and Medeiros (2023) emphasize the need to integrate literature into school curricula in a cross-curricular manner, allowing students to connect literary experiences with ethical and social issues. This practice promotes critical analysis of human rights from multiple perspectives, enriching learning and expanding students' ability to recognize and confront inequalities.

The authors Fernandes and Medeiros (2023) also highlight that the use of literature in teaching can serve as a means to foster empathy and understanding among students, especially when exploring narratives that address cultural diversity, social justice, and the challenges faced by marginalized groups. In this way, literature not only informs but also transforms attitudes, contributing to a humanizing and emancipatory education.

However, the challenges for the effective implementation of HRE are significant. One of the main obstacles identified is the insufficient initial and continuing teacher education, as many teachers do not feel prepared to address topics related to human rights in the classroom. As presented by Daminelli and Machieski (2023), continuing teacher education is essential for educators to act as promoters of the rights of children and adolescents.

In this sense, the Child and Adolescent Rights Guarantee System, analyzed by the authors, reinforces the need for educators to deeply understand the Statute of the Child and Adolescent (ECA) and its underlying philosophy. It was identified that many teachers still do not feel capable of identifying and dealing with rights violations in the school environment, for example. The continuing education of these professionals should include historical, legal, and practical elements so that the educational system operates as a network, integrating school, family, and community.

Furthermore, the lack of specific teaching materials and pedagogical resources focused on HRE limits the reach of these initiatives.

Another critical point is the resistance of some school communities, which may misinterpret HRE or fail to recognize its importance in the educational context. This resistance requires awareness-raising and engagement strategies that involve all actors in the school community, including administrators, parents, and students.

The study by Adrião *et al.* (2023) warns about the consequences of privatization in the realization of the human right to education. The involvement of private actors, such as investment

funds, generates inequalities within public education systems, compromising the universalization of access and the quality of education. Programs such as “Acelera Brasil,” cited by the authors, exemplify the influence of the private sector on guidelines that often disregard regional and cultural specificities. This context requires that Human Rights Education (HRE) be seen as an essential tool to combat inequalities exacerbated by such initiatives and to promote a more inclusive public education.

Despite these challenges, the study revealed positive experiences in various regions of the country, where interdisciplinary projects and community-based actions demonstrated the transformative potential of HRE. These initiatives point to the need for robust educational planning and pedagogical training that place HRE at their core, valuing its cross-curricular nature by integrating it into regular subjects and extracurricular activities, thus contributing to quality education as a universal and inclusive prerogative.

## 4 CONCLUSION

The research concludes that Human Rights Education is an indispensable instrument for building a more just and equitable society. Its application in Basic Education contributes to the development of citizens who are more aware of their rights and duties, while also promoting inclusion and respect for diversity. However, for HRE to reach its full transformative potential, it is essential to overcome the identified challenges.

It is recommended to establish public policies that ensure the continuous training of teachers, guaranteeing that they are prepared to implement pedagogical practices related to HRE. Furthermore, it is necessary to invest in the production and dissemination of teaching materials that are aligned with the reality of Brazilian schools and that take into account regional specificities.

Another crucial point is the strengthening of dialogue between schools and communities, demystifying HRE and fostering the engagement of all those involved in the educational process. Future studies should explore new pedagogical and methodological approaches to integrate HRE into the school curriculum in a more effective and sustainable way, contributing to the formation of full and active citizenship.

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## **THE IMPORTANCE OF TRAINING IN HUMAN RIGHTS IN TECHNOLOGY DEGREES AS A MECHANISM TO GUARANTEE CITIZENS’ RIGHTS**

### **A IMPORTÂNCIA DA FORMAÇÃO EM DIREITOS HUMANOS NAS GRADUAÇÕES DE TECNOLOGIA COMO UM MECANISMO DE GARANTIA DE DIREITOS DOS CIDADÃOS**

### **LA IMPORTANCIA DE LA FORMACIÓN EN DERECHOS HUMANOS EN LAS CARRERAS DE TECNOLOGÍA COMO UN MECANISMO DE GARANTÍA DE LOS DERECHOS DE LOS CIUDADANOS.**

**WEYSSLER MATUZINHOS DE MOURA<sup>1</sup>**

#### **ABSTRACT**

This study presents the importance of Human Rights education in Information Technology degree programs, based on a bibliographic review and official performance evaluation instruments from the Ministry of Education. It generally addresses: the concept of Artificial Intelligence and a discussion on the debate surrounding AI Ethics; the proposal of the Legal Framework for Artificial Intelligence in Brazil; the impact of the use of technologies on people's lives; and concludes by suggesting the inclusion of AI Ethics and the use of technologies in Information Technology undergraduate curricula. It demonstrates that these two themes are branches of Human Rights Education in Brazilian higher education and serve as strategies to ensure the comprehensive training of software developers when included in curricula. This perspective is grounded in the approach of Bill No. 2,338 of 2023, the Legal Framework for AI in Brazil, which highlights the importance of the development and responsible use of Artificial Intelligence systems and establishes, as one of its premises, the “centrality of the human person” in order to preserve fundamental rights.

**Keywords:** Artificial Intelligence Ethics. Human Rights Education. Legal Framework for AI in Brazil.

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## RESUMO

Este trabalho apresenta a importância da formação em Direitos Humanos em cursos de tecnologia da informação, a partir de uma revisão bibliográfica e de instrumentos de avaliação de desempenho oficiais do Ministério da Educação, trazendo, de forma geral: o conceito de Inteligência Artificial e uma abordagem quanto ao debate em torno da Ética da Inteligência Artificial; da proposta do Marco Legal da Inteligência Artificial no Brasil; do impacto do uso das tecnologias na vida das pessoas; e conclui com a sugestão de previsão de ética da Inteligência Artificial e do uso das Tecnologias nos currículos de graduação em Tecnologia da Informação, demonstrando que estas duas temáticas são braços da Educação em Direitos Humanos na educação superior brasileira e que são estratégias para garantir uma formação integral dos desenvolvedores de software ao inclui-las nos currículos, ancorado na abordagem do Projeto de Lei 2.338 de 2023, Marco Legal da IA no Brasil, o qual destaca a importância do desenvolvimento e do uso responsável de sistemas de Inteligência Artificial e traz como uma de suas premissas a “centralidade da pessoa humana”, na busca por se preservar direitos fundamentais.

**Palavras-chave:** Ética da Inteligência Artificial. Educação em Direitos Humanos. Marco Legal da IA no Brasil.

## RESUMEN

Este trabajo presenta la importancia de la formación en Derechos Humanos en los cursos de Tecnología de la Información, a partir de una revisión bibliográfica y de instrumentos oficiales de evaluación del desempeño del Ministerio de Educación. De manera general, aborda: el concepto de Inteligencia Artificial y una discusión sobre el debate en torno a la Ética de la IA; la propuesta del Marco Legal de la Inteligencia Artificial en Brasil; el impacto del uso de las tecnologías en la vida de las personas; y concluye con la sugerencia de incluir la Ética de la IA y el uso de las tecnologías en los planes de estudio de grado en Tecnología de la Información. Se demuestra que estas dos temáticas son ramas de la Educación en Derechos Humanos en la educación superior brasileña y constituyen estrategias para garantizar una formación integral de los desarrolladores de software al incluirlas en los currículos. Este enfoque se fundamenta en el Proyecto de Ley N.º 2.338 de 2023, Marco Legal de la IA en Brasil, el cual destaca la importancia del desarrollo y del uso responsable de los sistemas de Inteligencia Artificial y establece, como uno de sus principios, la “centralidad de la persona humana”, con el fin de preservar los derechos fundamentales.

**Palabras clave:** Ética de la Inteligencia Artificial. Educación en Derechos Humanos. Marco Legal de la IA en Brasil.

## INTRODUCTION

Artificial intelligence, the ethics of artificial intelligence (AI), and the information age are movements that, according to Floridi (2023), have only just begun, and humanity has the opportunity to shape them in a positive way so that they may benefit both itself and the planet. This statement by the author is consistent, especially considering that the use of digital technologies has led to biases

that, in various situations, have put at risk the right to privacy, as well as the guarantee of citizens' civil and constitutional rights. In order to ensure rights and reduce these biases, it is necessary for society to engage constructively, following ethical principles, to analyze the challenges so that such rights and guarantees are not violated and, collectively, to design appropriate solutions (Florida, 2023).

In the context of innovation and transformation, Human Rights stand out as a multidisciplinary field that encompasses emerging concepts, such as the ethics of artificial intelligence and the use of technologies, which, when included in undergraduate technology programs, can serve as a way to guarantee citizens' rights. This is because the training of Information Technology professionals has an impact on their professional practice, fostering awareness as software developers who work with AI applications and who will use systems that employ this technology responsibly (UNESCO, 2021).

This study provides an overview of the information society and presents the ethical debate surrounding the use of technologies, exploring the approach of Bill No. 2,338 of 2023, the Legal Framework for AI in Brazil, which highlights the importance of the development and responsible use of AI systems and establishes, as one of its premises, the "centrality of the human person" in order to preserve fundamental rights (Brazil, 2023). Finally, it presents some measures which, from the author's perspective, may support the comprehensive training of software developers, grounded in ethics and responsibility in the use of technology. This demonstrates that these themes, when addressed during the educational process of these professionals in Brazilian colleges and universities, can become an extension of Human Rights in ensuring the rights of citizens.

The methodology applied consisted of a bibliographic review and the analysis of official performance evaluation instruments from the Ministry of Education, presenting the concept of Artificial Intelligence and a general approach to the debate surrounding Ethics in Artificial Intelligence; the Legal Framework for Artificial Intelligence in Brazil; the impact of the use of technologies on people's lives; and the suggestion of incorporating Artificial Intelligence ethics and the use of technologies into Information Technology undergraduate curricula.

## **1 HUMAN RIGHTS, ARTIFICIAL INTELLIGENCE, AND THE ETHICS DEBATE**

Studies in Human Rights are multidisciplinary and, by their nature, encompass diverse fields and concepts, including emerging topics such as Artificial Intelligence (AI), which can broadly be understood as a type of artificial computational system that exhibits intelligent behavior. In the literal

words of one of the most recognized pioneers of Artificial Intelligence in the world, Marvin Lee Minsky (1985 apud Stanford, 2020), due to its relatively autonomous behavior, AI has the power to affect people's rights, which explains the relationship established here. The intention is not to restrict intelligence to that exhibited by humans, but rather to highlight that computer science has produced a range of machines that possess learning or reasoning capabilities and stand out in automating specific tasks that are generally executed and conceived by humans (Stanford, 2020).

Historically, it is worth noting that the term "AI" has been used since the 1950s, and in recent years its concept has expanded to encompass areas such as "machine learning," "natural language processing," and "data science." Around 2010, its usage broadened further, and at times nearly all of computer science—and even high technology—has been grouped under the category of "AI," which is now widely used and represents a rapidly growing industry with significant capital investment (Stanford, 2020).

The main point of debate regarding the ethics and regulation of AI lies in the fact that artificial intelligence systems can be more or less autonomous, once again highlighting their potential impact on Human Rights—that is, on citizens' rights and guarantees. The focus on its use does not presuppose which ethical approaches are most appropriate to address these issues. In this regard, Lima (2020) offers a relevant reflection: "innovation is, therefore, a continuous process, with relevant intermediate milestones, but without a defined endpoint, characterized by improvement and adaptation to the world in which we live. This continuous improvement may trigger certain ethical issues." The same author connects the concept of innovation to the ethical and philosophical debate surrounding AI ethics, presenting the perspective of the Swedish philosopher Nick Bostrom, who understands that the morality and ethics embedded in these systems are reproductions of the moral constraints to which humans are subject in their relationships with contemporary AI systems, all based on responsibilities, perspectives, biases, and understandings of relationships with others (Lima, 2020). The multidisciplinary nature of Human Rights, their relationship with ethics, and the centrality of the human person are contemporary concerns that this work seeks to highlight as themes that should be explored during the educational process of technology professionals, as they are the primary designers of such intelligent systems.

The ethical debate, the concern for the human person, and the guarantee of Human Rights and citizens' rights resonate with the essence sought in the Legal Framework for AI in Brazil and are reinforced in the research by Marcato (2022), who argues that the debate on AI ethics is related to what programmers and developers—professionals who create these algorithms—must observe when introducing new artificial intelligence systems to the market. The entire issue must be centered on

human beings, in order to develop greater trust in technological solutions used across various social sectors. The researcher further states that “in addition to being concerned with the development of systems that take into account the human condition, with all its particularities, ensuring the non-violation of fundamental rights and guarantees,” it is also necessary to ensure another value, namely transparency (Marcato, 2022).

What is intended, based on what has been presented, is to demonstrate the correlation between ethics and artificial intelligence and its impact on citizens' lives. This relationship can be analyzed from various perspectives, and here the focus is on the Human Rights perspective. According to Marcato (2022, p. 112), one of the concerns regarding these systems relates to the “processing of data, its respective legal regulation, and how this impacts citizens' lives,” as well as how those who use these systems will interpret the data resulting from AI analyses. The researcher continues:

Another ethical perspective to be considered concerns the system programmer who uses artificial intelligence as a technology to perform tasks [...] and what paradigms should be observed by the programmer so that the final result is fair [...] the focus is on the methodology used by the programmer in building the system and, furthermore, on the analysis of the result of this application: the algorithm (Marcato, 2022, p. 112).

The understanding reached is that Human Rights, due to their multidisciplinary nature, broadly encompass debates on ethics, technology, and innovation. In this sense, one of the central objectives of this research is to review national and international literature in order to identify and systematize the main studies on Ethics in Artificial Intelligence, with special attention to the impact of the use of technologies and autonomous systems on citizens' lives.

## **2 HUMAN RIGHTS AND THE LEGAL FRAMEWORK FOR ARTIFICIAL INTELLIGENCE IN BRAZIL**

The widespread use of technologies and artificial intelligence has completely transformed the way people, across various areas of human activity, deal with their processes. Furthermore, there are several projections indicating that artificial intelligence (AI) will bring about profound economic and social changes in the coming years (Brazil, 2023). A natural consequence of this transformation is the need for regulation, especially regarding the guarantee of citizens' rights, a subject encompassed within Human Rights.

The understanding that regulation is necessary is reinforced by the very justification of Bill No. 2,338 of 2023, which presents a proposed law governing the use of Artificial Intelligence as a

result of the consolidation of various initiatives related to AI regulation in Brazil, as it explicitly states that due to:

[...] given the relevance of this issue, some legislative proposals have recently been presented, both in the Federal Senate and in the Chamber of Deputies, with the aim of establishing guidelines for the development and application of artificial intelligence systems in Brazil. In particular, the following stand out: Bill No. 5,051 of 2019, authored by Senator Styvenson Valentim, which establishes principles for the use of Artificial Intelligence in Brazil; Bill No. 21 of 2020, by Federal Deputy Eduardo Bismarck, which establishes foundations, principles, and guidelines for the development and application of artificial intelligence in Brazil and provides other measures, and which was approved by the Chamber of Deputies; and Bill No. 872 of 2021, by Senator Veneziano Vital do Rêgo, which addresses the use of Artificial Intelligence. On February 3, 2022, these three bills began to be processed jointly in the Federal Senate. (Brazil, 2023, p. 27).

The aforementioned bill is fully aligned with the recommendation of UNESCO (2021), an organization that has the defense of Human Rights as one of its core principles. UNESCO, the United Nations Educational, Scientific and Cultural Organization, presents a series of points of attention regarding the rapid advancement of artificial intelligence technologies and their impacts on the market and on citizens' lives:

It recommends that Member States voluntarily apply the provisions of this Recommendation by taking appropriate measures, including any legislative or other measures that may be necessary, in accordance with the constitutional practices and governance frameworks of each State, to give effect, within their jurisdictions, to the principles and norms of the Recommendation, in line with international law, including international human rights law. (UNESCO, 2021).

In this same sense, the protection of Human Rights is explicitly addressed in the Legal Framework for AI in Brazil, which is currently under consideration in the National Congress. This legal instrument has two clear objectives: (1) to establish and guarantee rights to protect the most vulnerable party in this context—the individual, the citizen—who is daily impacted by artificial intelligence systems, whether through routine content recommendations or targeted advertising on the Internet, which are very common on social media; and (2) to “provide governance tools and an institutional arrangement for oversight and supervision, creating conditions of predictability regarding its interpretation and, ultimately, legal certainty for innovation and technological development” (Brazil, 2023).

The protection of the rights of the human person—the citizen—is a central concern of Human Rights, and the regulation of AI use encompasses all stages or life cycles of these systems. In other words, the issue must cover everything from research, design, and development to implementation and use, the latter being the stage that most directly affects the population at large. Regulation must also include maintenance, operation, commercialization, financing, monitoring and

evaluation, validation, decommissioning, dismantling, and the termination of these systems (UNESCO, 2021).

Analyzing Bill No. 2,338 of 2023, which addresses the Legal Framework for AI in Brazil, it is evident that it aligns with the Recommendation on the Ethics of Artificial Intelligence published by UNESCO in 2021. Within the scope of these recommendations, the organization defines AI actors as any actors involved in at least “one stage of the AI system life cycle, and they may refer to both natural and legal persons, such as researchers, programmers, engineers, data scientists, end users, companies, universities, and public and private entities, among others” (UNESCO, 2021).

Thus, from a credit approval analysis to a simple display of a post on a citizen’s social media timeline, AI is present. Therefore, the focus here is to present what exists—and what is being pursued—regarding regulation for the protection of fundamental rights such as democratic values, privacy, and personal data protection, as well as non-discrimination and the centrality of the human person. This latter concept is enshrined in the Federal Constitution of 1988, in Article 1, which, although it may seem unnecessary to reiterate, reinforces the focus on Human Rights.

The demonstration of the relationship between Human Rights, the Ethics of Artificial Intelligence, and the use of technologies is based on the understanding that such approaches represent a branch of Human Rights Education. This perspective is grounded in what the National Plan for Human Rights Education (PNEDH)—a guiding document for this field in national education, launched in 2003—presents as a general vision of respect for values that preserve fundamental rights and guarantees, which must be addressed at all levels of education, both formal and non-formal (Brazil, 2018).

The Plan is based on international and national documents, through which Brazil’s role in the history of the affirmation of human rights is established, defining as guiding objectives:

[...] (a) to strengthen respect for human rights and fundamental freedoms; (b) to promote the full development of the human personality and dignity; (c) to foster understanding, tolerance, gender equality, and friendship among nations, Indigenous peoples, and racial, national, ethnic, religious, and linguistic groups; (d) to encourage the effective participation of individuals in a free and democratic society governed by the rule of law; (e) to build, promote, and maintain peace. (Brazil, 2018).

It is important to highlight that, as established by the PNEDH itself, “the implementation of the National Plan for Human Rights Education aims, above all, to disseminate a culture of human rights in the country” (Brazil, 2018). From the perspective of training technology professionals, the affirmation of principles that defend the human person has a direct connection with the proposal of the Legal Framework for Artificial Intelligence in Brazil, as this study has sought to demonstrate.

### 3 HUMAN RIGHTS AND THE IMPACT OF THE USE OF TECHNOLOGIES ON PEOPLE'S LIVES

The Legal Framework for AI establishes as one of its premises the “centrality of the human person,” as stated in Article 2, item I, of Bill No. 2,338 of 2023. What can be understood from this is that, in order to place the human person at the center of the implementation and use of artificial intelligence systems in Brazil, it is necessary to guarantee and preserve fundamental rights and guarantees, including the right to privacy—all of which are encompassed within Human Rights. The use of digital technologies in various aspects of people's lives also has implications in the sphere of continuous surveillance, meaning that at all times there are artificial intelligence systems processing data collected from individuals.

There is a general understanding that advances in technology and the digital transformation of businesses positively impact the economy and increase productivity, whether by reducing costs or cutting waste—of time or raw materials. However, this revolution, on the other hand, has been putting pressure on the labor market regarding people's roles, since, at an unprecedented pace, as a consequence of recent advances, “machines and intelligent algorithms are taking over tasks ranging from repetitive and routine activities to cognitive ones” (CNI, 2020). In other words, machines are occupying spaces that were previously exclusive to humans. Similarly, from the perspective of information systems, tens or even hundreds of thousands of robots and bots are currently operating, working in place of people with data collected from individuals, while these individuals maintain their presence in digital networks and virtual environments.

Information provided by PricewaterhouseCoopers (PwC), in the report entitled “The Digital Divide in Brazil,” presents both an alarming and positive finding: the technology sector in Brazil will require thousands of new technology professionals in the coming years (PwC, 2022). The same report states that:

With the advancement of artificial intelligence and automation, many traditional roles are being eliminated or replaced worldwide. Roles that accounted for 15.4% of the global workforce in 2020 are expected to shrink to 9% by 2025. On the other hand, the share of new professions (such as data and artificial intelligence specialists) will nearly double, growing from 7.8% to 13.5% of the total workforce over the same period (PwC, 2022).

One perspective that can be inferred from the excerpt presented, based on the research portraying the digital divide in Brazil produced by PwC (2022), is that these new professionals — trained in a context where there is urgency for their insertion into the productive sector — reinforce the importance and necessity of a focus on the development and application of tools that, above all, respect Human Rights, the Rights of Man, and the Rights of Citizens.

The topic is controversial and subject to divergent views; therefore, the proposal is to analyze it from an ethical-normative perspective, such as the opinion of Nigel Cameron, senior researcher at the University of Ottawa (2017 apud CNI, 2020), whose view is somewhat more pessimistic regarding the advancement of AI. He “warns that human workers will be competing with another ‘species,’ cheaper to employ and with the additional advantage of continuously evolving into more intelligent forms; the risk is that sufficient opportunities will not be created for humans whose skills will no longer be relevant.” This is not what more recent studies indicate, such as the data presented by PwC (2022), which highlights that the technology sector in Brazil will require thousands of technology professionals in the coming years. Once again, this underscores the need for a Human Rights-oriented educational perspective among these professionals.

This conclusion is based on the space that artificial intelligence has been occupying, especially because it is one of the pillars of Industry 4.0 and one of its enabling technologies. Machine learning techniques, “Machine Learning,” “Deep Learning,” and others automatically improve systems and increase predictive accuracy, as well as facilitate customization. Artificial Intelligence algorithms, as presented in the report by the National Confederation of Industry:

Use databases, identify trends, and simulate scenarios, contributing to supply chain planning, forecasting seasonality, and better understanding consumer expectations, among numerous other benefits. By adding value to human work, AI is transforming tasks and functions, processes, and business models (CNI, 2020).

What this article seeks to present is a perspective on how the Legal Framework for Artificial Intelligence in Brazil, from the standpoint of the ethical-normative debate and the impact of these technologies on people’s lives, can contribute to the consolidation of principles that protect the human person, particularly when these principles begin to be incorporated as subjects or content in the training programs of Information Technology professionals, such as the discipline of Human Rights itself.

Shifting slightly from the discussion of the displacement of human labor to the risks of privacy invasion or the violation of fundamental rights and guarantees, it is observed that Bill No. 2,338 of 2023 is also concerned with algorithmic impact assessment. It dedicates a specific section to this issue, stating that there is a need for “algorithmic impact assessment to be carried out by a professional or a team of professionals with the necessary technical, scientific, and legal knowledge to prepare the report, and with functional independence” (Brazil, 2023).

What this study seeks to highlight is that, for these professionals to be prepared to carry out the task of analyzing the algorithmic impact of artificial intelligence tools, it is necessary that they are sensitive to the principles established by the Legal Framework for Artificial Intelligence. In other

words, it is essential that the curricula of Information Technology training programs include and encourage the development of this responsible perspective and the ethics of AI systems, from a Human Rights standpoint.

#### **4 HUMAN RIGHTS IN INFORMATION TECHNOLOGY UNDERGRADUATE CURRICULA**

Undergraduate programs in technology are regulated by the Ministry of Education (MEC) and have their minimum content defined in the National Curriculum Guidelines (DCN) for undergraduate courses at the bachelor's level, or in the National Catalog of Higher Technology Courses (CNCST) for technological degrees. These instruments, which guide the minimum curricular content to be fulfilled by Higher Education Institutions (HEIs) in Brazil particularly in the field of Information Technology establish that professional practice must be ethical, responsible, and in accordance with professional regulations, that is, within the scope of Human Rights.

The CNCST, as mentioned, explicitly states that for professional practice as a technologist, “ethics and respect in professional practice” are fundamental (Brazil, 2024). Similarly, the National Curriculum Guidelines (DCN) for undergraduate programs in the field of Computing establish in Article 4 that “bachelor's and licentiate degree programs in Computing must ensure the training of professionals endowed with: I – knowledge of social, professional, legal, ethical, political, and humanistic issues” (Brazil, 2016).

In this same line, when analyzing the evaluation process of students' performance in Information Technology undergraduate programs whether technological, bachelor's, or licentiate degrees it is observed that there is still concern regarding the inclusion of such themes when assessing how students have been trained during their studies. In this context, the exam guidelines and specific components assessed for graduates in the field of Computer Science (Bachelor's degree), within the scope of the National Student Performance Exam (ENADE), 2021 edition the most recent for the field, held every three years highlight in Article 5 that “the ENADE 2021 exam, in the specific component of the Computer Science – Bachelor's degree area, will take as a reference for the graduate profile the following characteristics: [...] III – ethical and reflective regarding the impact of computing and its technologies on society and the environment” (Brazil, 2021a).

However, although ethics and the responsible use of technology are included in curricula, this is not reflected in the ENADE assessment. It is not possible to determine whether this is due to the breadth of the content to be covered, the limited scope of the exam, or simply the lack of prioritization of the topic. What can be stated is that in recent editions of the National Student

Performance Exam (ENADE) for the field of Information Technology, there were no questions addressing ethics or the responsible use of technology (Brazil, 2021b).

In this context, it can be inferred that the topic of Human Rights understood here as the ethics of artificial intelligence, the ethics of technology use, and the ethics of professional practice does not yet have a guaranteed space in these programs. As presented, this is not necessarily due to negligence; however, allocating dedicated instructional time to address this topic is of great importance, given its cross-cutting and multidisciplinary nature.

## 5 RESULTS AND DISCUSSION

This section presents the results and some analyses based on the research strategy outlined in the methodology.

From the review presented in the proposed methodology, it is possible to understand that normative instruments, content guidelines, and performance evaluation criteria for professionals graduating from Information Technology programs, as well as the overarching objective of the National Plan for Human Rights Education which, as stated, “aims above all to disseminate a culture of human rights in the country” (Brazil, 2018) support the view that it is not an exaggeration to propose strengthening strategies to raise awareness among professionals regarding ethics and the responsible use of technology within their training programs.

This is the conclusion reached from the review of the guiding documents, namely: the National Curriculum Guidelines (DCN) for undergraduate programs in Computing (Brazil, 2016); the exam guidelines and specific components assessed for graduates in Computer Science (Bachelor's degree) within the National Student Performance Exam (ENADE) (Brazil, 2021a); and the National Catalog of Higher Technology Courses (Brazil, 2024). The review of these documents demonstrated that all of them include ethics and professional responsibility as key components in technology training. However, in the ENADE exam for the Information Technology field, no questions addressing this topic were included (Brazil, 2021b), which supports the assertion that it is reasonable to conclude there is a need to incorporate the ethics of artificial intelligence and the responsible use of technologies into undergraduate Information Technology programs.

The objective here is not to claim negligence on the part of any of the actors involved in the process, but rather to emphasize that there is room for improvement in the roles of faculty, Higher Education Institutions, and the government understood here in a broader sense as the public sector.

Once again, it is emphasized that the rationale for linking the ethics of artificial intelligence and the responsible use of technologies as a branch of Human Rights Education in technology undergraduate programs lies in addressing the issue at its origin that is, in shaping the education of professionals who develop these artificial intelligence systems.

## **6 THE IMPORTANCE OF THE ROLE OF THE FACULTY**

The faculty members of a Higher Education Institution (HEI) are the first professionals in the field with whom students who intend to graduate in that area have contact. Therefore, from the perspective of career development and professional ethics, they serve as references for those who will become future professionals in the technology field. This highlights the importance of adequately preparing these professionals.

In addition to serving as professional role models for students, faculty members are part of academic committees that have the autonomy to adjust programs and, more importantly, to establish pedagogical proposals for teaching, research, and extension activities that contribute to the comprehensive education of undergraduate students. One example of such a committee is the Structuring Teaching Nucleus (NDE) of the course, which “is composed of a group of faculty members with academic responsibilities for monitoring and actively participating in the process of designing, consolidating, and continuously updating the course’s pedagogical project” (Brazil, 2010). It is important to note that the NDE is also responsible for “indicating ways to encourage the development of research and extension lines arising from undergraduate needs, labor market demands, and aligned with public policies related to the course’s field of knowledge” (Brazil, 2010).

Faculty members in undergraduate technology programs play a central role in the education of future professionals who will develop artificial intelligence systems. Their work, from the perspective of Human Rights, Ethics, and the responsible use of technologies, aligns with what the National Plan for Human Rights Education (PNEDH), in its conception and principles for higher education, highlights when it emphasizes the relationship between higher education and the continuous contribution to professional training, as well as the maintenance of “a relationship of service and reciprocity with society” (Brazil, 2018). This is also reflected in its encouragement of the “development of pedagogical methodologies of a transdisciplinary and interdisciplinary nature for human rights education in HEIs” (Brazil, 2018).

In this context, faculty members become agents of extreme importance in the process of ethical training in the use of technologies for future graduates of Information Technology programs.

They also become key figures in the multiplication and dissemination of the preservation of Human Rights.

## 7 FINAL CONSIDERATIONS

Considering the context of regulation, the definition of principles and curricular guidelines, and the inclusion of these themes in assessment processes during academic programs, it is important to highlight that, as established by the PNEDH itself, within the programmatic actions of higher education, it is the responsibility of public authorities to “support the creation and strengthening of forums, centers, committees, and research and extension groups aimed at promoting, defending, protecting, and studying human rights in Higher Education Institutions (HEIs)” (Brazil, 2018).

The focus here is on proposing structured actions by public authorities to maintain and disseminate a culture of respect for fundamental rights and guarantees among future technology professionals graduating from these HEIs. In this sense, Human Rights Education can consolidate its role as, in a broad sense, the “strengthening of individual and social practices that generate actions and instruments in favor of the promotion, protection, and defense of human rights, as well as the reparation of violations” (Brazil, 2018).

From the review of the instruments that establish the minimum content for Information Technology undergraduate programs, it is possible to observe that the subject of Ethics and responsible professional practice is included in curricular guidelines, both in training and evaluation stages. However, the topic of the responsible use of technology and even more so the responsible implementation of Artificial Intelligence systems has not been required in the assessments of higher education graduates. Therefore, there is clear room for improvement in addressing these topics, both from the perspective of technologies such as Artificial Intelligence and, more broadly, regarding the use of emerging technologies.

This conclusion is drawn from the fact that, although the topic is included in curricula, it is not reflected in applied performance assessments. This statement is based on the analysis of the aforementioned instruments. It is not possible to determine whether this absence is due to the breadth of the content to be assessed, the limited scope of the examination, or simply the lack of prioritization of the topic. However, this is what the analysis reveals, which reinforces the importance of Human Rights education in technology degree programs particularly from the perspective of the roles of faculty, institutions, and public authorities. Faculty members, as the first professionals with whom future developers of artificial intelligence systems come into contact, bear the responsibility of

understanding the importance of these issues within the institutional context and the academic bodies to which they belong, supported by institutional policies of HEIs. Public authorities, in turn, as outlined by the PNEDH, are responsible for strengthening practices in which individuals and society generate actions and instruments that promote, extend protection, and defend human rights, as well as ensure the reparation of violations.

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## **PSYCHOLOGICAL ILLNESS AND OCCUPATIONAL HEALTH IN PUBLIC SECURITY**

### **ADOECIMENTO PSÍQUICO E SAÚDE OCUPACIONAL NA SEGURANÇA PÚBLICA**

### **ENFERMEDAD MENTAL Y SALUD OCUPACIONAL EM LA SEGURIDAD PÚBLICA**

**PEDRO FILIPE CRUZ CARDOSO DE ANDRADE<sup>1</sup>**

#### **ABSTRACT**

The article examines the challenges and impacts related to the occupational health of public security agents from a legal-social perspective, emphasizing their connections with human rights and constitutional principles. The research, theoretical and critical in nature, is based on the analysis of classical references, such as Foucault and Goffman, and contemporary studies on mental health and working conditions. It identifies that continuous exposure to risk, the culture of institutional invulnerability, and the absence of preventive public policies constitute a scenario of violation of fundamental rights, such as the right to health and dignity, guaranteed by the Federal Constitution of 1988. The lack of effective measures within the institutional scope not only compromises the psychological integrity of agents but also violates international worker protection norms, affecting the legitimacy and efficiency of corporations. It is concluded that strengthening public policies aimed at occupational health is essential to ensure a dignified work environment compatible with constitutional principles, in addition to promoting the effectiveness of the public security system. The study reinforces the urgency of an integrated approach that articulates prevention, psychological support, and the valorization of human rights.

**Keywords:** Occupational health. Public security. Human rights. Federal Constitution. Public policies.

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## RESUMO

O artigo examina os desafios e impactos relacionados à saúde ocupacional dos agentes de segurança pública sob uma perspectiva jurídico-social, enfatizando suas conexões com os direitos humanos e os princípios constitucionais. A pesquisa, de natureza teórica e crítica, baseia-se na análise de referenciais clássicos, como Foucault e Goffman, e estudos contemporâneos sobre saúde mental e condições laborais. Identifica-se que a exposição contínua ao risco, a cultura de invulnerabilidade institucional e a ausência de políticas públicas preventivas configuram um cenário de violação de direitos fundamentais, como o direito à saúde e à dignidade, assegurados pela Constituição Federal de 1988. A falta de medidas eficazes no âmbito institucional não apenas compromete a integridade psíquica dos agentes, mas também infringe normas internacionais de proteção ao trabalhador, afetando a legitimidade e a eficiência das corporações. Conclui-se que o fortalecimento de políticas públicas voltadas à saúde ocupacional é imprescindível para assegurar um ambiente laboral digno e compatível com os princípios constitucionais, além de promover a efetividade do sistema de segurança pública. O estudo reforça a urgência de uma abordagem integrada que articule prevenção, suporte psicológico e a valorização dos direitos humanos.

**Palavras-chave:** Saúde ocupacional. Segurança pública. Direitos humanos. Constituição Federal. Políticas públicas.

## RESUMEN

El artículo examina los desafíos e impactos relacionados con la salud ocupacional de los agentes de seguridad pública desde una perspectiva jurídico-social, enfatizando sus conexiones con los derechos humanos y los principios constitucionales. La investigación, de naturaleza teórica y crítica, se basa en el análisis de referentes clásicos, como Foucault y Goffman, y estudios contemporáneos sobre salud mental y condiciones laborales. Se identifica que la exposición continua al riesgo, la cultura de invulnerabilidad institucional y la ausencia de políticas públicas preventivas configuran un escenario de violación de derechos fundamentales, como el derecho a la salud y a la dignidad, garantizados por la Constitución Federal de 1988. La falta de medidas eficaces en el ámbito institucional no solo compromete la integridad psíquica de los agentes, sino que también infringe normas internacionales de protección al trabajador, afectando la legitimidad y la eficiencia de las corporaciones. Se concluye que el fortalecimiento de políticas públicas orientadas a la salud ocupacional es imprescindible para asegurar un ambiente laboral digno y compatible con los principios constitucionales, además de promover la efectividad del sistema de seguridad pública. El estudio refuerza la urgencia de un enfoque integrado que articule prevención, apoyo psicológico y la valorización de los derechos humanos.

**Palabras clave:** Salud ocupacional. Seguridad pública. Derechos humanos. Constitución Federal. Políticas públicas.

## INTRODUCTION

Public security represents a fundamental pillar for preserving order and guaranteeing the fundamental rights provided for in the Constitution of the Federative Republic of Brazil of 1988. However, the work of public security agents, who daily face highly complex and risky situations,

exposes these professionals to adverse psychosocial factors, often resulting in negative impacts on psychological and occupational health (Back, 2021; Minayo; Souza, 1997). Such conditions have implications not only for the individuals directly involved but also for the effectiveness and legitimacy of institutions in fulfilling their social function.

In this context, the present study proposes a critical analysis of the occupational health conditions of public security agents, with special emphasis on the psychological impacts resulting from the exercise of their activities and the gaps in public policies aimed at promoting mental health. This is an approach that articulates the dimensions of work, health, and fundamental rights, promoting an interdisciplinary reflection on the need to strengthen the protection of these professionals, in accordance with the principles of human dignity and administrative efficiency (Brasil, 1988).

The study is based on a theoretical and critical review, based on a doctrinal analysis and relevant academic productions on the factors influencing psychological illness and the responsibilities of public institutions in mitigating these risks. Furthermore, it aims to understand how the absence of adequate preventive mechanisms can constitute a violation of human and labor rights, aggravating the vulnerability conditions of these workers.

Structured in three parts, the article initially presents the psychosocial factors that contribute to psychological illness in the work environment. Next, in the second topic, it analyzes the challenges faced by public institutions in promoting occupational health, focusing on normative and organizational gaps. In its third topic, it discusses the relationship between occupational health and fundamental rights, highlighting the importance of a legal-institutional system that ensures the dignity and protection of public security professionals.

## **1 PSYCHOSOCIAL FACTORS IN THE WORK OF PUBLIC SECURITY AGENTS**

The work of public security agents is inserted in a context of high complexity, where psychosocial factors play a central role in shaping an adverse work environment. These conditions are marked by the interaction of emotional, social, and institutional elements that often converge towards psychological illness. Among the main factors, the following stand out: constant exposure to risky situations, pressure for results, the culture of institutional invulnerability, emotional isolation, lack of adequate psychological support, and the stigmatization of seeking professional help (Back, 2021; Minayo; Souza; Constantino, 2007).

In addition to compromising individuals' mental health, the psychosocial impacts resulting from the work of public security agents have direct effects on organizational efficiency. Psychological illness, manifested through disorders such as anxiety, depression, and burnout, reduces the

responsiveness and productivity of professionals, negatively interfering in the provision of services to society. High turnover, the increase in the number of medical leaves, and absenteeism are organizational symptoms of a system that neglects comprehensive care for its workers. This reality not only weakens the legitimacy of corporations but also overloads agents on duty, generating a continuous cycle of vulnerability and inefficiency (Santos; Saturnino, 2023).

The organizational culture of public security corporations is marked by tacit norms that value emotional invulnerability and physical strength as indispensable attributes for professional performance. This view, still rooted in many institutions, reinforces the idea that demonstrating fragility or psychological suffering is incompatible with the role played by agents. This environment contributes to the silencing of emotional manifestations and hinders the early identification of signs of illness, perpetuating a cycle of psychological exhaustion (Cunha; Souza, 2022).

As described by Goffman (1974), public security corporations can be interpreted from the perspective of total institutions, in which disciplinary control and behavioral conformity are organizational imperatives. The depersonalization of the individual, necessary to meet institutional demands, promotes the emotional isolation of agents, who often find themselves deprived of interpersonal support networks and the ability to express feelings related to suffering. This isolation is aggravated by the disciplinary logic of constant surveillance described by Foucault (1999), which, although essential for maintaining order, creates an environment of continuous tension, harmful to mental health.

Moreover, many agents need to accumulate functions or perform informal work to supplement their income, reducing the time available for leisure activities, family life, and physical and emotional recovery. This dynamic aggravates psychological exhaustion and hinders the maintenance of a work-life balance (Minayo; Souza, 1997).

Traumatic experiences lived by agents, such as the death of colleagues on duty or the need to intervene in situations of great emotional impact, profoundly affect not only the individual but also their family and social relationships. Many professionals report difficulties in separating work experiences from the domestic environment, generating tensions in relationships and affecting family dynamics. This cumulative impact contributes to the worsening of psychological illness conditions and the perpetuation of psychological suffering within the family nucleus (Back, 2021; Futino; Delduque, 2020).

The search for psychological support within public security corporations is still marked by stigmas, making it difficult for professionals to access mental health services when necessary. The fear of reprisals, judgment by peers, and career setbacks are significant barriers that discourage seeking help. The insufficiency of structured institutional programs to deal with psychological

suffering contributes to the lack of assistance for agents, amplifying the negative consequences of their exposure to risk factors (Cunha; Souza, 2022).

The perpetuation of working conditions that neglect the psychosocial factors faced by public security agents represents an affront to the fundamental rights guaranteed by the Federal Constitution of 1988, especially the rights to health and human dignity (Brasil, 1988). The absence of effective and preventive public policies not only aggravates psychological illness but also compromises the efficiency of security institutions, harming the fulfillment of their social function.

The analysis of psychosocial factors in the work of public security agents reveals the need for an intersectoral and interdisciplinary approach to face the problem. It is imperative that corporations advance in the implementation of institutional policies that integrate preventive actions and continuous support, recognizing the complexity of the work context and the need to preserve the physical and psychological integrity of their professionals. Only through an effective commitment from institutions and the State will it be possible to ensure dignified working conditions and full respect for the fundamental rights of these agents.

## **2 INSTITUTIONAL CHALLENGES IN PROMOTING OCCUPATIONAL HEALTH**

The promotion of occupational health within the scope of public security is marked by structural, cultural, and administrative challenges that reveal institutional limitations in protecting the fundamental rights of agents. The right to health, enshrined in the Federal Constitution of 1988, is an inseparable element of the principle of human dignity and the valorization of work, ensuring workers conditions that preserve their physical and mental health (Brasil, 1988). However, the realization of this right in the work environment of public security agents faces significant barriers, resulting both from the absence of preventive public policies and from the perpetuation of an institutional culture that neglects care for the mental health of its professionals.

One of the main obstacles to promoting occupational health lies in the organizational culture of public security corporations. These institutions, historically oriented by the valorization of physical strength and emotional invulnerability, reinforce stigmas that inhibit the search for psychological support. For many agents, demonstrating vulnerability is interpreted as a sign of weakness or inability to perform their function, which generates silencing of manifestations of psychological suffering (Cunha; Souza, 2022). This culture, rooted in the rigid hierarchies of corporations, hinders the creation of spaces for reception and dialogue that could favor the early recognition of psychological disorders.

The lack of preventive strategies aimed at mental health constitutes a central problem. Most institutional initiatives are limited to reactive actions, aimed at assisting agents already in crisis, without systematic planning to prevent psychological illness. Such an approach disregards the cumulative nature of the risk factors faced by agents, such as continuous exposure to violence, chronic stress, and exhausting work hours. Studies indicate that the absence of preventive public policies amplifies the impact of work on mental health, compromising not only the quality of life of professionals but also the efficiency of corporations (Back, 2021; Futino; Delduque, 2020).

Even in corporations that offer psychological support programs, the availability of these services is limited by issues such as the inadequate location of care units, the insufficiency of specialized professionals, and service overload. These practical difficulties are aggravated by the cultural stigma associated with psychological care, which leads many agents to avoid seeking help, even when they show obvious signs of illness (Sousa, 2022). The absence of an accessible and inclusive system contradicts the constitutional precepts that determine that the work environment must respect human limits, preserving the physical and mental integrity of the worker (Brasil, 1988).

