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**“CIRCULAR ECONOMY
IN BRAZILIAN FASHION”
AN EXPLORATORY
STUDY FROM THE
INTERFACE BETWEEN
CIRCULAR ECONOMY
AND TO LIVE WELL**

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Abstract: The linear economy model is based on unlimited economic growth that strains the limits of planetary resilience. In response, the circular economy stands out, which proposes economic growth decoupled from the use of finite resources without the generation of contaminants. However, the circular model does not encompass the salient aspects of Latin American countries. It is necessary to create an interface with schools of thought in Latin America, among them, Bem Viver (To live well), which proposes a biocentric civilizational transformation that refounds the relationship of man with himself, with the community and with Nature based on Human Rights and from nature. Based on the dialogue between the circular economy and Bem Viver (To live well), it is possible to propose the formation of a “circular economy in Brazilian fashion”. Indeed, this article aims to examine the interface of the circular economy with Bem Viver (To live well), in order to assess the intersection between these schools to propose reflections for the construction of the “circular economy in Brazilian fashion”. This research is justified by the novelty of the theme, and the intention of the federal government to formalize a term of commitment to introduce the circular economy in the country. Regarding the methodology, a bibliographic review of the theme was carried out, which, given its novelty, there are still few articles and books available. The article was divided into 5 (five) chapters dealing with the linear economy and its exhaustion, the circular economy and the beginning of its transition in Brazil, from Bem Viver (To live well), the approach and departure of the circular economy with Bem Viver (To live well) and, finally, from the “circular economy to Brazilian fashion”. In conclusion, it is believed that the reflections on the “circular economy in Brazilian fashion” can contribute to the debate on the transformation of society and the national

State based on the harmonious coexistence of man with himself, with the community and with Nature as per the Human Rights and the Rights of Nature, and the overcoming of the linear model based on the productive reorganization with the reuse of artifacts as a general rule. This is the challenge of the job.

Keywords: Linear Economics, Circular Economy, European Union, Well Living, Brazil.

INTRODUCTION

The production cycle based on a linear economy is based on the idea of unlimited economic growth with unlimited exploitation of finite natural resources, and, therefore, it has already gone far beyond the planet’s ecological and resilience limits.

The continuity of this model can, and must be revised, otherwise all humanity will pay a high price for this omission; which, by the way, is already happening. The unprecedented generation of post-consumer solid waste from packaging in general causes a serious environmental crisis that seriously compromises the health of the population.

In order to overcome this model, some solutions are under discussion, among them, the circular economy, which seeks to promote economic growth decoupled from the use of finite natural resources and, therefore, from the generation of environmental impacts. It is, therefore, an economic model in which the production cycle works in an integrated manner with the planet’s ecological system.

In the second half of 2020, the federal government submitted to public consultation the Term of Commitment for the Implementation of Actions Aimed at the Circular Economy and Reverse Logistics of Packaging in General, in order to introduce the circular economy in the country. This Term of Commitment was criticized by institutional control bodies due to the lack of

materialization of the reverse logistics system for packaging in general, and has not yet been formalized.

Despite the federal government's intention, the circular economy, whose roots are European, does not, in principle, dialogue with the various aspects that distinguish and mark the peripheral countries of Latin America. Indeed, the transition to this production cycle will presuppose an interface with schools of thought with Latin American roots.

Among all of them, Bem Viver (To live well) stands out, based on cultural values of the Andean indigenous peoples and nationalities and the Guaraní indigenous peoples of Brazil, proposes a biocentric civilizational transformation that refounds the relationship of man with himself, with the community and with the Nature based on Human Rights and Nature, without prejudice to advocating a post-extractive economy that divorces itself from the mercantilist exploitation of nature.

Based on the interface between the circular economy and Bem Viver (To live well), a reflection is proposed for the construction of a "circular economy in Brazilian fashion", which not only provides for the transformation of society and the national State based on the harmonious coexistence