Public security institutions face significant difficulties in implementing public policies that meet the specific demands of occupational health. The lack of integration between mental health programs, the insufficiency of resources allocated to preventing psychological illness, and the absence of effective strategic planning reflect administrative weaknesses. Bureaucracy and the lack of training for managers hinder the execution of actions that promote the well-being of agents, reinforcing negligence in fulfilling institutional obligations (Back, 2021; Futino; Delduque, 2020).

The disciplinary logic described by Foucault (1999), characterized by constant control over the bodies and minds of workers, is reflected in the institutional environment of public security corporations. This control, associated with continuous surveillance and the imposition of rigid conduct norms, creates a permanent state of alert which, although necessary for the fulfillment of operational functions, is profoundly harmful to psychological health. Likewise, Goffman's theory of total institutions (1974) illustrates how the behavioral conformity demanded from public security agents promotes depersonalization and emotional isolation, factors that intensify the negative impacts of work.

Furthermore, the lack of specific training for managers and institutional leaders on the recognition and management of psychological suffering represents an additional obstacle. The lack of training prevents hierarchical superiors from identifying signs of illness in their subordinates, perpetuating negligent organizational practices. The lack of awareness also hinders the implementation of integrated actions that prioritize mental health as an essential component of institutional management (Futino; Delduque, 2020). This gap highlights the need for an intersectoral

approach that articulates occupational health care with the principles of efficiency and dignity provided for in the Brazilian legal system (Brasil, 1988).

In the legal field, the omission of corporations in implementing measures to protect mental health may constitute a violation of workers' fundamental rights. Negligence in ensuring a healthy work environment not only contradicts constitutional precepts but can also generate administrative and judicial liabilities. Labor lawsuits resulting from occupational illnesses are examples of how the absence of effective public policies entails significant costs, both for professionals and for the institutions themselves. The perpetuation of adverse working conditions compromises the legitimacy of corporations, weakening public trust and administrative efficiency (Back, 2021; Minayo; Souza; Constantino, 2007).

Given this scenario, it is essential that the State and public security corporations assume their responsibility in promoting occupational health, implementing comprehensive and accessible public policies. Such policies must prioritize the prevention of psychological illness, the strengthening of psychological support networks, and the creation of work environments that respect the dignity of workers. Only through structural and cultural changes will it be possible to overcome institutional challenges and guarantee working conditions compatible with the principles of dignity, efficiency, and justice that underpin the Brazilian legal system.

### **3 CONNECTIONS BETWEEN OCCUPATIONAL HEALTH AND HUMAN RIGHTS**

Occupational health, as an essential dimension for quality of life at work, finds its ethical and normative foundation in human rights. In the context of public security, the intersection between these two fields is particularly relevant, given that working conditions often expose agents to risks that compromise their physical and mental integrity. The Federal Constitution of 1988, in its article 1, item III, enshrines human dignity as a foundation of the Republic, establishing a legal framework that requires public institutions to commit to the comprehensive protection of workers' health, including in the occupational sphere (Brasil, 1988).

From this perspective, the occupational health of public security agents must be understood as a fundamental human right, intrinsically related to the principle of dignity. The adverse conditions faced by these professionals, such as exhausting work hours, exposure to violence, and the lack of adequate psychological support, constitute not only organizational challenges but also human rights violations that demand structural and normative responses. Negligence in ensuring dignified working conditions compromises the effectiveness of corporations and perpetuates a logic of devaluation that

contradicts constitutional and international precepts on human rights (Minayo; Souza; Constantino, 2007).

The protection of occupational health in the context of public security transcends national borders, being widely recognized as an obligation of States under human rights principles. The Universal Declaration of Human Rights of 1948 and the conventions of the International Labour Organization (ILO) affirm the right to decent work and health protection as fundamental pillars for social justice. Non-compliance with these norms not only weakens security agents but also compromises the international image of public institutions and society's trust in their legitimacy. The omission in promoting a healthy work environment perpetuates violations that reflect the disconnection between the legal commitments assumed by the State and daily institutional practices (Back, 2021; Brasil, 1988).

However, the reality faced by public security agents reveals a disconnection between the legal system and institutional practices. Studies indicate that the absence of effective public policies for promoting the mental health of these professionals reflects an omission by the State in fulfilling its obligations to ensure the right to health. Negligence in implementing preventive programs and continuous support constitutes a violation of the right to dignity, aggravating the psychological illness of agents and jeopardizing the efficiency of the public security system (Back, 2021; Futino; Delduque, 2020).

The protection of the occupational health of public security agents is also a matter of social justice, considering the essential role these professionals play in guaranteeing the fundamental rights of society. The contradiction between the institutional mission to protect rights and the working conditions that violate the rights of the agents themselves is a problem that highlights the need for structural reforms. The institutional logic that prioritizes operational results over the mental health of workers reinforces inequalities and perpetuates an unsustainable organizational model (Cunha; Souza, 2022).

From a theoretical point of view, the Foucauldian analysis of disciplinary practices offers a critical framework for understanding how public security institutions, by exercising rigorous control over the bodies and minds of agents, end up neglecting their subjectivity and vulnerability. Constant surveillance and the imposition of rigid norms, although essential for maintaining order, generate a work environment that compromises mental health and violates fundamental rights (Foucault, 1999). This organizational model, associated with the depersonalization described by Goffman (1974), intensifies the emotional isolation and dehumanization of agents, constituting a systemic violation of human rights.

At the international level, the Universal Declaration of Human Rights of 1948 and subsequent treaties recognize the right to decent work and health as essential pillars for the realization of social justice. These principles reinforce the obligation of States to adopt measures that ensure the comprehensive protection of workers, especially those who, like public security agents, work under high-risk conditions. In Brazil, the lack of alignment between institutional practices and international norms reveals a mismatch that compromises the legitimacy of corporations and public trust in security institutions.

The connection between occupational health and human rights becomes even more evident when considering the impact of agents' psychological illness on the efficiency of the public security system. The precariousness of working conditions not only violates the rights of professionals but also harms the quality of service provided to society. The psychological suffering of agents is directly reflected in their ability to perform their functions, generating consequences that affect both the individual and the collective (Minayo; Souza, 1997).

Nevertheless, it is imperative that public policies aimed at the occupational health of public security agents are structured based on human rights principles. The creation of preventive programs, the provision of accessible psychological support, and the awareness-raising of institutional leaders are fundamental measures to guarantee a work environment that respects the dignity of professionals. Thus, it is necessary for the State and corporations to assume their legal and moral responsibility in protecting the health of these workers, promoting an organizational culture that values the life and integrity of agents.

Therefore, the connections between occupational health and human rights in the context of public security highlight the need for an integrated and interdisciplinary approach that promotes the comprehensive protection of workers. By ensuring dignified and fair working conditions, institutions not only fulfill their legal and ethical obligations but also strengthen the efficiency and legitimacy of the public security system. The adoption of policies aligned with human rights principles is, therefore, an imperative for building a more just and balanced society.

## **4 FINAL CONSIDERATIONS**

The analysis of psychosocial factors and institutional challenges in the context of public security reveals a scenario marked by the precariousness of agents' occupational health and the absence of effective public policies to mitigate the psychological impacts resulting from professional practice. This study reinforces that occupational health must be understood as a fundamental right,

intrinsically related to human dignity and the State's constitutional obligations to ensure fair and safe working conditions.

The results of this work revealed that the institutional culture, strongly oriented by hierarchical norms and the valorization of emotional invulnerability, perpetuates practices that silence psychological suffering and hinder the implementation of preventive measures. The lack of accessible psychological support, combined with exhausting work hours and constant exposure to risk, constitutes a cycle of negligence that not only compromises the health of agents but also affects the legitimacy and efficiency of corporations. These factors reinforce the need for structural and cultural changes that privilege the comprehensive care of public security professionals.

From a legal perspective, the omission in guaranteeing working conditions that respect human limits constitutes a violation of fundamental rights, such as the right to health and dignity, provided for in the Federal Constitution of 1988. Negligence in implementing public policies aligned with the principles of social protection established by national and international legislation compromises the compliance of institutions with their legal obligations, generating administrative and judicial consequences.

This study contributes to the academic debate by highlighting the importance of integrating occupational health and human rights in the formulation of public policies aimed at public security agents. From a theoretical and critical review, it was possible to identify the main obstacles to promoting the mental health of these professionals, pointing out paths to overcome these barriers. Although the work was limited to a theoretical analysis, its conclusions reinforce the need for empirical investigations that deepen the understanding of the relationships between occupational health, institutional efficiency, and fundamental rights.

The protection of occupational health within the scope of public security is not only a matter of social justice but also an essential condition for the legitimacy of institutions and the effectiveness of their functions. The strengthening of institutional policies aimed at the mental health of agents must be a priority for the State and corporations, as a way to ensure not only the dignity of workers but also the full functioning of the public security system for the benefit of society.

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**BETWEEN HUMAN DIGNITY AND STIGMA:  
ORGANIZATIONAL CULTURE AND  
MENTAL HEALTH OF MILITARY POLICE  
OFFICERS**

**ENTRE A DIGNIDADE HUMANA E O ESTIGMA:  
CULTURA ORGANIZACIONAL E SAÚDE MENTAL  
DE POLICIAIS MILITARES**

**ENTRE LA DIGNIDAD HUMANA Y EL ESTIGMA:  
CULTURA ORGANIZACIONAL Y SALUD MENTAL  
DE LOS POLICÍAS MILITARES**

EMERSON PUCHE BUENO<sup>1</sup>

**ABSTRACT**

The article explores the relationship between the organizational culture practiced in militarized police institutions, human dignity, and the mental health of their members. Through an integrative literature review, it is evidenced how hierarchical rigidity and negligence towards emotional needs can result in psychological suffering, creating conditions conducive to mental illness. The research reveals that the disregard for human dignity and the naturalization of suffering in the institutional environment constitute human rights violations. The study suggests the reformulation of organizational policies and institutional practices that prioritize mental health and the valorization of professionals, promoting a more equitable work environment aligned with the fundamental principles of human rights.

**Keywords:** Human dignity. Organizational culture. Mental health. Human rights. Military police.

**RESUMO**

O artigo explora a relação entre a cultura organizacional praticada nas instituições policiais militarizadas, a dignidade humana e a saúde mental de seus integrantes. Por meio de uma revisão integrativa de literatura, evidencia-se como a rigidez hierárquica e a negligência às necessidades

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emocionais podem resultar em sofrimento psíquico, criando condições propícias ao adoecimento mental. A pesquisa revela que a desconsideração da dignidade humana e a naturalização do sofrimento no ambiente institucional configuram violações de direitos humanos. O estudo sugere a reformulação de políticas organizacionais e práticas institucionais que priorizem a saúde mental e a valorização dos profissionais, promovendo um ambiente de trabalho mais equitativo e alinhado aos princípios fundamentais dos direitos humanos.

**Palavras-chave:** Dignidade humana. Cultura organizacional. Saúde mental. Direitos humanos. Polícia militar.

## RESUMEN

El artículo explora la relación entre la cultura organizacional practicada en las instituciones policiales militarizadas, la dignidad humana y la salud mental de sus integrantes. A través de una revisión integrativa de la literatura, se evidencia cómo la rigidez jerárquica y la negligencia hacia las necesidades emocionales pueden resultar en sufrimiento psíquico, creando condiciones propicias para el deterioro de la salud mental. La investigación revela que el desconocimiento de la dignidad humana y la naturalización del sufrimiento en el entorno institucional configuran violaciones de los derechos humanos. El estudio sugiere la reformulación de políticas organizacionales y prácticas institucionales que prioricen la salud mental y la valorización de los profesionales, promoviendo un ambiente de trabajo más equitativo y alineado con los principios fundamentales de los derechos humanos.

**Palabras clave:** Dignidad humana. Cultura organizacional. Salud mental. Derechos humanos. Policía militar.

## INTRODUCTION

Human dignity, an essential foundation of human rights, emerges as the central point of reflection in various fields of knowledge, and it is no different in the context of public organizations. This article aims to investigate the relationship between human dignity, organizational culture in military police service, and the mental health of these agents, inserting itself into a debate that, at the same time, reveals the importance of human rights and denounces institutional practices that may violate them. Based on contributions from authors such as Norberto Bobbio (2004), Immanuel Kant (2010), and João Cardoso Rosas (2013), the discussion points to the need for an interdisciplinary dialogue that articulates theory and practice in facing the tensions that permeate dignity and rights in the police environment.

Norberto Bobbio (2004), in "The Age of Rights," presents dignity as a concept that evolves historically, transitioning from an aristocratic privilege to a universal value, supported by liberal revolutions and the Universal Declaration of Human Rights of 1948. From this perspective, dignity becomes an intrinsic and inalienable element, but it faces concrete implementation challenges, especially in environments that perpetuate rigid hierarchies and dehumanizing practices, such as some

military police corporations. Kant (2010), in turn, reinforces this idea by proposing that human dignity resides in the capacity for autonomy and the valorization of the individual as an end in themselves, establishing an ethical basis for respect for subjectivities, often neglected in hierarchical organizations.

In the field of organizations, Edgar Schein (2009) describes organizational culture as a dynamic mechanism, shaped by shared values and practices, which can both promote inclusion and reinforce structural inequalities. In the case of military police, this culture is organized around values such as bravery, self-sufficiency, and conformity, often to the detriment of the subjectivity and dignity of its members. Michel Foucault (1999), when discussing the concepts of discipline and control, describes how these institutions shape individuals, transforming them into "docile bodies," subordinate to organizational demands and deprived of their autonomy.

However, as João Cardoso Rosas (2013) observes, human dignity is also a historical and collective construction, demanding continuous recognition and the overcoming of practices that disregard it. This aspect connects to the mental health of workers, a central theme in the reflections of Christophe Dejours (2017), who identifies psychological suffering as a direct consequence of dehumanizing work organizations. In the context of military police, the impact of organizational culture on mental health manifests itself in high rates of stress, anxiety, and burnout, exacerbated by a culture of silencing that inhibits the search for help (Silva, 2023).

This article seeks to articulate these dimensions, analyzing how the organizational culture of military police can compromise the human dignity and mental health of their professionals, constituting a human rights violation. Based on a literature review, which encompasses the concepts of dignity, human rights, and organizational culture, an interdisciplinary dialogue is proposed capable of contributing to the understanding and overcoming of these dynamics. If the organizational culture practiced in a military police institution can influence the mental health of its agents, in what way can this influence lead to possible violations of their human rights?

## **1 SOME FOUNDATIONS OF HUMAN DIGNITY AND ITS TRANSFORMATION**

Human dignity is one of the central pillars of human rights, consolidating itself as an essential foundation for the construction of just and egalitarian societies (Messetti; Dallari, 2018). Norberto Bobbio, in "The Age of Rights," highlights that dignity moves from a hierarchical concept, restricted to elites, to a universalist perspective, where all human beings share an intrinsic value (Bobbio, 2004). According to the author, this transformation was catalyzed by the liberal revolutions

of the 18th century and the Universal Declaration of Human Rights of 1948, establishing dignity as the basis for civil, political, and social rights.

Immanuel Kant, in "Groundwork of the Metaphysics of Morals," reinforces the idea that dignity is inherent to all individuals, being a result of their capacity to act autonomously and in accordance with universal rational principles (Kant, 2010). Kant proposes that every human being must be treated as an end in themselves, never merely as a means, grounding the idea of respect for autonomy and freedom.

In his work, "Dignity, Rights, and Democracy," João Cardoso Rosas highlights that human dignity also reveals itself as a historical construction, evolving in parallel with democratic struggles for equality. The author offers us a comprehensive and interdisciplinary reflection on the historical evolution, theoretical foundations, and practical challenges of human rights, when he divides his concepts into three major parts, connecting human rights, democracy, and peace, and considering them essential and interdependent elements of a historical movement towards dignity and peaceful coexistence (Rosas, 2013).

The perspectives presented so far reflect the dynamic character of dignity, being constantly redefined by contemporary social and political demands, however, there are tensions between the universality of dignity and social practices that perpetuate stigma and exclusion, themes we intend to address in this article, by suggesting a relationship between the intersection of human dignity, organizational culture practiced within military police institutions, mental health, and human rights. These tensions are particularly visible within military police organizations, where hierarchical and masculinist culture can compromise the equality and mental health of its members.

## **2 DISCUSSING ORGANIZATIONAL CULTURE IN MILITARY POLICE AND ITS RELATIONSHIP WITH HUMAN DIGNITY**

According to Schein (2009), Chiavenato (2022), and Pires, Macêdo (2006), organizational culture can be understood as a system of values, beliefs, and collective practices that directly influence how individuals act and interact within an organization. It is important to highlight that this culture is not immutable; on the contrary, it is a dynamic process that allows organizations to respond to changes in the external environment, especially when this adaptive capacity is fundamental to maintaining internal integrity and harmony. This characteristic is particularly relevant in the case of public institutions and authorities, where cohesion and stability are essential (Pyzyuk, 2023).

The organizational culture of military police plays a determining role in the physical and mental constitution of its members, establishing power relations, subordination, and compliance with

orders that demand a level of responsibility superior to that found in civilian systems. This dynamic is sustained by elements such as accentuated hierarchy, institutional distrust, rigorous discipline, control over private life, excessive formalism, sense of mission, and valorization of conformity — traits that are intrinsic to military culture and permeate the functioning of these institutions (Chadud, 2017; Goffman, 2016; Lima, 2019; Santos, 2010).

In military police, the organizational ethos tends to ignore the subjective dimension and emotional demands of its members, cultivating an environment that rejects the expression of vulnerability and discourages the search for support in moments of psychological suffering (Buhrig, 2023). This may be a product of rigorous hierarchy, strict discipline, and the valorization of behaviors based on bravery, self-sufficiency, and strength, characteristics that are often exalted as essential attributes for maintaining order, duty, and the identity belonging of its members (Buhrig, 2023; Illias; Riach; Demou, 2024; Lima, 2019; Simmons-Beauchamps; Sharpe, 2022), however, this structure also disregards fundamental aspects of human dignity (Lima, 2019). This reality contrasts directly with the principles of dignity discussed by Kant (2010), which emphasize autonomy and respect for the human condition.

From a sociological perspective, Norbert Elias and John Scotson, in "The Established and the Outsiders," highlight how dominant groups establish norms that reinforce their position, while marginalizing those who do not fit these standards (Elias; Scotson, 2000). In military police, this dynamic is evident in how organizational culture imposes a homogeneous pattern of behavior, suffocating the diversity of experiences and imposing a conduct model that prioritizes resistance to vulnerability.

It is opportune to invoke Michel Foucault's concept of "docile bodies," which describes how institutions discipline and shape individuals to serve organizational needs, often at the expense of individual autonomy and well-being (Foucault, 1999). In the case of military police, this excessive discipline can generate adverse effects, such as the silencing of emotional issues and the perpetuation of stigmas associated with fragility.

Rosas (2013) argues that dignity is a constantly evolving historical construction, but it faces resistance in contexts where hierarchical, patriarchal, and disciplinary values predominate. This confrontation is particularly visible in military police corporations, where the focus on discipline and conformity can lead to the dehumanization of individuals, compromising their mental health and dignity, through the docilization of bodies, discussed in Foucauldian theory (1999).

Revisiting the foundations of human dignity is essential to challenge this organizational culture. As discussed in the previous section, dignity implies the recognition of the intrinsic value of

each individual, in addition to their capacity for autonomy. Promoting a culture that recognizes vulnerability and offers support for emotional needs is a fundamental step towards aligning organizational practices with human rights principles.

### 3 MENTAL HEALTH AND HUMAN DIGNITY

Mental health is an essential component for the realization of human dignity (Del'Olmo; Cervi, 2017). Christophe Dejours, in "Psychodynamics of Work," discusses how working conditions can generate psychological suffering, highlighting that work organization plays a central role in structuring workers' mental well-being (Dejours, 2017). In the context of military police, demands for conformity, control over bodies, and the imposition of hierarchical roles exacerbate stress factors, leading to high rates of anxiety, depression, and burnout (Chadud, 2017; Goffman, 2016; Lima, 2019; Santos, 2010; Silva 2023).

The literature also points out that the culture of silencing is one of the main obstacles to promoting mental health in military corporations (Souza, 2021; Minayo; Adorno, 2013). Military police officers often avoid seeking help for fear of reprisals or being seen as weak (Brazilian Forum on Public Security, 2024).

Work organization has a direct influence on individuals' mental health, with working conditions marked by excessive control, lack of recognition, and hierarchical impositions potentially triggering psychological suffering (Dejours, 2017). In the context of human dignity, as Rosas (2013) teaches us, it is possible to identify a tension between the guarantee of dignity as a universal value and organizational practices that dehumanize workers. When corporations ignore the subjectivity and emotional needs of their members, they disrespect not only individual dignity but also the human rights that, according to Bobbio (2004), are only consolidated in practice when linked to the effective guarantee of material and social conditions that ensure equality and freedom.

Bobbio (2004) also emphasizes that human rights, despite being widely proclaimed, face concrete implementation challenges, especially in environments that disregard the dignity and well-being of individuals. Dejours (2017), when analyzing the impacts of work on mental health, reinforces that unhealthy and dehumanizing work environments not only compromise psychological balance but also erode workers' ability to fully exercise their rights. This direct relationship between working conditions and human dignity connects to Rosas's (2013) argument, which emphasizes that dignity is not only an intrinsic attribute but also a collective responsibility that demands continuous recognition. Thus, the promotion of mental health in work environments, especially in hierarchical corporations

such as military police, becomes an indispensable requirement for realizing democratic ideals and universal human rights.

#### 4 FINAL CONSIDERATIONS

This article highlighted the intersections between the foundations of human dignity, organizational culture, and mental health in the context of military police. Based on theoretical reflections, mainly found in Bobbio (2004), Kant (2010), Rosas (2013), Schein (2009), and Dejours (2017), it became evident that human dignity is often compromised by organizational practices that reinforce inequalities and stigmas. However, the transformative potential of dignity as a foundation for promoting human rights and building more inclusive organizational cultures was also recognized.

The reformulation of organizational policies is essential to guarantee a work environment that respects the dignity of all individuals, promoting equality, mental health, and institutional efficiency. By addressing the tensions between organizational culture and dignity, this study proposes to broaden the academic and practical debate on the challenges that emerge when human dignity is relativized, in the context of organizational culture practiced by militarized police institutions.

If the moral progress of humanity depends on the integration between human rights, democracy, and peace, and if it is in overcoming inequalities and promoting universal rights that the potential for a more just future lies, problematizing organizational culture in militarized institutions, in search of better working conditions and mental health for these professionals, is urgent, because these actions also constitute fundamental tools in the fight against violations of the rights of these professionals.

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## **PROGRAMS, ACTIONS AND CHALLENGES IN WELL-BEING AND MENTAL HEALTH AMONG MILITARY POLICE OFFICERS IN BRAZIL**

### **PROGRAMAS, AÇÕES E DESAFIOS NA PROMOÇÃO DO BEM-ESTAR E SAÚDE MENTAL ENTRE OS POLICIAIS MILITARES DO BRASIL**

### **PROGRAMAS, ACCIONES Y DESAFÍOS EN EL BIENESTAR Y LA SALUD MENTAL DE LOS POLICÍAS MILITARES EN BRASIL**

**BRUNO PATRÍCIO DE AZEVEDO CAMPOS<sup>1</sup>**

#### **ABSTRACT**

This article explores the programs and projects developed by Military Police forces across different Brazilian states aimed at promoting the mental health and well-being of their personnel. Through the National Council of Military Police General Commanders (CNCG), detailed information was requested from all Brazilian Military Police forces regarding initiatives and projects implemented within each institution to prevent suicide and promote the well-being of military police officers. Specifically, the request sought: a) a detailed description of ongoing programs and projects; b) methodologies and approaches utilized; c) results achieved to date; d) challenges faced and solutions implemented; and e) perspectives and future plans for the continuity and expansion of these actions. Of the 27 states consulted, 19 responded, enabling a detailed analysis of initiatives and programs focused on mental health and well-being among military police officers. The initiatives were categorized by region, allowing for a comparison between the different approaches adopted by military police forces nationwide. The results reveal that, despite advancements, challenges such as a lack of policy uniformity and the stigma associated with mental health still compromise the effectiveness of these actions. Greater integration among corporations and national public policies is recommended to strengthen these initiatives.

**Keywords:** Mental Health. Military Police. Well-being. Preventive Programs. Public Safety.

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## RESUMO

Este artigo explora os programas e projetos desenvolvidos por Polícias Militares de diferentes Estados brasileiros voltados para a promoção da saúde mental e bem-estar de seus efetivos. Foi solicitado, por meio do Conselho Nacional de Comandantes-Gerais PM (CNCG), a todas as Polícias Militares do Brasil informações detalhadas, sobre as iniciativas e projetos implementados no âmbito de cada Instituição, que visam à prevenção do suicídio e à promoção do bem-estar dos policiais militares. Especificamente: a) descrição detalhada dos programas e projetos em andamento; b) metodologias e abordagens utilizadas; c) resultados alcançados até o momento; d) desafios enfrentados e soluções implementadas; e) perspectivas e planos futuros para a continuidade e ampliação dessas ações. Dos 27 Estados consultados, 19 responderam. Permitindo uma análise detalhada das iniciativas e programas voltados para a bem-estar saúde mental entre os policiais militares. As iniciativas foram categorizadas por região, permitindo uma comparação entre as diferentes abordagens adotadas pelas polícias militares em todo o país. Os resultados revelam que, apesar dos avanços, desafios como a falta de uniformidade nas políticas e o estigma relacionado à saúde mental ainda comprometem a eficácia dessas ações. Recomenda-se maior integração entre as corporações e políticas públicas nacionais para fortalecer essas iniciativas.

**Palavras-chave:** Saúde Mental. Polícia Militar. Bem-Estar. Programas Preventivos. Segurança Pública.

## RESUMEN

Este artículo explora los programas y proyectos desarrollados por las Policías Militares de diferentes estados brasileños orientados a la promoción de la salud mental y el bienestar de sus efectivos. Se solicitó, a través del Consejo Nacional de Comandantes Generales de la Policía Militar (CNCG), información detallada a todas las Policías Militares de Brasil sobre las iniciativas y proyectos implementados en el ámbito de cada institución, con el fin de prevenir el suicidio y promover el bienestar de los policías militares. Específicamente, la solicitud buscaba: a) una descripción detallada de los programas y proyectos en curso; b) las metodologías y enfoques utilizados; c) los resultados alcanzados hasta la fecha; d) los desafíos enfrentados y las soluciones implementadas; y e) las perspectivas y planes futuros para la continuidad y ampliación de estas acciones. De los 27 estados consultados, 19 respondieron, lo que permitió un análisis detallado de las iniciativas y programas enfocados en la salud mental y el bienestar de los oficiales de policía militar. Las iniciativas fueron categorizadas por región, permitiendo una comparación entre los diferentes enfoques adoptados por las policías militares en todo el país. Los resultados revelan que, a pesar de los avances, desafíos como la falta de uniformidad en las políticas y el estigma asociado a la salud mental aún comprometen la eficacia de estas acciones. Se recomienda una mayor integración entre las corporaciones y las políticas públicas nacionales para fortalecer estas iniciativas.

**Palabras clave:** Salud Mental. Policía Militar. Bienestar. Programas Preventivos. Seguridad Pública.

## INTRODUCTION

The mental health of military police officers is a topic of growing relevance, considering the adverse impacts of working conditions on the psychological well-being of these professionals. Situations of extreme stress, exhausting shifts, and continuous exposure to risks are characteristics that make police activity highly susceptible to the development of mental disorders, such as anxiety, depression, and Post-Traumatic Stress Disorder (PTSD).

Hof *et al.* (2023) focused their research on psychosocial characteristics, study skills, and quality of life factors associated with recruits' intentions to drop out of Basic Military Training (BMT). To this end, they combined several factors to identify the main causes affecting recruits' intentions to leave BMT; they identified that recruits in higher hierarchical positions, such as Officers, showed a greater intention to drop out than subordinates, in addition to differences related to gender and hierarchy. These factors can be utilized to improve the quality of life of recruits and reduce inequalities in the future.

The studies by Ferreira (2022) and Santos & Souza (2022) highlight the relevance of investigating the illness of military police officers within the work environment. These works emphasize that military police officers are responsible for handling various challenging situations, including the need to maintain public order, which exposes them to a series of risks, such as physical and psychological violence. Furthermore, officers face both actual violence in the exercise of their duties and symbolic violence—which is expressed non-physically but also significantly impacts their mental health and well-being.

In response, several corporations in Brazil have developed programs and projects aimed at promoting mental health and preventing psychological problems. For this article, detailed information was requested through the National Council of Military Police General Commanders (CNCG) from all Brazilian Military Police forces regarding initiatives and projects implemented within each Institution, aimed at suicide prevention and the promotion of the well-being of military police officers. Specifically: a) a detailed description of ongoing programs and projects; b) methodologies and approaches used; c) results achieved to date; d) challenges faced and solutions implemented; e) perspectives and future plans for the continuity and expansion of these actions.

The research goals are descriptive and analytical, with the intent of describing the actions/programs implemented. The documentary analysis seeks to identify best practices, challenges faced, and the need for improvements in well-being and mental health policies within the corporations (Minayo, 2011). To this end, the initiatives were categorized by region, allowing for a comparison between the different approaches adopted by military police forces across the country.

The nature of the research is applied, as it aims to contribute to the improvement of well-being and mental health conditions of military police officers, providing subsidies for the formulation of more effective public policies and institutional practices. Additionally, the research is exploratory, as it investigates a theme that still lacks depth and systematization within the context of Brazilian military police (Minayo, 2011).

This article aims to analyze these initiatives, highlighting best practices and challenges faced by the Military Police of different Federative Units (UF). Furthermore, it aligns with the Sustainable Development Goals (SDG - No. 8.8), which emphasize the protection of labor rights and the promotion of safe and secure working environments for all workers (UNOC, 2012).

## **1 QUALITY OF LIFE**

The term “Quality of Life” is frequently employed in a generic manner when discussing public policies, generally referring to health. The World Health Organization (WHO), for example, defines health as more than the absence of disease, incorporating physical, mental, and social well-being (WHO, 1946). Similarly, the WHO conceptualizes quality of life beyond the medical sphere as “individuals’ perceptions of their position in life in the context of the culture and value systems in which they live and in relation to their goals, expectations, standards, and concerns” (WHO, 1998).

For Nahas (2017), the term quality of life is considered the perception of well-being resulting from a set of individual and socio-environmental parameters, whether changeable or not, which individualize the conditions in which the person lives. Therefore, it is an individual perception that combines numerous factors affecting the individual's life.

The subjective components of quality of life refer to the individual's degree of satisfaction with different spheres of life, corresponding to “how people feel or what they think about their lives, or how they perceive the value of the material components recognized as the social basis of quality of life” (Minayo; Hartz; Buss, 2000, p. 11).

As highlighted by Minayo, Hartz, and Buss (2000), a collective construction regarding comfort and tolerance in the health area is evident. This expanded concept of quality of life includes sustainable development and human ecology, relating even to the spheres of democracy, development, and human and social rights.

Thus, it is evident that police service can have a major impact on the quality of life and mental health of personnel, and should be considered in the construction of the individual, as it is capable of influencing all aspects of their life.

Quality of working life (QWL) seeks to compose agendas that reach the worker within the context and environment of work. For Ferreira (2011), it is a process of social construction, collective dialogue, decisions, and actions in work environments. Thus, quality of working life is not an individual responsibility exclusive to the employee, but a mission for all actors involved in the work process.

Military police work is identified as one of the most stressful, including by the World Health Organization (WHO, 2022), which emphasizes the conditions inherent to the role as primary stressors. According to specialized literature, several factors contribute to high stress levels in this field, including the demanding nature of the work, lack of recognition, task overload, and frequent exposure to situations of violence and permanent vigilant attention, among other aspects (Dos Santos *et al.*, 2023).

Occupational stress represents a silent challenge that profoundly impacts the lives of military police officers. Addressing this issue holistically is essential to ensure the well-being of these professionals and the quality of services provided to society.

Although the scenario is challenging, Almeida *et al.* (2021) highlight that, even under occupational stress, many officers maintain high levels of work engagement. Such dedication, enthusiasm, and pride in the role evidence the resilience and commitment of these professionals. However, Santos *et al.* (2021) point to the need for interventions within military units to promote the mental health of military personnel and prevent potential psychological problems. Furthermore, they advocate for a revision of the State's approach regarding the mental health of these professionals, offering more effective assistance in terms of prevention and treatment (Almeida *et al.*, 2021).

## 2 STRATEGIES AND PRACTICES TO PROMOTE THE MENTAL HEALTH AND WELL-BEING OF MILITARY POLICE OFFICERS

The responsibility for promoting the mental health of military and police personnel is shared among the State, military institutions, civil society, and the professionals themselves. To this end, programs for the healthcare of public safety agents are provided for by law, as highlighted by Bertassoni *et al.* (2023):

A Lei nº 13.675 de 2018 prevê no art. 42 o Programa Nacional de Qualidade de Vida para Profissionais de Segurança Pública (Pró-Vida), que tem como objetivo: “elaborar, implementar, apoiar, monitorar e avaliar, entre outros, os projetos de programas de atenção psicossocial e de saúde no trabalho dos profissionais de segurança pública e defesa social” (BRASIL, 2018). Em conjunto a Portaria n.º 483, de 9 de novembro de 2021, do Ministério da Justiça e Segurança Pública, reforça o incentivo a projetos e programas com o foco na

valorização dos profissionais de segurança pública, onde estão previstas ações financiáveis referentes à valorização da qualidade de vida dos profissionais, entre elas: atenção e acompanhamento biopsicossocial, atenção para situações de estresse e risco, vitimização e suicídio (Bertassoni *et al.*, 2023, p. 341).

Currently, Law No. 14,531/2023, which amends Law No. 13,675/2018 and Law No. 13,819/2019, aims to establish environments free from any type of oppression, promoting equality and respect among employees and workers at all levels of government. This is intrinsically connected to Sustainable Development Goal (SDG – No. 8.8): “Protect labor rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.” This interconnection highlights the role of National Legislation as an instrument to fulfill the international commitments undertaken by Brazil within the scope of the 2030 Agenda.

The ESCUTA SUSP project, developed by the Ministry of Justice and Public Security (MJSP), offers online psychological care to public safety agents throughout Brazil. The project integrates efforts for the professional appreciation of these agents and is executed by the Federal University of Minas Gerais (UFMG) in partnership with the federal universities of Sergipe (UFS), Rio Grande do Norte (UFRN), and Brasília (UnB) (MJSP, 2024).

In parallel, military police forces in Brazil have adopted diverse regional strategies to address the mental health of their personnel. To analyze the initiatives and projects implemented, detailed information was requested from each Military Police Institution through the CNCG. Of the 27 states consulted, 20 responded, allowing for a detailed analysis of initiatives and programs focused on mental health and well-being among military police officers. This approach is based on the recognition of which intervention and care strategies should be directed through projects and programs. The documentary analysis identified relevant initiatives in all regions of the country, highlighting actions focused on suicide prevention, psychological care, and social support programs (Table 1):

**Table 1.** Summary of initiatives focused on mental health and well-being among military police officers

| Region  | State (UF) | Actions/Projects                                                                                                                                                                                                                                                                   |
|---------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Midwest | DF         | <ul style="list-style-type: none"><li>• Psychosocial Assistance Center (CAPS): provides care for critical events, health for service, and promotes holistic health;</li><li>• Life Appreciation Program (PVV): trains "sentinels" to identify risks and provide support;</li></ul> |

|                  |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                  |           | <ul style="list-style-type: none"> <li>• Talking Circle Program: promotes active listening and information dissemination weekly in Corporation Units, with scheduled non-mandatory participation of officers;</li> <li>• Al-anon Program: offers support to families and friends of alcoholics through biweekly meetings focused on sharing experiences, strengthening the support network, and providing clarification through lectures and mental health professional support using the 12-step methodology;</li> <li>• RESIGNIFICAR Program: trains DF public safety officers in assisting victims of domestic violence;</li> <li>• PRADEQ Program: supports chemically dependent individuals seeking treatment;</li> <li>• PRAEV-VIDA Program: promotes self-esteem and life appreciation, offering a therapeutic space to address emotional conflicts and mental health issues related or unrelated to police activity.</li> </ul> |
|                  | <b>MS</b> | <ul style="list-style-type: none"> <li>• Physical Education and Health Program (PEFS): encourages physical exercise, improving mental and physical health with regular monitoring.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Northeast</b> | <b>AL</b> | <ul style="list-style-type: none"> <li>• PTSD and suicide prevention programs; psychosocial support; addressing harassment and discrimination; reducing stigmas in seeking psychological support;</li> <li>• Assistance Program for Alcoholics and Chemical Dependents;</li> <li>• Prevention, Assistance, and Confrontation of Sexual Harassment and Gender, Racial, and Sexual Orientation Discrimination;</li> <li>• Assistance to Veterans and Preparation for the Reserve;</li> <li>• Integrative Practices Programs (Yoga and Meditation).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                             |
|                  | <b>MA</b> | <ul style="list-style-type: none"> <li>• Active Reserve Preparation Program: assists in the transition to civilian life;</li> <li>• Stress Management Project: individual or group meetings;</li> <li>• Itinerant CAPS Project: brings psychosocial support to units in the state's interior;</li> <li>• Therapeutic Group for Police Widows: provides comfort for women who have lost their loved ones;</li> <li>• Reflective Group for Men: weekly meetings for military personnel answering for domestic violence;</li> <li>• PTSD Prevention Program: assists officers after critical incidents;</li> <li>• White January Project: awareness lectures on mental and emotional health care;</li> <li>• Yellow September Project: awareness regarding suicide prevention.</li> </ul>                                                                                                                                                  |
|                  | <b>PE</b> | <ul style="list-style-type: none"> <li>• Mental Health Working Group: peer support, crisis management protocols, and mental health training;</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                  | <b>PB</b> | <ul style="list-style-type: none"> <li>• Espaço Viver Bem (Live Well Space): offers biopsychosocial services to officers and their dependents.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                  | <b>SE</b> | <ul style="list-style-type: none"> <li>• Avançar Program: promotion of well-being and quality of life;</li> <li>• Preparation Program for Paid Reserve (PPR Active Life);</li> <li>• "The Rescue of Heroes" Project: therapy for the recovery of chemical dependents;</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

|              |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|              |           | <ul style="list-style-type: none"> <li>• Program to Combat Sedentary Lifestyle and Promote Physical Health;</li> <li>• Comprehensive Worker Health Assistance Program: accredits clinics through the Secretariat of Public Security (SSP), offering psychiatry, psychology, physiotherapy, and nutrition specialties at no cost to the officer;</li> <li>• Pró-Vida Shift: activated to support the officer during unusual occurrences.</li> </ul>                                                                                                                                                                                                                                                              |
|              | <b>RN</b> | <ul style="list-style-type: none"> <li>• Basic Care Center (CABS): psychology services through therapy, lectures, psychological evaluation, among others;</li> <li>• Escuta SUSP: promotion of the Federal Government project offering online psychological care to active officers;</li> <li>• Pró-Vida RN Management Committee: collaboration with meetings and activities related to the PMRN Quality of Life commission.</li> </ul>                                                                                                                                                                                                                                                                         |
| <b>North</b> | <b>RO</b> | <ul style="list-style-type: none"> <li>• Psychosocial care guideline for critical events;</li> <li>• Psychoeducational care guideline regarding suicide;</li> <li>• Psychoeducational care guideline for officers involved in domestic violence;</li> <li>• Psychological assistance to victims of moral and/or sexual harassment;</li> <li>• Lectures on mental health; services in psychology, psychiatry, social work, nutrition, physical education, and physiotherapy;</li> <li>• "Serenio" Support Group: monitoring of officers who use and/or abuse alcohol or other drugs (similar to "Alcoholics Anonymous");</li> <li>• Home and/or hospital visits and support in cases of police death.</li> </ul> |
|              | <b>TO</b> | <ul style="list-style-type: none"> <li>• Chaplaincy – QGC and Interior Units: "Uniformed Heroes" Program: promotes spiritual assistance through reflections on Biblical texts;</li> <li>• 6th CIPM: "Better Health" Project: monitors hypertension and diabetes; multidisciplinary activities promote physical and mental health;</li> <li>• 5th BPM: Lectures on suicide, health education, and psychological care;</li> <li>• 4th BPM: Psychiatry and psychology consultations and "life appreciation actions" during "Yellow September";</li> <li>• 14th BPM: lectures on mental illness prevention, suicide, and home visits to veterans.</li> </ul>                                                        |
|              | <b>AC</b> | <ul style="list-style-type: none"> <li>• "My Dear Anxiety" Project: addresses anxiety in talking circles and awareness actions during "Yellow September."</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|              | <b>AM</b> | <ul style="list-style-type: none"> <li>• Procedural Norm for Mental Health Care: establishes care and prevention protocols; creation of a suicide attempt recording system;</li> <li>• Events such as the Mental Health Forum and January/September campaigns aimed at reinforcing preventive activities against suicide;</li> <li>• Active in the Reserve Program (PAR): contributes to improving the officer's quality of life during the transition to the paid reserve and/or retirement process.</li> </ul>                                                                                                                                                                                                |
|              | <b>PA</b> | <ul style="list-style-type: none"> <li>• Integrated Psychosocial Care Center (CIAP): promotes psychosocial support with technical visits to hospitals, residences, and external institutions;</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

**PROGRAMS, ACTIONS AND CHALLENGES IN WELL-BEING AND MENTAL HEALTH AMONG MILITARY POLICE OFFICERS IN BRAZIL**

|           |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Southeast |    | <ul style="list-style-type: none"> <li>• Suicide Prevention Booklet: intended to guide the troops and Commanders on handling the phenomenon;</li> <li>• Lectures alluding to "Yellow September."</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|           | AP | <ul style="list-style-type: none"> <li>• Psychosocial assistance for military police officers and their families.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|           | MG | <ul style="list-style-type: none"> <li>• PM Occupational Health Program (PSOPM): annual or biennial preventive medical or psychological consultation;</li> <li>• Psychological assistance for perpetrators and victims of domestic violence;</li> <li>• Pró-apoio: mandatory health care program for military personnel who experienced PTSD;</li> <li>• Basic Police Training (TPB): includes a Comprehensive Health discipline for self-care;</li> <li>• Psychological monitoring in cases of on-duty lethality and imprisoned or detained officers;</li> <li>• Mental Health lectures regarding "White January" and "Yellow September" and a Workshop for Psychologist Officers;</li> <li>• Primary Health Care Unit (UAPS) actions: health promotion and disease prevention campaigns (in-person and online);</li> <li>• Mental Health Prevention and Promotion Program Handbook.</li> </ul> |
|           | ES | <ul style="list-style-type: none"> <li>• Preventive Health Action Programs (Polyclinic and itinerant);</li> <li>• Drug and Alcohol Rehabilitation Program (Presta);</li> <li>• Religious Assistance Service (Chaplaincy);</li> <li>• HPM Human Milk Bank;</li> <li>• Elderly care commission;</li> <li>• Reserve Preparation Program (PPR);</li> <li>• Health Care Programs for the Military Police of Espírito Santo (PASPMEs);</li> <li>• Itinerant lectures alluding to "Yellow September" with booklet distribution.</li> </ul>                                                                                                                                                                                                                                                                                                                                                              |
|           | RJ | <ul style="list-style-type: none"> <li>• Military Police Well-Being Promotion Program (PROBEM): trains officers as support points in operational units;</li> <li>• Suicide Prevention Program: conducts lectures and trains managers;</li> <li>• Lectures on "Prevention and Care in Mental Health: Understanding Suicidal Behavior";</li> <li>• Normative Instruction establishes protocols for crises;</li> <li>• Postvention Groups with teams of officers deceased by suicide, among other actions.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                               |
|           | SP | <ul style="list-style-type: none"> <li>• Clinical Psychology: psychological care (in-person or remote) for individuals, groups, or couples;</li> <li>• Alcohol and Drug Abuse Prevention Program (PPAD): preventive, psychoeducational, and psychotherapeutic interventions for awareness and refusal skills development;</li> <li>• Military Police Monitoring and Support Program (PAAPM): evaluation and support for officers involved in high-risk incidents or showing adaptive difficulties;</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                    |

|              |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|              |           | <ul style="list-style-type: none"> <li>• Suicidal Manifestation Prevention Program (PPMS): prevention and mitigation of self-destructive behaviors, including postvention activities;</li> <li>• Postvention: care in cases of suicide of active officers to minimize the contagion effect and address demands;</li> <li>• Police Career Conclusion Awareness Program (PROSEN): focuses on quality of life for officers approaching veteran status, covering biopsychosocial aspects;</li> <li>• Emotional Management Workshop: awareness of psycho-emotional processes and mental health promotion;</li> <li>• Lectures and Preventive Campaigns: dissemination of knowledge for self-care and production of preventive social media content;</li> <li>• Social Service: assistance regarding indemnities, benefits, funeral aid, and home/hospital visits to identify social vulnerability;</li> <li>• Indemnities: management of preliminary investigations for death or disability payments;</li> <li>• Funeral Aid: processing of related benefits;</li> <li>• Psychosocial Support in Critical Incidents: emergency response and intervention in cases of unexpected/traumatic death of officers, extended to first-degree relatives.</li> </ul> |
| <b>South</b> | <b>SC</b> | <ul style="list-style-type: none"> <li>• Guardians of Life Project: trains personnel to act as first responders in cases of psychological illness at risk of suicide;</li> <li>• PTSD Management Program;</li> <li>• Psychology Service: individual psychological care; critical incident response, evaluation, lectures, and campaigns.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|              | <b>RS</b> | <ul style="list-style-type: none"> <li>• Toxicological inspections and educational campaigns (Ordinance No. 933/EMBM/2023);</li> <li>• Anjos (Angels) Program: appropriate mental health care;</li> <li>• Preventive actions for traumatic events.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

Source: Prepared by the authors, 2025.

Each Military Police Institution presented specific solutions to meet local demands, reflecting the decentralization of public mental health policies. Although the absence of comprehensive federal legislation has led to the fragmentation of initiatives, a notable advancement is observed across many corporations. Despite regional differences, the holistic and preventive approach, combined with continuous psychological support, indicates a growing commitment to the quality of life and the professional appreciation of public safety personnel (Table 1).

Table 1 further highlights actions for suicide prevention, stress management, treatment of chemical dependencies, transition to the reserve, and psychosocial support for police personnel, extending to their family members.

Regarding strategies for thematic organization by functional axes, all 20 Federative Units (UFs) reported that they conduct mental health promotion and prevention actions, which include preventive and educational activities aimed at avoiding mental illness and promoting quality of life. When analyzing the comprehensive care axis, only four UF's (SE, MG, PA, and AP) reported promoting a multidisciplinary and integrated approach to health and well-being. Regarding the transition and adaptation to the reserve, with a focus on preparing military police officers for retirement and routine changes, only DF, MA, SE, AM, SP, and ES presented approaches to meet this need (Table 1).

In total, six states did not provide information regarding programs or projects on well-being and mental health implemented in their units to support military police officers. This absence results in an incomplete view of the national scenario, hindering the identification of gaps and best practices. Furthermore, without a uniform information base, the formulation of public policies that equitably address the needs of all corporations may be compromised, disadvantaging less-represented states.

The mental health programs implemented by Military Police forces in Brazil represent significant advancements in the care for officers' well-being. However, according to the MJSP (2022), given the diverse state and regional realities and needs, a flexible policy—synthesizing a multidimensional model with short, medium, and long-term planning—would be a proposal that shares responsibility and respects the specific differences and needs of each region.

Nevertheless, the consolidation of these initiatives requires joint efforts to overcome structural and cultural challenges. It is recommended to create a policy (encompassing both national and state spheres) for monitoring and promoting health and professional appreciation that addresses physical, mental, social, environmental, and institutional health in a dynamic and integrated manner.

### 3 FINAL CONSIDERATIONS

Throughout this article, the importance of best practices and projects for the promotion of well-being and mental health for military police officers was explored. Prevention, treatment, and psychosocial support strategies within the corporations were highlighted. Despite the diversity and richness of the initiatives, the analyses point to a lack of uniformity in the implemented programs and projects. Therefore, the specific characteristics and needs of each military police institution must be considered when implementing mental health promotion strategies.

Consequently, there is a demonstrated need for the construction of substantial, evidence-based proposals linked to national and state policies capable of identifying transversality within the system. It is essential that institutional articulations, monitoring, and evaluation of these public safety professionals be effectively established, alongside the pursuit of improved quality of life indicators.

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## **HOSPITALITY AND THE QUALITY OF LIFE AND WORK OF PUBLIC SECURITY PROFESSIONALS**

### **A HOSPITALIDADE E A QUALIDADE DE VIDA E TRABALHO DO PROFISSIONAL DE SEGURANÇA PÚBLICA**

### **LA HOSPITALIDAD Y LA CALIDAD DE VIDA Y DE TRABAJO DEL PROFESIONAL DE SEGURIDAD PÚBLICA**

**EDMILTON RICARDO EMANUEL MARQUES DOS REIS<sup>1</sup>**  
**WILQUERSON FELIZARDO SANDES<sup>2</sup>**

#### **ABSTRACT**

When the Military Police of Bahia (PMBA), in the 1990s, adopted the strategy of leasing residential properties to install Operational Units, the spaces necessary for administrative and operational routines were adapted to this new reality. In this article, we will theoretically discuss the hospitality of the barracks and environmental management, as well as their influences on the quality of life and work of the Military Police officer, based on the study of the lodging quarters as a site for character transition and social interaction. We discuss the individual within the environment, management and hospitality, health and quality of life, national public safety policy, and the regulatory norms governing these environments within building installations. The problem lies in the conditions of dignity within the lodging environments, the appreciation of the public safety agent, and the influence of this adapted environment on the behavior of the Military Police officer. The hypotheses raised are that there is a relationship between the physical installations of the lodgings and the behavior of the public safety agent; that when the facilities offer dignity and value the agent, the service provided is of

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higher quality; and to the extent that environmental conditions result in dignity and appreciation, they do not generate suffering or illness. The objectives are to identify in the literature the influence of the environment on the quality of life and work, identify how the physical work environment influences worker health, and describe the PMBA environment and management model that led to a reflection on the relationship between the work environment, health, quality of life, and the environmental factors that affect the dignity of the public safety professional and influence service delivery.

**Keywords:** Environmental Psychology. Hospitality. Management. QWL (Quality of Working Life). Public Safety.

## RESUMO

Quando a Polícia Militar da Bahia, na década de 1990, adotou a estratégia de locar imóveis residenciais para instalar Unidades Operacionais, os espaços necessários à dinâmica da rotina administrativa e operacional foram adaptados à nova realidade. Neste artigo iremos discutir teoricamente a hospitalidade do aquartelamento e a gestão do ambiente e as influências na qualidade de vida e trabalho do servidor Policial Militar diante dessa nova realidade a partir do estudo do alojamento como local de troca de personagem e de interação social. Discutimos no texto o indivíduo no ambiente, a gestão e a hospitalidade, saúde e qualidade de vida, a política nacional de segurança pública e as normas regulamentadoras para a existência desses ambientes nas instalações prediais. O problema apresenta-se nas condições de dignidade do ambiente dos alojamentos, a valorização do agente de segurança pública e a influência desse ambiente adaptado sobre o comportamento do servidor Policial Militar. As hipóteses levantadas são que há relação entre as instalações físicas dos alojamentos e o comportamento do agente de segurança pública, que quando as instalações oferecem dignidade e valorizam o agente de segurança pública a prestação do serviço é de melhor qualidade e na medida em que as condições ambientais resultam em dignidade e valorização, não geram sofrimento nem adoecimento. Os objetivos almejados são identificar na literatura a influência do ambiente na qualidade de vida e trabalho, identificar o modo como o ambiente físico de trabalho influencia na saúde do trabalhador, descrever o ambiente e modelo de gestão da PMBA que resultou na reflexão sobre a relação entre o ambiente de trabalho, a saúde e qualidade de vida e os fatores ambientais que afetam a dignidade do profissional de segurança pública e influenciam a prestação do serviço.

**Palavras-chave:** Psicologia ambiental. Hospitalidade. Gestão. QVT (Qualidade de Vida no Trabalho). Segurança pública.

## RESUMEN

Cuando la Policía Militar de Bahía, en la década de 1990, adoptó la estrategia de alquilar inmuebles residenciales para instalar Unidades Operativas, los espacios necesarios para la dinámica de la rutina administrativa y operativa fueron adaptados a esta nueva realidad. En este artículo, discutiremos teóricamente la hospitalidad del acuartelamiento y la gestión del ambiente, así como las influencias en la calidad de vida y trabajo del servidor Policial Militar ante esta nueva realidad, a partir del estudio del alojamiento como lugar de cambio de personaje y de interacción social. Discutimos en el texto el individuo en el ambiente, la gestión y la hospitalidad, la salud y la calidad de vida, la política nacional de seguridad pública y las normas reguladoras para la existencia de estos ambientes en las instalaciones de los edificios. El problema se presenta en las condiciones de dignidad del ambiente de los alojamentos, la valoración del agente de seguridad pública y la influencia de este ambiente adaptado sobre el comportamiento del servidor Policial Militar. Las hipótesis planteadas son que



existe una relación entre las instalaciones físicas de los alojamientos y el comportamiento del agente de seguridad pública; que cuando las instalaciones ofrecen dignidad y valoran al agente de seguridad pública, la prestación del servicio es de mejor calidad; y en la medida en que las condiciones ambientales resultan en dignidad y valoración, no generan sufrimiento ni enfermedad. Los objetivos planteados son identificar en la literatura la influencia del ambiente en la calidad de vida y trabajo, identificar el modo en que el ambiente físico de trabajo influye en la salud del trabajador, describir el ambiente y el modelo de gestión de la PMBA que resultó en la reflexión sobre la relación entre el ambiente de trabajo, la salud y la calidad de vida, y los factores ambientales que afectan la dignidad del profesional de seguridad pública e influyen en la prestación del servicio.

**Palabras clave:** Psicología ambiental. Hospitalidad. Gestión. CVT. Seguridad pública.

## INTRODUCTION

Since the late 1990s, the Military Police of Bahia (PMBA) has been adapting properties—typically large residential houses—to house its units, primarily the Military Police Operational Units (UOPM). These properties, originally built for residential purposes, were required to have sufficient divisions to enable administrative functioning, in addition to other support spaces for operational dynamics as determined by the Institution's Organizational Chart (contained in Ordinance No. 070 - CG/15/2015), such as the armory, the supply warehouse, and the lodging quarters.

The environment of the lodging quarters within the UOPM barracks is the object of our study. The lodgings are divided between those for Officers (managers) and those for Enlisted personnel (operators), separated by biological gender, and are distinguished by allowing coexistence and social interaction freer from the control of hierarchical superiors. The purpose of the lodgings is for changing clothes at the beginning and end of the shift, storing personal and hygiene items, and providing rest for the military police officers.

The expectation of such an adapted property is that it meets the minimum conditions for the agent to prepare for their activities. The problem then arises: are there conditions of dignity within the lodging environment? To what extent is the Military Police officer valued based on these conditions? Does this environment, adapted to serve as a barracks, exert influence on the behavior of this agent to the point of reflecting on their health, quality of life, and the quality of their service delivery?

The perception of the appreciation and care of these spaces leads us to the following hypotheses: the quality of service delivery is entirely dissociated from the conditions offered by the environment; when the facilities offer these conditions to the Military Police officer, the service

delivery is of better quality; and when environmental conditions offer dignity and appreciation, they do not generate suffering or illness and reflect favorably on the quality of work.

The entire text is a reflection on the relationship between the work environment, health, quality of life, and the environmental factors that affect the dignity of the public safety professional and influence service delivery. We seek what the literature says regarding the influence of the environment on the quality of life and work, and we identify how the physical work environment influences the health of the worker. Succinctly, the environment and the management model of the PMBA were described.

## **1 CARE FOR THE PHYSICAL ENVIRONMENT**

The Military Police officer, as both a citizen and a public service professional, has the right to a clean, sanitized, maintained, and organized work environment in which they can prepare to begin their workday. To some extent, it is as if this professional were utilizing the services of a collective room — a hostel, for example — changing only the purposes, while swapping common attire for that of a service provider.

For this environment to be better compared in quality to a hostel room, the participation of the Operational Unit (UOPM) management is a fundamental point. Their actions, especially regarding logistics and hospitality, make these environments pleasant, influencing factors that generate satisfaction and motivation.

Salles (2008) explains that hospitality is the art of welcoming and receiving people well. It is an interdisciplinary field of knowledge whose thematic axes include events, education, religion, leisure, hospital hotel services, hospitality, lodging means, heritage, tourism, and catering, among others. In turn, Severini (2013) complements this by stating that there are two agents of hospitality: the host and the guest, the former being the one who receives and the latter being the one who is received. The spaces in which hospitality is exercised are the domestic (the home), the commercial (the hotel), and the public (the city), the author adds.

Based on Severini (2013), what characterizes the domestic space is the set of rules and ceremonies that must be observed, such as the length of stay, the clear definition of who the host is and who the visitor or guest is, or even access to certain rooms like the host's bedroom or taking objects from cabinets or the refrigerator without prior consent.

The commercial sphere, characterized by fewer formalities and rituals, is associated with the hotel industry. According to Severini (2013), the hotel owner is often represented by the figure of the

manager, just as the tourist is represented by the guest. The space of commercial hospitality is standardized and adapted to receive all types of guests for a predetermined period. Here, one does not see the personalization of the space to serve the guest, nor the proximity between host and visitor.

Hospitality in the work environment manifests in how employees are treated, the attention given to their needs, and the creation of a climate of trust and collaboration. When attempting to categorize the lodging quarters according to the definitions by Severini (2013), it was naturally not possible to do so easily. These difficulties are of three types: conceptual, organizational, and spatial.

The conceptual difficulty lies in the fact that the theme of hospitality is not addressed in the military environment. From an organizational standpoint, the difficulty lies in classifying military police officers as either hosts or visitors, since everyone, in some way, occupies both roles. Finally, the third difficulty is present in the classification of the lodging itself. Is it a domestic space because the professional belongs to the Unit's personnel, or is it a commercial space due to the temporary nature of their stay?

The concepts presented by Severini (2013) allowed for the creation and framing of the lodgings as a hybrid space, with more characteristics of a domestic space regarding usage rules and the rites of coexistence among the individuals who use it, and between them and the managers. Regarding management, the lodging more closely resembles a commercial space because the UOPM managers are directly responsible for the maintenance of the space, preserving it to offer conditions of habitability with dignity.

The administration of the barracks environment, particularly the lodging, is an administrative act that goes beyond technique. It must be supported by Mauss's (2005) idea of the "gift" or "donation." In other words, the hospitality manifested in the preparation, maintenance, and conservation of the space is essential so that the Military Police officer, as a guest or user, feels valued, welcomed, and well-treated, and in turn, offers the same care received back to the barracks, the lodging, and ultimately, to the citizen who uses their services.

It is important to highlight two conclusive points in the context of the statements above. In this relationship between people and the environment, one observes Kant's categorical imperative as cited by Dalsotto and Camati (2013), namely:

We must act as if our maxim could become a law for every rational being, so that, as Paton states in *The Categorical Imperative*, the use of the formula "act as if" places us "imaginatively in the position of Creator and assuming that we are constructing a natural world of which we ourselves are a part" (Paton, 1971, p. 146). The Kantian concern is with the *ought-to-be*, with what should happen and not with what actually happens (Dalsotto; Camati, 2013, p. 3).

The individual's action is supported by an irresistible and strong moral component that makes them act in such a way that this acting can be transformed into a norm and all of humanity should repeat it. Therefore, the hospitality practiced by the barracks management must be based on giving the best possible to the users of the lodgings, to the point that this management practice becomes a norm or is copied by other managers.

In return, the Military Police officer, within this same conceptual framework, must receive the gift bestowed upon them and reciprocate it. This act of retribution also aligns with Kantian thought. It is imperative that gestures of gratitude be returned, whether to the management or to the citizen.

The second point derives from the Broken Windows Theory, developed by George Kelling and James Wilson in 1982, which postulates that disorder and lack of care in an environment can lead to criminality and the deterioration of quality of life. When a space is neglected, it conveys to people the feeling that they do not need to be attentive and zealous, or further, that they may vandalize it, as it is a behavior accepted by others who frequent the place, an act that will not generate any reprimand. "The theory concludes that abandonment and lack of care are the true precursors of incivility, disorder, and, consequently, crimes. It values the importance of the environment over the individual regarding social behavior" (Guedes, 2019, p. 5).

In the work environment, this theory can be applied to show how the lack of care for the physical space, disorganization, and lack of respect among employees can generate a climate of demotivation, stress, and even violence. The barracks management, therefore, has a fundamental role in the organization, care, and zeal of the space.

It is necessary that the people who use this space know, through the management practices performed there, of the existence of an authority that cares about the place, to the point of looking after it, and about the frequenters, because it offers them dignity—and, it must be said, with those people who do not respect the rules, by holding them accountable for their attitudes.

By seeking to deliver a cared-for, clean, tidy, and organized space to the Military Police officer using the lodging, the manager is offering added dignity to the environment, which points toward an identification between the "I" of the manager and the "other" of the user. They will be directly ensuring that this professional has a healthy and pleasant environment, consequently pleasurable to live in, free from disputes that generate stress and suffering and, in a broad spectrum, cause illness. The dignity of the environment is a generating factor of healthy coexistence and fosters an interpersonal relationship of sound camaraderie.

The public safety professional occupies a central role in the relationship with the environment and management. However, this professional may be oblivious to their relationship with

other individuals and to the changes promoted by management in the environment. This is due to their social experiences that influence their perception, preventing them from reacting to environmental influences. This individual may even be the manager of that Unit.

## **2 THE INDIVIDUAL IN THE ENVIRONMENT**

[...] the specificity of Environmental Psychology is to analyze how the individual evaluates and perceives the environment and, at the same time, how they are being influenced by that same environment. (Moser, 1998, p. 122).

Social and cultural dimensions are always present in the definition of environments, mediating the perception, evaluation, and attitudes of the individual toward the environment. Each person perceives, evaluates, and holds individual attitudes toward their physical and social environment. On the other hand, interrelation also means that we study the effects of this particular physical environment on human conduct. Thus, we are studying a reciprocity between person and environment. This interrelation is dynamic, both in natural and built environments. It is dynamic because individuals act upon the environment (for example, by building it), but this environment, in turn, modifies and influences human conduct. (Moser, 1998, p. 121).

This statement relates to physical or spatial limitations. However, it also concerns the rules and controls imposed on behavior. For example, aristocratic and ceremonious environments tend to be more restrictive, while popular or even domestic environments tend to be more flexible, in the sense of not requiring formalities.

The behavior of the individual in the environment also depends on how much they feel appropriate to that space and the affective relationship constructed—that is, the temporal dimension, a projection into the future and a reference to the past, as Moser (1998) affirms. In other words, this relationship with the environment may awaken positive or negative feelings—feelings that may drive them to preserve the environment if they feel nostalgia, or destroy it if the feeling is one of anger, or even idealize something to be achieved in the future within that same space.

When classifying the environment as a work environment, these reactions are no different. The individual's understanding of the environment influences their performance, generating, for example, satisfaction, frustration, or illness. The subject's awareness of the elements around them is important and significant. The care given to the work environment, as well as its organization and physical characteristics, constitutes an indicator of the degree of concern of the managers and the time dedicated to this end in the pursuit of professional satisfaction.

A healthy, competitive, and productive organization views the quality of life and work of its employees as essential. In these organizations, the person occupies a prominent place regarding, for example, the performance of tasks or their duration. Aspects such as fair remuneration and growth opportunities influence the generation of quality of life with equal intensity as social interaction and

working conditions. The organizational environment in these institutions promotes conditions of physical and moral comfort that ultimately influence the morale and performance of the employees.

However, the perception of reality by these professionals varies. Just as they may reach a favorable conclusion, it may also be unfavorable or neutral. The subject who cohabits this environment is an active part of it; if their perception becomes habituated, it will not allow their reaction to be influenced, whether in coexistence or professional performance.

On the other hand, the managers of these spaces are aware of the need to transform the environment to generate positive stimuli in the professionals, as Tedeschi (2018) states, and thereby reach a level of psychological balance, avoiding frustration and dissatisfaction. Elali (2009), citing Ittelson et al., states that the environment is perceived as a unitary field and that its influence varies according to conduct.

The other side of the coin is also true regarding the agent's relationship with the environment. If the environment is cared for, they will preserve it. If this does not happen, the group will act coercively to ensure they do. And if the environment is not cared for, the natural tendency is to contribute to that lack of care. If it happens that this agent acts in a way that changes the environment by taking care of it, the group may also coerce them not to behave in such a manner.

Organizations are increasingly concerned with their employees' quality of working life. People are the ones who plan, monitor, control, and achieve results; therefore, they occupy the center of this concern. The health and quality of life of collaborators are essential elements for the success of any organization. A healthy work environment is one that offers safe, ergonomic working conditions that promote the physical and mental well-being of collaborators, directly influencing team morale and performance.

For the purposes of this article, the building structure of the UOPM is considered the work environment, as is the patrol vehicle or the service post outside that building. Thus, the lodging quarters, as well as the other rooms where preparation for professional duty occurs, are an integral part of this labor environment. Therefore, they warrant a qualification that makes them comfortable—both physically, with a furniture structure that meets the needs of the military police users, and socially, because it is integrative, the result of which strongly influences the morale and performance of teams and individuals.

Although the barracks is a place where social relations are preceded at all times by hierarchy, the lodging is the opposite of other environments from this perspective. This aspect makes it similar to a home, where the interrelationship between inhabitants is less limited by norms and ceremonies. This is a relevant point, given that the public safety agent, influenced by the informality of these relations, also acts this way in their dealings with the "other," here understood as the citizen.

Working conditions influence the professional's quality of life, as previously stated. The lodging is a stage in the preparatory process for performing a shift or workday for the Military Police officer. This process begins and ends from home to work and back home, passing through the use of transport (public or private), arrival at the PM Unit, access to the lodging, access to the armory, access to the garage, and displacement to the sector of operation. Undoubtedly, the physical state, the habitability condition of the lodging, and the maintenance of the weaponry or the vehicle affect the public safety professional's expectation of dignity.

Lodgings in PMBA barracks are organized to accommodate gender and hierarchical rank. In terms of personnel, the number of military police officers in management positions is much smaller than those at the operational level. For this reason, the officers' quarters are smaller in spatial dimensions compared to those of the Enlisted personnel (Subtenants, Sergeants, Corporals, and Soldiers). This characteristic is manifest in the degree of habitability, organization, maintenance, and cleanliness; that is, in lodgings with a higher frequency of people, such as those for Corporals and Soldiers, the organization, maintenance, and cleanliness present a lower degree of habitability. The reasons for this phenomenon may be, as stated, the larger volume of users accessing the space, which may cause deficiency or inefficacy regarding the purpose of the lodging. However, we cannot disregard deficiencies in management.

It is up to UOPM management to adopt practices that prioritize and value the professionals under their care. Caring for the people and the space they share is a duty. First, through the lens of legality, this professional has this right ensured by the National Public Safety and Social Defense Program. Next, analyzing through the lens of institutional purpose, so that the PM organization remains healthy, competitive, and productive in performing the actions within its constitutional competence. Finally, from the perspective of health and well-being, to avoid or minimize the effects of professional practice and the potential development of stress-related illnesses, such as alcoholism and psychosomatic diseases.

What can be inferred, primarily from the relationship between the individual Military Police officer, environmental management, and the behavior influenced by that environment, is the need for care regarding the habitability conditions of barracks environments—specifically, the lodgings, even with their infrequent use. The aim in making lodgings pleasant or welcoming is that they may reflect, as much as possible, the domestic environment of these professionals. The idea is to reinforce a spiral of humanity and avoid suffering; since it is collective, as Guedes (2019) affirms, these acts provoke a sense of positive complicity that reinforces and expands this spiral.

### **3 ENVIRONMENTAL MANAGEMENT**

The PMBA opted to utilize planning, monitoring, and control tools from private administration—such as strategic planning, transparency, citizen focus, the development of performance indicators, and results evaluation—as a means to improve management. Several experiments were conducted until 2017, when the Management Excellence Model (Modelo de Excelência da Gestão) from the National Quality Foundation (FNQ) was adopted.

The model is based on thirteen Fundamentals of Excellence and is composed of eight Excellence Criteria: leadership; strategies and plans; clients; society; information and knowledge; people; processes (referring to organizational processes); and results (dealing with organizational outcomes), in addition to a section describing the Unit's profile (Fundação..., 2013; Fundação..., 2014).

I highlight, as timely, the People criterion, which I classify as vital, as it is specifically focused on aspects of the lives of the individuals who make up the organization, such as work systems, training and development, satisfaction, and quality of life (Fundação..., 2014). To be well-evaluated in this criterion, the UOPM management must, through its practices, be consistent with the importance that this stakeholder represents for the management of any type of organization (Fundação..., 2008).

Quality, in general terms, is derived from the relationship between the subject and the object, considered based on external criteria relative to the thing being evaluated. The quality of a service depends on the consumer's subjective perception of that service associated with how much they expected from its execution, being linked to the satisfaction generated at the end of the experience.

In public administration, the quality of public service is even more subjective, as it is related to the issue of citizenship and the right that every taxpayer has to receive adequate service comparable to the taxes paid (Lacerda, 2015), given that public service organizations are "service operations systems" intended to serve citizens, represented by natural or legal persons (Pacheco; Santos, 2011).

Citizens are guaranteed the right to receive quality public service provided by all State agencies. It is guaranteed to the Military Police officer, as a citizen, to receive treatment from the State consistent with their status, including in the work environment. It is imperative that the Public Administration—understood here as the management of the UOPM where this Military Police officer performs their labor activities—conserve, maintain, and offer a dignified and valued environment, especially lodging quarters that reflect and also offer the same dignity and appreciation.

In a study conducted by Minayo, Souza, and Constantino (2008) on health within the Military Police of Rio de Janeiro, the causes related to stress in those professionals were identified as hierarchical organization and the centralization of decisions at higher levels, unsatisfactory working

conditions, lack of social recognition, and the individual's personality and experiences of pleasure and anxiety. Moser (1998) complements the findings of Minayo, Souza, and Constantino (2008) by stating: “the relationship an individual has with the environment in which they live can also be seen in relation to the emergence of diseases. An individual's discontent with their environment can facilitate the emergence of certain diseases, whether mental or physical” (Moser, 1998, p. 126).

In order to fulfill their obligation to work and their right to occupy spaces intended for their preparation, this Military Police individual develops strategies to overcome these challenges. According to Moser (1998), the individual may or may not be capable of this, and the cost of adaptation can be high. In both situations, suffering, pain, and illness will be generated.

UOPM management practices can minimize stress and other causes of illness by focusing on environmental quality with actions aimed at quality of life, starting from answers to simple and effective questions about comfort: "What are the variables that will make the individual feel comfortable or uncomfortable? What are the physical and social context variables that contribute to comfort?" (Moser, 1998).

It is the role of UOPM management to create and maintain a dignified, hospitable, and healthy work environment. Efficient management is that which cares about the well-being of its collaborators—in this case, military police officers—invests in their professional development, and promotes a culture of respect and collaboration. This is because modern management, especially human resources management, is attentive to the individual and everything that affects them, such as the work environment and the dynamics and time of work execution. As Tedeschi (2018) affirms, this is a new conception of man, in which the worker is a complex social figure with feelings, desires, and fears, who integrates, interacts with, and influences the environment with which they interact (Moser, 1998).

It is the duty of public safety institutions to offer the minimum necessary conditions for their agents to perform their duties in serving society, carrying out administrative and operational execution actions based on the principles brought by the National Public Safety and Social Defense Program, which include, among many others: the protection, appreciation, and recognition of public safety professionals; the protection of human rights; respect for fundamental rights and the promotion of citizenship and human dignity; and the optimization of material, human, and financial resources of the institutions (Brasil, 2018).

Naturally, the PMBA fulfills this duty because it is concerned with achieving operational results, especially the reduction of intentional lethal violent crimes (CVLI), regarding equipment, weaponry, and vehicles. However, it is noted that this concern is relative to factors directly linked to operational results. That is, beyond equipment, weaponry, and vehicles, the physical space intended

for the agent must, in turn, be prepared to offer dignity to the point where they feel valued and can contribute to reaching these results.

Ittelson, Proshansky, Rivlin, and Winkel (1974), cited by Elali (2009), state that individual perception associated with the feelings created by the environment determines what will most draw the attention of the space's users. To ensure dignity and comfort for the user of the physical space, UOPM management must provide for the biological gender separation of toilets and the availability of hand-drying devices, with the use of collective towels being prohibited, as per Brasil (2019). Thus:

[...] Sanitary facilities must: a) be maintained in a state of conservation, cleanliness, and hygiene; b) have floors and walls covered with impermeable and washable material; c) have intact sanitary fixtures; d) have containers for the disposal of used paper; e) be ventilated to the outside or have a forced exhaust system; f) have piped water and sewage connected to the general network or another system that does not generate health risks and complies with local regulations; and g) communicate with workplaces via passages with floors and covers when located outside the main body of the establishment. (Brasil, 2019, subitem 24.2.3).

In the PMBA, the use of the term's "vestiary" (locker room) and "lodging" (quarters) is often conflated. According to the Regulatory Norm (NR 24), a vestiary is the space intended for the worker to change into uniforms or special clothing for their activity, without the need to stay overnight at the company. The same norm defines lodging as: "[...] the set of spaces or buildings, composed of a dormitory, sanitary facilities, refectory, living areas, and a place for washing and drying clothes, under the employer's responsibility, for the temporary housing of workers" (Brasil, 2019, subitem 24.7.1).

The institution, therefore, aggregates the two concepts. In the UOPM, there is a greater inclination toward the concept of a vestiary, but with fewer beds since use is sporadic. Ultimately, it is understood that the combination of elements from these two concepts respects the cultural and structural characteristics of the PMBA, considering the possibility of the lodging being a vestiary supplemented with beds.

Adopting a management style focused on the employee, their satisfaction, and dignity regarding sanitary facilities, vestiaries, and lodgings means being attentive to what is prescribed by Regulatory Norm No. 24 - Hygiene and Comfort Conditions in the Workplace (NR 24), where the effort of UOPM management is to seek to implement what is established therein to offer comfort and care — in short, to promote dignity.

Finally, even considering the particular aspect of individual perception, UOPM management has a responsibility in promoting a work environment that dignifies and values the employee and reflects in the delivery of their service. Actions such as investing in communication, encouraging participation, promoting development, recognizing and rewarding efforts and achieved results, and creating safe and healthy environments, in addition to encouraging a culture of respect, are potential

stimuli for collaborative and zealous behavior, fostering ties with the environment and, consequently, attachment to the place.

The practical results will be perceived through increased productivity and reduced absenteeism, as satisfied workers are more willing to work. Improvement in quality of life and the organizational climate are also expected results of balancing personal and professional life and interpersonal relations at work. Other consequences include satisfaction with the organization and a lack of interest in leaving it, increased creativity and innovation, and the attraction of qualified professionals. In short, a virtuous spiral is created as a result of the level of excellence achieved by the management of the organization.

## 4 CONCLUSION

The method used for this research was a literature review. Texts in the fields of management, environmental psychology, hospitality, quality of life, and health were accessed. By addressing all these themes in an interconnected manner, it was possible to conceptualize a work environment in which human dignity is respected, hospitality is practiced, health and quality of life are priorities, and management is both efficient and humane.

The fact that these are properties adapted for the operation of a barracks remains a challenge; however, a creative management team determined to promote the well-being of the troops can mitigate the consequences of adversity. With a favorable environment, there are significant possibilities for the recognition of service to be translated into the provision of high-quality service to society.

Nevertheless, management must remain conscious of the individual nature of perception regarding the service provided, as it depends on the expectation levels of the recipient, associated with previous experiences due to social, economic, academic, and cultural factors, for example. The "gift" made by management in the form of practice may, to some extent, please some while displeasing others.

This same prior history of experiences forms the basis for the perception of work environment quality — specifically speaking, in the perception of the barracks' lodging quarters, the location used for preparation with a view toward performing ostensive policing duties. The researched literature does not point to any indication that a residential property adapted for a barracks is an obstacle to a Military Police officer preparing for the performance of their activities or that it negatively influences their behavior. To reach other conclusions, it will be necessary to conduct research directly with the military police officers who use these spaces.

In contrast, the reflections drawn from this study point to the existence of a relationship between the quality-of-service delivery and the environment, leading to the conclusion that the type of property matters little compared to the *conditions* of the property. Therefore, the military police lodgings and the general conditions of the UOPM reflect on the quality of performance in ostensive police service.

Another conclusion reached is the responsibility of the UOPM management to care for the work environment, with special attention to the lodgings used by military police officers at the operational execution level—basically Sub-tenants, Sergeants, Corporals, and Soldiers. This level is in direct contact with the citizen; therefore, it is the level that delivers the service.

Beyond this expected consequence, care for the environment reflects an expression of care for the Military Police professional, suggesting to them appreciation, recognition, and dignity. Conversely, it also signals how they should behave as a user of the space, limiting their attitudes to the return of care — be it to management, the environment, or the citizen.

This reflection suggests that it is a goal for management to aspire toward reaching a consensus for the formation of a favorable opinion that influences collective behavior, with reflections on cooperation for the preservation of environmental improvements and the provision of quality service. A cared-for, dignified environment that values the individual provides quality of life; it is concluded that this reduces the effects of occupational stress, minimizes the causes of physical and mental illness, and ultimately produces only positive effects for the individual. By offering working conditions without harming the worker's quality of life, the organization gathers attributes that make it a pleasant and encouraging place — potentially a cohesive environment for talent and continuous improvement.

In closing, the more zealously the barracks environment is treated, the greater the sense of belonging and care on the part of the military police officers who frequent that environment. If it is neglected or uncared for, feelings of non-belonging and contempt may be awakened in equal measure. The message transmitted classifies the users of the space as people without value. Failing to care for the space and the social environment of the people points toward managers who do not identify with the users; there is no reflection of the manager's "I" in the "other" of the Military Police user. Thus, management fails to recognize the Military Police officer as a subject of rights and, as a result, does not provide them with dignified treatment—in other words, management does not treat the user with the dignity to which they are entitled.

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**BODY-WORN CAMERAS:  
COMPLEMENTARY TOOLS FOR THE  
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RIGHTS AND GUARANTEES IN THE  
DEMOCRATIC STATE OF LAW, FROM THE  
PERSPECTIVE OF HUMAN RIGHTS**

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DEMOCRÁTICO DE DERECHO, DESDE LA  
PERSPECTIVA DE LOS DERECHOS HUMANOS**

**RACHID DINIZ FERREIRA SALLÉ<sup>1</sup>**  
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**ABSTRACT**

In light of the current and growing discussion across all governmental and social spheres regarding the use of body-worn cameras by on-duty police officers in the country, this article aims to analyze whether, and how, body-worn cameras — already implemented or being implemented in various police organizations in Brazil — assist in the

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maintenance of Human Rights and the preservation of citizens' Fundamental Guarantees during interactions with police forces, from the perspective of Human Rights within a democratic state of law. To this end, a comprehensive narrative literature review methodology was utilized, based on scientific articles and journals published in the main national and foreign scientific publication sites. In conclusion, it was determined that body-worn cameras can be an important technological tool for achieving the objectives of the democratic state of law regarding the maintenance of citizens' fundamental rights and guarantees.

**Keywords:** Human Rights. Body-Worn Cameras. Fundamental Rights and Guarantees. Democratic State of Law.

## RESUMO

Diante da atual e crescente discussão, em todas as esferas governamentais e sociais, acerca da utilização ou não de câmeras corporais por policiais em serviço no país, este artigo visa analisar se, e como, as câmeras corporais, já implementadas ou em implementação em diversas organizações policiais do Brasil auxiliam na manutenção dos Direitos Humanos e na preservação das Garantias Fundamentais dos cidadãos quando em interações com as polícias, a partir da perspectiva dos Direitos Humanos no estado democrático de direito. Para tanto foi utilizada a metodologia de revisão bibliográfica narrativa, abrangente, a partir de artigos científicos e periódicos publicados nos principais sítios de publicações científicas nacionais e estrangeiros. Como conclusão, determinou-se que as câmeras corporais podem ser uma ferramenta tecnológica importante para a consecução dos objetivos do estado democrático de direito, no tocante a manutenção dos direitos e garantias fundamentais dos cidadãos.

**Palavras-chave:** Direitos Humanos. Câmeras Corporais. Direitos e Garantias Fundamentais. Estado democrático de Direito.

## RESUMEN

Ante la actual y creciente discusión en todas las esferas gubernamentales y sociales sobre la utilización o no de cámaras corporales por policías en servicio en el país, este artículo busca analizar si, y de qué manera, las cámaras corporales —ya implementadas o en proceso de implementación en diversas organizaciones policiales de Brasil— auxilian en el mantenimiento de los Derechos Humanos y en la preservación de las Garantías Fundamentales de los ciudadanos durante sus interacciones con las policías, desde la perspectiva de los Derechos Humanos en el estado democrático de derecho. Para ello, se utilizó la metodología de revisión bibliográfica narrativa y exhaustiva, a partir de artículos científicos y periódicos publicados en los principales sitios de publicaciones científicas nacionales y extranjeros. Como conclusión, se determinó que las cámaras corporales pueden ser una herramienta tecnológica importante para la consecución de los objetivos del estado democrático de derecho en lo que respecta al mantenimiento de los derechos y garantías fundamentales de los ciudadanos.

**Palabras clave:** Derechos Humanos. Cámaras Corporales. Derechos y Garantías Fundamentales. Estado Democrático de Derecho.

## INTRODUCTION

Addressing the issue of body-worn camera use by on-duty police officers in this country is, if not a fundamentally controversial matter, a significant challenge—perhaps as vast as the Brazilian territory itself. In a country currently polarized between right and left, and lacking relevant scientific knowledge on the subject, ideologies and passions end up taking center stage where technical expertise should be prioritized, and where the production of knowledge remains negligible.

Correlating the use of body-worn cameras by police forces with the guarantee of human rights—specifically for the maintenance of fundamental rights and guarantees and the democratic state of law—is, practically speaking, to enter a territory conflagrated by staunch defenders of the equipment against those who utterly loathe the possibility.

Despite the magnitude and notoriety given to the theme, whether by governmental bodies, the media, or within society itself, as of September 2024, only five federative units and the Federal Highway Police were using body-worn cameras on the uniforms of on-duty officers. Furthermore, in all these cases, the use was partial—meaning only certain police units utilized the equipment. Additionally, the State of Santa Catarina, considered to have the most advanced body-worn camera program in the national territory, announced the termination of the project and the recall of the equipment, according to Dispatch No. 061/Gab\_CmtG/2024 issued by that corporation's General Commander.

Thus, in this article, we will address the use of body-worn cameras by on-duty police officers as a complementary tool in the promotion of human rights and fundamental guarantees, as well as the reflections of this practice within the democratic state of law experienced in our country. We will also examine whether and how these devices can assist police practice in aligning increasingly with national and international frameworks for the promotion of human rights, the basic principles on the use of force and firearms, and the code of conduct for law enforcement officials.

## **1 THE DEMOCRATIC STATE OF LAW: A BRIEF OVERVIEW RELATED TO THE THEME**

In Brazil, the Democratic State of Law gained constitutional status from the moment it was inserted into the *Carta Magna*; moreover, when the original constituent power emphasized that this state format is governed by several principles, including the system of individual, collective, social, and cultural fundamental rights—encompassing, of course, a wide range of interpretations, but primarily codified in Titles II, VII, and VIII of our Constitution.

The Principle of Legality is foundational, characterized as the essence of the concept of the Democratic State of Law, constitutional subordination, and democratic legal grounding—subjecting

all to the rule of law. This law is destined for the principles of justice and equality among the socially unequal, not merely formally as a concept of a legal act, but rather with the function of fundamental regulation through a qualified constitutional process emanating from the popular will (Silva, 1988).

Also striking in the Democratic State of Law is the mandatory existence of a system to guarantee human rights, grounded in all its expressions. Among these, a Democratic State of Law must fundamentally be governed by popular sovereignty, which is—or should be—expressed in all forms of organization of this state, such as in the political, economic, social, and cultural spheres.

In this vein, interlinking the subordination to the law—which includes state officials themselves (and among them, law enforcement officials)—the existence in our country of a system for guaranteeing human rights (which we will address more thoroughly below) and popular sovereignty, manifested by the power-duty to oversee state actions, is how the technology of body-worn cameras used by on-duty police officers must be understood. That is, such technology presents itself as yet another tool capable of assisting society in maintaining the Democratic State of Law.

## **2 THE HUMAN RIGHTS GUARANTEE SYSTEM IN BRAZIL**

At the outset, it must be noted that this is a broad, complex, and philosophically inexhaustible theme in terms of its conception and evolution, primarily due to its universality—an intrinsic characteristic of human rights that is also established within our constitutional and infra-constitutional legal framework. In light of the above, we shall refer to the 1988 "Carta Magna" as the starting point of the system, aiming for a concise approach oriented toward the theme discussed thus far.

Having established the Constitution as the starting point, it is necessary to assert that its essence brought the dignity of the human person as a core principle and recognized the prevalence of human rights to guide the country's international relations. In Title II, titled "On Fundamental Rights and Guarantees," it compiled a series of individual, collective, social, and political rights which, not by coincidence, were previously stipulated in various international human rights treaties, reinforcing the constituent power's intent to align national legislation with international mandates regarding the protection of these rights.

Furthermore, this title—arising even from the derivative constituent power—includes the provision for the equivalence of international human rights treaties and conventions to constitutional amendments, provided they are submitted to and approved by an equivalent legislative process. Should they not be subject to such a legislative process, the international treaties and conventions to

which Brazil is a signatory and which have been ratified in the country shall enjoy the status of supralegal norms.

In addition to the Universal Declaration of Human Rights, Brazil has ratified eight of the nine core international treaties drafted by the United Nations, including the Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the Convention against Torture, and the Convention on the Elimination of All Forms of Discrimination against Women, among others. Currently, the International Convention on the Rights of Persons with Disabilities is consolidated with the force of a constitutional amendment in the country. Given this, it can be affirmed that the 1988 Federal Constitution is the primary landmark, under the current regime, of the human rights guarantee system in the country.

The system includes the National Human Rights Council, established by Law No. 12,986 of June 2, 2014. This collegiate body brought greater social participation, consisting of 11 representatives from civil society and 11 from the public authorities. The council is tasked with overseeing and monitoring human rights public policies and the National Human Rights Program (PNDH), in addition to acting as a link between the International System and the Regional Human Rights System.

The National Human Rights Program, established by Decree 7,037/09, set guidelines, programs, and actions aimed at the materialization of the principles and rights provided for in the Constitution, in treaties to which Brazil is a signatory, and in infra-constitutional legislation.

Interlinked with our theme, we can highlight certain axes and guidelines within the Program, such as Axis 1 (specifically Strategic Objective I) and Axis 4 with its guidelines, which deal with the Guarantee of participation and social control of human rights public policies through plural and transversal dialogue among various social and public safety actors, access to justice, and the fight against violence.

The PNDH contributes to social participation in the control and promotion of human rights by state institutions, moving toward the prevention of social injustice. Or rather, in the words of Costas Douzinas: "human rights become the postmodern version of the idea of justice, or better, the expression of the sense of injustice" (2009, p. 359).

It is evident that the fight against violence, along with social participation and control of public safety policies and access to justice, are among the program's guiding objectives. There is also an important recognition of the state function of maintaining law and order as a direct influence on fundamental rights and guarantees. However, it is well known that in Brazil, security forces often present a dichotomous character: "By the moral and legal authority it possesses, even with the backing

for the use of necessary force, the police can play the role of the primary violator of civil and political rights, but it can, equally, transform into its greatest implementer" (Balestreri, 1998). It is this dichotomy that we will discuss in the following section.

### 3 BRIEF NATIONAL SCENARIOS

Body-worn cameras were designed to be used on the uniforms of law enforcement agents—whether, in Brazil, they are military police, civil police, penal officers, or municipal guards, among others—who interact with society in diverse ways during their state duties. These interactions include routine patrolling, preventive police stop, emergency response, the recording of occurrences at police stations, the execution of arrest or search and seizure warrants, traffic control, and even within correctional facilities during interactions between authorities and persons deprived of liberty.

This technology gained momentum primarily in the early 2000s, being widely implemented in overt police forces across several countries. Notable examples include the United States of America, as a pioneer and the country where the use of cameras is most widespread, and the United Kingdom, where officers assigned to armed duty are mandatorily required to use the technology—noting that in England, for instance, only a minority of officers on overt police duty carry firearms.

In Brazil, the implementation of body-worn cameras began in the Federal District in 2012, where a pilot project by the Military Police was launched. However, it was unsuccessful and lasted less than a year due to several factors, primarily technological difficulties regarding the integration of cameras into the existing technological infrastructure, the need for large-scale updates to information technology tools, a shortage of specialized human resources, and a lack of the financial resources necessary for the permanent acquisition and maintenance of hardware and software.

From that time until the present, several police forces have begun using body-worn cameras, mainly military police forces in states such as Rondônia, Paraíba, Rio Grande do Sul, Pará, Santa Catarina, and Paraná, among others. Some states have not even concluded implementation, while others achieved relative success for a certain period, such as Rondônia, where for three years, almost all battalions in both the capital and the interior used the technology. In Santa Catarina, the project started in 2019 was only discontinued at the end of 2024. The reasons given for this discontinuation are the same: budgetary constraints, technological hurdles, excessive bureaucracy for acquisition and maintenance, and a lack of specialized personnel within the corporations for technical support.

In addition to these objective conditions, the veiled resistance from police officers significantly contributes to the failure of implementation projects. Due to the rigid structure of the

corporations, those tasked with using the equipment do not openly discuss such resistance, making it extremely difficult to scientifically address the problem through the observations of those who operationalize the technology.

*Mea culpa* must be attributed to the public authorities in this regard, as throughout the discussions—which were also of a technical-scientific nature—there were no studies concerning the influence of the equipment on the routines of officers who used or will use the technology. There was a lack of research regarding the pressure of not being able to make mistakes while being constantly observed and recorded, as well as the negative and positive psychological impacts that cameras can exert on these professionals as a way to minimize internal resistance and demonstrate that technology can be an ally to those who face criminality daily.

Numerous other points are part of this context; without going into depth, the general perception among police officers is that the cameras are intended for supervision by superiors with the intent to punish them in cases of protocol non-compliance or potential errors. The feeling of disbelief and lack of support from other governmental bodies—such as the Public Prosecutor's Office, the Judiciary, and society itself—leads the officer to believe that the cameras will only serve to harm them in every way.

In other words, from a personal perspective, these professionals—who already face daily the well-known hardships of their craft in a country contextualized by extreme social inequality, alarming crime rates, and territories dominated by organized, heavily armed, and violent criminal factions—feeling themselves at permanent risk of death or imminent armed confrontation, ultimately do not recognize the technology as an ally, but rather as an enemy.

The discussion on the topic heated up in the country starting in 2022, when the Military Police of the State of São Paulo announced, it would begin using body-worn cameras on uniforms. As the largest police force in the country, the subject gained momentum, further intensified by the ideological polarization of that year's federal and state executive and legislative elections.

Currently, only the military police forces of São Paulo, Rio de Janeiro, and Minas Gerais have used body-worn cameras for over a year, and in all of these, implementation is partial, limited to only a few battalions or companies. In other federative units, projects are in their early or testing phases, such as in Bahia, Roraima, and within the Federal Highway Police.

In 2024, the Ministry of Justice and Public Safety launched a project to finance the acquisition of body-worn cameras for the states, which requires participants to commit to following the regulations established by the ministry. MJSP Ordinance No. 648, of May 28, 2024, sets requirements on how and when the cameras must be activated, whether the officer can stop the

recording or disconnect the camera from the uniform, etc. Thus, out of the 26 federative units and the Federal District, only sixteen states signaled a positive interest in participating in the program, nine of which were selected to proceed to the next evaluation phases and, finally, to the release of funds in 2025.

#### **4 BODY-WORN CAMERAS AND THEIR POTENTIAL CONTRIBUTIONS TO THE PRESERVATION OF FUNDAMENTAL RIGHTS AND GUARANTEES**

This section will not analyze the technical aspects of deployment—such as the type of technology, the most appropriate method of use, or the integration into the police forces' technological infrastructure—nor the financial impact that adopting this tool generates for the states, including acquisition, support, maintenance, training, or replacement of supplies. Instead, it will examine whether this tool is suitable for the purpose of interest to this article: the goal of assisting society and police forces in preserving the human rights and guarantees of citizens—which include the police officers themselves—and in maintaining the democratic state of law itself.

Based on the premises above, we will initially address the influence of body-worn camera use by police forces regarding the preservation of human rights, individual and collective guarantees, and the dignity of the human person.

In a Brazil such as the one described earlier, discussing public safety inevitably leads to discussing the use of force, whether lethal or not. As a democratic state of law, the Brazilian State is attributed the monopoly on the use of force; in brief, this means that only authorities legitimized by the State for law enforcement hold the authorization to use force and firearms against individuals who threaten the life or physical integrity of these authorities or third parties, or who violently oppose legally instituted state activities, when necessary, appropriate, and legally supported.

This statement in itself refers us to the guarantee of individual and collective rights consolidated in the Federal Constitution, in the various international treaties ratified by Brazil, and in infra-constitutional legislation—such as the right to life, physical integrity, human dignity, and all provided freedoms, which are also guaranteed through police activity.

It is no news that Brazil possesses extremely high rates of police lethality and victimization; that is, it is a country where confrontation with criminality results in death on a large scale, both for those committing crimes and for those there to combat them. It is not the objective of this article to point out the reasons leading the country to such a condition, but addressing police lethality and victimization is necessary as it is a relevant indicator in this context.

Nor is it the intent to claim that law enforcement officials or police forces at any level are killing people indiscriminately; after all, to consolidate such a claim, a robust theoretical basis would be required for reproduction, which we do not possess. However, regardless of intrinsic motives, high rates of police lethality and victimization cannot be considered normal in a civilized society. It is necessary to establish policies and alternatives so that such indices are drastically reduced—pertaining, of course, not only to public safety policies but to all areas such as health, education, and housing, among others.

Thus, regarding public safety policies, one of the alternatives presented is to equip the police with body-worn cameras, understanding from the outset that the simple act of attaching the tool to the agent is not, in itself, a sufficient mechanism for resolving this complex problem, but rather one more technology to be added to the police routine with the purpose of inhibiting behavior that does not align with strictly legal dictates, especially regarding the use of force.

The introduction of this technology into police routines can alter behaviors, given the notion that conduct outside the norm can harm police careers, contributing to the technology's effectiveness in reducing violence (Rolim et al., 2023).

Known as the "civilizing effect," which can be attributed to the officer knowing their actions are being filmed, the possibility of accessing each person's actions causes the individual to adopt more responsible conduct in accordance with legal and ethical norms (Araújo, 2023). In this sense, according to Wicklund and Duval's (1971) Self-Awareness Theory, the individual can analyze their behavior according to their values and convictions, attempting to align it with them; the fact of being aware that their activities are being recorded tends to incline the individual to shape their behavior to meet external expectations (Rolim et al., 2023).

A study conducted on the *Olho Vivo* Program regarding the implementation of body-worn cameras in the Military Police of the State of São Paulo corroborates the above, providing data indicating a 57% reduction in deaths resulting from police interventions in the areas of military police companies that adopted body-worn cameras, compared to areas where the technology was not implemented (Monteiro et al., 2022).

The study further demonstrated that after the implementation of the cameras, there was a 78% increase in drug possession records, a 24% increase in firearm possession records, and a 102% increase in Domestic and Family Violence records compared to the period prior to the technology's use (Monteiro et al., 2022). This suggests that the fact that police actions were under constant recording led agents to conduct occurrences strictly within the law and without deviations from the police institution's operational procedures, even in low-impact cases such as drug possession.

In the United States, a study conducted in the city of Rialto, California, showed that the use of body-worn cameras by police reduced the use of force by approximately 50% and resulted in a decrease of over 90% in complaints against law enforcement officers compared to the control group (Ariel et al., 2015).

Returning to São Paulo—undoubtedly the country's largest laboratory for analyzing body-worn camera use—according to the corporation's own survey, the use of the tool resulted in an 87% reduction in confrontations between military police and civilians, as well as a 32.7% reduction in resistance to police stops compared to units that did not use cameras (Mecca, 2022).

Also in São Paulo, there was a reported 41.4% increase in *in flagrante* arrests and a 12.9% increase in firearm seizures, also in comparison to battalion areas that did not use recording technology (Mota, 2022).

In Santa Catarina, according to Carranço (2021), researchers from the Pontifical Catholic University of Rio de Janeiro assert that cameras substantially influence relationships between police and society, pointing to a 28.5% reduction in accusations of contempt, disobedience, or resistance by civilians against police officers. This may indicate that the recording tool also exerts a civilizing effect on those interacting with the officer.

The author also pointed to a 19.2% increase in the recording of various occurrences involving victims and a significant 61.2% reduction in the use of force by law enforcement officers, including physical force and the use of lethal and non-lethal weapons (Carranço, 2021). Notably, there was a significant 67.5% increase in records of domestic and family violence against women, hypothesizing that such occurrences were sometimes not reported or recorded by the officers responding to the call (Carranço, 2021).

Given the above and the data presented, it is possible to infer that the use of body-worn cameras by on-duty police officers can be an auxiliary tool suitable for the preservation of Fundamental Rights and Guarantees. The reported reductions in deaths during confrontations with police, the significant reduction in the use of physical force and firearms, and the reduction in resistance from individuals being stopped, among other indices, align with the constitutional and infra-constitutional dictates of various fundamental rights—primarily the right to life, physical integrity, and liberty.

Regarding other significant indicators, such as the increase in domestic violence records and *in flagrante* arrests, as well as the reduction in complaints against law enforcement agents and accusations of contempt, these demonstrate that the tool can assist in maintaining human dignity. As a Constitutional requirement that recognizes its origin in the context of the modern democratic state

of law, dignity—which was previously reserved for a few—has been extended to all. According to Rosas (2013): “that is why it began to be said that citizens as a whole, or all human beings, have a special dignity and that, in a certain sense, everyone is on the same level and, therefore, everyone is deserving of a respect that is special, but also equal for beings with equal characteristics”. (Rosas, 2013, p. 173).

Therefore, still based on the data presented, it can be inferred that body-worn cameras—recognized as a continuous reminder of the need to act strictly within the dictates of the law, both by state agents and by civilians interacting with the police—bring such relationships closer to the modern concept of dignity, especially in marginalized communities or where violence is most perceived.

## 5 BODY-WORN CAMERAS AND THE DEMOCRATIC STATE OF LAW

Regarding our *Carta Magna*, Silva (1988) clarifies:

Ours employs the most appropriate expression, coined by doctrine, in which "Democratic" qualifies the "State," which radiates the values of democracy over all its constitutive elements and, therefore, also over the legal order. Law, magnetized by these values, is enriched by popular sentiment and must adjust itself to the collective interest. (Silva, 1988, p. 21).

Following the teaching above, direct or indirect popular participation, under equal conditions, in all state activities is a fundamental precept of this Brazilian State, qualified as Democratic.

In the field of public safety, it cannot be different; it is both a right and a duty of society to monitor everything from the realm of public policy to direct execution activities, such as ostensive or investigative policing. The fundamental point of this participation is **social control**, making it necessary for society to participate actively in the formulation, execution, and oversight of public safety policies.

Another fundamental point is the transparency of state actions, as access to information allows for the full and legitimate exercise of popular sovereignty. This includes the oversight of public policies regarding legality, efficiency, morality, and proportionality, among other requirements.

Based on this analysis, the implementation of body-worn cameras in police forces combines democratic aspirations by allowing for transparency in state action, the evaluation of public policies, and the external control of police activity.

The measures listed above will strengthen public trust in police institutions, which is another important point to be considered. Knowing that police actions are being recorded and that there is adequate monitoring by public bodies, society will know that misconduct by law enforcement agents

will be duly combated, and that in cases of non-compliance with the law, there will be concrete evidence for those acting outside of legality to be prosecuted and judged. This trust will translate into greater cooperation and support between the police and the community.

According to Grossmith et al. (2015), in a study on the use of body-worn cameras by the London police in England, 90% of the local population responded positively to the following statements: body-worn cameras make police more accountable for their actions; body-worn cameras ensure that the police are doing the right thing; and finally, the use of the tool ensures that police follow the law and procedures correctly.

For Braga Filho (2020), a public prosecutor for the state of São Paulo, the recordings assist in clarifying, for example, police actions during confrontations, generating greater transparency, and either inhibiting or confirming the existence of possible excesses in responding to these occurrences. They also serve as a mechanism capable of curbing misconduct and, from another perspective, as evidence for internal affairs or courts that the police action was legitimate.

After analyzing hundreds of inquiries resulting from incidents involving death, recorded as "resistance followed by death" (*auto de resistência*) by police forces in Rio de Janeiro, Zaccone (2015) asserts in the work *Indignos de Vida*:

Contrary to the discourse that public prosecutors shelve "resistance reports" due to the lack of evidence gathered in the inquiry, which is considered inefficient, we establish the hypothesis that the Public Prosecutor's Office reinforces the evidence gathered selectively to establish, through a sovereign decision, the legitimacy of lethal actions practiced by police agents. (Zaccone, 2015, p. 88).

Specifically, regarding this type of occurrence, with body-worn cameras—if used correctly—the gap created by a lack of evidence would not prosper, and no doubt would remain regarding the legitimacy or illegitimacy of the police action.

Thus, body-worn cameras are also intended to assist police institutions in solving crimes and in finalizing penalties for offenders, strengthening the judicial system by providing reliable and irrefutable evidence. This also increases public trust in state bodies and reduces the sense of impunity.

Braga Filho (2020) continues:

The mechanism is valuable not only in the formation of the *opinio delicti*, but also in the external control of police activity and the protection of human rights, as it contributes to the investigation and correct referral of complaints regarding omission, violence, corruption, abuse, and police lethality. Although these do not prevail in the Military Police's performance, they threaten the democratic order and the credibility of the public safety system, including the justice system. (Braga Filho, 2020).

A cornerstone of the safety and justice system is respect for the laws, which, however, is not guaranteed. Therefore, increasing society's willingness to respect them is a challenge for any state;

thus, enabling constant monitoring by the population proves to be an efficient method in achieving this objective (Zanetic et al., 2016).

In this vein, body-worn cameras employed by the police can serve through the possibilities listed, emerging as a tool capable of realizing and maintaining the Democratic State of Law.

## 6 FINAL CONSIDERATIONS

The present article analyzed the use of body-worn cameras by police institutions as complementary tools for the preservation of fundamental rights and guarantees in the democratic state of law, from a human rights perspective.

Initially, they reveal themselves as complementary tools, as the simple act of placing a camera on a law enforcement officer is not sufficient to alter the *status quo* of the country's public safety and justice system. For this tool to become lasting and effective, it must be inserted into an environment where structural social and public safety policies prevail—policies that go beyond isolated and reactive measures and instead seek to address the root causes of violence and criminality, such as the reduction of social and economic inequalities.

Within the analyzed context, and based on all that has been presented, body-worn cameras have proven to be an appropriate and effective technology for the preservation of fundamental rights and guarantees. The observed reductions in various indices—such as deaths resulting from police interventions, the use of physical force and lethal or non-lethal weapons, and resistance during police stops—combined with the increase in records of domestic and family violence against women and the rise in firearm seizures, align with the objectives proposed in this study regarding the use of real-time recording technology.

Furthermore, as an auxiliary tool and a guarantor of the democratic state of law itself, these cameras enable popular participation, the oversight of police actions, and assist in the external control of police activity. This generates greater societal trust in police organizations and strengthens the criminal prosecution system—from investigative activities to the judicial system—by providing legitimate and reliable evidence.

In light of the above, the use of body-worn cameras by on-duty police officers has been demonstrated to be an effective possibility for the preservation of fundamental rights and guarantees in the democratic state of law, through the lens of human rights.

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**PUBLIC FINANCE AND HUMAN RIGHTS:  
THE TAX STATE AS A TOOL FOR  
PROMOTING SOCIAL JUSTICE**

**FINANÇAS PÚBLICAS E DIREITOS HUMANOS: O  
ESTADO TRIBUTO COMO INSTRUMENTO DE  
PROMOÇÃO DA JUSTIÇA SOCIAL**

**FINANZAS PÚBLICAS Y DERECHOS HUMANOS:  
EL ESTADO TRIBUTO COMO INSTRUMENTO DE  
PROMOCIÓN DE LA JUSTICIA SOCIAL**

**BRUNO VILARINHO PIRES<sup>1</sup>**

**ABSTRACT**

This work analyzes the relationship between public finance and human rights. Starting from the formation of the Tax State and understanding that public finances reflect the behaviors of a society and can transform social relations, we seek to understand the historical evolution of human rights and how the debate between the ideas of the existential minimum and material equality unfolded throughout the 20th and 21st centuries. Although human rights movements initially manifested as a language aimed at guaranteeing individual rights and combating their violation, it is worth reflecting on whether this behavior is static or if this language can expand, bringing under its scope—in a positive and explicit way—the ideals of social justice, seeking to holistically realize the rights of human beings as both individuals and social beings. We observe that there has recently been an expansion of human rights language, encompassing the ideals of social justice within its field of debate, which reflects an expansion of international consciousness; however, to effectively provide social changes that move toward global social justice, effective solutions to act upon the foundations of the capitalist system must be adopted.

**Keywords:** Public finance. Human Rights. Fiscal sociology. Existential minimum. Material equality.

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## RESUMO

Este trabalho analisa a relação entre finanças públicas e direitos humanos. Partindo da formação do Estado Tributo e compreendendo que as finanças públicas retratam os comportamentos de uma sociedade e podem transformar as relações sociais, buscamos compreender a evolução histórica dos direitos humanos e como se deu o debate entre ideias de mínimo existencial e igualdade material ao longo do século XX e XXI. Embora os movimentos de direito humanos tenham se manifestado inicialmente como linguagem voltada para a garantia de direitos individuais e para o combate a violação desses direitos, cabe refletir sobre se esse comportamento é estático ou se essa linguagem pode se expandir, trazendo sob sua alçada, de modo positivo e explícito, os ideais da justiça social, com busca a efetivar, de forma holística, os direitos dos seres humanos, enquanto indivíduos e seres sociais. Constatamos que recentemente há uma expansão da linguagem dos direitos humanos abrangendo em seu campo de debate os ideais da justiça social, que reflete uma expansão da consciência internacional, mas que para proporcionar de fato mudanças sociais que caminhem em direção a justiça social de forma global soluções efetivas para atuar nas bases do sistema capitalista devem ser adotadas.

**Palavras-chave:** Finanças públicas. Direitos Humanos. Sociologia fiscal. Mínimo existencial. Igualdade material.

## RESUMEN

Este trabajo analiza la relación entre las finanzas públicas y los derechos humanos. Partiendo de la formación del Estado Tributo y comprendiendo que las finanzas públicas reflejan los comportamientos de una sociedad y pueden transformar las relaciones sociales, buscamos comprender la evolución histórica de los derechos humanos y cómo se desarrolló el debate entre las ideas del mínimo existencial y la igualdad material a lo largo de los siglos XX y XXI. Aunque los movimientos de derechos humanos se manifestaron inicialmente como un lenguaje orientado a la garantía de los derechos individuales y al combate de la violación de esos derechos, cabe reflexionar sobre si este comportamiento es estático o si este lenguaje puede expandirse, incorporando bajo su alcance —de modo positivo y explícito— los ideales de la justicia social, con el fin de hacer efectivos, de forma holística, los derechos de los seres humanos como individuos y seres sociales. Constatamos que recientemente existe una expansión del lenguaje de los derechos humanos que abarca en su campo de debate los ideales de la justicia social, lo que refleja una expansión de la conciencia internacional; sin embargo, para proporcionar efectivamente cambios sociales que caminen hacia la justicia social de forma global, se deben adoptar soluciones efectivas que actúen sobre las bases del sistema capitalista.

**Palabras clave:** Finanzas públicas. Derechos Humanos. Sociología fiscal. Mínimo existencial. Igualdad material.

## INTRODUCTION

Public finance permeates public debate daily, guiding and subsidizing governmental decisions; it is the subject of analysis and journalistic texts, and the means to materialize public actions, from current expenditures to the execution of public policies.

In line with the work of Austrian economist Joseph Schumpeter, *The Crisis of the Tax State*, which laid the foundations for the interdisciplinary field of fiscal sociology, our study addresses how the fiscal history of a society portrays the essence of its general history, in which public finance plays a primary role in investigating a society and its political life. In this realm, we also address the formation of the modern state based on the institution of taxes, referred to as the Tax State.

Continuing the historical and social analysis, from the perspective of Samuel Moyn's works *The Last Utopia: Human Rights in History* and *Not Enough: Human Rights in an Unequal World*, we seek to understand how the ideological debate between the existential minimum and material equity occurred in the conception of the welfare state projected by the Universal Declaration of Human Rights. We also examine how, from the 1970s onward—with the advent of neoliberalism, which has its intellectual roots in the Mont Pèlerin Society and elevates the ideals of the free market, private property, and the limitation of the State in the economy to prophetic dogmas—human rights became compatible with the idea of the existential minimum and gained universalist traction, being understood as a *lingua franca*, while the ideal of material equity was silenced or even omitted.

As the objective of this study, and supported by the work *Tax, Inequality and Human Rights* edited by Philip Alston and Nikki Reisch, we seek to understand how public finance relates to human rights both through the organizational mode of the tax system and the financing of public policies, which can and must pursue the realization of social rights.

For a better grasp of the object of study, we combine documentary research with a literature review, utilizing a qualitative approach, as this work seeks the interpretation of phenomena—that is, the apprehension of the meanings of human relations and their actions.

Under an analysis of recent movements carried out by international institutions and national governments, we seek to understand whether the language of human rights is expanding and absorbing the ideals of social justice—that is, fighting for social transformations capable of guaranteeing dignity to all human beings, encompassing both their nature as individuals and as social beings—or if the domination of the idea that the existential minimum is sufficient remains, with the consequent silencing of the ideals of building a society founded on material equality, a reflection of neoliberal hegemony.

## 1 O ESTADO TRIBUTO E A SOCIOLOGIA FISCAL

In mid-1918, within the context of the final period of World War I—which would result in the fall of the Austro-Hungarian Empire and the Second Reich, and the formation of the First Austrian Republic and the Weimar Republic—Austrian economist Joseph Schumpeter presented a study titled

*Die Krise des Steuerstaats*, translated from German into English as *The Crisis of the Tax State*. In this work, he reflects on the fiscal problems to be faced as a result of the war, even anticipating scenarios he would deal with the following year during his brief tenure as the Minister of Finance of the Austrian Republic.

Schumpeter (1991) expresses concern regarding the economic paths that would be taken due to the war and the possible bankruptcy of what he called the *Steuerstaates*, translated by Wolfgang F. Stolper and Richard A. Musgrave in 1954 as the Tax State. In his study, he seeks to answer what the nature of the Tax State is, how its formation occurred, what its bankruptcy would entail, and, in particular, how the facts contained in budget documents encompass the social processes of a society. We understand that the term *Tax State* (or *Estado Tributo* in Portuguese) is appropriate because taxation is at the genesis of the formation of the modern state, best portraying the essence of the author's concept.

Highlighting the merit of Austrian sociologist Rudolf Goldscheid, who was the first to give due emphasis to the subject, Schumpeter (1991) observes that the fiscal history of a society portrays the essence of its general history, in which public finance plays a primary role in investigating a society and its political life, thus laying the foundations for the interdisciplinary field of fiscal sociology.

From Schumpeter's thought across his various works, it is noted that the thinker is dedicated to understanding the future paths that society may take, delving into the inner workings of the capitalist and socialist systems, as well as the possibilities arising from these systems. Analyzing the path traveled up to that point was fundamental to identifying the problems that lay ahead.

Another striking feature of Schumpeter's thought is that crises transform the system of social relations, resulting in a different stage of the system, or even a new system altogether. It is from this perspective that the Austrian economist seeks to understand how the formation of the Tax State occurred from the crisis of the feudal social relations that preceded it, addressing German and Austrian society from the 14th to the 16th centuries.

This feudal social relationship was marked by interdependence and hierarchical stratification between the prince and the nobility, and by the division of territorial domain. There was a certain proximity between the prince and other nobles with characteristics of subordination; as the prince gradually moved away from dependence on the Emperor and the Reich, a degree of sovereignty emerged, which was the beginning of what would become state power. However, one cannot think of this feudal social relationship in terms of the elements that compose the modern state, with a clear separation between the private and the public. There was no distinction between these spheres; thus, the prince disposed of his rights and positions for his own benefit. Consequently, the prince had to

bear the expenses of any policy he chose to pursue, including the funding of wars. To meet these expenses, the prince had a series of rights and revenues: income from his peasant-serfs, the obligation of vassals to provide military service, donations from vassals, and contributions from the church, among others. However, these did not result from any state power and, therefore, there was no institution of taxes (Schumpeter, 1991).

It is important to emphasize that Schumpeter (1991) refers to crises as an underlying social process of change—not merely as isolated obstacles, but as ruptures that result in a structural change of social relations. Thus, in the case of feudal social relations, the fiscal crisis of that economy resulted in the formation of the Tax State. The high costs of maintaining the court, the mismanagement of resources, and, primarily, the constant and massive increase in war expenditures led to exorbitant and unsustainable debt for the princes, leading them to insolvency. Rooted in the argument that wars were not merely personal matters but a common concern, the conception emerged that everyone's contribution was necessary to cover such costs. This paradigm shift marks the process of the formation of the Tax State through the institution of taxes on property, which gradually reached the various strata of that society.

This slow process of forming the Tax State is marked by the interaction and dispute between the nobles—who formed a group of families exercising domain over properties—and the prince himself. The former had significant influence over the allocation of the resources collected, even integrating into the bureaucracy that administered these taxes. Thus, the purpose of the collected resources ceased to be solely the prince's will, and the State acquired a solid structure, becoming an autonomous power. As a result of this dispute and conflictual relationship, the prince managed to command the state machine, but this process resulted in the transfer of attributes, rights, and positions from the prince to the State (Schumpeter, 1991).

We understand that the imposition of tax demands reflects a nuclear aspect of the formation of the modern state, being both a cause and a consequence of changes in social relations. In this perspective, regarding the families that compose society, there was a tendency for the individual economy of each family to become the center of its existence, delimiting a private sphere that would result in a market economy. Regarding the Tax State, the circulation of resources within its own organs allowed for its maturation, such that the fiscal system functioned as the engine for the development of the state structure and the refinement of state functions over time. Thus, the private economy and state finances became increasingly intense and inseparable, reverberating through the circulation of money (Schumpeter, 1991).

The Tax State developed over time and remains in full operation today. In essence, the State collects resources from the private economy and redirects them to activities of common interest.

These resources are reintroduced into the economy, perpetuating a cyclical movement that induces social phenomena. The determination of *how*, *from whom*, and with *what intensity* these resources are captured, as well as the establishment of *where*, *how*, and with *what intensity* they are applied, influences all of society. Furthermore, the way these definitions are made arises from the socio-state structure agreed upon by that society. It should be noted that such phenomena are essentially conflictual and result from the clash of interests among the various social classes that make up that society.

In this described mechanism, public finance—encompassing both taxation and fiscal policy—is a field of study intimately linked to the sociological approach of a population. It can be instrumentalized to alter social relations within a nation-state and also to achieve and realize rights, or conversely, to suppress or limit them.

The Tax State represents the reading of a social transformation. It is an abstract concept, not limited to specific forms of state, systems, or forms of government. The entire arrangement resulting from the combination of these distinct elements is covered by the mechanism of the Tax State, precisely because it is an analysis of the essence of the social relationship between the State and the individual through taxation and its functional mechanisms.

Seeking to understand if the Tax State would go bankrupt, Schumpeter (1991) analyzes that collapses were frequent but not disruptive to the system, surviving the various wars that occurred between the 17th and mid-20th centuries. At the time of his analysis, World War I was near its end; however, World War II was yet to come, and with it, a series of structural changes in the international relations of sovereign states, as well as the creation of international institutions aimed at preventing new global wars and creating a system of universal rights guarantees for human beings.

## 2 EXISTENTIAL MINIMUM VS. MATERIAL EQUALITY

In the late 1920s, in a world still marked by neocolonialism, the Great Depression profoundly impacted the global economy. The Crisis of '29 was a crisis of the capitalist system that generated mass unemployment, deflation, and a sharp, significant drop in the world Gross Domestic Product (GDP).

British economist John Maynard Keynes introduced ideas and theories that shifted the perspective of economic thought, laying the foundations of macroeconomics. He demonstrated the role of governments in inducing markets and fostering economic growth in society, countering the then-dominant neoclassical economic ideas, which argued that employment levels adjusted automatically in free-market economies as long as wages could fluctuate freely. Thus, the Tax State,

through its fiscal policy, became the instrument for the recovery of the global economy in the post-Great Depression period.

Keynes profoundly influenced the establishment of the world economic order from the 1930s until the mid-1970s, serving as a protagonist in leading the work in July 1944 that resulted in the Bretton Woods agreements. These agreements were marked by the application of the gold-dollar standard, which established fixed exchange rates for signatory countries based on the dollar and gold, and the creation of the International Monetary Fund (IMF) and the World Bank.

In 1941, within the context of nearly two years of war—in which the United States had not yet officially entered—the Atlantic Charter was signed. It outlined intentions for a new establishment in subsequent years, aimed at directing limits on the impulses of the Axis powers, recognizing the principle of self-determination of peoples, establishing the bases for freedom of navigation, pointing toward the removal of trade barriers, and indicating global economic cooperation for the advancement of social welfare.

As a fruit of the aspirations for social rights, in January 1944, President Roosevelt proposed the Second Bill of Rights, also known as the Bill of Economic Rights, from the perspective that political and individual rights provided by the Constitution were insufficient to ensure citizens' equality in the pursuit of happiness. Thus, a series of economic and social rights were listed, establishing the foundations for the construction of the American welfare state.

This social conception reflects, in part, the consequences of the unrestricted application of neoclassical economic ideas, which contributed to the outbreak of the Great Depression. Furthermore, it was influenced by the political context of the time, marked by contrasting ideologies that gained strength on the global stage. On one side, the Russian Revolution propagated ideals of material equality inspired by Marxism-Leninism. On the other, Nazi-fascist movements, with their ultranationalist essence, spread hate speech and attributed the blame for the socioeconomic crises of the period to specific groups.

As a result of the movements initiated by the Atlantic Charter, in the post-World War II context, the United Nations (UN) was created, formally established by the Charter of the United Nations (1945). Article 1 of the Charter establishes the organization's purposes, among which we highlight: maintaining international peace and security; achieving international cooperation to solve international problems of an economic, social, cultural, or humanitarian character, and to promote and encourage respect for human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion; and being a center for harmonizing the actions of nations in the attainment of these common ends.

Under the aegis of the then-newly created organization, the Universal Declaration of Human Rights (1948) was drafted, listing individual, collective, and social rights as prerogatives of the human being. In a study on the rise of human rights and its relationship with the ideals of the existential minimum and material equity, Samuel Moyn (2018) understands that, in the context of its publication, the Universal Declaration of Human Rights served primarily as a model for a welfare state to be followed, projected as being national in scope—that is, to be implemented and conducted within the limits of the nation.

The welfare states of that period were established in the Global North and were, in essence, the imperial forces themselves; thus, the Universal Declaration was conceived in a way that its reading was neither conflicting nor incompatible with the geopolitical and neocolonial reality in full force at the time. It did not include the principle of self-determination of peoples, which the Atlantic Charter had addressed, even though, at its signing in 1941, the focus of such a provision was to confront the expansionist movements of the Axis powers (Moyn, 2018).

Although the welfare state that prevailed in the North Atlantic countries in the mid-20th century promoted a better distribution of income, established a certain level of taxation on wealth, and pursued a degree of sufficiency—raising the parameters of the existential minimum without setting aside the ideal of material equality—the primary beneficiaries of this model were white working-class men, not the poor, nor the minoritized majorities, while married white women benefited to some degree indirectly from the increase in the family wage (Moyn, 2018), a characteristic reflection of capitalism, where the wealth produced by many is appropriated by few.

During this period known as the Golden Age, there was the conception of a necessary relationship between sufficiency, through the elevation of existential minimum parameters, and the pursuit of equal distribution. Thus, if the floor of social protection rose, the wealthy would necessarily be forced to pay for it through taxation, lowering the ceiling of inequality and reducing social disparities.

As a consequence of the post-World War II era, anti-colonial movements, rooted in the principle of self-determination of peoples found in the Atlantic Charter, gained traction. The resulting decolonization process embraced the ideals of social and economic rights provided by the Universal Declaration of Human Rights, globalizing the national welfare state project, even while maintaining exclusionary aspects related to gender, race, and social minorities.

The creation of organizations and the strengthening of international relations, both economically and politically—even if material conditions of hierarchy remained present despite sovereignty as an attribute and principle—developed a kind of global consciousness, though it was often marked by conflicts over which direction should be followed.

The UN became the environment for dialogue and negotiations for newly emancipated nations. As a result of the decolonization process, the International Covenant on Civil and Political Rights (1966) and the International Covenant on Economic, Social and Cultural Rights (1966) were signed, both providing similarly in their first articles that all peoples have the right to self-determination. This principle was closely associated with the ideal of material equality, which in turn was understood through the perspective of distributive justice (Moyn, 2018).

In the 1960s and 1970s, there was dissatisfaction on the part of the Global South with the geographical limits of the welfare state. Post-colonial leaders, faced with the difficulty of establishing a welfare state, proposed structural changes in the functioning of the world economy aimed at achieving a degree of material equality, not just on a national scale, but on a global scale, presenting the Call for a New International Economic Order at the UN in 1974.

Considering that the development process is directly linked to industrialization, to develop and reach the means to provide social justice, this movement sought material justice in international relations, as Global South countries were predominantly exporters of primary products, facing disadvantageous terms of trade compared to countries that exported industrialized products.

Material justice, in the economic sense, was not thought of in the way it is currently most disseminated—through the perspective of promoting economic and social rights for the entire population. The proponents aimed for the equality of wealth distribution on a global level through a New International Economic Order. However, neoliberalism—the economic movement that imposed itself in the following periods and presented itself factually as the new economic order—followed a path opposite to this goal.

Moyn (2010) explains that the anti-colonialism movement was not a human rights movement *per se*. Human rights movements ascend at the moment when this idea of economic justice had already lost traction and the idea of sufficiency, inherent to the ideal of the existential minimum, had established itself as the dominant mechanism of the neoliberal order.

The 1970s and 1980s marked a decisive turning point in the direction of global capitalism, driven by the growing influence of neoliberal ideas. This movement emerged in response to the economic crises that shook Keynesian models, especially stagflation and the oil crises. Fiscal austerity became a central principle of economic policies, aiming to reduce the State's role in the economy, contain public deficits, and deregulate markets. This new paradigm broke with the interventionist logic of the post-war period and consolidated the primacy of the market as the regulator of social and productive relations.

Neoliberalism, however, was not limited to the economic field but became a rationality that permeates various aspects of social life. By shaping subjectivities, this model encouraged the idea of

the individual as an "entrepreneur of themselves," promoting values such as meritocracy, competitiveness, and individual responsibility for one's own success or failure. Thus, society underwent a reconfiguration that weakened collective solidarity ties and undermined social protection structures, justifying reforms that reduced labor rights, privatized public services, and deregulated financial markets.

Several historical events marked the consolidation of neoliberalism as a hegemonic force starting in the 1970s. Augusto Pinochet's dictatorship in Chile implemented the ideas of the Chicago School under the guidance of the "Chicago Boys," a group of economists trained by Milton Friedman. On the intellectual plane, the Austrian School gained greater visibility with Friedrich Hayek's Nobel Prize in Economics in 1974. In the political realm, the governments of Margaret Thatcher in the United Kingdom and Ronald Reagan in the United States adopted neoliberal policies of deregulation and privatization. The Washington Consensus, formulated in the 1980s, consolidated these guidelines as the standard recipe for developing countries. Although the 2008 crisis exposed the contradictions of this model, neoliberalism remains materially dominant to the present, adapting to new global dynamics.

In this context of neoliberal hegemony, human rights ascend as a *lingua franca* for discussing justice issues, while references to socialism, in an opposite move, decreased in frequency (Moyn, 2010). This period marks the domination of the idea that the existential minimum is sufficient and, as a consequence, there was a silencing of the ideals of building a society founded on material equality.

Human rights movements rehabilitated the Universal Declaration of Human Rights, but only in relation to its first half; the economic and social rights in the other half, which guided toward a welfare state, were omitted, as if they were not important for even guaranteeing individual rights and guarantees (Moyn, 2018). Until recently, human rights actions and movements manifested as a language that provided a kind of mobilization around combating the violation of individual rights and guarantees, aligning with the idea of sufficiency—a just minimum—but remaining silent regarding the idea of material justice. Such behavior was marked by omission, not negation—that is, human rights movements at the end of the 20th century historically did not deny the importance of the idea of economic equality, but remained inert regarding material inequality.

Asad (2000) argues that human rights, directly related to violations of individual rights and guarantees, became universal as they were widely endorsed by countries, citizens, and non-governmental organizations. However, economic violations, which often produce more devastating social effects than military actions, are not understood as a violation of human rights. This occurs because "the responsibility for ensuring the conditions for the realization of these rights lies

exclusively with sovereign States, each of which is defined, in part, by its right to govern 'the national economy'" (Asad, 2000, p. 4).

It is important to highlight that the idea of the existential minimum—of a sufficient provision for human beings—became central to human rights. Moyn (2018) points out that in the neoliberal period, the poorest population may show a higher degree of prosperity even with an increase in wealth concentration among the wealthiest classes, which resulted in an increase in inequality—a fact counterproductive to the idea that as the floor of social protection rose, the ceiling of inequality should lower.

In a way, the human rights movement proved efficient in what it proposed, raising the banners for the promotion of individual rights and guarantees. However, as long as there are no effective measures in the pursuit of social justice—attacking economic inequalities on a global level—we will be facing a chronic illness being treated with palliative medicines.

From a Marxist conception, we can understand that human rights movements act within the sphere of the superstructure as a dimension of the neoliberal order that establishes the foundations of the infrastructure in the current phase of capitalism. In this direction, Asad (2000, p. 20) presents the following reflection: "when this redemption is complete, rights and capital will be equally universalized. But whether universal capital or universal human rights will bring with them practical equality and the end of all suffering is another matter."

With these considerations, we will address in the next chapter—without the prerogative of exhausting the topic—how public finance is associated with human rights and can be instrumentalized to reduce economic inequalities and seek the realization of a just and egalitarian society.

### 3 PUBLIC FINANCE AND HUMAN RIGHTS

The neoliberal order is marked by financialization, in which the logic of capital generating capital prevails without passing through the commodity stage. Dowbor (2017, p. 285) explains that "the final allocation of financial resources is no longer organized according to end-uses for the stimulation and orientation of economic and social activities, but rather to obey the purposes of the financial intermediaries themselves."

The basis of wealth accumulation has shifted, such that the flows of financial capitalism drain assets from the real economy and direct them toward a variety of non-investing activities. Thus, the financial sector—previously seen as an intermediary or a "middle area" of the production process—has today become the "end area" of capital allocation, meaning wealth originates predominantly from rentierism.

As a consequence of this process, jobs have become precarious, there is an underutilization of the workforce, and individuals find themselves increasingly submerged in debt, whether from student loans, credit cards, financing, or mortgages. Furthermore, with the digital revolution, the economy is becoming increasingly platform-based and managed by artificial intelligence.

The State, as a tax collector, plays a central role in the process of financialization. Traditionally, it is argued that the State finances its expenses through taxation or public debt, with taxation viewed as the fairest and most effective solution (Piketty, 2014). However, this conception reflects a conventional view of economics that compares the State to a private agent subject to rigid budget constraints.

From the perspective of Modern Monetary Theory (MMT), this approach is limited, as it ignores the fact that a State that issues its own currency does not depend on taxes or debt to finance its spending. In this context, public debt is not a fundraising mechanism, but a monetary policy instrument used to regulate liquidity and influence interest rates. Thus, the true limit of state spending does not lie in tax collection or the issuance of bonds, but rather in the productive capacity of the economy and the control of inflation.

Public debt, remunerated by the base interest rate defined by the monetary authority, becomes a mechanism for capital reproduction for the ruling classes, who exert significant influence over the conduct of public finance. Moreover, a portion of tax revenue is directed toward paying debt interest, becoming another significant drain of resources from the population to the rentier sector. If the State faces difficulties in paying this interest, the debt tends to increase, reinforcing the conventional logic that public spending must be financed by taxes or borrowing. This view, widely disseminated by economic elites, perpetuates financialization and restricts alternative economic policies aimed at the collective interest.

In this macro-spatial and temporal scenario, the way the State is coupled with the structure of resource circulation—as a director and coordinator of capital and monetary flows—directly impacts and influences the functioning of the social system and the realization of human rights. Thus, the prism of fiscality presents itself as an open book for understanding the power relations that permeate the State and society, and for transforming social relations.

Although human rights movements initially manifested as a language focused on guaranteeing individual rights and combating their violation, it is worth reflecting on whether this behavior is static or if this language can expand, bringing under its umbrella, positively and explicitly, the ideals of social justice, seeking to holistically realize the rights of human beings as both individuals and social beings.

In this sense, we highlight that in recent years, alongside movements questioning the neoliberal order, the understanding that social justice is interdependent with the guarantee of individual rights has grown and gained ground in the human rights debate. Philip Alston and Nikki Reisch, aiming to address this theme and demonstrate the synergy between the fields of human rights and fiscality, led the publication of the book *Tax, Inequality and Human Rights* in 2019.

While the responsibilities for conducting social policies and supporting society lie with sovereign States, the current stage of the capitalist mode of production—rooted in transnational corporations—rivals the availability of resources for conducting public policies (Alston et al., 2019). This phenomenon stems from the significant influence that large corporations exert on local governments to reduce their taxation and the directing of financial flows to tax havens. In this way, the sovereign State is impacted both by the loss of a relevant source of revenue with transformative potential and by the overburdening of various other tax sources intended to compensate for that lost revenue.

The coordination of the national economy and the induction of markets functions as a supportive bond for the social body, allowing monetary flows to circulate in a more branched manner, diffusely feeding the extremities of that body. Conversely, the absence of coordination drains resources from the extremities, concatenating them into concentrated capital flows that tend to lose circulatory capacity in the real economy and, consequently, diminish the social body's capacity for self-sustenance.

The 2008 financial crisis exposed the weaknesses of neoliberalism. In this regard:

[In] the ten years following the 2008 financial crisis, the issue of taxation assumed a central role in global debates on poverty, inequality, and economic reform. Concerns about rising wealth and income disparities, the visible social and political impacts of the economic recession, and the costs of austerity measures adopted in response to the crisis focused attention on the role of taxes as both part of the problem and the solution to these trends threatening human rights (Alston et al., 2019, p. 34).

The COVID-19 pandemic further exposed the vulnerabilities of neoliberal orthodoxy and long-standing austerity. At the moment of the collapse of supply and demand, the effective emergency instrument for families and businesses was the State's fiscal policy of direct transfers, economic subsidies, liquidity injection, and market induction through research stimulus and direct purchases (Mazzucato and Skidelsky, 2020).

Non-governmental organizations focused on combating inequality and defending social justice gained ground and contributed to the development of this debate; among them are the Center for Economic and Social Rights (CESR), Tax Justice Network (TJN), Oxfam, ActionAid, and Christian Aid. These institutions played a central role in disseminating within the human rights debate

how the tax policies of wealthy countries and the tax evasion and avoidance of their multinationals harm developing countries that need public revenue to implement transformative social policies. They worked to position taxation as an essential issue for the conduct of the 2030 Agenda for Sustainable Development, adopted by all UN members in 2015 (Alston et al., 2019).

It is also noteworthy that in 2015, more than 150 organizations worldwide signed the Lima Declaration on Tax Justice and Human Rights, the result of an international coalition for tax justice. Its goal is to ensure that the wealthy and transnational corporations pay their fair share in taxes, as the current corporate tax system privileges the interests of these corporations and capital holders. In this sense, the Declaration (2015, p. 1) points out that:

Tax revenues are the most important, reliable, and sustainable instrument for financing human rights in a sufficient, equitable, and accountable manner. The realization of all human rights is, likewise, one of the primary reasons for government. It is through respecting, protecting, and fulfilling civil, political, economic, social, cultural, and environmental rights that the State gains its legitimacy to tax. Taxation also plays a fundamental role in redistributing resources to prevent and correct gender, economic, and other inequalities, and to reduce disparities in the enjoyment of human rights arising therefrom. Furthermore, a fair taxation system can cement the bonds of accountability between the State and its people, promoting a greater responsiveness of governments to the rights and claims of those to whom they are responsible. Tax policies can also counterbalance evident market failures and protect global common goods—especially a healthy environment within planetary boundaries (Declaration, 2015, p. 1).

The Declaration (2015, p. 3) calls upon international institutions "to support the reform of the global tax system by, among other things, integrating human rights standards into how they address corporate tax avoidance and the adverse spillover effects of certain governments' tax policies" and calls upon international financial institutions that advise governments on their fiscal and tax policies to respect those governments' human rights obligations.

In short, this international movement asks for tax rules to be drafted and conceived under the protection of a global fiscal body with the democratic participation of all States based at the UN, to combat the existence of tax havens and ensure that all countries benefit from fair revenues that are currently elided by various fiscal practices.

In 2016, the International Monetary Fund presented a report titled "Neoliberalism: Oversold?" finding that instead of generating growth, some neoliberal policies increased inequality, compromising the long-term expansion of state economies. Also reflecting these global movements, the Bogota Declaration on Tax and Women's Rights was drafted in 2017 to denounce that regressive tax systems support and create increasing impoverishment and marginalization of women in the global economy.

Given the reverberation of these findings globally and as a reflection of a movement tending to break the inertia of the neoliberal order, in 2016 the Organization for Economic Co-operation and

Development (OECD) and the G20 established an inclusive framework on base erosion and profit shifting by multinationals—the OECD/G20 Inclusive Framework on Base Erosion and Profit Shifting (BEPS) Project—allowing interested countries and jurisdictions to participate in the development of standards and the search for effective solutions to combat tax evasion.

In 2021, a two-pillar declaration was drafted to address the challenges arising from the digitalization of the economy: the Statement on a Two-Pillar Solution to Address the Tax Challenges Arising from the Digitalization of the Economy. These pillars aim to establish specific scope-delimitation criteria to cover multinational companies with a minimum tax rate of 15% on their income.

Recently, G20 finance ministers meeting in Rio de Janeiro agreed, for the first time, on a comprehensive and autonomous fiscal declaration, the G20 Ministerial Declaration on International Tax Cooperation, published on July 27, 2024. It commits to "strengthening tax transparency and continuing to promote global dialogue on fair and progressive taxation, while taking into account national circumstances, needs, and priorities, such as the equitable distribution of the tax burden" (G20, 2024, p. 2). Objectively, this Declaration (G20, 2024) emphasizes that:

It is important that all taxpayers, including ultra-high-net-worth individuals, contribute their fair share of taxes. Tax evasion or aggressive tax avoidance by these individuals can undermine the fairness of tax systems, resulting in a reduction in the effectiveness of progressive taxation. No one should be able to avoid taxation, including through the circumventing of transparency standards. Therefore, additional efforts must be made to ensure full compliance with national tax obligations. Each jurisdiction should also act autonomously or, if necessary, through capacity-building initiatives, to improve the effectiveness of tax collection already applicable based on national legislation (G20, 2024, p. 3).

Thus, we observe that various international institutions, together with national governments, have expanded the debate and led movements aimed at establishing an international fiscal policy capable of combating tax evasion and avoidance, restoring public revenue bases, and—in pursuit of global social justice—combating inequalities and promoting the means for the realization of human rights for all.

Regarding human rights movements that initially manifested as a language focused on guaranteeing individual rights and combating their violation, the reflection initially proposed—on whether this behavior would be static or if this language could expand to explicitly include the ideals of social justice and holistically realize the rights of human beings as individuals and social beings—is therefore answered. Since 2008, international debate has increasingly absorbed issues related to inequality and social justice, seeking solutions to transform society.

It should be noted that while there are signs of an expansion of this international consciousness toward social justice, the functional mechanisms of the capitalist system must be

materially affected by the proposed solutions; otherwise, the relations of inequality and the exacerbated concentration of resources in the hands of a few will continue to expand, leading the "body" to act contrary to the intention of the "mind."

Furthermore, in the last year, the resurgent rise of far-right leaders, such as Donald Trump and Javier Milei, has imposed significant obstacles to the fulfillment and materialization of international agreements. These leaders have adopted policies of institutional rupture that weaken multilateral cooperation, affecting international stability and representing a profound threat to the advancements identified here.

## 4 FINAL CONSIDERATIONS

The human being develops their individual characteristics as a social being belonging to a society. These observations are inseparable. The individual does not exist apart from society, just as the human being does not exist without the individual characteristics that define them as part of the whole.

From this perspective, we understand the human trajectory as a process resulting from interactions between various societies throughout history, shaped by the social relations that constitute them. This trajectory does not necessarily follow an evolutionary path, nor does it inevitably lead to development. Furthermore, respect for the conventions that define human rights is not a natural consequence of this process.

Society, depending on its design, is what allows—to a greater or lesser degree—the human being to develop their individuality. In this way, public finance, encompassing both taxation and fiscal policy, is a field of study intimately linked to the sociological approach; it can be instrumentalized to alter the social relations of the nation-state and also to achieve and realize rights. That is, the Tax State can be instrumentalized to promote social justice.

Thus, we understand that human rights, as a language, must portray the essence of human beings in their social and individual dimensions, as they are interdependent and inseparable. Since human rights are grounded in human morality, the understanding of the State's role in the realization of fundamental rights and guarantees through public finance must be reproduced within this language.

Contemporary discussions regarding the financialization of the economy, taxation, and social justice highlight the interdependence between fiscal policies and the fulfillment of human rights. The current stage of capitalism, characterized by increasing digitalization and the dominance of the financial sector, has led to an unprecedented concentration of wealth and the precarization of the population's living conditions. In response to this scenario, international movements and global

institutions have sought to strengthen fiscal transparency, combat tax evasion and avoidance, and promote a more equitable distribution of the tax burden. The G20 Ministerial Declaration on International Tax Cooperation represents an advancement in this regard, consolidating a commitment among nations in the pursuit of a fairer and more progressive tax system.

Over recent decades, the convergence between debates on fiscality and human rights has intensified, demonstrating that economic inequality cannot be dissociated from social and political issues. The amplification of this debate reflects the need to move beyond the restricted perspective of human rights as merely individual guarantees, incorporating the collective dimension of social justice. Initiatives such as the *Lima Declaration on Tax Justice and Human Rights* and the *OECD/G20 Inclusive Framework on Base Erosion and Profit Shifting Project* show progress in strengthening global fiscal governance. However, such advancements still face structural challenges imposed by the very functioning of financialized capitalism, which tends to reinforce inequalities and limit State action in promoting social welfare.

The recent rise of far-right leaders, such as Donald Trump and Javier Milei, presents significant obstacles to the materialization of international agreements aimed at fiscal and social justice. Their policies of institutional rupture weaken multilateral cooperation and compromise the stability necessary for the implementation of effective solutions. Thus, although there are signs of greater global awareness regarding the need for structural transformations, these changes depend on concrete political actions capable of confronting the resistance of economic elites and conservative sectors. The struggle for a more equitable tax system and for the fulfillment of human rights will continue to be a central challenge in building a more just and sustainable global order.

We conclude that there has recently been an expansion of human rights language, encompassing the ideals of social justice within its field of debate. This reflects an expansion of international consciousness; however, to effectively provide social changes that move toward global social justice, effective solutions that act upon the foundations of the capitalist system must be adopted.

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**CHILD AND YOUTH VIOLENCE IN THE  
CAPITAL OF THE STATE OF AMAZONAS:  
AN ANALYSIS OF THE PROGRESSIVE  
INCREASE IN CRIMINAL OCCURRENCE  
RECORDS**

**VIOLÊNCIA INFANTO-JUVENIL NA CAPITAL DO  
ESTADO DO AMAZONAS: UMA ANÁLISE DO  
AUMENTO PROGRESSIVO DOS REGISTROS DE  
OCORRÊNCIA CRIMINAIS**

**VIOLENCIA INFANTIL Y JUVENIL EN LA  
CAPITAL DEL ESTADO DE AMAZONAS: UN  
ANÁLISIS DEL AUMENTO PROGRESIVO DE LOS  
INFORMES DE INCIDENTES DELICTIVOS**

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**ABSTRACT**

This study aims to analyze the progressive increase in criminal incident records related to child and adolescent violence in the capital of the State of Amazonas, Manaus, between the years 2020 and 2024. Using data from the Specialized Police Department for the Protection of Children and Adolescents (DEPCA) and. Disque 100, the research seeks to understand the growth trends in reports of violence against children and adolescents, identifying possible causes and implications of this increase. The analysis considers socioeconomic factors, such as poverty, inequality, and lack of access to quality public services, which may contribute to the vulnerability of this population. Furthermore, the study

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explores the impact of educational campaigns and support programs, such as Disque 100, on raising public awareness and increasing reports. The paper also discusses underreporting and the difficulties associated with recognizing and recording cases of abuse and neglect. The research concludes that the increase in reports reflects both greater public awareness and the worsening of child and adolescent violence, requiring more effective protection measures and public policies to guarantee the rights of children and adolescents in Manaus.

**Keywords:** Violence. Child. Adolescent. Underreporting. Prevention.

## RESUMO

Este estudo tem como objetivo analisar o aumento progressivo dos registros de ocorrências criminais relacionadas à violência infanto-juvenil na capital do Estado do Amazonas, Manaus, entre os anos de 2020 e 2024. Utilizando dados da Delegacia Especializada em Proteção à Criança e ao Adolescente (DEPCA) e do Disque 100, a pesquisa busca compreender as tendências de crescimento nas denúncias de violência contra crianças e adolescentes, identificando possíveis causas e implicações desse aumento. A análise considera fatores socioeconômicos, como a pobreza, a desigualdade e a falta de acesso a serviços públicos de qualidade, que podem contribuir para a vulnerabilidade dessa população. Além disso, o estudo explora o impacto das campanhas educativas e dos programas de apoio, como o Disque 100, na conscientização da população e no aumento das denúncias. O trabalho discute também a subnotificação e as dificuldades associadas ao reconhecimento e ao registro de casos de abuso e negligência. A pesquisa conclui que o aumento nos registros reflete tanto a maior conscientização da população quanto o agravamento da violência infanto-juvenil, exigindo medidas mais eficazes de proteção e políticas públicas para garantir os direitos das crianças e adolescentes em Manaus.

**Palavras-chave:** Violência. Criança. Adolescente. Subnotificação. Prevenção.

## RESUMEN

Este estudio tiene como objetivo analizar el aumento progresivo de los registros de ocurrencias criminales relacionadas con la violencia infanto-juvenil en la capital del Estado de Amazonas, Manaus, entre los años 2020 y 2024. Utilizando datos de la Comisaría Especializada en Protección al Niño y al Adolescente (DEPCA) y del Disque 100, la investigación busca comprender las tendencias de crecimiento en las denuncias de violencia contra niños y adolescentes, identificando posibles causas e implicaciones de este aumento. El análisis considera factores socioeconómicos, como la pobreza, la desigualdad y la falta de acceso a servicios públicos de calidad, que pueden contribuir a la vulnerabilidad de esta población. Además, el estudio explora el impacto de las campañas educativas y de los programas de apoyo, como el Disque 100, en la concientización de la población y en el aumento de las denuncias. El trabajo también discute la subnotificación y las dificultades asociadas al reconocimiento y al registro de casos de abuso y negligencia. La investigación concluye que el aumento en los registros refleja tanto una mayor concientización de la población como el agravamiento de la violencia infanto-juvenil, exigiendo medidas más eficaces de protección y políticas públicas para garantizar los derechos de los niños y adolescentes en Manaus.

**Palabras clave:** Violencia. Niño. Adolescente. Subnotificación. Prevención.

## INTRODUCTION

Violence against children and adolescents is a serious social problem that reflects structural inequalities, the absence of effective public policies, and institutional weaknesses. In Manaus, the capital of Amazonas, records of child and adolescent violence occurrences show an alarming increase, demanding broader attention from society as a whole. This paper seeks to analyze recent data on violence against children and adolescents in Manaus, highlighting the implications of underreporting and the importance of educational campaigns to combat this problem. Minayo (2017) points out that violence against children and adolescents is a reflection of social inequalities and institutional weaknesses, which require specific and effective public policies.

The need to understand and confront child and adolescent violence in Manaus is pressing, considering the alarming data that evidence the severity of the situation. In 2024, more than 4,000 police reports related to domestic child violence, mistreatment, neglect, abandonment, and rape of children and adolescents were registered in the city. These numbers reflect not only the vulnerability of children and adolescents but also the urgency of effective interventions aimed at protecting and ensuring the well-being of this population group (DEPCA-AM, 2025).

This growth in the number of records, however, should not be interpreted exclusively as a worsening of violence, but rather as a reflection of the greater visibility of these crimes, driven by progress in combating underreporting. The expansion of reporting channels, the implementation of public policies aimed at protecting children, and the more effective action of security forces and protection agencies have encouraged victims and witnesses to report cases that previously remained hidden.

The culture of silence, previously dominant in many family and community contexts, has been challenged by educational campaigns and institutional actions that encourage reporting. The strengthening of the child protection network, through initiatives such as Dial 100, specialized police station services, and the work of civil society organizations, has been essential in this process. However, although the number of reports has increased, this does not necessarily mean a proportional decrease in violence, as the structural conditions of Amazonas still hinder the effective accountability of aggressors.

The continuous increase in reports of violence against children and adolescents in Manaus raises crucial questions about the factors contributing to this escalation and about the effectiveness of existing public policies. Between 2009 and 2016, 2,200 cases of violence against this population were reported in the state of Amazonas, with a rate of 149.1 cases per 100,000 inhabitants in the capital.

These data suggest possible gaps in protection systems and the implementation of preventive measures, in addition to pointing to the need for an in-depth analysis of the circumstances surrounding this violence (Oliveira *et al.*, 2020).

Underreporting is a structural factor that distorts the true dimension of child and adolescent violence. Many victims and their families, due to fear, shame, or emotional and financial dependence on the aggressor, do not report cases to the competent authorities. Underreporting in cases of violence against children is attributed to structural barriers, such as emotional dependence, fear of retaliation, and lack of trust in the competent authorities (Silva *et al.*, 2020).

Among the main reasons for underreporting are emotional and financial dependence, fear of retaliation, distrust in institutions, and misinformation and lack of knowledge about rights. Many children and adolescents are inserted in contexts where the aggressor is an authority figure or economic provider, such as parents, stepfathers, or close relatives, creating emotional and practical barriers to reporting.

Lack of trust in authorities and the perception that the protection system may be ineffective or slow also discourages reporting. Many families do not know how or where to seek help. The lack of educational campaigns in vulnerable communities contributes to the perpetuation of silence.

This study's main objective is to analyze the progressive increase in criminal occurrences involving child and adolescent violence in the capital of the State of Amazonas, Manaus. Specifically, it seeks to: Analyze the temporal evolution of criminal occurrence records related to child and adolescent violence, aiming to understand trends and possible factors associated with the increase in these cases; Evaluate the effectiveness of existing public policies and protection mechanisms, identifying challenges and proposing improvements for the prevention and confrontation of violence against children and adolescents in Manaus.

By addressing these issues, it is expected to contribute to the development of more effective strategies for protecting and promoting the rights of children and adolescents, in addition to raising awareness among society and public managers about the importance of integrated and continuous actions in combating child and adolescent violence.

This study is characterized as qualitative and quantitative research of a descriptive and exploratory nature. The qualitative approach is adopted to understand the sociocultural and economic factors contributing to the increase in child and adolescent violence in Manaus. The quantitative approach is used to analyze statistical data regarding criminal occurrence records, enabling the identification of patterns and trends over the years.

The choice of a mixed approach is justified by the need to understand the phenomenon of child and adolescent violence broadly, considering both the numbers that reflect the reality of the Amazonian capital and the social, cultural, and institutional factors that impact these records. The use of secondary data from official sources guarantees reliability and scientific support for the study, while the qualitative analysis enables the construction of a broader vision of the social dynamics that contribute to this growing problem.

Furthermore, this research aims to contribute to the scientific production on child and adolescent violence in the Northern region of Brazil, assisting in the formulation of strategies for prevention and combating violence against children and adolescents.

## 1 CHILD AND YOUTH VIOLENCE

Child and adolescent violence is a phenomenon that deeply impacts society, compromising the development of children and adolescents and reflecting in a series of emotional, physical, and social consequences. This type of violence can take various forms, including physical, psychological, and sexual abuse, neglect, and exploitation, and is characterized by a complex cycle of socioeconomic, family, cultural, and structural factors that are often interconnected. With the increase in records of violence against children and adolescents in different contexts and regions of Brazil, it becomes imperative to discuss the causes and consequences of this violence, as well as the approaches adopted to confront it (Oliveira *et al.*, 2020).

Simbine (2023) defines child and adolescent violence as any form of aggression practiced against children and adolescents, capable of causing physical or psychological harm. This violence can take different manifestations, among which stand out physical violence, characterized by the use of bodily force against the victim, including assaults, beatings, and burns; psychological violence, which occurs through attitudes capable of generating emotional suffering, such as threats, humiliations, and practices of social isolation; and sexual abuse, which corresponds to any act of exploitation or forced sexual contact, leaving deep and lasting marks on the child's or adolescent's psychological development.

Another identified modality is neglect, marked by the omission of parents or guardians regarding the basic needs of survival and development, such as food, education, and access to health. Added to this is child exploitation, which occurs in the use of children for profit, whether in child labor or commercial sexual exploitation. Thus, violence against children and adolescents has multiple

facets, all with serious repercussions on the well-being, dignity, and integral formation of these developing individuals.

Child and adolescent violence is not limited to a single form but often occurs in a combined manner, further aggravating the consequences for victims.

Violence against children and adolescents is the result of a complex interaction of individual, family, social, and cultural factors. Several studies indicate that the causes of child and adolescent violence are deeply linked to the conditions of vulnerability in which children find themselves, such as those deriving from poverty, social exclusion, and economic inequality (Nascimento; Deslandes, 2016).

Conditions of poverty and social inequality are determining factors for the increase in child and adolescent violence. According to Olivera *et al.* (2020), poverty is one of the greatest catalysts for violence, as it creates an environment of stress in families, which can result in neglect, physical and psychological abuse. Children who grow up in poverty, especially in the most peripheral regions of cities, are exposed to a greater probability of violence, both inside their homes and on the streets.

Lack of access to health services, quality education, and leisure also aggravates this situation, creating a cycle of exclusion that perpetuates conditions of vulnerability and increases the risk of involvement in illicit activities, such as drug trafficking and child labor (Simbine, 2023). Furthermore, economic inequality accentuates social tensions, generating an environment conducive to the increase in violence occurrences.

Family violence, especially physical and sexual abuse, is one of the most common forms of violence against children and adolescents. Family breakdown, with the presence of marital conflicts, psychoactive substance abuse, and parental neglect, is directly linked to the increase in cases of child and adolescent violence (Vieira, 2015). In many situations, those responsible for the child, when immersed in situations of economic and emotional stress, project their frustrations onto the most vulnerable victims in the family.

Domestic violence is a preponderant factor that can seriously affect the emotional and psychological development of children, often resulting in permanent trauma (Oliveira *et al.*, 2020). Studies such as those by Simbine (2023) and Vieira (2015) indicate that children who witness or experience domestic violence are more likely to reproduce this behavior in their adult lives, creating an intergenerational cycle of violence.

The culture of violence, which normalizes the use of aggression as a way of resolving conflicts, is another important factor in the perpetuation of child and adolescent violence. In some communities, especially those with high rates of social inequality, violence is seen as a legitimate

way to resolve disputes or impose power (Oliveira *et al.*, 2020). In some cases, this perception is transmitted to children from early childhood, resulting in a normalization of violence.

Furthermore, exposure to violent content in the media and on social networks has also been associated with increased aggressiveness among young people, exacerbating violence in the social context. The association between violent media consumption and the increase in aggressive behavior has been observed in several studies (Simbine, 2023). Violence also manifests itself symbolically, as in the case of school bullying, which can emotionally affect victims and result in significant psychological damage (Vieira, 2015).

The consequences of child and adolescent violence are devastating, not only for immediate victims but also for society as a whole. Children who experience or witness violence face serious difficulties in cognitive, emotional, and social development. According to Oliveira *et al.* (2020), the effects of violence can result in psychological disorders, such as depression, anxiety disorders, post-traumatic stress disorder, and difficulties in interpersonal relationships.

Furthermore, child and adolescent violence can lead to long-term health problems, including eating disorders, psychoactive substance use, sexually transmitted diseases, and difficulties in accessing education (Simbine, 2023). Children and adolescents who are victims of violence often have difficulties in their school performance, which limits their future opportunities and perpetuates the cycle of poverty and social exclusion.

## 2 MATERIALS AND METHODS

For the preparation of this research, official data sources from DEPCA were used, with emphasis on Police Report (BO) records involving cases of violence against children and adolescents in the city of Manaus and other regions of the state of Amazonas. The analyzed period comprises the years 2020 to 2024, in order to identify recent trends and evaluate the evolution of child and adolescent violence rates.

In addition to the quantitative data extracted from DEPCA, government and non-governmental organization initiatives aimed at protecting children and adolescents were examined. To this end, institutional awareness campaigns on child violence, social and psychological assistance programs for victims, and public policies implemented to mitigate cases of child and adolescent violence were analyzed.

Among the main initiatives aimed at confronting violence against children and adolescents, actions of a national and local nature stand out that seek both the reporting and prevention of these

practices. Disque 100 (Human Rights Hotline) constitutes one of the most relevant instruments in this context, functioning as a national service channel coordinated by the Ministry of Human Rights and Citizenship. Its objective is to receive and forward complaints, including anonymously, regarding human rights violations, covering cases of abuse and mistreatment committed against minors.

Another important front is represented by educational campaigns, which play a fundamental role in raising society's awareness. Among them, the program "Faça Bonito: Proteja Nossas Crianças e Adolescentes" (Make it Beautiful: Protect Our Children and Adolescents) stands out, held annually in partnership between the federal government and various institutions, focusing on social mobilization and awareness about the rights of children and adolescents. In addition, initiatives promoted at the regional level, such as the campaigns of the Public Security Secretariat of Amazonas (SSP-AM) and the Ministry of Women, Family and Human Rights (MMFDH), reinforce the need for dissemination of information and strengthening of protection networks, contributing to the construction of a culture of prevention and confrontation of child and adolescent violence.

The research was developed based on a mixed approach (qualitative and quantitative). The quantitative study focused on the analysis of occurrence record data, allowing verification of statistical variation and geographic distribution of child and adolescent violence in Amazonas. The qualitative part aimed to contextualize the collected numbers, identifying possible causes for the increase or reduction of child and adolescent violence, as well as the impact of combat and victim support policies.

The adopted methodology allowed not only understanding the evolution of crime rates against children and adolescents in the state of Amazonas but also relating these numbers to the social and economic factors of the region. Thus, the study sought not only to quantify child and adolescent violence but also to qualitatively analyze the confrontation mechanisms, institutional weaknesses, and possible gaps in public policies aimed at protecting children and youth.

Furthermore, the research incorporated a survey and critical analysis of educational campaign initiatives and existing support programs, seeking to understand their effectiveness in raising public awareness about the problem and mitigating violence. The study also investigated the role of Disque 100, an essential service for reporting abuse and violence against children and adolescents, evaluating the frequency and nature of complaints registered in the analyzed period (2020-2024).

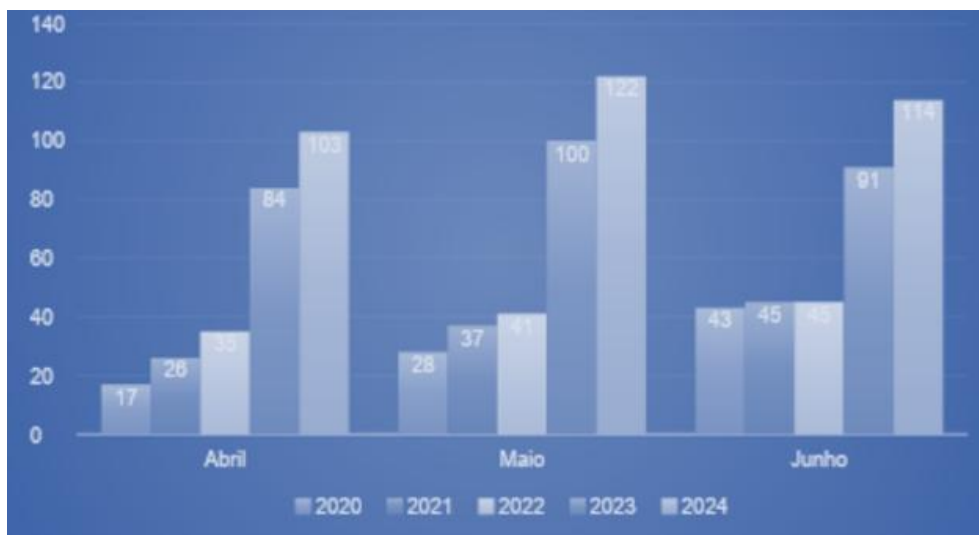
Finally, the book chapter sought to articulate data and empirical evidence to provide a broad view of the problem of child and adolescent violence in the city of Manaus-AM. Thus, the research intends to offer scientific subsidies for the development of more effective public policies in

preventing violence and protecting the rights of children and adolescents in the context of the Amazonian capital.

### 3 RESULTS AND DISCUSSION

The analyzed data were obtained from DEPCA records in the capital of Amazonas, covering the months of April, May, and June of the years 2020 to 2024. The analysis followed a quantitative approach, identifying trends and correlations between the numbers of complaints. The data reveal a significant increase in complaints over the years, as shown in Graph 1.

**Graph 1.** Reports Registered by the DEPCA



Source: DEPCA, 2025.

The collected data indicate a progressive increase in complaints over the years, especially in the months of April, May, and June. In 2020, records were relatively low, with 17 complaints in April, 28 in May, and 43 in June. In 2021, there was already an increase, reaching 26, 37, and 45 complaints in the same months. Growth continued in 2022, with 35, 41, and 45 records.

The most significant increase occurred in 2023 and 2024. In 2023, numbers jumped to 84 complaints in April, 100 in May, and 91 in June. In 2024, records peaked, with 103 complaints in April, 122 in May, and 114 in June. These data reflect not only a possible increase in child violence but also greater societal awareness and an improvement in reporting channels.

Several socioeconomic factors may be associated with the increase in cases of child and adolescent violence in Amazonas:

**Economic and Social Crisis:** Events such as the drought in the Northern region of Brazil in 2023-2024 negatively impacted the local economy, affecting sectors such as tourism and industry. Communities dependent on these activities faced economic difficulties, which may have contributed to increased social vulnerability and, consequently, violence against children and adolescents (Brasil, 2023).

**Socioeconomic Inequalities:** Amazonas presents significant economic disparities among its municipalities. While Manaus has a high Gross Domestic Product (GDP), other regions face economic challenges that may influence violence rates (IBGE, 2019).

**Public Health Issues:** The Yanomami humanitarian crisis in 2022-2023 highlighted the precariousness of health services and the vulnerability of indigenous populations in the state. Malnutrition and lack of access to basic services increase the exposure of children and adolescents to risky situations (Brasil, 2023).

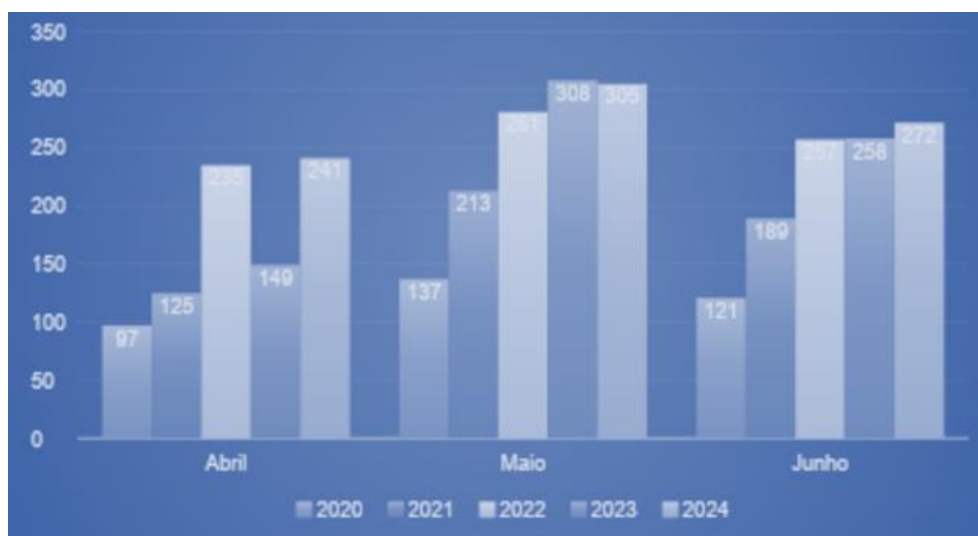
**Regional Specificities:** The geography of the state of Amazonas imposes unique challenges to confronting child and adolescent violence. The extensive territorial area, the predominance of riverine communities, and limited access to security and justice services make the flow of complaints slower and often ineffective. In remote regions – which exist even within the municipality of Manaus – the lack of nearby specialized police stations and the difficulty of victims traveling to urban centers contribute to crimes remaining unpunished. Furthermore, the precariousness of victim service structures, the scarcity of multidisciplinary teams, and the deficit of police officers further aggravate the scenario.

**Education and Awareness:** The implementation of educational campaigns and support programs, such as Disque 100, may have led to an increase in complaints, reflecting greater public awareness of the importance of reporting cases of violence (Brasil, 2025).

The correlation between the increase in records of violence against children and adolescents and socioeconomic factors in Amazonas suggests the need for integrated public policies that address both the improvement of economic and social conditions and the strengthening of protection and reporting mechanisms. Investments in education, health, and infrastructure, combined with awareness campaigns, are essential to reduce these rates and promote child and adolescent well-being in the region.

The detailed analysis of Disque 100 complaint records regarding violence against children and adolescents in Manaus between 2020 and 2024 indicates a progressive increase in the number of registered occurrences, as shown in Graph 2.

**Graph 2.** Reports Received through Dial 100



Source: DEPCA, 2025.

The relationship between the intensification of educational campaigns and the increase in complaints to Dial 100 is evident. These initiatives not only inform the population about the existence of the service but also encourage them to use the channel to report human rights violations. Consequently, a continuous growth in the number of registered complaints is observed, reflecting a more aware and proactive society in protecting fundamental rights.

Several factors may have contributed to this increase in complaints. Among them, the following stand out:

**Awareness and Educational Campaigns:** Initiatives such as "Maio Laranja" (Orange May) have been fundamental to broaden the population's knowledge about the importance of reporting and the means available to do so (Brasil, 2022).

**Improvement in Reporting Channels:** Easier access to channels such as Dial 100 and digital platforms may have encouraged more victims and witnesses to report cases of violence (Souza, 2023).

**Impacts of the Pandemic:** The COVID-19 pandemic brought significant challenges to child protection, increasing the vulnerability of children and adolescents and making more evident the need for effective reporting mechanisms (Dornelles *et al.*, 2021).

"Maio Laranja" is a national movement that seeks to combat sexual abuse and exploitation of children and adolescents. During this period, several actions are promoted to raise public awareness on the topic and encourage reporting. As shown by the data, the month of May presents peaks in complaints, which may be directly related to the intensification of awareness campaigns and encouragement to report (Silva *et al.*, 2021).

The "Maio Laranja" campaign aims to mobilize society for child protection, alerting about signs of abuse and encouraging reporting. According to Martins and Passos (2024), awareness campaigns play a vital role in reducing the underreporting of child violence cases.

Based on the presented data, it appears that the increase in complaints in May may indicate greater trust in the protection network and in the safety to report cases of violence. Studies indicate that fear and lack of information often prevent children and adolescents from reporting abuse situations (Silva *et al.*, 2020; Souza, 2023).

Despite the increase in complaints, underreporting remains a major challenge. Many victims do not report due to fear, shame, or lack of access to information about their rights (Silva *et al.*, 2020). Experts point out that the real numbers of child violence cases may be significantly higher than those recorded, making it essential to expand public policies for victim protection and support.

The progressive increase in the number of records both at DEPCA and Disque 100 suggests a scenario in which violence against children and adolescents has become a growing concern, resulting in more complaints and consequently demonstrating a restlessness of the general population regarding the topic. This growth can be attributed to several factors, including greater public awareness of the reporting process and the expansion of educational campaigns. Furthermore, socioeconomic and cultural factors also play a significant role in this increase, especially in contexts such as Amazonas, where social inequality and economic crisis directly impact the vulnerability of children and adolescents.

Several studies point out that, in economically disadvantaged regions, the lack of access to public health, education, and social protection services increases the risk of violence. A study by Costa *et al.* (2021) revealed that in areas with greater economic and social inequality, the increase in violence against minors is often related to the lack of adequate public policies and the overload of assistance services.

For example, the disparities between the capital (Manaus) and the municipalities in the interior of Amazonas are evident, with some localities presenting high rates of poverty and unemployment, factors that contribute to an environment conducive to violence. The most vulnerable populations, such as families in extreme poverty, are more prone to living in risk contexts, including domestic violence and child sexual exploitation (Oliveira, 2022).

The implementation of support programs, such as Dial 100, and the constant expansion of coverage of educational campaigns are positive steps to increase awareness and the number of complaints. However, socioeconomic factors remain a major challenge to reducing violence rates. The increase in complaints may also be interpreted as a reflection of greater societal recognition of

the importance of reporting, but it is important to highlight that the numbers do not necessarily represent a real increase in violence, but rather an improvement in visibility and coverage of cases (Brasil, 2025).

#### 4 UNDERREPORTING: THE WEIGHT OF SILENCE

Underreporting of child and adolescent violence cases is an alarming reality, being one of the biggest obstacles in combating this serious violation of rights. Many victims of violence, whether physical, psychological, or sexual, remain silent due to a series of factors that prevent reporting, resulting in the invisibility of cases and the absence of adequate protection and intervention measures. The scientific literature reveals that underreporting is closely related to fear, lack of trust in institutions, and lack of awareness about reporting channels, which has a direct impact on the effectiveness of public policies to combat child and adolescent violence.

Research by Fernandes *et al.* (2020) points out that underreporting in the Brazilian context is a significant phenomenon, especially regarding sexual violence against children and adolescents. They state that approximately 70% of child sexual abuse cases in Brazil are not reported, which represents an immense challenge for efforts to combat this type of violence. Underreporting compromises the collection of real data on the magnitude of the problem, hindering the planning of efficient public actions and the allocation of resources to confront violence.

Several factors contribute to this lack of reporting. One of the main ones is the victims' fear of suffering retaliation from aggressors, especially when they are part of the family nucleus. This fear is further intensified by the shame and guilt that many children and adolescents experience. In their research, Silva and Pereira (2020) argue that family sexual abuse is particularly challenging, as victims often feel isolated and cannot trust anyone to seek help. The research also highlights that lack of information about reporting channels and the feeling that nothing will be done if the abuse is reported also contribute to underreporting.

Underreporting is also associated with the lack of adequate training for frontline professionals, such as teachers, doctors, and psychologists. Studies indicate that many of these professionals are not trained to identify signs of abuse or to handle reports in a sensitive and effective manner. According to Oliveira *et al.* (2021), training these professionals is crucial to increasing notifications of child and adolescent violence. The lack of clear action protocols in health and education services results in an inefficient protection system, which contributes to underreporting and the perpetuation of violence.

Another factor that prevents reporting is distrust in the institutions responsible for welcoming victims and punishing aggressors. Research by Pereira and Lima (2018) suggests that many families and victims do not believe that authorities will take concrete action regarding reported cases. The lack of transparency in reporting processes, combined with impunity in many cases, creates an environment of discredit in institutions, discouraging victims from seeking help.

Social inequality also plays an important role in underreporting. According to studies by Souza *et al.* (2020), poverty and lack of access to specialized health and education services in the most remote regions of Brazil contribute to many cases of child and adolescent violence not being reported. In these areas, the lack of infrastructure and distance from urban centers hinder victims' access to reporting and protection services. Social isolation and the scarcity of information about the rights of children and adolescents further aggravate the situation.

It is important to highlight that, in addition to the mentioned factors, underreporting has serious consequences for victims. The lack of intervention at the appropriate time can result in long-term physical and psychological sequelae. Research by Silva and Pereira (2020) points out that when violence against children and adolescents is not properly addressed, it can lead to the development of emotional disorders, such as depression, anxiety, and post-traumatic stress disorder, in addition to affecting socialization ability and academic performance.

Another factor to be highlighted as an influencing factor in the persistence of many underreported cases is the feeling of impunity resulting from the conjunction of elements that foster the perpetuation of violence. When victims and communities perceive that complaints do not result in swift and effective responses, there is a disincentive to formalize new cases. The cycle of violence intensifies as aggressors do not face immediate legal consequences, reinforcing criminal behaviors and perpetuating the vulnerability of children and adolescents.

Therefore, it is essential that public policies are implemented to reduce underreporting of child and adolescent violence cases. Training health and education professionals, creating more accessible reporting channels, and raising society's awareness about the importance of reporting are essential strategies to confront this problem. Building an effective protection network and ensuring adequate care for victims are fundamental steps to guarantee the rights of children and adolescents in Brazil.

## **5 THE IMPORTANCE OF EDUCATIONAL CAMPAIGNS FOR ENCOURAGING REPORTING**

Educational campaigns play an essential role in promoting public awareness and reducing the silence surrounding domestic violence (WHO, 2016). Educational campaigns play a crucial role in confronting violence against children and adolescents, especially in combating the underreporting of crimes and encouraging reporting. Violence against this vulnerable group is a social problem that often remains invisible due to barriers such as lack of information, fear, social taboos, and distrust in institutions. In this context, educational campaigns are powerful tools to raise public awareness, broaden knowledge about rights, and mobilize communities to protect children.

Underreporting is a phenomenon that hinders the identification and confrontation of violence. Many families and even victims do not report because they are unaware of appropriate channels or do not recognize the situation they are experiencing as violence. Furthermore, fear of reprisals or emotional and financial dependence on the aggressor often prevent complaints from reaching the authorities. Added to this, cultural issues and the stigma associated with intrafamily violence contribute to the perpetuation of silence.

In this scenario, educational campaigns stand out as an essential strategy to promote significant changes. These campaigns have the main objective of informing the population about how to identify signs of abuse or neglect and how to act in situations of violence. When messages are delivered clearly and accessibly, they have the power to transform the way society perceives and reacts to these crimes. Furthermore, by publicizing reporting channels, such as Disque 100, and explaining how they work, campaigns eliminate practical barriers that often hinder the registration of occurrences.

Another important aspect of campaigns is their ability to break the cycle of silence that accompanies crimes against vulnerable individuals. By addressing the issue directly but sensitively, these initiatives help break down the taboos and myths that prevent many victims and their families from seeking help. The engagement of schools, community organizations, churches, and other social spaces enhances the impact of campaigns, as it makes the message closer and more relevant to local communities.

To achieve effective results, educational campaigns need to be well planned and executed. Using accessible language that speaks directly to different audiences is essential to ensure understanding and engagement. Furthermore, it is important that campaigns are broadcast on multiple platforms, such as television, radio, social media, and community spaces, to reach as many people as possible. Partnership with governments, non-governmental organizations, private companies, and the media is also fundamental to expand the reach and effectiveness of actions.

Successful campaigns often use real stories and testimonies to raise public awareness, showing the impact of violence and the power of reporting to change realities. More than just informing, these initiatives seek to empower communities, making them active agents in protecting children and adolescents. Examples include campaigns such as "Faça Bonito," which mobilizes society to combat sexual abuse and exploitation of minors, and efforts to popularize Disque 100, which have contributed to the increase in case registration.

The expected results of educational campaigns include a significant reduction in underreporting, since clear and accessible information encourages more people to report. With more cases registered, the protection system can identify and treat a greater number of victims, in addition to holding aggressors accountable. In the long term, consistent campaigns promote cultural changes that help deconstruct perceptions and behaviors that normalize or silence violence.

Thus, educational campaigns not only alert society to the seriousness of the problem but also create a culture of protection and care for children. They are an indispensable instrument in the fight against violence and a fundamental step to ensure that no child or adolescent suffers in silence. Through awareness and social mobilization, educational campaigns are capable of saving lives and building a safer and more dignified future for the next generations.

## **6 A REALITY STILL UNDERESTIMATED**

Although the increase in records is an indicator of greater awareness and visibility, the real dimension of child and adolescent violence in Manaus is likely much larger. Studies indicate that for each registered case, many others remain hidden, perpetuating the cycle of violence.

As a solution to confront underreporting, the first alternative is to understand the true extent of the problem. To this end, it is necessary to promote awareness campaigns that inform the population about how to identify signs of violence and report safely, emphasizing that protecting children and adolescents is a collective duty.

Furthermore, it is necessary to strengthen reporting channels by expanding the reach of channels such as Disque 100 and creating accessible reporting platforms in remote areas, which can significantly increase the number of registered cases. Coordination between civil society and public institutions is essential to break the cycle of violence and protect the rights of children and adolescents (UNICEF, 2019).

## **7 FINAL CONSIDERATIONS**

This article analyzed the progressive increase in criminal occurrence records related to child and adolescent violence in the capital of the state of Amazonas, Manaus, between the years 2020 and 2024. The study evidenced that, despite the significant increase in complaints, both through DEPCA and Dial 100, child and adolescent violence remains an alarming and multifaceted problem.

The collected data show a growth trend in occurrences, which can be interpreted from different perspectives. On the one hand, the increase in records may reflect a more robust process of awareness among society and victims, who are more inclined to report abuse and other forms of violence. The implementation of awareness programs and the dissemination of reporting channels, such as Dial 100, are fundamental in expanding notifications. On the other hand, the growth of violence may be directly associated with socioeconomic and cultural factors, such as poverty, lack of access to quality public services, and regional inequalities, which contribute to the vulnerability of children and adolescents.

It is important to highlight that the analysis of criminal occurrence records should not be taken as the only measure to assess the reality of child and adolescent violence. Underreporting and underestimation of many cases of abuse and neglect remain constant challenges. Furthermore, the complexity of violence against children and adolescents requires an integrated approach, involving not only police authorities but also the health, education, and social assistance systems.

Based on the observed data, it is possible to conclude that the increase in records of child and adolescent violence in Manaus significantly reflects the urgent need for greater action in public policies for prevention and victim support. Strengthening educational campaigns, expanding access to specialized services, and training professionals to identify and respond to cases of abuse are fundamental steps to guarantee the protection of children and adolescents.

Thus, the increase in occurrence records in Manaus should be analyzed from two complementary perspectives: on the one hand, the reduction of underreporting represents an advance in the fight against child and adolescent violence, as it enables a more realistic diagnosis of the problem; on the other hand, the structural, geographic, and institutional barriers of Amazonas still hinder an effective response from the justice system, increasing the feeling of impunity and allowing violence to continue to manifest. Overcoming these challenges requires continuous investments in infrastructure, professional training, and strengthening of public policies for child protection, ensuring that the right of children and adolescents to safety and dignity is fully guaranteed.

Society must understand that child and adolescent violence is not an isolated problem and that its eradication depends on a joint mobilization between government, educational institutions,

health, security, and the community itself. To this end, it is essential to invest in long-term public policies that can guarantee the rights of children and adolescents, ensure a safe and healthy environment for their development, and, above all, break the cycle of violence that compromises the future of thousands of young people in the state of Amazonas and throughout Brazil.

Finally, child and adolescent violence in Manaus is a reflection of structural and cultural problems that require immediate, integrated, and continuous actions, and, more than ever, it is necessary to ensure that the increase in records is not just a statistic, but rather an alert for the need to protect and value childhood and adolescence in the Amazonian capital.

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**THE ECONOMIC DIMENSION OF SADC: AN  
EXPERT VIEW LEADING TO THE  
MATERIALIZATION OF ECONOMIC  
POLICIES IN THE SOUTHERN AFRICA  
REGION**

**A DIMENSÃO ECONÔMICA DA SADC: UM OLHAR  
CONDUCENTE A MATERIALIZAÇÃO DE  
POLÍTICAS ECONÔMICAS DA REGIÃO AUSTRAL  
DA ÁFRICA**

**LA DIMENSIÓN ECONÓMICA DE LA SADC: UNA  
VISIÓN EXPERTA QUE CONDUCE A LA  
MATERIALIZACIÓN DE POLÍTICAS  
ECONÓMICAS EM LA REGIÓN DE ÁFRICA  
AUSTRAL**

**JOÃO LUÍS ARAÚJO<sup>1</sup>**

**ABSTRACT**

This work with the theme “Economic Dimension of SADC: A Look leading to the materialization of economic Policies in the Southern Region of Africa”, discusses the negative impacts of globalization and establishes a common platform for the region's insertion in the international economy, especially, the regional bloc has undergone major transformations, which reflect changes in the international economic system. In fact, SADC's economic policies and strategies aim to eliminate barriers to the free movement of capital, labor, goods and services and improve the region's management and economic performance. Thus, several measures are being adopted in an attempt to reduce the dependence of these countries on developed nations. In the same vein, despite the region's countries facing underdevelopment problems, there is a strong conviction that through cooperation they will be able to mitigate the negative impacts of globalization and establish a common platform for the region's insertion in the international economy.

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## RESUMO

O Presente trabalho com o tema “Dimensão Económica da SADC: Um Olhar conducente a materialização das políticas económicas da Região Austral da África”, discute os impactos negativos da globalização e estabelece uma plataforma comum para a inserção da região na economia internacional, mormente, o bloco regional tem sofrido grandes transformações, que consubstancia às mudanças do sistema económico internacional. Aliás, as políticas económicas e estratégias da SADC, têm como objetivos eliminar barreiras à livre circulação de capitais, da mão-de-obra, de bens e serviços e melhorara gestão e o desempenho económico da região. Assim, diversas medidas estão sendo adoptadas numa tentativa de diminuir a dependência desses países com as nações desenvolvidas. Na mesma senda, apesar dos países da região enfrentarem problemas de subdesenvolvimento, mormente, existe uma forte convicção de que através da cooperação sejam capazes de mitigar os impactos negativos da globalização e estabelecer uma plataforma comum para a inserção da região na economia internacional.

**Palavras-chave:** Dimensão Económica. Materialização. Políticas económicas. SADC. África Austral.

## RESUMEN

El presente trabajo titulado 'Dimensión Económica de la SADC: Una mirada conducente a la materialización de las políticas económicas de la Región Austral de África' discute los impactos negativos de la globalización y establece una plataforma común para la inserción de la región en la economía internacional. En particular, el bloque regional ha sufrido grandes transformaciones que acompañan los cambios del sistema económico internacional. Es más, las políticas económicas y estrategias de la SADC tienen como objetivos eliminar barreras a la libre circulación de capitales, mano de obra, bienes y servicios, y mejorar la gestión y el desempeño económico de la región. Así, se están adoptando diversas medidas en un intento por disminuir la dependencia de estos países con respecto a las naciones desarrolladas. En la misma línea, aunque los países de la región enfrentan problemas de subdesarrollo, existe una fuerte convicción de que, a través de la cooperación, serán capaces de mitigar los impactos negativos de la globalización y establecer una plataforma común para la inserción de la región en la economía internacional.

**Palabras clave:** Dimensión económica. Materialización. Políticas económicas. SADC. África Austral.

## INTRODUCTION

Any process of Regional Integration requires, for its effectiveness and success, the realization and consolidation of several dimensions: economic, social, political, cultural, environmental, and legal. Thus, the Economic Dimension of Regional Integration may be analyzed from various systematic perspectives concerning the unification of member states for the establishment of a genuine economic regionalism. Nevertheless, the Southern African Development Community (SADC) has an institutional agenda that allows regional integration to be examined in a broader sense.

In fact, although it was originally established as a cooperation organization, it is currently envisioned as moving toward integration in the true sense of the term.

Furthermore, when discussing regional integration (Timbane, 2022), particularly within the context of SADC, the following milestones are commonly highlighted: the establishment of the Free Trade Area (2008), the conclusion of negotiations on the Customs Union (2010), the completion of negotiations on the Common Market (2015), the creation of the Monetary Union (2016), and the introduction of a single regional currency for the Monetary Union (2018). In addition to these defined temporal milestones, several other measures have been agreed upon through various Protocols aimed at harmonizing national economic legislation among member states.

However, according to Tomás Timbane (2022), these instruments do not establish a definite timeframe for their implementation. Indeed, an examination of all instruments regulating SADC's international performance reveals a general absence of effective integration, as there remains a predominantly economic view of integration within the organization. This can also be observed through an analysis of the Regional Indicative Strategic Development Plan (RISDP), which, at least initially, established SADC's objectives and intervention priorities up to 2019.

Moreover, within SADC, particular attention has been given to the Protocol on the Facilitation of Movement of Persons, signed in 2005 by the Member States. Under this Protocol, countries are expected to harmonize their legislation and administrative practices so that nationals of one Member State may freely move and establish residence in any other Member State. This objective carries a significant economic rationale, as it would facilitate regional development. Indeed, once the aforementioned Protocol enters into force, it will guarantee freedom of movement for citizens across Southern Africa, thereby fostering economic growth and strengthening regional integration.

## **1 THEORETICAL REVIEW**

### **1.1 Regional Integration and International Trade**

The first contributions to the systematic analysis of economic integration (Timbane, 2022) emerged from the studies of Mitrany between 1966 and 1968, as well as from Jacob Viner's seminal work on Customs Unions published in 1950. These studies went beyond the theories of comparative advantage that dominated the debate on international trade at that time.

Accordingly, Jacob Viner (2013) explained integration from the perspective of international trade, particularly through the concepts of trade creation and trade diversion. Along the same lines, in the context of the European Economic Community, integration was understood as a dual process involving both a negative and a positive dimension.

The negative aspect consists of “that aspect of economic integration that consists in the elimination of discrimination against participating members.” Conversely, the positive aspect “symbolizes the formation and application of coordinated and common policies in order to fulfill economic and welfare objectives other than mere removal of discrimination.”

Furthermore, integration may be interpreted in two distinct senses:

I. A dynamic sense, as a process through which economic borders among Member States are gradually eliminated; or, in a static sense, as a situation in which the national components of the economy are no longer separated by economic boundaries but instead function collectively as a unified entity.

II. Within the framework of the classical integration model developed during the 1960s, Bela Balassa (2012 [1962]) conceived integration as “the creation of formal cooperation between states and the forward movement from a free trade area, to customs union, a common market, a monetary union and finally total economic integration.”

However, as Gilles Cistac (2012) argues,

when conceiving the strategy for harmonizing Economic and Commercial Law in the Southern African region, it is fundamentally necessary to consider a set of means and plans or programs to achieve an end, in this case, the harmonization of the economic and commercial laws of the member states of this organization.

Indeed, the section of the Regional Indicative Strategic Development Plan (RISDP) dedicated to “Trade, Economic Liberalization and Development” (RISDP, 4.10) reflects the wellknown stages of SADC’s institutional agenda (Cistac, 2012).

Nevertheless, the limited success of economic integration processes in other regions of the world has increased skepticism regarding the applicability of these integration theories to developing countries. This skepticism is based on several factors. In developing countries, regional integration is primarily intended to accelerate economic growth under conditions of scarce resources and is therefore viewed as a tool for development. In contrast, in the highly industrialized countries of Europe, the integration process seeks to enhance welfare and promote high-technology industries through trade expansion and comparative advantages.

Moreover, economic integration within SADC is shaped by the particular characteristics of the countries in the region, which differ significantly from the advanced economies of the European Union and other regional blocs such as MERCOSUR and ASEAN in terms of modernization and levels of development. Consequently, SADC Member States are characterized by weak institutional

capacity, inadequate infrastructure, and limited interdependence among markets and social sectors, all of which hinder the political and legal implementation of regional integration.

Therefore, considering that one of the principal — if not the primary — objectives of SADC (Cistac, 2012) is economic cooperation among its Member States, the organization has increasingly faced challenges and external influences that have contributed to setbacks and shortcomings in the economic integration of the region.

## 2 THE RESURGENCE OF REGIONALISM AND CHANGES IN INTERNATIONAL POLITICS

The new geopolitical and economic configuration that emerged after the Cold War, within the broader context of globalization, was characterized not only by changes in the relationships among States (Cistac, 2012), resulting in greater interdependence, but also by the proliferation of non-state actors. According to Justin Rosenberg (2005, p. 6):

[...] Social changes in the West combined with the end of the Cold War to remove the fetters on transnational forces of all kinds; and those forces, newly armed with the latest communications technologies, and finally had a free hand to integrate the globe. As the transnational interconnections proliferated, state sovereignty would become increasingly unworkable. In its place was emerging a new „post-Westphalian“ system of multi-lateral world governance, which would increasingly consign traditional international relations to the past.

These transformations contributed to the economic erosion of sovereignty and to the relative decline of the State. Consequently, States have increasingly been compelled to seek solutions to their problems within transnational, regional, and global frameworks. As Robert Gilpin (2001, p. 25–45) observes:

[...] the collapse of the Soviet command economy, the failure of the Third World's importsubstitution strategy, and the outstanding economic success of the American economy in the 1990s have encouraged acceptance of unrestricted markets as the solution to the economic ills of modern society. As deregulation and other reforms have reduced the role of the state in the economy, many believe that markets have become the most important mechanism determining both domestic and international economic and even political affairs.

“[...] New regionalism would not have been consistent with the cold war system since the quasi regions of that system tended to reproduce the dualist bipolar structured within themselves.”

Within the framework of the new regionalism, economic factors became increasingly important in explaining interdependent relations among States. This development is evidenced by the significant increase in free trade agreements, the establishment of trade regimes, and the proliferation of regional blocs throughout the world.

Economic integration processes came to be viewed as mechanisms for multilateral liberalization and insertion into the global economy. The paradigmatic example of successful integration has been the European Union, whose regional integration process (Gilpin, 2001) began with sectoral cooperation in coal and steel in the 1950s and gradually evolved into the supranational economic and political union that characterizes the contemporary EU. Nevertheless, the limited outcomes of integration processes outside Europe have generated skepticism regarding the feasibility of regional integration in other parts of the world.

In Southern Africa, despite the fact that the countries of the region continue to face significant development challenges (Cistac, 2012), there remains a strong conviction that cooperation can help mitigate the negative effects of globalization and establish a common platform for integrating the region into the international economy. For this reason, the regional bloc has undergone substantial transformations aimed at adapting to changes in the international system.

Indeed, SADC's policies and strategies (Cistac, 2012) are designed to eliminate barriers to the free movement of capital, labor, goods, and services, while simultaneously improving economic governance and enhancing the overall economic performance of the region.

Furthermore, the Protocol on Trade (Cistac, 2012) explicitly advocates the removal of barriers to intra-SADC trade. In accordance with Article 3 of the Regional Indicative Strategic Development Plan (RISDP), it promotes the elimination of import duties (Article 4), export duties (Article 5), quantitative restrictions on imports (Article 7) and exports (Article 8), as well as the prohibition of subsidies that may adversely affect trade competition within the region (Article 19).

### **3 CHANGES IN INTERNATIONAL POLITICS AND THEIR IMPACT ON THE ECONOMY OF SOUTHERN AFRICA**

The principal changes in the international context (Jamine, 2009) that have had significant impacts at both the regional and national levels may be analyzed as follows:

- I. The end of the Cold War altered the political and strategic configuration of the region, as it transformed the network of alliances and interests that had previously prevailed.
- II. These alliances consisted, on the one hand, of the alignment of the Republic of South Africa (RSA) with the Western or capitalist bloc led by the United States and, on the other hand, the alignment of certain countries that were formerly members of the Southern African Development Coordination Conference (SADCC), later transformed into SADC, with the socialist bloc led by the Soviet Union.

Accordingly, the end of the Cold War resulted, in Viner's view, in a: "[...] diminution in superpower interest and (for the ex-Soviet Union) ability to intervene in Africa, together with the declining role of the formal colonial power, may open the way for a greater assertiveness on the part of African states" (Clapham, 1996, p. 122).

However, several years later, the reluctance of Member States (Murapa, 2002) to advance a process aimed at establishing supranational authority within the organization may be considered one of the principal causes of the repeated delays in achieving the approved objectives, as well as the slow implementation of the Free Trade Area and the Customs Union.

#### **4 SADC PROTOCOLS AND TRADE LIBERALIZATION IN SOUTHERN AFRICA**

Aware of the region's economic inequalities, SADC promoted new political initiatives from 1994 onward, developed programs, and adopted several protocols aimed at deepening regional integration (Jamine, 2009). Among these initiatives, the beginning of a coordinated regional effort toward trade liberalization stands out, culminating in the adoption of the Trade Protocol in 1996, widely regarded as the driving force behind the integration process.

The Trade Protocol entered into force in 2000. Its first step required Member States to engage in negotiations for the gradual reduction of tariffs, thereby promoting the elimination of customs duties. The principal instrument of trade liberalization established by the Protocol was the removal of customs tariffs and non-tariff barriers affecting the majority of intra-SADC trade. The SADC Trade Protocol provides a legal framework for economic cooperation among Member States and aims to promote intra-regional trade and development through the elimination of tariff barriers and the gradual removal of non-tariff obstacles to trade.

The Protocol also recognizes the specific characteristics of the region's economies, particularly those arising from disparities in development levels among Member States (Branco, 2003). Consequently, it establishes that countries which have been, or may be, adversely affected by the removal of trade barriers may request—and be granted—a grace period to prepare for the economic adjustments required by the liberalization process. Differentiated schedules for the elimination of trade barriers were designed to be implemented over an eight-year period following the Protocol's entry into force for each participating country.

The repeated delays in implementing the Protocol resulted largely from the complexity of negotiations concerning the removal of trade barriers. These negotiations involved tariff reduction schedules, harmonization of procedures, rules of origin for SADC products, dispute-settlement

mechanisms, customs cooperation, trade facilitation measures, and the definition and establishment of institutional mechanisms necessary for effective implementation.

With the ratification of the Trade Protocol, characterized by the expansion of trade and the reduction of development asymmetries among Member States, SADC entered a new phase focused on the establishment of a Free Trade Area, a central objective within the broader agenda of economic integration in the region. Nevertheless, the existence of bilateral agreements among Member States may undermine the credibility of the Trade Protocol as an effective instrument for promoting crossborder trade and advancing regional economic integration.

## 5 SADC'S INTEGRATION INTO THE GLOBAL ECONOMY

The integration of SADC Member States into the international economy has been constrained by the fact that these countries participate in international trade primarily as producers and exporters of primary commodities and as importers of manufactured goods and capital equipment (Waty, 2011).

According to the African Development Bank (AfDB), “the dependence on commodity exports has made the region vulnerable to external shocks induced by fluctuations in commodity prices and demand.” Similarly, the 2006 SADC Report demonstrates that regional integration has been:

[...] characterized by low recorded intra-regional trade, heavy dependence on external trade, limited cross-border flows of capital, relatively small economic size, and marked disparities in fiscal policies among other things. This is also worsened by the ineffective implementation of regional integration agreements”.

Furthermore, regional integration within SADC has occurred in a context marked by several structural challenges, including asymmetries among Member States, the influence of extra-regional actors—particularly the European Union (Cistac, 2012)—and the multiple memberships of Member States in different regional integration arrangements.

Accordingly, several factors have negatively affected the regional integration process, among which the following may be highlighted:

- i) Multiple membership in various regional integration blocs;
- ii) Limited economic complementarity and the existence of profound asymmetries among SADC Member States;
- iii) Lower levels of intra-regional trade when compared to extra-regional trade;

- iv) Strong dependence on commodity exports, particularly minerals;
- v) Significant dependence on South Africa, the region's dominant economic power; and
- vi) Extreme dependence on customs revenues and fiscal tariffs.

With regard to extra-regional trade, SADC has negotiated Economic Partnership Agreements (EPAs) with external partners, notably the European Union, the United States, and China. Consequently, SADC countries have generally maintained higher trade volumes with extra-regional partners than with countries within the region itself, resulting in comparatively limited intra-regional trade.

This situation raises important questions regarding the viability of the economic integration process, particularly customs integration, in a context where countries within the region buy and sell relatively little among themselves while conducting a much greater volume of trade in goods and services with extra-regional partners, especially with the European Union, one of SADC's principal strategic partners.

Similarly, the emphasis placed on external trade has contributed to the influence of extra-regional actors on the SADC agenda, particularly donor countries from the European Union, whose priorities do not always coincide with regional development objectives. As Diallo (2020, p. 134) argues:

SADC maintains stronger economic ties and trade relations with countries outside its own region—primarily with developed countries of the Global North—largely as a consequence of colonialism. Thus, extra-regional actors (for example, economically powerful states or regional organizations) are in a position to influence regional integration projects in the Global South by affecting the interests of Southern countries through their policies and by altering the nature of the underlying challenges of regional cooperation.

Economic Partnership Agreements have also generated negative effects within the region, as they contribute to competition and fragmentation among Member States, thereby undermining collective efforts aimed at deepening regional economic integration.

## 6 INTRA-REGIONAL TRADE IN SADC

The adoption of the Trade Protocol (Accioly, 2000) and the establishment of the Free Trade Area generated significant expectations regarding the benefits of trade liberalization. It was anticipated that the new regionalism would produce dynamic effects, economies of scale, increased competition and investment, as well as the static gains associated with economic integration through trade creation and trade diversion.

However, these objectives were not fully achieved. Trade within SADC has had a limited impact on regional development for several reasons:

I. There is a lack of clarity and considerable uncertainty regarding the equitable distribution of the gains derived from integration among Member States. This situation has contributed to weak commitment among countries in the region, many of which have joined other regional blocs in an effort to maximize their commercial benefits.

II. Intra-SADC trade has had a relatively low impact on the economies of Member States, as regional trade flows remain modest when compared with those observed in other regional blocs worldwide.

III. Market integration and specialization based on comparative advantages have not significantly contributed to regional development. In practice, economic liberalization associated with market integration has often failed to increase regional welfare and has instead contributed to unemployment and the deterioration of the terms of trade.

In our view, the principal factors hindering deeper economic integration in Southern Africa include:

I. Multiple memberships in regional organizations, commercial rivalries, tariff and non-tariff barriers, and the lack of complementarity among SADC economies;

II. The tendency of countries to join other regional blocs as a means of attracting investment and securing commercial gains, while simultaneously facing difficulties in removing tariff and non-tariff barriers due to strong fiscal dependence and uncertainty regarding the distribution of integration benefits.

Within this context, the integration of regional economies into the global market becomes increasingly difficult, particularly when countries are involved in commercial disputes and face challenges associated with overlapping regional memberships.

## **7 MULTIPLE MEMBERSHIPS OF MEMBER STATES AND THEIR NEGATIVE IMPACT ON SADC DEVELOPMENT**

### **7.1 Multiple Memberships and the Failure to Establish Economic Policies**

The tendency of SADC countries to maintain membership in multiple regional organizations has raised concerns regarding their commitment to the construction of a regional integration project based on a common agenda. Moreover, the participation of SADC Member States in other regional blocs has contributed to fragmentation, overlapping agendas, and limited progress in deepening regional integration.

The incompatibility between multiple memberships and deeper regional integration (Cistac, 2012) may be explained through the following factors:

- i) Competition among SADC countries resulting from participation in multiple regional arrangements;
- ii) Divergent perceptions regarding the distribution of benefits derived from integration;
- iii) Difficulties in implementing regional agreements and harmonizing economic policies.

As previously noted, a defining characteristic of regional arrangements in Southern Africa is that many countries belong to more than one regional organization. This phenomenon has intensified regional competition, contributing to fragmentation and reducing the bloc's collective bargaining capacity, as highlighted by Franke (2007, p. 13):

[...] Overlap among Africa's organizations not only leads to wasteful duplications of effort and counterproductive competition among countries and institutions, but also tends to dissipate collective efforts towards the common goals integration. country belonging to two or more organizations not only faces multiple financial obligations, but must cope with different meetings, policy decisions, instruments, procedures, and schedules.

An analysis of the membership patterns of SADC Member States (Cistac, 2012) reveals that almost all countries belong to more than one regional bloc, with the exception of Mozambique. Regarding membership in organizations such as COMESA, SACU, and East African Community, the situation may be summarized as follows:

- Five countries belong to SACU: Botswana, Namibia, South Africa, Eswatini, and Lesotho;
- Eight countries belong to COMESA: Madagascar, Malawi, Mauritius, the Democratic Republic of the Congo, Eswatini, Seychelles, Zambia, and Zimbabwe;
- Tanzania belongs to the East African Community (EAC);
- Mozambique is the only country exclusively affiliated with SADC.

Numerous examples illustrate the paradoxes generated by multiple memberships within SADC. Zambia, Mauritius, and Zimbabwe, for example, are required under the SADC Trade Protocol to remove trade barriers within the region. Nevertheless, because of divergent commercial interests, countries often join additional regional organizations to attract investment and address domestic economic challenges. In this context, each Member State tends to perceive integration primarily as a mechanism for advancing its own national interests.

The failure to establish the Customs Union illustrates this challenge. It demonstrated that countries in the region were not prepared to relinquish part of their sovereign decision-making

authority or share sovereignty in accordance with the provisions of the Windhoek Treaty and other regional integration instruments.

Furthermore, South Africa, the economically dominant state in the region, formally committed itself to the objectives of establishing a Customs Union and a Common Market. However, according to Balassa (1961, p. 48):

[...] South Africa has invested much of its institutional and political efforts into strengthening the Southern Africa Customs Union (SACU) as the core platform from which to integrate into the global economy - not the region. SACU separates its member states from the rest of the region in terms of global connectedness. In addition, recent developments with the revenue sharing formula have magnified the levels of inequality between South Africa and the other members (Botswana, Namibia, Swaziland and Lesotho).

This paradox raises important questions regarding the viability of regional integration (Júnior, 2021) in a context of multiple memberships, divergent national interests, and differing conceptions regarding how economic objectives, policies, and integration targets should be achieved.

## 7.2 Difficulties in the Implementation of Regional Economic Agreements

The success of regional integration depends, to a significant extent, on political commitment and cooperation among Member States in implementing agreements and protocols. Although SADC has made considerable progress in signing agreements, significant challenges remain regarding their effective implementation, for several reasons:

- I. The slow pace of protocol negotiations and the repeated failure to meet the targets established in regional development plans;
- II. The existence of numerous protocols and the lack of interest among Member States in ratifying them. This challenge is particularly acute in countries belonging to multiple regional organizations, where national parliaments must review and approve a large number of agreements. In some cases, states sign agreements without any genuine intention of ratifying them. Angola's failure to ratify the Trade Protocol, which has been in force since 2000, is an illustrative example;
- III. Institutional weakness, particularly within the Secretariat, whose executive powers remain limited due to Member States' resistance to transferring aspects of their sovereignty. The weak implementation of regional agreements suggests that SADC countries have shown limited willingness to deepen integration or share sovereign authority.

As a result, national interests continue to prevail over regional interests. This reality was highlighted by Bohanes J. (2005, p. 49) when comparing regional economic programs with national policies within SADC:

[...] Regional programmes often lack well-defined policy objectives that are not sufficiently aligned with country interests. The consistency between national and regional strategies is often not clearly worked out. While strong political support exists for regional integration initiatives.

An analysis of these factors suggests that the multiple memberships of SADC Member States have a negative impact (Vasques, 1997) on the deepening of regional integration. The greater the participation of SADC countries in other regional organizations, the lower the likelihood of successfully implementing regional agreements and projects, particularly in circumstances where significant disagreements exist regarding the methods through which organizational objectives should be achieved.

One of the most notable examples of this challenge is the repeated postponement of the establishment of a Customs Union in Southern Africa.

## **8 THE REGIONAL INDICATIVE STRATEGIC DEVELOPMENT PLAN (RISDP)**

### **8.1 Priorities and Social and Economic Policies of SADC**

The Regional Indicative Strategic Development Plan (RISDP) 2020–2030 and the SADC Vision 2050 constitute two strategic frameworks designed to deepen regional integration and promote the development of Southern Africa (SADC, 2020, p. 10).

The RISDP 2020–2030 is a ten-year strategic plan and represents the culmination of an extensive preparatory process initiated in June 2012, following the decision of Member States to formulate the SADC Vision 2050.

The RISDP operationalizes the objectives of Vision 2050, which outlines the long-term aspirations of the region and establishes the strategic direction of SADC through 2050. It succeeds the previous RISDP, a fifteen-year strategic roadmap that guided the pursuit of SADC's long-term socioeconomic objectives.

The original RISDP provided the Secretariat and other SADC institutions with clear guidance regarding approved social and economic priorities and policies, thereby strengthening their effectiveness in coordination and facilitation functions. The first RISDP was approved by the SADC Summit in 2003 and entered into effective implementation in 2005.

The principal objective of the Revised Strategic Indicative Plan for the Organ on Politics, Defence and Security Cooperation is to create a peaceful, secure, and stable political environment

through which the region may achieve its socioeconomic development goals, eradicate poverty, and advance regional integration.

The RISDP 2020–2030 seeks to achieve the following strategic objectives:

- Greater institutional effectiveness and efficiency;
- Enhanced gender equality, women's empowerment and development, and the elimination of gender-based violence;
- High-quality, interconnected, integrated, and sustainable infrastructure networks;
- Strengthened and harmonized regional health systems capable of providing standardized and accessible healthcare services to all citizens and responding effectively to pandemic threats.

## 8.2 Strategic Priorities in Southern Africa

The principal priorities of SADC include:

- **Foundation:** Peace, Security, and Good Governance;
- **Pillar I:** Industrial Development and Market Integration;
- **Pillar II:** Infrastructure Development to Support Regional Integration;
- **Pillar III:** Social and Human Capital Development;
- **Cross-Cutting Issues:** Gender, youth, environment, climate change, and disaster risk management.

The expected outcomes and corresponding objectives within each of these strategic areas are outlined in detail for the period 2020–2030.

The RISDP is guided by the principles established in Article 4 of the SADC Treaty:

- Sovereign equality of all Member States;
- Solidarity, peace, and security;
- Human rights, democracy, and the rule of law;
- Equity, balance, and mutual benefit;
- Peaceful settlement of disputes.

In addition to the Treaty's fundamental principles, the RISDP 2020–2030 emphasizes the following values:

- I. Regional development and integration for the benefit and full employment of SADC citizens;
- II. Systematic reduction of poverty, unemployment, and social exclusion;
- III. Promotion of innovation and the development and application of science and technology to enhance productivity and global competitiveness;

IV. Sustainable and optimized use of the region's natural resources, both terrestrial and marine.

In implementing its Vision and Mission, the RISDP 2020–2030 focuses on the objectives established in Article 5 of the SADC Treaty, including sustainable economic growth, poverty eradication, democratic governance, peace and security, self-sustaining development, policy complementarity, productive employment, environmental protection, cultural cohesion, combating HIV/AIDS and other communicable diseases, mainstreaming poverty reduction across all SADC activities, and integrating gender considerations into the community-building process.

### 8.3 On the Viability of the Economic Integration Process

The process of economic integration (Schutz, 2014) may take several forms, reflecting different degrees of integration, including:

- **Free Trade Area:** a stage in which tariffs and quantitative restrictions among Member States are eliminated, while each country maintains its own trade policies toward non-members;
- **Customs Union:** a deeper level of integration involving not only the elimination of trade barriers among members but also the adoption of a common external tariff toward non-member countries;
- **Common Market:** a more advanced form of integration in which restrictions on trade and on the movement of factors of production are abolished;
- **Economic and Monetary Union:** distinguished from a common market by combining the free movement of goods and productive factors with a degree of harmonization of national economic policies, thereby eliminating distortions arising from differences among those policies.

## 9 CHALLENGES OF SADC IN THE REGIONAL ECONOMIC INTEGRATION PROCESS

Although there is considerable optimism regarding the improvement of the region's macroeconomic performance (Júnior, 2021), numerous challenges continue to affect the consolidation and strengthening of SADC. Among these challenges, the expansion of organized crime networks throughout the region represents one of the many non-tariff barriers to commercial development, as such activities significantly increase transaction costs, human security risks, and investment losses.

The principal challenges may be summarized as follows:

I. The future of SADC will depend on a greater degree of coordination among national development policies, particularly in the areas of infrastructure, the gradual abandonment of strict unanimity and rigid notions of sovereignty, and the eventual adoption of a common African monetary policy. Such objectives, however, will only become feasible through the resolution of the domestic economic and financial crises affecting Member States. Furthermore, the ideal condition for regional integration would be one in which all Member States possess relatively similar levels of development and significant differences in the composition of their productive resources, thereby creating an environment conducive to economic complementarity. In reality, however, SADC countries continue to exhibit substantial disparities in economic development.

II. SADC economies must prioritize diversification and the modernization of production systems. This objective can only be achieved through the deepening and consolidation of economic reforms that promote the integration of national economies. Such a process necessarily includes the harmonization and rationalization of policies that support the implementation and development of the SADC Trade Protocol.

III. The deepening of democracy, the capacity to implement signed agreements and protocols, investment in human capital, the expansion of technical knowledge and institutional expertise, and the production of reliable statistical data constitute critical challenges facing the region.

Furthermore, SADC has adopted a state-led model of integration in which some Member States prioritize nation-building objectives over regional integration. Although the region is rich in natural resources, it lacks a sufficiently robust and diversified industrial sector capable of driving the economies of all Member States.

Due to the participation of several countries in multiple regional organizations, any attempt to implement more advanced stages of integration—such as a Customs Union—must take into account developments within other regional organizations. This is necessary because of the incompatibilities among integration strategies and because divided commitments may create significant difficulties in the administration of customs regimes and external tariffs.

Consequently, if SADC intends to inject new dynamism into the regional integration process, it must adopt a model of economic integration that reflects the specific realities of Southern Africa and serves the interests of all Member States. Such an approach should be accompanied by a comprehensive assessment of the implementation and outcomes of the Regional Indicative Strategic Development Plan (RISDP).

Ultimately, regional integration has the potential to stimulate economic growth and

development in Mozambique and throughout Southern Africa by improving living conditions and quality of life, strengthening the capacity of Member States to address the challenges of globalization, enhancing productive efficiency, and encouraging private investment within a peaceful and competitive economic environment.

## 10 CONCLUSIONS

The limited success of economic integration processes in several parts of the world has increased skepticism regarding the applicability of classical integration theories to developing countries. In developing economies, regional integration is generally conceived as an instrument for accelerating economic growth under conditions of scarce resources and, consequently, as a strategy for development.

In Southern Africa, despite the persistent challenges of underdevelopment, there remains a strong conviction that cooperation among Member States can mitigate the adverse effects of globalization and establish a common platform for the region's insertion into the international economy.

Over the years, SADC has undergone significant transformations in an effort to adapt to changes in the international system. The organization's policies and strategies seek to eliminate barriers to the free movement of capital, labor, goods, and services while simultaneously improving economic governance and regional economic performance.

The principal objective of SADC's regional economic integration agenda is to promote economic growth among its Member States. However, since its establishment, this objective has not been fully achieved. Several structural and institutional factors have constrained the success of the integration process, including the resurgence of regionalism and transformations in international politics, divergent perceptions regarding the distribution of integration gains, competition among Member States, the coexistence of multiple regional arrangements, and the widespread phenomenon of multiple memberships among SADC countries.

These factors have weakened the effectiveness of regional integration initiatives and contributed to what may be described as the economic underperformance of SADC. Moreover, the central challenge for achieving genuine regional economic integration lies in the selection and implementation of sustainable economic policies and development programs capable of responding to the realities of the region, rather than focusing exclusively on the advancement of customs, monetary, and economic integration schemes.

The analysis undertaken in this study demonstrates that the limitations of regional integration in Southern Africa are evident when compared with other regional organizations that have successfully consolidated their economic policies and expanded their institutional influence internationally. Such organizations have generally achieved greater internal cohesion, stronger institutional frameworks, and more effective mechanisms for implementing regional objectives.

For SADC to advance toward deeper regional integration, Member States must strengthen political commitment, enhance institutional capacity, reduce the negative effects of overlapping regional memberships, improve policy harmonization, and promote economic diversification. Only through these measures will the organization be able to transform its integration agenda into a practical instrument for sustainable development, economic growth, and regional prosperity.

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# **MODERNITY, COLONIALITY, AND MINING: NEO-EXTRACTIVISM AND THE RESISTANCE OF TRADITIONAL COMMUNITIES**

## **MODERNIDADE, COLONIALIDADE E MINERAÇÃO: NEOEXTRATIVISMO E RESISTÊNCIA DOS POVOS E COMUNIDADES TRADICIONAIS**

## **MODERNIDAD, COLONIALIDAD Y MINERÍA: NEOEXTRATIVISMO Y RESISTENCIA DE LOS PUEBLOS Y COMUNIDADES TRADICIONALES**

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### **ABSTRACT**

This article analyzes how the structure of the Colonial/Modern/Capitalist World-System provides the social conditions for the expansion of neo-extractivism into territories previously free from mining, especially those occupied by traditional peoples and communities. Based on the theoretical framework outlined by the Modernity/Coloniality Group, it investigates the historical,

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institutional, and discursive links that legitimize and accelerate the incorporation of new areas into the mining frontier in Minas Gerais, producing violations of human and fundamental rights and exacerbating socio-environmental conflicts. The investigation adopts the methodology of case studies of crimes committed by mining companies in Minas Gerais at the beginning of the 21st century, supported by documentary and critical analysis, and mobilizes decolonial concepts to interpret the continuity of the accumulative logic that privatizes gains and externalizes damages. The results show: (i) the persistence of colonial extraction mechanisms that synchronize the State and business corporations; (ii) the reproduction of practices of territorial expropriation, environmental destruction, and racialization; and (iii) the emergence of traditional communities as the main counter-colonial force capable of articulating legal, political and symbolic resistance. It is concluded that transforming this pattern requires combined epistemic, regulatory and territorial autonomy strengthening measures to enable post-extractive alternatives centered on the defense of life and socio-environmental justice. **Keywords:** Neo-extractivism. Coloniality. Resistance. Traditional Communities.

## RESUMO

Este artigo analisa como a estrutura do Sistema-Mundo Colonial/Moderno/Capitalista proporciona as condições sociais para a expansão do neoextrativismo sobre territórios previamente livres de mineração, sobretudo aqueles ocupados por povos e comunidades tradicionais. A partir do quadro teórico delineado pelo Grupo Modernidade/Colonialidade, investiga-se os nexos históricos, institucionais e discursivos que legitimam e aceleram a incorporação de novas áreas à fronteira minerária em Minas Gerais, produzindo violações de direitos humanos e fundamentais e agravamento de conflitos socioambientais. A investigação adota a metodologia do estudo de casos dos crimes cometidos pelas mineradoras em Minas Gerais no início do século XXI, apoiado em análise documental e crítica, e mobiliza conceitos decoloniais para interpretar a continuidade da lógica acumulativa que privatiza ganhos e externaliza danos. Os resultados evidenciam: (i) a persistência de mecanismos coloniais de extração que sincronizam Estado e corporações empresariais; (ii) a reprodução de práticas de expropriação territorial, destruição ambiental e racialização; e (iii) a emergência das comunidades tradicionais como principal força contracolonial capaz de articular resistências jurídicas, políticas e simbólicas. Conclui-se que a transformação desse padrão exige medidas conjugadas epistêmicas, regulatórias e de fortalecimento da autonomia territorial para viabilizar alternativas pós-extrativistas centradas na defesa da vida e da justiça socioambiental.

**Palavras-chave:** Neoextrativismo. Colonialidade. Resistência. Povos e Comunidades Tradicionais.

## RESUMEN

Este artículo analiza cómo la estructura del sistema-mundo colonial/moderno/capitalista proporciona las condiciones sociales para la expansión del neoextractivismo en territorios previamente libres de minería, especialmente aquellos ocupados por pueblos y comunidades tradicionales. Con base en el marco teórico delineado por el Grupo Modernidad/Colonialidad, investiga los vínculos históricos, institucionales y discursivos que legitiman y aceleran la incorporación de nuevas áreas en la frontera minera en Minas Gerais, produciendo violaciones de derechos humanos y fundamentales y exacerbando conflictos socioambientales. La investigación adopta la metodología de estudios de caso de crímenes cometidos por compañías mineras en Minas Gerais a principios del siglo XXI, respaldada por análisis documental y crítico, y moviliza conceptos decoloniales para interpretar la continuidad de la lógica acumulativa que privatiza ganancias y externaliza daños. Los resultados muestran: (i) la persistencia de mecanismos de extracción colonial que sincronizan al Estado y las corporaciones



empresariales; (ii) la reproducción de prácticas de expropiación territorial, destrucción ambiental y racialización; y (iii) el surgimiento de las comunidades tradicionales como la principal fuerza contracoloniales capaz de articular la resistencia jurídica, política y simbólica. Se concluye que la transformación de este patrón requiere medidas combinadas de fortalecimiento de la autonomía epistémica, regulatoria y territorial para posibilitar alternativas posextractivas centradas en la defensa de la vida y la justicia socioambiental.

**Palabras clave:** Neoextractivismo. Colonialidad. Resistencia. Comunidades Tradicionales.

## INTRODUCTION

The beginning of the 21st century is marked by the intensification of socio-environmental conflicts in Latin America, resulting, among other factors, from the expansion of the mining frontier driven by coordinated actions between states and mining companies. While states grant environmental licenses for large mining enterprises, companies implement megaprojects in territories previously free from mining, reproducing an economic logic that privatizes gains and socializes environmental and social damages.

These mining-free territories are, in many cases, occupied by traditional peoples and communities, understood as culturally distinct groups that recognize themselves as such, possess their own forms of social organization, and use territories and natural resources for their cultural, social, religious, and economic survival through knowledge, innovations, and practices generated and transmitted by tradition.

Currently, there are 28 categories of traditional peoples and communities recognized by the Brazilian state: andiroba harvesters; everlasting flower gatherers; caatinga dwellers; caixaras; mangaba collectors; vine harvesters; Romani peoples; fundo and fecho de pasto communities; extractivists; coastal and marine extractivists; faxinalense communities; geraizeiros; island dwellers; morroquianos; pantaneiros; artisanal fishers; Pomeranian people; Indigenous peoples; traditional healers; quilombola communities; terreiro peoples and communities/African matrix peoples and communities; Babaçu coconut breakers; herbal healers; Araguaia cattle herders; riverine peoples; vazanteiros; veredeiros; and caboclos (Brazil, 2016).

Traditional peoples and communities maintain a social way of life whose symbolic and material reproduction presupposes the collective occupation of a territory and the preservation of nature, understood not as a repository of resources to be exploited for economic purposes, but as a vital space that enables life with dignity and well-being and, therefore, must be preserved.

There is, thus, a symbiotic relationship between territory, nature, and traditional peoples and communities, whose vital logic—interwoven with the knowledge, innovations, and practices generated and transmitted through tradition—stands in opposition to the neo-extractivist logic of mining megaprojects that are expanding throughout Latin America.

The implementation of large-scale mining projects in the territories of traditional peoples and communities generates socio-environmental conflicts due to the contradiction between the life-oriented logic embedded in the knowledge, innovations, and practices generated and transmitted through tradition, and the neo-extractivist logic of modern mining, which is oriented toward wealth accumulation and guides the actions of both the state and mining companies.

These socio-environmental conflicts have intensified in Minas Gerais due to successive crimes committed by mining companies at the beginning of the 21st century, exposing the destructive logic of neo-extractivism. Not even the control of mass media and corporate advertising by mining companies has been able to prevent the emergence of a widespread sense of outrage and rejection of this mining model among the broader population, far beyond traditional peoples and communities.

Minas Gerais has been the site of the two largest socio-environmental disasters in Brazilian history: (1) the collapse of the Fundão tailings dam in the city of Mariana in 2015<sup>4</sup>, and (2) the collapse of the Córrego do Feijão tailings dam in the city of Brumadinho in 2019<sup>5</sup>.

These socio-environmental disasters killed hundreds of people, destroyed the environmental conditions that sustain and enable life in the Doce River and Paraopeba River basins, and made the symbolic and material reproduction of traditional peoples and communities living in these watersheds unviable, especially peasants, Indigenous peoples, and quilombola communities. Mariana and

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<sup>4</sup> The collapse of the Fundão tailings dam, owned by the mining company Samarco, on November 5, 2015, released 45 million cubic meters of toxic sludge into the Gualaxo do Norte River, flowing through the Carmo River and the Doce River until reaching the coast of Espírito Santo. The Doce River basin was completely devastated, with the total destruction of its fauna and flora. The coastal ecosystem of Espírito Santo, extending to southern Bahia, was also contaminated by this socio-environmental disaster, resulting in the destruction of wildlife, vegetation, and the livelihoods of thousands of workers. Nineteen people were killed. Numerous socio-environmental damages have already been identified, including: the isolation of inhabited areas; the displacement of communities due to the destruction of homes and urban infrastructure; habitat fragmentation; the destruction of permanent preservation areas and native vegetation; the death of domestic, wild, and farm animals; restrictions on fishing; the decimation of wild aquatic fauna during closed fishing seasons; difficulties in electricity generation by affected power plants; changes in water quality and quantity; and a widespread sense of danger and abandonment among the population at various levels, among others.

<sup>5</sup> The collapse of the Córrego do Feijão tailings dam, owned by the mining company Vale S/A, on January 25, 2019, released 12 million cubic meters of toxic sludge into the Paraopeba River. This socio-environmental disaster caused the deaths of 272 people and destroyed the fauna and flora of the Paraopeba River basin, directly impacting nearly 160,000 people living along its banks, including the Pataxó Indigenous community. Numerous socio-environmental damages have already been identified, including: changes in water quality due to the presence of heavy metals; the disruption of family farming; the destruction of both tangible and intangible cultural heritage; impacts on the physical and mental health conditions of the population; the impossibility of fishing; reduced water availability for human consumption and animal watering; mass mortality of aquatic biota; the destruction of large areas of riparian vegetation; and impacts on the mortality of terrestrial biota, among others.

Brumadinho are only the sites of the two largest socio-environmental crimes perpetrated by mining companies in Minas Gerais, whose population continues to face numerous other crimes and human rights violations in territories exploited by mining activities, such as those occurring in Itabirito<sup>6</sup>, Itatiaiuçu<sup>7</sup>, Barão de Cocais<sup>8</sup>, Conceição do Mato Dentro<sup>9</sup>, among others.

Despite the growing resistance of social movements and traditional peoples and communities to mining neo-extractivism, the mining frontier continues to expand in Latin America, especially in Brazil, with the installation of large-scale mining projects in territories previously free from mining.

This article aims to reflect on the structural elements of Political Economy in the Latin American context that favor the expansion of neo-extractivism into territories that were previously free from mining, particularly those occupied by traditional peoples and communities, as well as the exponential growth of socio-environmental conflicts and the violation of the human and fundamental rights of populations living in territories newly assimilated into the neo-extractivist logic.

The research is conducted from the perspective of a social actor involved in the struggle of quilombola communities against the implementation of large-scale mining projects in their traditional territories. The desire to understand the socioeconomic conditions that favor the expansion of neo-extractivism in Latin America, and more specifically in Brazil—with all the corruption, violence, and human rights violations associated with it—arose from direct experience with the violation of the human rights of quilombola leaders, who are routinely threatened with death, assaulted, and subjected to various forms of symbolic violence perpetrated by supporters of mining companies, with the complicity of the Brazilian state, for defending their traditional territories. Examples include the violence committed against quilombola leaders from Queimadas and Girau/Malhada Preta by mining companies interested in establishing mining projects in the municipalities of Serro and Araçuaí, in the state of Minas Gerais, with the complicity of the Brazilian state.

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<sup>6</sup> The collapse of the Herculano Mineração tailings dam, which occurred on September 10, 2014, in the city of Itabirito, killed three people and contaminated the tributaries of the Itabirito River, as well as the Silva and Eixo streams, whose waters flow into the Rio das Velhas.

<sup>7</sup> On February 8, 2019, the mining company ArcelorMittal evacuated approximately 200 people from their homes in the Pinheiros community, in the municipality of Itatiaiuçu, due to the risk of the Serra Azul Mine tailings dam collapsing.

<sup>8</sup> On February 8, 2019, residents of the districts of Socorro, Tabuleiro, Piteiras, and Vila do Gongo, as well as several neighborhoods in the historic center of the city of Barão de Cocais, were evacuated from their homes in the middle of the night due to the activation of the warning siren for the potential collapse of the Sul Superior dam at the Gongo Soco Mine, operated by Vale. People were terrified, believing that the dam—which stores 4.8 million cubic meters of toxic sludge—was about to collapse.

<sup>9</sup> The Minas-Rio Project, operated by the mining company Anglo American Minério de Ferro Brasil S/A, runs a tailings dam with a capacity of 25 million cubic meters of iron ore waste, placing several rural communities in the municipality of Conceição do Mato Dentro at risk, especially the communities of Água Quente, São José do Jassém, Passa Sete, Turco, Cabeceira do Turco, Sapó, Gondó, and Beco. In addition to the risk of being killed in the event of a dam collapse, residents of these localities live with water shortages, excessive dust, ground vibrations, foul odors, and the degradation of watercourses.

In other words, the experience of working as a lawyer and advisor to the Federation of Quilombola Communities of the State of Minas Gerais – N’Golo<sup>10</sup>, in defending the rights of Quilombola communities violated by mining companies, gave rise to the desire to understand the structural elements of Political Economy that foster ethnocide, ecocide, and the violation of the human rights of subalternized classes and ethnic groups on the periphery of the capitalist world.

Understanding the structural elements of Neo-extractivist Political Economy makes it possible to guide political struggle toward transforming the conditions that favor the expansion of the mining frontier into territories previously free from mining, resulting in the destruction of nature and the displacement of traditional peoples and communities from their ancestral lands.

The analysis of the structural elements of the Colonial/Modern/Capitalist/Eurocentric World-System is based on concepts developed by the Modernity/Coloniality Group, understood as a scientific research program composed of Latin American intellectuals such as Edgardo Lander, Arturo Escobar, Walter Dignolo, Enrique Dussel, Aníbal Quijano, Fernando Coronil, Ramón Grosfoguel, among others, as well as the American sociologist Immanuel Wallerstein, with the aim of understanding the structural elements of modern society, especially the colonial structures that, although originating during the period of European colonial domination in the Americas, continue to operate beyond the end of formal colonialism.

The main concepts developed by the Modernity/Coloniality Group and used in this article are those of the World-System, the Capitalist World-Economy, and Modernity/Coloniality. These concepts are employed to understand the role of mining in the formation of modern/colonial society in Latin America, as well as the continuity of coloniality beyond the end of colonialism up to the present day, with the peripheral insertion of Latin American countries into the Capitalist World-System as suppliers of primary goods, both agricultural and mineral.

The analysis of the specific role of mining in peripheral Latin American societies within the Capitalist World-System was conducted with support from the works of Horacio Machado Aráoz, Maristella Svampa, Alberto Acosta, and Pablo Solón, particularly regarding the current context of neo-extractivism that permeates hegemonic economic policy in Latin American countries.

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<sup>10</sup> The Federation of Quilombola Communities of the State of Minas Gerais – N’Golo is a civil association established in 2005 and composed of quilombola communities in Minas Gerais, with the purpose of promoting political mobilization and the legal defense of the human and fundamental rights of these communities. There are 1,043 quilombola communities identified by N’Golo in Minas Gerais, which suffer from the systematic violation of their human and fundamental rights due to the action or omission of the state and the dominant classes that control state institutions. Socio-environmental conflicts with mining companies—seeking to implement large-scale mining projects in quilombola territories—constitute one of the main causes of violations of the human and fundamental rights of these communities.

## **1 MINING AND PRIMITIVE ACCUMULATION OF CAPITAL: THE DAWN OF THE HISTORICAL PROCESS OF FORMATION OF COLONIAL/MODERN, CAPITALIST, PATRIARCHAL, AND EUROCENTRIC SOCIETY**

Colonial/modern, capitalist, patriarchal, and Eurocentric society is the result of a long historical process that began in 1492 and continues to the present day, through the progressive subordination of peoples and nature to the social logic of the relentless and insatiable accumulation of capital (Dussel, 1993).

Modernity begins with the invasion and colonization of the Americas by European nation-states in 1492, but it is consolidated with the emergence and development of a World-System that establishes a global pattern of power to control labor, nature, gender/sexual relations, authority, and intersubjectivity.

This Modern World-System creates and maintains the social, political, and economic conditions necessary for the expansion of economic activities oriented toward maximizing profit in the market. The logic of unlimited capital accumulation is the driving force behind the subordination of peoples, civilizations, and territories to the basic institutions of the Modern World-System, which has progressively incorporated different societies into the capitalist logic since the late 15th century.

The Modern World-System is composed of two fundamental social institutions: the Capitalist World-Economy and Modern Nation-States, both originating at the dawn of modernity and developing, from the 15th century to the present, under the logic of unlimited capital accumulation. The major social, political, and economic transformations observable in the various civilizations incorporated into this system throughout its expansion are guided by a single logic: to promote the unlimited accumulation of capital.

The Capitalist World-Economy is based on the division of social labor for the production of commodities essential to capital accumulation, enabled by the individual, racial, sexist, and class-based expropriation of wealth produced by human labor. This occurs through long-distance commodity chains, which have become increasingly complex and integrated over time, connecting interdependent circuits of production and distribution, always with the aim of promoting capital accumulation.

Within the international division of social labor, the Capitalist World-Economy divides the world into peripheral, semi-peripheral, and core regions, establishing a flow of wealth that moves from the periphery to the core through unequal exchanges among regions integrated into the Modern World-System.

In other words, the Capitalist World-Economy organizes extensive commodity chains of production, circulation, distribution, and consumption that grow increasingly complex and integrated.

These chains generate a flow of wealth from peripheral and semi-peripheral zones—producers of low value-added goods and consumers of high value-added goods—to core zones, which produce high value-added goods and consume low value-added goods. As a result, wealth is concentrated in core regions, while poverty is concentrated in peripheral and semi-peripheral regions of the capitalist world-economy.

Nation-states are institutions that monopolize the use of violence and public authority to make decisions that are collectively binding on all individuals, classes, and groups within their territories. They function as mechanisms for creating the conditions necessary for capital accumulation, such as: protecting the conditions for the production and appropriation of surplus value; guaranteeing property rights; safeguarding the economic gains of dominant segments of the bourgeoisie to the detriment of other capitalists and subordinated classes and ethnic groups; and controlling, repressing, or assimilating anti-systemic movements and classes that challenge the colonial/modern, capitalist, patriarchal, and Eurocentric social order.

The global pattern of power established with the emergence of the Modern World-System—and reproduced by the basic social institutions of colonial/modern, capitalist, and patriarchal society in regions incorporated into the logic of capital accumulation—is grounded in three pillars: the racial classification of the population, the conception of nature as an inexhaustible source of inputs for economic production, and the organization of commodity chains in which the periphery (Latin America) supplies inputs to the semi-periphery and the core of the Capitalist World-Economy.

The racial classification of the population, through the construction of superior (European) and inferior (Indigenous, Black, and mixed-race) races, enabled the formation of a discourse—still widely used today, whether subtly and indirectly (by theorists of political and economic liberalism) or overtly and violently (with the rise of far-right movements in various countries of the Modern World-System)—to legitimize the hierarchical positioning of racialized subjects within the power structure of colonial/modern, capitalist, patriarchal, and Eurocentric society.

In this context, “the conquered and dominated peoples were placed in a naturalized situation of inferiority, and consequently so were their phenotypic traits, as well as their intellectual and cultural achievements” (Quijano, 2005, p. 118).

Socially constructed as inferior, these racialized groups (Indigenous, Black, and mixed-race populations) are excluded and marginalized from spaces of political power and are therefore denied the right to participate in decision-making processes that produce collectively binding norms—such as laws, administrative acts, and judicial decisions—despite being obliged to obey them.

The forms of control and exploitation of labor are also grounded in the racial classification of the population and in the coexistence of different labor relations, such as slavery, servitude, petty commodity production, reciprocity, and wage labor. In other words, the hegemony of the capitalist mode of production—based on wage labor—has never led to the disappearance of other forms of labor control and exploitation. On the contrary, wage labor has always coexisted with other forms, with different labor relations being distributed among workers depending fundamentally on their racial classification.

People categorized as belonging to races socially constructed as inferior (Indigenous, Black, and mixed-race populations) are those expected to be sacrificed in the name of progress and economic growth, and are subjected to precarious labor relations with very low remuneration—or even no remuneration at all.

On the other hand, the modern mindset reduces nature to a set of inexhaustible resources that can be extracted and used for capital accumulation, both in the phase of primitive accumulation prior to the industrial stage of the capitalist mode of production and in the phase of capitalist accumulation following industrialization.

Nature is thus seen as a collection of elements, some of which possess economic value and can be extracted for the production of wealth, without any concern for the destruction of the environmental conditions that sustain and enable life in all its forms. Nature is denied any inherent dignity and reduced to mere objecthood, whose sole importance lies in serving human interests, desires, and needs.

Eduardo Gudynas (2019, p. 31) explains the colonial/modern mentality regarding nature as follows:

In Latin America, since the times of Spanish and Portuguese colonization, development has been based on the exploitation of natural resources. A utilitarian perspective has prevailed, consistently seeking to maximize the extraction and use of these resources. Under these conditions, the dominant position did not include an ethical component with regard to Nature; there was no “environmental ethics.” In general, the environment was conceived merely as a basket full of resources available for human use. In the 19th century, some minority positions emerged, in certain cases with conservationist characteristics—although oriented toward avoiding the “waste” of natural resources and therefore still framed within utilitarianism—and, in other cases, based on aesthetic concerns, such as the protection of particularly beautiful landscapes.

Throughout the 20th century, the utilitarian mode became increasingly intensified. Its clearest expressions can be seen in the export of raw materials, which is very evident in the cycles of expansion and economic crisis in various countries. Examples include the booms in the extraction and export of minerals, Amazonian rubber, guano and nitrate from the Pacific coast, as well as the cycles of coffee, cocoa, and bananas. At the beginning of the 21st century, distinct components of this type of development persist, such as the export of iron ore and soybeans. Although this generates enormous pressure on the environment, warnings and alternatives are dismissed as obstacles to economic growth.

Rivers, forests, plants, animals, minerals, and other natural goods are stripped of any dignity and, therefore, can be freely used by the modern subject for capital accumulation. The balance of ecosystems and the intrinsic value of their elements are disregarded: nature is seen as having no dignity, no rights, and thus can be reduced to a mere object to satisfy the voracity of modern desires and interests.

Colonial/modern, capitalist, and Eurocentric society is grounded in the most brutal forms of violence, exploitation, and oppression of those races socially constructed as inferior, of women, and of nature—all reduced to mere objects serving the satisfaction of the modern subject's desires and the accumulation of capital.

The philosophical discourse of modernity has served as a false justification for the barbarity, violence, exploitation, and oppression unleashed by the process of colonial domination by European nation-states over other civilizations and peoples, and by the domination of capitalist enterprises over labor and nature for the production of surplus value through the long commodity chains that constitute the capitalist world-economy.

If the origin of modern philosophy is grounded in the metaphysics of the “ego cogito” (res cogitans)—that is, the modern individual who, in a solipsistic manner, reflects upon their own subjectivity and acquires knowledge through the examination of each idea within the chain of reasoning, independently of all materiality (res extensa)—then the spiritual quality of the “ego cogito” comes to be recognized in the white European man (not in women, nor in Indigenous, African, or Asian peoples). For this reason, he is granted the authority to define what is good, just, beautiful, and true through reason, independently of any material or objective criteria.

The “ego cogito” thus quickly transforms into the “ego conquiro,” through the imposition—by means of violence, if necessary, and through the most atrocious instruments of subjugation of other peoples and of nature—of the standards of the good, the just, the beautiful, and the true as defined by those who arbitrarily attribute to themselves the status of res cogitans.

Persuasion through reason disappears from the philosophical discourse of modernity, which—grounded in the premise of the superiority of European culture over all other civilizations—justifies violence against all peoples and civilizations that resist modern rationality. The philosophical discourse of modernity can be understood as follows:

[...] the most direct way of grounding the praxis of transoceanic colonial domination—coloniality that is simultaneous with the very origin of Modernity and, therefore, a novelty in world history—is to argue that the dominant culture provides the benefits of civilization to more backward cultures (“stupidity,” which in Latin Ginés calls turditatem and Kant calls

unmündigkeit). This argument, which forms the basis of all modern philosophy (from the 16th to the 21st century), was first used with great skill and resonance by Ginés de Sepúlveda (d. 1573), a student of the Renaissance philosopher P. Pomponazzi (1462–1524), during the Valladolid debate of 1550—organized by Charles V (1500–1558) in the manner of Islamic caliphs to “ease his conscience.” It was an “Atlantic” dispute (no longer “Mediterranean” between Christians and “Saracens”), in which the aim was to understand the ontological status of the “Indians,” some “barbarians” different from those of Greece, China, or the Muslim world, whom Montaigne (1967:208), with deep critical insight, defined as cannibals (or Caribs), that is, those whom “we may call barbarians in relation to our own standards of reason.” Ginés (1967:85) writes: **“It will always be just and in accordance with natural law that such people [barbarians] submit to the rule of more cultured and humane princes and nations, so that, through their virtues and the prudence of their laws, barbarism may be overcome and life may become more humane and suited to the cultivation of virtue”**.

This is a reinterpretation of Aristotle, the slaveholding Greek philosopher of the eastern Mediterranean, now situated within the horizon of the Atlantic Ocean, that is, with global significance: “And if they refuse such rule, it may be imposed upon them by arms, and such war will be just according to natural law [...]. In short: it is just, appropriate, and in accordance with natural law that honest, intelligent, virtuous, and humane men should dominate all those who lack these qualities” (Sepúlveda, 1967:87).

This tautological argument—because it assumes the superiority of one’s own culture simply by virtue of being one’s own—would prevail throughout modernity. It declares the content of other cultures to be non-human, just as Aristotle, in *Politics*, claimed that Asians and Europeans were barbarians, since “human” were only “those who lived in [Hellenic] cities.” [...] Once the justice of European expansion is established as a civilizing mission, liberating others from the barbarism in which they were submerged, everything else (military conquest, the plundering of gold and silver, the recognition of Indigenous peoples as “human” only insofar as they convert to modern culture, a political organization in which power resides in colonial institutions, the dogmatic imposition of a foreign religion, etc.) becomes justified. (Dussel, 2008, p. 163–165, emphasis and translation ours).

With the expansion of the Colonial/Modern World-System, ancient civilizations were destroyed. Non-European peoples were enslaved and decimated. The wealth of colonized territories was plundered and transferred to European metropolises. Racialized non-European subjects (Indigenous, Black, and mixed-race populations) were mobilized to have their lives consumed by labor aimed at capital accumulation. Nature was reduced to a source of resources to be extracted for the accumulation of wealth in European centers. Subsequently, money was transformed into capital and, through capital, surplus value was produced, generating even more capital.

Understanding the process of capital formation and accumulation—which appears as a vicious cycle in which money is transformed into capital, capital into surplus value, surplus value back into money, and so on—requires the presupposition of a primitive accumulation of capital, an accumulation “prior to capitalist accumulation; an accumulation that is not the result of the capitalist mode of production, but its starting point” (Marx, 2017, p. 785).

Primitive accumulation of capital is the result of several historical processes, among which the colonization and plundering of the Americas by European nation-states and the emergence of the Capitalist World-Economy stand out. One can therefore argue that there is an “original sin”<sup>11</sup> in the formation of colonial/modern capitalist society, consisting of colonial violence in the subjugation of non-European peoples, the imposition of unpaid labor on races socially constructed as inferior, and the looting of wealth (including mineral resources) from non-European territories.

The initial phase of the Capitalist World-Economy constituted the Americas as a colonial space to be exploited and plundered by European colonizers, through the intensive use of enslaved Indigenous and African labor (races socially constructed as inferior and therefore subjected to forced and unpaid labor). The Myth of El Dorado—based on the belief in a city filled with gold that could be mined, plundered, and appropriated by European colonizers—served as a major driving force behind the colonization of the Americas.

The Colonial/Modern World-System, sustained by the rise of European nation-states and the Capitalist World-Economy, is structured to enable the maximum expansion and accumulation of capital, even when this leads to the most brutal forms of control over human life and bodies, the denial of basic freedoms and ethnic identities and cultural traditions incompatible with capital expansion, the destruction of environmental conditions necessary for life on the planet, and the exclusion and marginalization of the majority of the world’s population from access to essential goods and opportunities required for a dignified life according to each group’s conception of a good life.

Walter Mignolo (2011, p. 3) argues that “there is no modernity without coloniality.” Modern society is grounded in the subalternization of races socially constructed as inferior (Indigenous, Black, and mixed-race populations) for the exploitation of their labor, as well as in the domination of nature for the extraction of natural resources necessary for capital accumulation. People and nature—whose lives and existence are situated in the peripheral zones of the Capitalist World-Economy—are reduced to mere objects in the service of capital reproduction.

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<sup>11</sup> Marx explains the “original sin” of primitive accumulation of capital as follows: “This primitive accumulation plays in political economy approximately the same role as original sin in theology. Adam bit the apple, and thus sin fell upon the human race. Its origin is explained to us by an anecdote of the past. In a very remote time, there were, on the one hand, a diligent, intelligent, and above all frugal elite, and, on the other, a bunch of lazy rascals who squandered everything they had and more. Indeed, the legend of theological original sin tells us how man was condemned to eat his bread by the sweat of his brow; but the story of economic original sin reveals to us how there can be people who have no need of this. Be that as it may. It came to pass that the former accumulated wealth, and the latter ended up with nothing to sell except themselves, and the wealth of the few, which continues to grow, even though they have long ceased to work. [...] **In actual history, as is well known, conquest, subjugation, murder for the purpose of robbery—in short, violence—play the principal role. In political economy, however, which is so gentle, the idyll has always prevailed. Right and ‘labor’ have, from time immemorial, been the only means of enrichment—except, of course, for ‘this year.’ In reality, the methods of primitive accumulation are anything but idyllic.**” (Marx, 2017, p. 785–786, emphasis added).

It can also be argued that there is no modernity without the predatory mining of territories, peoples, and nature. Modern mining has become an essential economic activity for capital accumulation, whether through the mercantilist metalism of the 15th to 18th centuries, which enabled primitive accumulation, or through the extraction of inputs necessary for industrial production in the 19th, 20th, and 21st centuries, carried out through the destructive exploitation of nature and people in the peripheral countries of the Capitalist World-Economy.

Mining was the principal economic activity at the beginning of the formation of the Colonial/Modern World-System. It can even be argued that colonial/modern society would not exist without the development of mining activities in the Americas. In this sense, Horacio Machado Aráoz (2020, pp. 114–116) explains that:

The roots of the modern world lie there, in the mining geography of Latin America. From our current perspective, modernity has its dawn in the peculiar form of mining that the Spanish first, and later the Portuguese, began to employ from the early years of the 16th century. The historical particularity of mining in this colonial time and space is related to the direct articulation it establishes between economic power and military power. In an amalgam of gold, silver, iron, and lead, this mining metallurgically fuses the two forms of power upon which modern civilization is built.

Modern mining thus emerges as an activity of conquest. From that point on, this vocation expands as a (self-conceived) universal and globalizing force—homogenizing in nature. It also presents itself as a true religion and a single, imperial rationality. Mining and modernity are born from and under the enchantment of gold, this “great discovery” that brought so much misery and so much splendor to the world (Smith, 2017).

[...]

During the years of discovery and conquest, mining was simply an economy of plunder—accumulation in its primitive state. On his first voyage, Columbus saw what he had come to seek. As previously noted, by his second voyage Columbus already came prepared with all the instruments necessary to undertake the founding act of conquest: weapons and chests. He was no longer a merchant, but a warrior (Dussel, 2004).

That initial warrior spirit was still quite unrestrained. The violence required for this enterprise had not yet been properly calibrated, and its excesses began to threaten its own sustainability (a problem that persists to this day). From 1493 through the early decades of the 16th century, the Spanish occupied the Caribbean islands and engaged in a rudimentary extraction of alluvial gold from rivers. With brutal violence, hunts were organized against the Carib, Arawak, and Taíno peoples in order to subject them to labor regimes in gold washing operations. Bare terror was the first technology for the exploitation of labor. The destruction of local economies gave rise, for the first time, to the civilizational emergence of hunger. Extreme working conditions, malnutrition, and the epidemiological impact triggered by the European invasion completed an apocalyptic scenario. This form of mining applied a scorched-earth policy: plunder lasted only as long as Indigenous populations could survive under such horrific conditions.

Mining constitutes one of the most important material foundations at the beginning of the historical process of forming colonial/modern society in the Americas. The social order in Spanish

and Portuguese America was structured with the aim of enabling the extraction of gold, silver, diamonds, and other precious metals for hoarding in European metropolises.

For this reason, from its inception, mining has been an extractive and predatory economic activity, guided by the logic of the super-exploitation of nature and human labor in order to promote the primitive accumulation of capital. This has involved the destruction of environmental conditions that sustain and make life possible, the subjugation of races constructed as inferior (Indigenous, Black, and mixed-race populations) to the most brutal forms of labor, and the dismantling of the economic practices and social orders of colonized civilizations.

At the dawn of the Colonial/Modern World-System, mining was characterized by the destruction of nature and of the environmental conditions that sustain life and well-being for peoples living in peripheral countries, such as peasants, Indigenous peoples, quilombolas, among others.

Mining fostered poverty among the peoples of the Global South, insofar as it stripped them of the means necessary for the symbolic and material reproduction of their ways of life. Wherever a mining enterprise was established, both the land and the peoples inhabiting it gradually perished due to the destruction of the natural and social conditions that sustain life.

It can thus be argued that mining is constitutive of the colonality of the Modern World-System—encompassing the racialization of populations, the super-exploitation of labor, the destruction of nature, the subordination of science to the interests of capital, the state domination of non-European peoples and communities, and the institutionalization of a social order aimed at capital accumulation. Mining activity embodies all the characteristics of this colonality, and overcoming it requires—though not sufficiently on its own—the overcoming of modern mining.

The *raison d'être* of Spanish and Portuguese America was limited to supplying mineral goods to the metropolises of the Capitalist World-Economy. Economic activities were not carried out to meet the vital needs of Latin American populations; rather, they were oriented toward the hoarding of precious metals in European centers and toward integrating commodity chains that enabled primitive capital accumulation. The lives and well-being of peoples in peripheral countries—especially those belonging to races socially constructed as inferior—held no relevance in economic and political decisions related to mining.

The defining elements of modern mining, forged throughout the development of extractive activities within the Colonial/Modern World-System, include: (1) the destruction of nature and of the socio-environmental conditions that sustain life in all its forms; (2) the super-exploitation of human labor through the interconnection of various labor relations aimed at increasing the extraction of surplus value; (3) the suppression of alternative economic practices oriented toward meeting the needs

of local populations rather than the demands of the international market; and (4) the promotion of capital accumulation.

## **2 MINING AND CAPITAL ACCUMULATION AT THE BEGINNING OF THE 21ST CENTURY: THE DESTRUCTION OF SOCIO-ENVIRONMENTAL CONDITIONS OF LIFE IN LATIN AMERICA**

The end of colonialism and the political independence of Latin America, which took place at the beginning of the 19th century, did not lead to the overcoming of the coloniality of power, knowledge, and being that characterizes the colonial/modern order. Latin American countries maintained colonial relations after independence, based on the racial classification of the population, the exploitation of workers through diverse labor relations integrated into capital accumulation, the production of knowledge to legitimize the status quo, and the appropriation of territories and nature as instruments of accumulation.

Despite political independence, Latin American countries have maintained their subordinate insertion within the Capitalist World-Economy. As peripheral countries, their role has been to supply primary goods—agricultural and mineral—as inputs for the industrial processes of core countries, while consuming industrial goods to meet the needs of their populations. Thus, the flow of wealth from peripheral to core countries has continued even after the end of colonialism and political independence.

Modern mining remains one of the main economic activities in Latin American countries, preserving the same colonial characteristics of its historical origins. In other words, modern mining is an activity oriented toward meeting the demands of the international market for mineral inputs required by industrial production in semi-peripheral and core countries, producing the following impacts in peripheral regions: (1) the destruction of nature and of the conditions that sustain and enable life in all its forms; (2) the destruction of the ways and means of life of populations living in mining territories, especially the most vulnerable classes and ethnic groups, such as Indigenous peoples, Quilombolas, peasants, family farmers, and artisanal fishers; and (3) the super-exploitation of human labor.

Social struggles aimed at overcoming the coloniality of modern society in Latin America after the end of colonialism were brutally repressed by Latin American oligarchies, which—aligned with sectors of international capital—came to benefit from the forms of exploitation and oppression characteristic of modern society. Whenever political groups committed, even partially and incompletely, to overcoming coloniality began to take control of the upper levels of the nation-state—

whether through electoral victories or armed uprisings—Latin American oligarchies, with the support of international capital, mobilized the most brutal forms of repression to ensure the continuity of colonial relations beyond the formal end of colonialism<sup>12</sup>.

Mining in Latin America follows the same pattern described above, and throughout the 21st century there remains a tendency to preserve the colonial character of mining activities in the region—especially the destruction of environmental conditions that sustain life in all its forms, and the dismantling of the ways and means of life of populations living in mining territories—in order to meet the demand for mineral inputs from core countries of the Capitalist World-Economy.

Attempts to nationalize mineral resources, with the aim of using them for the industrialization of Latin American countries and thereby achieving a less unequal position within the Capitalist World-Economy, have failed. Efforts to protect nature, in order to ensure the environmental conditions necessary for the continuity of life and the well-being of populations living in mining territories, have also failed. Likewise, attempts to safeguard the ways and means of life of Indigenous peoples, Quilombolas, riverine communities, family farmers, peasants, and others inhabiting mining territories have been unsuccessful. The coloniality embedded in mining—present since the beginning of colonization and the formation of the Colonial/Modern World-System—has prevailed.

These failures have not interrupted struggles to overcome the coloniality of modern mining. On the contrary, they have enabled the development of new strategies and forms of resistance, grounded in historical experience and in the creative construction of new ways to confront oppression and exploitation within the Modern/Colonial World-System.

The persistence of colonial logic in mining has produced successive cycles of expansion and contraction of mining activities, depending on fluctuations in demand for mineral inputs in the core countries of the Capitalist World-Economy. In other words, mining activity in Latin America is determined by the needs of industrial production in semi-peripheral and core countries, rather than

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<sup>12</sup> Horacio Aráoz (2020, p. 185) explains the role of Latin American oligarchies in the continuity of colonial relations as follows: “Latin American oligarchies were entirely a historical-geopolitical product of these colonial enclave economies: their bases and positions of power, their modes of domination, and their cultural, ideological, and lifestyle patterns are structurally dependent on the reproduction and administration of the same colonial scheme of organization and exploitation of territories (and populations), now ‘national.’ As Roitman (2008, p. 173) points out: ‘The Latin American oligarchy enjoyed abundance and luxury, holding full political and social control that ensured its ownership of natural resources—tin, coffee, sugar, rubber—as a result of its control over the state and the violent practices exercised against dominated and exploited classes. No country was exempt from this reality. Their oligarchies came to be characterized by the export product upon which they depended to maintain their obscene and luxurious plutocratic way of life: sugar oligarchy, banana oligarchy, coffee oligarchy, guano oligarchy, nitrate oligarchy, or cattle oligarchy. The emergence of productive activities linked to the primary export sector was the driving force behind changes in the social structure. Yet stagnation would continue to characterize it, and social exclusion is the logic that explains the social dynamics of the oligarchic regime’.”

by the material needs of populations living in mining territories. Capital accumulation—not the production of goods and services to meet human needs—is the determining factor of mining activity.

During periods of increased demand for mineral inputs in the Capitalist World-Economy, there is a significant expansion of mining enterprises oriented toward the international market. This expansion is supported by increased credit lines for financing private mining operations and by state intervention in establishing legal and regulatory frameworks that provide security for investors—even at the cost of denying fundamental rights to populations living in mining areas. At the same time, a justificatory discourse is intensified, promoting the idea—often uncritically—that mineral extractivism leads to economic development, poverty reduction, integration into consumer society, and improved well-being for the entire population.

Conversely, during periods of declining demand for mineral inputs, there is a sharp contraction of mining activities. In enclave-type colonial economies, where other economic activities depend heavily on mining, this results in an abrupt decline in income levels across the population.

Whether during periods of expansion or contraction, promises of social development and poverty reduction are quickly undermined by the reality of environmental devastation, the destruction of livelihoods, and the loss of subsistence conditions for inhabitants of mining territories—ultimately leading to increased poverty affecting the majority of the population in these regions.

The beginning of the 21st century marks a period of significant expansion of mining activities in Latin America, driven by increased global demand for mineral inputs—especially from China—and by the adoption of an economic policy known as the “Commodity Consensus,” which reoriented Latin American economies toward primary extractive activities with low added value, in order to meet the demands of the Capitalist World-Economy.

According to Maristella Svampa (2019, pp. 36–37):

[...] neo-extractivism expanded in a context of epochal change, marked by the transition from the Washington Consensus—associated with financial valorization and structural adjustment—to the Commodity Consensus, based on the large-scale export of primary goods, economic growth, and the expansion of consumption. In practice, unlike the 1990s, from 2000–2003 onward Latin American economies benefited from high international prices for primary commodities, which were reflected in trade balances and fiscal surpluses. This fact cannot be ignored, especially after the long period of stagnation and economic contraction in previous decades, particularly the openly neoliberal period (the 1990s). In this favorable economic context—at least until 2013—Latin American governments tended to emphasize the comparative advantages of the commodity boom, while denying or downplaying the new socio-environmental inequalities and asymmetries that accompanied the consolidation of a development model based on the large-scale export of raw materials. In this sense, all Latin American governments, regardless of their ideological orientation, enabled the strong return of a productivist vision of development which, together with developmentalist illusions, led to the denial and suppression of deeper debates on the social, environmental, territorial, and

political impacts of neo-extractivism, as well as to the devaluation of mobilizations and emerging socio-environmental projects.

As for its consequences, the Commodity Consensus was characterized by a complex, rapid, and recursive dynamic that must be understood from a broad perspective. From an economic standpoint, it translated into a renewed tendency toward the re-primarization of the economy, evident in the reorientation toward primary extractive activities with low added value. This ‘re-primarization effect’ was intensified by the rise of China, a power that quickly established itself as an unequal partner of Latin America. In 2014, in Mercosur countries, exports of primary goods ranged from 65% in Brazil to 90% in Paraguay (ECLAC, 2015). Due to its more diversified economy, Brazil experienced what the French economist Pierre Salama (2011) described as a phenomenon of “premature deindustrialization”.

Within the paradigm established by the Commodity Consensus—which is nothing more than the continuation of coloniality in the socio-political and economic context of the 21st century—mining is presented as the only viable path for economic development in Latin American countries. This narrative is used to justify the sacrifice of traditional peoples and communities whose ways of life are antagonistic to the logic of mining neo-extractivism.

The tragedy of peripheral Latin American countries is compounded by the near-unanimous acceptance of this so-called model of economic development—which is, in reality, a model of death and destruction of both people and nature—by the major political parties across the region, whether conservative (right-wing) or progressive (left-wing).

Conservative parties support the expansion of mining activities based on the belief that Latin America’s role is to supply primary goods—especially mineral resources—to semi-peripheral and core countries of the Capitalist World-Economy, receiving in return limited benefits from their inclusion in this economic order. These benefits are largely appropriated by national elites, who maintain European-level standards of living while relegating the majority of the population to deep poverty.

Progressive parties, on the other hand, support the expansion of mining activities on the grounds that taxes and royalties collected from mining companies can finance social programs aimed at reducing poverty and expanding public services to meet the material needs of the poorest populations. They also argue that mining can generate employment and increase income, thereby contributing to poverty reduction.

Latin America does not possess any predetermined vocation, much less a servile or subordinate one within the Capitalist World-Economy. Its subordinate position is a historical construction, and overcoming it depends on the collective struggle of Latin American peoples to transcend the Modern World-System.

The financing of social programs and the creation of jobs cannot be achieved through the sacrifice of traditional peoples and communities, who are destroyed through the plundering of their

ancestral territories in the name of capital accumulation. The sacrificial myth that legitimizes the exploitation of races socially constructed as inferior in the name of progress and economic development must be denounced as a violent practice that violates the human and fundamental rights of traditional peoples and communities. No form of economic progress can be justified at the expense of the lives and well-being of those living on the periphery of the capitalist world-economy.

Overcoming the neo-extractivist logic requires a radical transformation of the structural elements of the Capitalist World-Economy. It is necessary to build a new social order based on an economy oriented toward the satisfaction of human needs—rather than capital accumulation—producing only what is democratically determined to be essential for human dignity and well-being, while respecting the ways of life of traditional peoples and communities.

The Modern World-System has already proven to be unsustainable, both from a social and an environmental standpoint. The future depends on humanity's capacity to politically construct a new social order in which both people and nature can continue to exist under conditions of dignity.

At the beginning of the 21st century, traditional peoples and communities emerge as one of the key social forces opposing the continuation of the neo-extractivist logic that underlies the expansion of the mining frontier in Latin America. They demand the preservation of nature and of the socio-environmental conditions that sustain life, well-being, and health for the populations living in territories threatened by mining activities.

### 3 FINAL CONSIDERATIONS

The reflections developed throughout this article demonstrate that the advance of neo-extractivism in Latin America—and particularly in Brazil—constitutes a contemporary expression of a colonial and capitalist rationality that reproduces itself in new forms. Mining, as a central axis of this political economy, symbolizes the historical continuity of relations of exploitation and subordination that structure the modern/colonial world-system, marked by the denial of rights to peoples and to races socially constructed as inferior, as well as by the destruction of nature.

The theoretical analysis grounded in the concepts of the Modernity/Coloniality Group makes it possible to understand how extractivist logic is intertwined with the coloniality of power, knowledge, and being, sustaining a model of development that naturalizes the dispossession of territories, bodies, and cultures. This perspective reveals that mining expansion is not merely the result of isolated economic or political decisions, but rather part of a broader civilizational project

that hierarchizes populations and territories, transforming nature into a commodity and cultural difference into an obstacle to progress.

Socio-environmental conflicts arising from mining—especially when they affect traditional peoples and communities—are thus concrete manifestations of this persistent coloniality. Environmental violence, human rights violations, and processes of deterritorialization are expressions of a single logic of accumulation that, in the name of economic growth, perpetuates ethnocide and ecocide.

However, within this scenario, a counter-colonial force also emerges: the resistance of traditional peoples and communities, who affirm alternative ways of existing, producing, and relating to nature. Their practices and knowledge, rooted in cosmologies that recognize the interdependence between humans and nature, offer not only local alternatives but also foundations for rethinking the very concept of development and socio-environmental justice, pointing toward the overcoming of the coloniality of modern society.

Thus, understanding neo-extractivism as a historical and structural phenomenon is an essential condition for addressing its deep-rooted causes and building paths toward transformation. Political and legal struggles in defense of traditional territories, combined with an epistemic and ethical critique of the prevailing model of exploitation, constitute a crucial step toward a post-extractivist horizon grounded in human dignity, environmental justice, and the recognition of the plurality of ways of life that make up Latin America.

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**THE YANOMAMI TERRITORIALITIES:  
MARGINS BETWEEN GEOGRAPHY,  
LITERATURE, AND LAW**

**AS TERRITORIALIDADES YANAMOMI: MARGENS  
ENTRE A GEOGRAFIA, A LITERATURA E O  
DIREITO**

**LAS TERRITORIALIDADES YANOMAMI:  
MÁRGENES ENTRE LA GEOGRAFÍA, LA  
LITERATURA Y EL DERECHO**

**PEDRO HENRIQUE CORREA GUIMARÃES<sup>1</sup>**

**ABSTRACT**

The article proposes a interdisciplinary analysis of the multiple conceptions of territory under the cosmology of the Yanomami people, establishing a critical dialogue between cultural geography, legal philosophy, and testimonial literature. The research is structured from an intersectional and decolonial perspective, which is essential for deconstructing the hegemonic Western view that reduces space to a commodity or an administrative boundary. The starting point is the legal-political clash against the "Copacabana Thesis" and the "Marco Temporal" (time limit) doctrine. The text argues that such mechanisms serve as tools for historical erasure, as the Brazilian State tends to interpret indigenous territory merely as a physical domain and static possession. This view ignores what Milton Santos calls "geographic space" as a system of objects and actions, and what Rogério Haesbaert defines as the inseparability between the material and the symbolic in the process of territorialization. Thus, the article aims to reveal that the Yanomami struggle is not merely for land, but for the validation of an existence that challenges extractivist logic, reaffirming territory as the intangible foundation of identity and resistance for indigenous peoples against the pressures of capital.

**Keywords:** Territory; Yanomami; Indigenous worldview.

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## RESUMO

O artigo propõe uma análise interdisciplinar das múltiplas concepções de território sob a cosmologia do povo Yanomami, estabelecendo um diálogo crítico entre a geografia cultural, a filosofia do direito e a literatura de testemunho. A pesquisa estrutura-se a partir de uma perspectiva interseccional e decolonial, fundamental para desconstruir a visão hegemônica ocidental que reduz o espaço a uma mercadoria ou a uma delimitação administrativa. O ponto de partida é o embate jurídico-político contra a “tese de Copacabana” e a doutrina do marco temporal. O texto argumenta que tais dispositivos servem como ferramentas de apagamento histórico, pois o Estado brasileiro tende a interpretar o território indígena meramente como domínio físico e posse estática. Essa visão ignora o que Milton Santos denomina “espaço geográfico” como um sistema de objetos e ações, e o que Rogério Haesbaert define como a indissociabilidade entre o material e o simbólico no processo de territorialização. Assim, o artigo pretende desvelar que a luta Yanomami não é apenas por solo, mas pela validação de uma existência que desafia a lógica extrativista, reafirmando o território como o suporte imaterial da identidade e da resistência dos povos originários frente às pressões do capital.

**Palavras-chave:** Território; Yanomami; cosmovisão indígena.

## RESUMEN

El artículo propone un análisis interdisciplinario de las múltiples concepciones de territorio bajo la cosmología del pueblo Yanomami, estableciendo un diálogo crítico entre la geografía cultural, la filosofía del derecho y la literatura de testimonio. La investigación se estructura a partir de una perspectiva interseccional y decolonial, fundamental para deconstruir la visión hegemónica occidental que reduce el espacio a una mercancía o a una delimitación administrativa. El punto de partida es el enfrentamiento jurídico-político contra la “tesis de Copacabana” y la doctrina del “marco temporal”. El texto sostiene que tales dispositivos funcionan como herramientas de borrado histórico, ya que el Estado brasileño tiende a interpretar el territorio indígena meramente como un dominio físico y una posesión estática. Esta visión ignora lo que Milton Santos denomina “espacio geográfico” como un sistema de objetos y acciones, y lo que Rogério Haesbaert define como la indissociabilidad entre lo material y lo simbólico en el proceso de territorialización. Así, el artículo pretende revelar que la lucha Yanomami no es solo por el suelo, sino por la validación de una existencia que desafía la lógica extractivista, reafirmando el territorio como el soporte inmaterial de la identidad y de la resistencia de los pueblos originarios frente a las presiones del capital.

**Palabras clave:** Territorio; Yanomami; Cosmovisión indígena.

## INTRODUCTION

In 2014, during the judgment of Ordinary Appeal in Writ of Mandamus (*Recurso Ordinário em Mandado de Segurança* – ROMS) No. 29087/DF, Justice Gilmar Mendes of the Brazilian Supreme Federal Court invoked an attempt at irony to dismiss the defense by the National Indigenous People Foundation (FUNAI) of the immemorial possession of indigenous peoples. Mendes

referenced the famous Rio de Janeiro beach—perhaps the most famous location (or, why not, territory) in Brazil—to state:

Of course, Copacabana certainly had Indians at some point; Atlântica Avenue was certainly populated by Indians. By adopting the thesis presented in this opinion, we could reclaim these Copacabana apartments, without any doubt, because certainly, at some point, there will have been indigenous possession (STF, ROMS No. 29087/DF, 2014, p. 32).

This anecdote became known as the "Copacabana Thesis" and has since been used by justices and judges to justify the application of the *Marco Temporal* (Time Frame) doctrine, denying indigenous peoples the right to their territory.

In opposition to this thesis, I invoke a verse from one who has been resting since "immemorial" times in the form of a bronze statue, seated on a bench at that very same Copacabana beach, to say—with the verses of Carlos Drummond de Andrade—that: "The civilization that sacrifices ancient peoples and cultures is an amoral farce" (Drummond de Andrade, 1998, p. 95-97).

However, more important than attempting to reclaim beachfront apartments in one of the most expensive square meters in the country is reclaiming the culture of those peoples whom 525 years of white "civilization" almost decimated.

By conducting a historical recovery of the country's colonization, we perceive that everything we call Brazil today was "indigenous territory"; it only ceased to be so because "the white man clothed the Indian" (to recall another poet, Oswald de Andrade [1972]), for we still live through rainy mornings. Yet, perhaps through new language games, looking toward new suns, we may manage to strip away these Portuguese traditions and reconstruct the legal-normative field to (better) protect these peoples.

This article proposes an academic balance of three margins (literature, geography, and agrarian law) regarding the debate on the senses and meanings of territory. It focuses on the issue of the Yanomami indigenous peoples—who live in eastern Roraima, northern Amazonas, and reach part of the Venezuelan territory—based on the language games (Wittgenstein, 1999) established by three juxtaposed fields (Bourdieu, 1989).

## 1 INDIGENOUS TERRITORY IN BRAZILIAN LEGISLATION

The history of indigenous territories in Brazil has always been linked to the economic policy of land—or, to put it another way, the form of economic land use. During the era of colonial *plantations*, the Portuguese Crown monopolized land ownership. *Pari passu*, normative acts emerged

dealing with land possession by indigenous peoples, such as the Royal Charter of 1609. The granting of possessions was done sparingly and under the condition that they did not affect national "development."

During the Empire, the Constitution of 1824 granted, for the first time, certain rights to indigenous peoples, liberating them from slavery and guaranteeing certain territorial rights (Souza Filho, 1988). However, the Land Law of 1850 (interpreted in light of Decision No. 92 of the Ministry of Empire, 10/21/1850) privatized lands and consolidated the agro-export model.

During the Republic, the Constitution of 1891 remained silent regarding indigenous peoples and their territorial rights. The first Constitution to address indigenous rights in Brazil was that of 1934, which, in its Article 129, protected the territorial rights of those it referred to as "*silvícolas*" (forest dwellers). The Constitutions of 1946, 1967, and 1969 (considering the divergence among constitutionalists as to whether the latter constituted a new Constitution) maintained this normative framework.

Beyond constitutional norms, more protective laws emerged within the infra-constitutional framework, in addition to the incorporation of ILO Convention 107. The normative milestone for indigenous issues during this period was the Indian Statute (Law No. 6,001 of 1973), which sought to "preserve the culture and integrate indigenous peoples into the nation," despite maintaining an assimilationist stance.

The Federal Constitution of 1988, currently in force, reserves only two articles to address indigenous peoples: Articles 231 and 232, which prescribe the "recognition of the social organization, customs, languages, beliefs, and traditions" of these peoples.

The particularity of the 1988 Constitution (which found resonance in international law through ILO Convention 169) is that the territorial conception described by the text expands beyond that of "material space"—where they inhabit or occupy—to also include "culture." In this sense, the first paragraph of Article 231 states:

§ 1 Lands traditionally occupied by Indians are those inhabited by them on a permanent basis, those used for their productive activities, those essential to the preservation of the environmental resources necessary for their well-being, and those necessary for their physical and cultural reproduction, according to their uses, customs, and traditions (Brazil, Federal Constitution, 1988).

Within the legislator's conception, territory encompasses culture (in an immaterial dimension, which we will address later). Nevertheless, jurisprudence still falls short of this cultural conception of indigenous territory, even denying the application of this term, as we shall see in the following section.

## 1.1 Indigenous territorialities in the jurisprudence of the superior courts

On the Supreme Federal Court (STF) website, a search for the term "indigenous territory" yields only one judgment, Pet 3388/RR, decided on July 1, 2010. In this case, the word "territory" appears merely as a reproduction of Article 20, XI, affirming that "indigenous lands" (the term used in the judgment) belong to the Union. As expressly stated in the ruling:

Only "territory," as a legal-political category, constitutes the precise spatial scope of incidence for a given sovereign or autonomous Legal Order. The noun "lands" is a term that assumes a clearly socio-cultural, rather than political, composure. The Constitution was careful not to speak of indigenous territories, but rather only of "indigenous lands." (Brazil, STF. PET 3388/RR, 2010).

On the same electronic site, a search for "indigenous land" yields 208 results, confirming the terminology adopted by the STF: indigenous land instead of territory. On the Superior Court of Justice (STJ) website, a search for the term "indigenous territory" gives access to 17 appellate decisions (*acórdãos*). There, unlike the STF, it is perceived that the "Citizens' Court" uses the expression to refer to the areas where indigenous peoples exist (live), as seen in AgInt in MS 22805 / DF.

Despite a slight disagreement between the STJ and the STF, it is clear that the term "indigenous territory" is avoided by jurisprudence, based on a narrow understanding that the term "territory" would have its application limited to the State (as an element of the concept of the State, as affirmed by political scientists of a past generation [Bonavides, 2000]).

We further observe a low availability of appellate decisions regarding the issue of indigenous territory in the superior courts. This indicates that, although the Federal Constitution of 1988 grants legitimacy to indigenous associations to litigate in court, this normative text is still reflected in a limited number of lawsuits<sup>2</sup>.

## 1.2 The demarcation of Yanomami territory in legislation

Within this legislative transformation, the issue of Yanomami territory and the right to demarcation emerged on the national political scene starting in the 1970s, triggered by two tragedies: the advance of mining—leading to conflicts with indigenous people—and epidemics of measles and malaria.

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<sup>2</sup> We prefer to avoid the term "effective" (*efetivo*) due to the polysemy it evokes.

The history of threats to the Yanomami reached its most critical point during the military regime, when a series of public policies for the occupation of the Amazon resulted in major infrastructure projects within this territory. The most significant of these was the Northern Perimeter Highway (BR-210), now deactivated throughout this entire section, but which caused a series of epidemics, decimating the populations of several groups in its path.

Presidential Decree No. 780 of May 25, 1992, demarcated the Yanomami Indigenous Land, spanning the states of Roraima and Amazonas, with a "surface area of 9,664,975.48 ha (nine million, six hundred and sixty-four thousand, nine hundred and seventy-five hectares and forty-eight ares) and a perimeter of 3,370 km (three thousand, three hundred and seventy kilometers)."

The territory is located in the border areas between Brazil and Venezuela, in the confluence region between the Orinoco and Amazon rivers.

The current Yanomami population is 35,000 people, with approximately 20,000 estimated to live within Brazilian territory (Nilsson, 2008).

The decree was the result of significant pressure from indigenous groups, both nationally and internationally, which prevented the demarcation of the land into fragmented "islands," as had been defined previously by Ordinance 160 of 1988. Currently, the Yanomami territory presents the following geographical delimitation (Figure 1):

Figure 1. Location map of the Yanomami area



Source: ISA. Available at: <https://www.socioambiental.org/pt-br/tags/terra-indigena-yanomami>. Accessed: 07/05/2021.

Even today, despite the pressure from the expansion of agricultural frontiers and mining, the Yanomami indigenous land is recognized for the presence of vast biodiversity in both fauna and flora (Bruce; Milliken, 2009).

### 1.3 The Yanomami in the jurisprudence of the superior courts

On the Supreme Federal Court (STF) website, a search for the term "Yanomami" in the jurisprudence repository yields only five cases: a) Petition (Pet) 3388/RR (Raposa Serra do Sol case); b) Ordinary Appeal in Writ of Mandamus (ROMS) No. 29087/DF; c) Extraordinary Appeal (RE) 351.487; d) Writ of Injunction No. 204; and e) ADPF 709: Filed in 2020 by the APIB (Articulação dos Povos Indígenas do Brasil); Justice Luís Roberto Barroso granted an injunction ordering the federal government to adopt measures to combat COVID-19 in the Yanomami and Munduruku territories, aiming to curb the invasion of illegal miners (*garimpeiros*).

Petition (Pet) 3388/RR (Raposa Serra do Sol Case): Judged in 2009/2010, this represented a significant milestone for indigenous land demarcation processes. Ordinary Appeal in Writ of Mandamus (ROMS) No. 29087/DF, judged in 2014, is the first record in the Court of the invocation of the "Copacabana Thesis" to criticize the theory of immemorial possession and to advocate for the application of the *Marco Temporal* (Time Frame). Extraordinary Appeal (RE) 351.487, from 2006, addressed the Haximu-Yanomami massacre, establishing the jurisdiction of the Federal Justice system to judge the crime of genocide in conjunction with homicide. Writ of Injunction No. 204, judged in 1991, challenged the Defense Plan for Yanomami Indigenous Areas (Decree No. 98.502/1989) but was not heard due to procedural issues regarding lack of standing (*ilegitimidade passiva*). ADPF 709, filed in 2020 by APIB, saw Justice Luís Roberto Barroso granting a precautionary measure determining that the federal government adopt actions to combat COVID-19 in the Yanomami and Munduruku territories, targeting the containment of illegal miners.

Meanwhile, a search for the term "indigenous land" (*terra indígena*) on the same website provides access to 292 appellate decisions<sup>3</sup> (*acórdãos*), demonstrating a preference for this terminology over the word "territory."

On the Superior Court of Justice (STJ) website, a search for the term "Yanomami" yields two results: Special Appeal No. 222653 / RR and the Motion for Clarification (*Embargos de*

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<sup>3</sup> The same search in 2021 yielded 156 appellate decisions for the term "indigenous land," revealing an increase of approximately 87.18% over a four-year period.

*Declaração*) regarding that judgment. This case is the same one analyzed by the STF (the Haximu-Yanomami massacre case).

## 2 INDIGENOUS IMMATERIAL TERRITORIALITIES

The concept of territory is a historical construct. Rogério Haesbaert (2011) states that, from a macro-analytical perspective, two main currents define territory. A materialist current, inspired by orthodox Marxism, focuses on the economic relations developed within a given space. Another conception seeks to analyze territory through an existential lens.

Inspired by the work of Bonnemaïson and Cambrézy (1997), Haesbaert (2011, p. 50) argues that territory today involves "a confrontation between a modern functional state logic and a postmodern<sup>4</sup> identity-based logic". Consequently, in the contemporary era, territory "cannot be perceived merely as a possession or as an entity external to the society that inhabits it. It is a piece of identity, the source of an affective or even amorous relationship of essence" (Bonnemaïson and Cambrézy cited in Haesbaert, 2011, p. 51).

Within this framework of territory as a space for the construction (and defense) of identities, we can conceive of territory as something beyond the product of frontier expansion. In this sense, Haesbaert comments: "furthermore, another very important consequence of emphasizing this relational meaning of territory is the perception that it does not simply signify rootedness, stability, limit, or frontier (Haesbaert, 2011, p. 56).

We can thus perceive within Geography the emergence of the concept of "immaterial territory," a tributary of a geographical tradition, as Rogério Haesbaert notes:

Many philosophers, sociologists, and anthropologists, who for several decades ignored and/or criticized geographical readings or readings on human territoriality, are rediscovering the importance of society's spatial dimension—now, however, notably in order to diagnose the controversial "modern"—or "postmodern"—deterritorialization of the world. (Haesbaert, 2004, p. 27)

This immaterial aspect of territory is also noted in the works of the renowned Brazilian geographer Milton Santos, who observes: "since nature is a humanized nature, the explanation is not physical, but social. Geography ceases to be a part of physics, a philosophy of nature, to become a philosophy of techniques" (Santos, 1999, p. 37).

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<sup>4</sup> Within this framework, Haesbaert (2011) argues that the distinction made between territories and networks is not effective, because even within a reticular (networked) logic, territory remains a vital category of analysis regarding the human relationship with space.

This geographical turn does not imply the abandonment of material territoriality; rather, it is a complement—an expansion of spatialities beyond the physicality of space. To that effect:

Immaterial territories form and are formed by material territories, maintaining an inseparable relationship with them. Because we take as a reference the conceptualization of territories as formed by power relations, we evidently cannot fail to inquire and consider how power is generated and how it influences the configuration of spaces, constituting territories—hence the importance of immateriality as a territorial dimension (Coca and Fernandes, 2014, p. 102).

This symbolic implication of territory, produced by this more recent geographical perspective, allows for the accommodation of these new nuances in the expansion of the indigenous movement, marked notably by its shift into the artistic field, especially the literary one. It is from this vantage point that we will analyze the intersection of literature and law for the Yanomami. This is the subject of the following section of this article.

### 3 MOVING: COSMOPOLITICS AND YANOMAMI IMMATERIAL TERRITORIALITY

When contemplating the organization of space according to the Yanomami, we must also think through their logic of mobility. The vital space of these indigenous people is not merely the space of the village and the crops, but also the space of mobility according to spiritual traditions.

In this sense, there is a cosmopolitics that defines Yanomami spaces and spacings. Maurice S. T. Nilsson, in his doctoral thesis, defines this Yanomami mobility project as follows:

The Yanomami develop strategies to deal with adversities, regarding both relationships with others and environmental/climatic issues, resources, and especially in relation to permanent contact with State Societies. Within their mobility lies a vast repertoire. This design of possessing "escape points," of having another pole as a second residence, combines analogically with shamanic transit—of going, while knowing how to return—either as a way of "becoming *nape*" [white person] or as a *uemaipuo* (a casual imitation), or as a mode of knowing the other (Nilsson, 2017, p. 178).

Nilsson adds that this fluid aspect of Yanomami territory can be perceived in the very semantic meaning of the word territory within their language:

The polysemy of the term *urihi* (forest, but also land, territory) can here assume one of its deepest meanings: that of territory seems to stand out, defining itself for the Yanomami of Homoxi as a place to be occupied by them regardless of its condition, as *ipa uhiri* (my forest), even when the forest environment no longer justifies using it to define a plant formation that is no longer forest (Nilsson, 2017, p. 151).

Pontes concludes:

For the Yanomami, the land-forest is not a mere inert space for economic exploitation. It is a living entity, inserted into a complex cosmological dynamic of exchanges between humans and non-humans. As such, it finds itself, today, threatened by the blind predation of the white people (Pontes, 2019, p. 84).

Within this cosmological displacement of territory emerges the work *The Falling Sky* (*A Queda do Céu*), written by the Yanomami shaman Davi Kopenawa in partnership with the French ethnologist Bruce Albert. First published in France, the book was released in Brazil in 2015.

Kopenawa narrates Yanomami cosmology in this work: the myths of the world's creation, the *xapiri* (forest spirits), and the Yanomami themselves. He also narrates the customs of this indigenous group, their mode of land use, planting, harvesting, and social organization. In synthesis, Kopenawa describes the spiritual and material customs of the Yanomami and the ways in which they interrelate their beliefs with their practices.

The writer and indigenous leader thus narrates the customs of his people with the purpose of conferring legitimacy and validity upon these customs in the eyes of the white man. He makes this purpose clear himself when stating:

This book is to spread word, this book will spread word... the problem of the Yanomami people... the problem of the Yanomami is there in the community, you are not seeing it... so this book will spread word here in Brazil and outside [...] the whole world is reading French, the Americans, the English, they say my Yanomami story is different, it is not the same... the white man says: we are equality... not equality... they are mistaken (Kopenawa; Albert, 2015, p. 37<sup>5</sup>).

Kopenawa's normative purpose resembles the way E. P. Thompson writes and validates customs as the normative foundation of law (Thompson, 1998).

The mythological and simultaneously prosaic account of the life of the Yanomami indigenous people is the normative foundation for the legal determination of an indigenous (or at least Yanomami) concept of territory. This territory is the existential space of the indigenous people, rather than mere property.

Kopenawa narrates Yanomami customs to establish, from them, a concept of territory that can be mobilized politically and legally. Kopenawa's writing is a manifesto of indigenous territorial autonomy—not understood as a criterion for the formation of the state, but as the foundational element of a people. This is the power of shamanic literature: to summon a new geography so that it may assert itself as a right. Kopenawa writes so that the land (*urihi*) may also be, from the perspective

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<sup>5</sup> This perspective is further reinforced in the interview conducted by (Souza, 2019).

of the white man, territory. The shaman's writing "territorializes"—this is the hypothesis we intend (briefly and incompletely here) to demonstrate.

#### 4 FINAL CONSIDERATIONS

The analysis of Yanomami territorialities reveals that the concept of territory is a field of constant dispute, where power relations emerge on both the material and lexical planes. This research demonstrates that the Brazilian legal order—tethered to a classical and hegemonic state-centric conception—frequently reduces territory to a category of physical domain or static possession. This limited view, exemplified by the superior courts' preference for the term "indigenous land" (*terra indígena*) over "territory," ignores the inseparability of the material and the symbolic.

However, based on "geographical folds" and theoretical perspectives such as those of Milton Santos and Rogério Haesbaert, it is clear that Yanomami territory expands beyond physical space, constituting itself as an immaterial and symbolic territory. In this scenario, testimonial literature—personified in Davi Kopenawa's work *The Falling Sky*—plays a fundamental role as a constitutive element of this people's identity. Indigenous/Yanomami literature acts as a political and legal tool, seeking to validate a "shamanic geography" that challenges the historical erasure promoted by doctrines such as the "Time Frame" (*marco temporal*). Therefore, Kopenawa's work must be understood as a normative foundation for a new interpretation of the Brazilian constitutional text, where culture and indigenous cosmopolitics are defining elements of traditional possession.

Consequently, the Yanomami struggle is not restricted merely to a dispute over soil, but to the validation of an existence that integrates the human and the non-human. Recognizing Yanomami territory through this interdisciplinary lens is an essential step toward strengthening a decolonial law and effectively protecting the cultural and environmental diversity that these peoples represent.

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**REVIEW**

**THE ARCHAEOLOGY OF MEANING AND  
THE CONSTRUCTION OF PERSUASION: AN  
ANALYSIS OF BARDIN'S WORK IN THE  
LIGHT OF LEGAL RHETORIC**

**A ARQUEOLOGIA DO SENTIDO E A CONSTRUÇÃO  
DA PERSUASÃO: UMA ANÁLISE DA OBRA DE  
BARDIN À LUZ DA RETÓRICA JURÍDICA**

**LA ARQUEOLOGÍA DEL SENTIDO Y LA  
CONSTRUCCIÓN DE LA PERSUASIÓN: UN  
ANÁLISIS DE LA OBRA DE BARDIN A LA LUZ DE  
LA RETÓRICA JURÍDICA**

**GILIARDE BENA VINUTO ALBUQUERQUE CAVALCANTE VIRGULINO  
RIBEIRO NASCIMENTO E GAMA <sup>1</sup>  
JÉSSICA PAINKOW ROSA CAVALCANTE <sup>2</sup>**

The work of Laurence Bardin, entitled *Content Analysis*, constitutes a methodological landmark for the human and social sciences by systematizing a set of techniques aimed at interpreting communications. Originally published in 1977 and updated in

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subsequent editions, the work transcends the mere inventory of technical procedures by proposing a true controlled hermeneutics—a methodological deviation against the illusion of data transparency. Bardin defines content analysis as a set of communication analysis techniques which, through systematic and objective procedures for describing message content, allows for the inference of knowledge regarding the conditions of production or reception of such messages.

The author structures the work into four fundamental parts: (a) the history and theory of the method; (b) practice through concrete examples; (c) the method itself, with its coding and categorization operations; and (d) specific techniques such as categorical analysis, evaluative analysis, enunciation analysis, and structural analysis. The guiding thread of the work is the search for a balance between objective rigor—materialized in quantification and procedural fidelity—and subjective fecundity, which enables the discovery of latent meanings not apparent to ordinary reading. In this sense, Bardin demonstrates that the analyst, like an archaeologist or a detective, works with traces—carefully positioned indices—to infer causalities, intentions, or underlying sociological and psychological contexts of manifest discourse.

From a critical standpoint, the main virtue of Bardin's work lies in its ability to transform intuition into demonstration and suspicion into proof. By rejecting naïve readings and advocating the need for a methodological interval between the stimulus of the message and the interpretative response, the author provides an antidote to subjectivism and spontaneous sociology. The emphasis on controlled inference, whether quantitative or qualitative, grants the method a scientific dignity often lacking in many interpretative approaches.

However, it is possible to identify an internal tension in the work, which the author acknowledges with intellectual honesty. The demand for objectivity, inherited from North American behaviorism and the Berelsonian tradition, sometimes clashes with the need for interpretative creativity, especially in enunciation analysis and qualitative approaches. Categorization, the central operation of content analysis, although necessary for data condensation, risks producing epistemological violence by fragmenting the semantic unity of discourse. In this regard, Bardin recognizes that the system of categories should not introduce distortions into the material, but rather reveal invisibilities. Nevertheless, the choice of categorization criteria is always an act of decision by the analyst, imbued with their own subjectivity and theoretical framework, thus reintroducing the problem of scientific neutrality at the core of the methodology.

Another relevant point of critique concerns the computerization of content analysis, a topic to which the author devotes an entire chapter. While acknowledging the virtues of speed, rigor, and the capacity to process large volumes of data, Bardin demonstrates a prudent caution regarding the

limits of computational tools, especially in disambiguating meanings and understanding implicit content. She warns that the computer is not a magician and that final interpretation—the inferential act par excellence—remains a prerogative of the human analyst, thereby preventing content analysis from degenerating into a reductive technocratic practice.

Bardin's content analysis engages in a precise and fruitful dialogue with legal oratory and rhetoric, offering an analytical instrument of remarkable effectiveness for understanding and critiquing forensic discourse. Legal rhetoric, from the Greek classics to modern argumentation theory, aims at persuasion through structured discourse. Bardin's work provides the tools to dismantle the mechanisms of such persuasion, acting as an analytical scalpel applied to legal pleadings, oral arguments, and judicial decisions.

Firstly, the categorical analysis proposed by the author—particularly thematic analysis—allows legal practitioners to identify the core meanings of an initial petition or an appeal. Through the coding and categorization of recording units, lawyers and judges can map recurring themes, dominant argumentative strategies, and blind spots in opposing discourse. The frequency with which a given argument appears, or its absence at strategic points, becomes an inferential indicator of the strength or fragility of the thesis advanced. This constitutes a technique of argumentative auditing that goes beyond simple linear and impressionistic reading.

Secondly, evaluative analysis, as developed by Osgood and referenced by Bardin, is of particular usefulness for legal rhetoric. By identifying attitude objects, evaluative terms, and verbal connectors within discourse, the analyst can measure the direction and intensity of expressed opinions. In closing arguments or judicial opinions, for example, it is possible to quantify the degree of favorability or hostility of the speaker toward evidence, witnesses, or normative principles. Bardin's intensity scale enables jurists not only to understand what is being said, but also how strongly it is said—an essential indicator for assessing conviction or bias.

Thirdly, enunciation analysis, with its focus on disruptions in discourse—slips, rhetorical figures, and verbal alibis—offers fertile ground for interpreting witness testimonies and statements made in court. Bardin demonstrates that the form of discourse—hesitations, repetitions, and syntactic ruptures—reveals emotional states such as anxiety, fear, or dissimulation. A jurist trained in this technique may infer indications of falsehood or psychological constraint from the linguistic materiality of testimony, complementing semantic analysis with a pragmatic evaluation of the conditions of discourse production. The maxim that “the body speaks” finds its linguistic counterpart here: language also hesitates, stammers, and contradicts itself when truth is at risk.

Finally, structural analysis and co-occurrence analysis allow for the reconstruction of the argumentative logic underlying legal narratives. Rather than adhering to the linear sequence of narrated facts, the analyst may identify associations, oppositions, and thematic exclusions that structure discourse. For instance, the systematic co-occurrence of the themes of “freedom” and “property” in a series of judicial decisions reveals a specific legal worldview—an implicit judicial ideology that, although not explicitly stated, guides the production of decisions. Bardin thus provides a method for deconstructing the ideological implicit within legal rhetoric, transforming content analysis into a tool for institutional critique and for monitoring the argumentative rationality of law.

Bardin’s work is not a manual of rhetoric, but rather a metatheory of discourse interpretation. The jurist who masters its principles is equipped not only to produce persuasive discourse, but also to dissect opposing arguments, anticipate counterarguments, and rigorously assess the internal consistency of legal narratives. In this context, content analysis becomes a technique of argumentative due diligence—a semiological expertise applied to legal texts.

In conclusion, it may be stated that *Content Analysis* by Laurence Bardin is indispensable for legal professionals who seek to transcend interpretative empiricism. By equipping jurists with a systematic and objective analytical framework for understanding communications, Bardin offers a methodological pathway toward a more transparent, controllable, and thus more scientific legal rhetoric. The relationship between the work and forensic oratory is one of radical complementarity: while rhetoric teaches the art of speaking well and persuading, content analysis teaches the art of listening well and understanding the conditions that make persuasion possible. Judges who employ this method ground their decisions not in purely introspective conviction, but in textual indicators subject to intersubjective verification. Lawyers who master it construct their arguments not only on norms and facts, but also on the inferential effectiveness of the language they employ.

The work is recommended to all legal practitioners who understand that justice is also—and fundamentally—constructed at the level of discourse, and that procedural truth is a linguistic artifact to be methodically deciphered. In this sense, the work constitutes a treatise of hermeneutic hygiene for the human sciences, particularly applicable to the tense and performative universe of courtroom language.

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## **LISTENING TO EXIST: TRADITIONAL PEOPLES, ETHNODEVELOPMENT, AND AGRARIAN LAW**

### **OUVIR PARA EXISTIR: POVOS TRADICIONAIS, ETNODESENVOLVIMENTO E O DIREITO AGRÁRIO**

### **ESCUCHAR PARA EXISTIR: PUEBLOS TRADICIONALES, ETNODESARROLLO Y DERECHO AGRARIO**

**MARIA CRISTINA VIDOTTE BLANCO TÁRREGA<sup>1</sup>**

**LUCIANA RAMOS JORDÃO<sup>2</sup>**

**THIAGO HENRIQUE COSTA SILVA<sup>3</sup>**

#### **Brief Biography:**

The trajectory of Professor Maria Cristina Vidotte Blanco Tárrega is a portrait of her gaze dedicated to the Brazilian social reality. A Full Professor at the Federal University of Goiás (UFG) and a productivity scholarship researcher of the National Council for Scientific and Technological Development (CNPq), she dedicates her career to understanding economic relations, ethnodevelopment, and sustainability, from the perspective of traditional peoples and

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communities, collective rights, legal pluralism, and participatory democracy. Her studies in Agrarian Law place her among the most respected Brazilian researchers discussing issues involving the right to land and citizenship in the countryside.

Professor Maria Cristina holds a degree in Law from the University of Ribeirão Preto (UNAERP) and developed her master's and doctoral research at the Pontifical Catholic University of São Paulo (PUC-SP). She conducted post-doctoral research in the area of Philosophy of Law at the University of Coimbra, Portugal, and was a Research Professor at the Université Paris X Nanterre, France.

She is a member of several international networks for the production and dissemination of scientific knowledge, including the Red para el Constitucionalismo Democrático, Red Latinoamericana de Antropología Jurídica, Red para la reconfiguración del capital, the Network for the New Latin American Democratic Constitutionalism, and the Rural Sociology Network.

In addition to having served as a representative of the UFG Law School for internationalization affairs, she has collaborated with the graduate programs of several Brazilian institutions, such as the Federal University of Grande Dourados (UFGD), the Federal University of Amazonas (UFAM), the Federal University of São Carlos (UFSCAR), and the University of Brasília (UnB).

Furthermore, Professor Maria Cristina is a member of several editorial boards of scientific journals and is the editor-in-chief of the UFG Law School journal. Currently, she is dedicating her energies to the National Institute for Colonization and Agrarian Reform (INCRA) at the São Paulo Regional Office. It is a pleasure to welcome you, to have you here with us.

*Luciana Jordão e Thiago Silva:* Professor, we welcome you with great satisfaction. It is a joy to inaugurate the channel of the Journal of Socio-environmental Law with the interview of a great researcher<sup>4</sup>, whom we had the honor of having in our trajectory as a teacher and as a friend as well. We are very happy for your participation.

## 1 ON THE HORIZON: ETHNODEVELOPMENT

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<sup>4</sup> Following the publication of this interview, the full video will be made available on the YouTube channel, which can be accessed at <https://www.youtube.com/@RevistadeDireitoSocioambiental>. The written version of the interview was prepared from the transcript, then reviewed and edited for publication in this journal.

*Luciana Jordão:* Your research was developed with the Kalunga people, here in the state of Goiás, and is marked by this discussion of the concepts of ethnodevelopment and ethno-economy. So, I would like to know where this idea comes from, where these discussions originate? Could you provide a general overview?

*Maria Cristina Vidotte:* Good morning to everyone. First, I would like to thank you for the opportunity to be here with you and for the generosity of the words addressed to me. Thank you very much. I don't know if I am worth that much, but I am very honored by what you said. It is also a joy to start this very important activity with you. Congratulations on this initiative, which I consider very interesting. I wish for it to be very successful, to continue for a long time, and that I may always continue to participate and contribute in whatever way I can.

The idea of ethnodevelopment and ethno-economy dates back to the early policies of the 1970s, when Mexican anthropologists, notably Guillermo Bonfil Batalla (1995), identified an issue related to Mexican indigenous people: an ethnocide was occurring there due to labor relations. He then began to reflect on this, starting to think about a possibility of development that would not decimate the communities. He drafted a document in which he denounced this problem to the World Bank and, after that, this discussion reached the United Nations (UN) and also the International Labour Organization (ILO).

But it is from this idea that the understanding emerges that the traditional, Western, or liberal development model, whatever we want to call it, has a destructive potential toward traditional communities and peoples. Guillermo Bonfil Batalla (1995) developed a methodology of cultural appropriation that is not destructive, so that these communities can have their development in their own way, incorporating what is necessary for there to be an intersectoral dialogue with Western culture.

From this point on, I began to work with the Kalunga community and started to perceive the need for this dialogue.

At that moment, there was already the work of Professor Clorinda<sup>5</sup> with cattle... And there was also the work of Professor Maria Geralda<sup>6</sup>... It was the work of Professor Clorinda with the

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<sup>5</sup> Dr. Maria Clorinda Soares Fioravanti is a Full Professor at the Federal University of Goiás (UFG), working in the field of Veterinary Medicine, developing research on the conservation and characterization of local cattle breeds (Curraleiro and Pantaneiro), in addition to other topics under her care in the Graduate Program in Animal Science at the UFG School of Veterinary and Animal Science.

<sup>6</sup> Dr. Maria Geralda de Almeida was a Full Professor at the Federal University of Goiás (UFG) and developed her research regarding cultural manifestations and traditional quilombola communities and indigenous peoples within the Graduate Program in Geography at the Institute of Socio-Environmental Studies (IESA) until the year 2022.

Curraleiro cattle, which is cattle from the local culture, and the work of Professor Maria Geralda at the Instituto do Liceu Nacional, focused on the development of local culture, tourism, etc.

So, I joined them and shared with them this moment of learning and construction. It was from there that we started to work with the Kalunga community.

## 2 LEGISLATION IN PRACTICE

*Thiago Silva:* Very well, Professor. And, bridging with this work with the Kalungas, currently, in São Paulo, you are also developing an approach with the *Caiçaras*, who also experience this dynamic of fighting for rights.

I would like you to talk a little about these two moments in your trajectory: the accompaniment of the Kalunga people's struggle for the recognition of their rights, from the perspective of ethnodevelopment, and, now, the work developed with the *Caiçaras*.

*Maria Cristina Vidotte:* Perhaps the Kalunga *quilombo* is one of the *quilombos* that has advanced the most in terms of organization in Brazil. It is a *quilombo* that has had recognition for a very long time. It even had recognition prior to the Federal Constitution. Furthermore, there are great researchers dedicated to the study and support of this community.

The same occurs with the *Caiçaras*... The *Caiçaras* are a little different.

We know that *quilombolas* have more direct constitutional protection. The *Caiçaras* are traditional peoples, included in Decree no. 6.040/2007. But they constitute a group that is on the coast of São Paulo, Paraná, and Rio de Janeiro... They are a specific group that does not have protection as strong as that of the *quilombolas*. However, the *Caiçaras* are very organized in the management of their development and have the support of a group from the University of São Paulo (USP), which is very important. It is the group with which I have been relating: Manuela Carneiro da Cunha<sup>7</sup>, Cristina

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<sup>7</sup> Dr. Maria Manuela Ligeti Carneiro da Cunha is an anthropologist and retired Full Professor at the University of São Paulo (USP), where she continues to develop her research in ethnology, history, indigenous rights, ethnicity, and traditional knowledge.

Adams<sup>8</sup>, and Antonio Carlos Diegues<sup>9</sup> himself, who has already been with us in the Graduate Program in Agrarian Law.

The *Caiçaras* had support to structure themselves, to develop, and to understand themselves as a traditional people, especially the group on the coast of São Paulo.

The *Caiçaras'* proposal is very interesting. Today, they have already managed, for example, to implement a *caiçara* school in a part of the community that is isolated. They have advanced a lot with this and also with the preservation of their subsistence models: the *coivara* (slash-and-burn) field and artisanal fishing technologies.

It is challenging to work with them because there is no article in the Constitution saying that they have territorial rights. So, we are building this path. Now, we are working, for example, with extractive projects for fishermen, taking this proposal to them. It is a first possibility for construction, but we still have difficulties.

*Luciana Jordão*: Professor, you had an article published now, in 2026, by the journal *Pensamento Jurídico*, entitled “Etnoeconomia quilombola desde o Brasil: entraves para a exploração e proteção do patrimônio cultural” (Quilombola Ethno-economy from Brazil: barriers to the exploitation and protection of cultural heritage). In this work, you discuss the State's duty to ensure the right of traditional communities to exist in accordance with their ways of life and indicate a series of legislative acts aimed at protecting this right, even citing the constitutionalization of the right to culture.

In your view and based on your experience, what is missing for the community recognition processes to convert into real protection of these peoples' rights? How can we proceed, as a country, and continue the public policies that, at times, are more effective in this protection?

*Maria Cristina Vidotte*: I think we have a set of measures there. We already have some legislative measures. But I think what is most lacking is an understanding of this. For example, in the Judiciary, I feel this lack of understanding a lot. You discuss the control of conventionality thinking about ILO Convention no. 169, which is the cornerstone for the protection of traditional peoples, and

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<sup>8</sup> Dr. Cristina Adams is an Associate Professor at the School of Arts, Sciences and Humanities (EACH) at the University of São Paulo (USP). As a professor in the Graduate Programs in Modeling of Complex Systems (EACH), Inter-unit Applied Ecology (ESALQ/CENA), and Environmental Science (PROCAM), she develops research on governance and forest management by traditional populations in Brazil.

<sup>9</sup> Dr. Antonio Carlos Sant'ana Diegues is a Professor in the Graduate Program in Environmental Science (PROCAM) at the University of São Paulo (USP), conducting research that involves the analysis of socio-environmental conflicts, the ways of life, and the knowledge of traditional Brazilian fishing communities.

it is rarely known or part of the practice of conventionality control in lawsuits referring to this convention.

Education is lacking, information is lacking.

Public policies are practiced by people. And people, not always—perhaps in the vast majority of cases—know, have assimilated, or have understood the protection due to these peoples and these communities. This has greatly hindered the progress of the implementation of public policies. First, it is necessary to convince, it is necessary to teach the public authorities; then, to apply and ensure that the public policy effectively reaches these communities. This is a great difficulty.

*Thiago Silva:* Moving forward to address the topic of the day, which is climate change, we see, today, a discourse, including from this agriculture oriented toward manufacturing and export—the large agribusiness—publicizing practices or stating that it is establishing sustainable practices capable of combating climate change.

Do you believe that these systems can, in fact, develop policies and practices that face the scenario of climate change? And, in this context, what do we have to learn from traditional communities?

*Maria Cristina Vidotte:* It seems to me that we must, first, learn to respect traditional knowledge. Not to start from the principle that they are ignorant people who do not understand science. On the contrary, there is a science, a knowledge built there. And this is a fact. Nobody will deny this, because the communities are in these places, and these places are preserved.

We have everything to learn. The Food and Agriculture Organization of the United Nations (FAO) itself has already understood this. There is already a huge catalog of agro-traditional food production systems. These differentiated systems, these traditional systems, can save the planet, can save it from a possible great hunger.

And, as for agribusiness, that model of agribusiness agriculture, I do not see the possibility of it achieving an ecological transition.

There is a lot of masking, a lot of makeup... "Let's use bio-inputs... Now, it's not using chemicals anymore, it's doing something ecological." No, it is not doing something ecological, there is no ecological balance at all. We are killing life; we are killing the birds. Monoculture still continues. It is no use putting in biological fertilizer because that will not solve the situation. We have to learn a lot from traditional agriculture, from traditional peoples. And I think we have to try, at least, to establish a dialogue with these practices to see if it is still possible to save something.

### 3 IN THE FUTURE, LISTEN MORE...

*Luciana Jordão*: Professor, within these discussions, we would like to know your perception, as a professor and researcher, regarding what scholars of Agrarian Law and Environmental Law need to keep in mind in this debate about the struggle for land and the right to healthy food. What are the perspectives, based on the gaps you observe? What are the challenges that still need to be faced and that can guide future research? You can give us some work, because we need to work! (Laughter)

*Maria Cristina Vidotte*: I think this dialogue between disciplines is very important. But it is even more important to have a dialogue with other possibilities of knowledge. We live very much in models, in little boxes, predefined models, very closed to possibilities of thought. People are talking a lot inside bubbles, and that is a mistake. We need to listen. Even if we consider the starting point to be wrong, we have to listen. It is necessary to dialogue, because, otherwise, we will not think. We are saying things to a group that believes everything is fine. People do not dialogue with other cultures.

We start from the assumption that science has already advanced and that we already know everything. Even the human sciences, the social sciences, and anthropology... There is still a long way to go, many possibilities and alternatives with which we need to dialogue.

*Thiago Silva*: Professor, thank you very much for your time. I want to thank you, once again, for your availability to participate in this interview. Know that you are one of the great inspirations, both for my education and for Luciana's.

Thus, this Journal of Socio-environmental Law is, in a way, a fruit of your work as well, and it is an honor to have you with us in this meeting.

We wish you an excellent day. Thank you very much, once again.

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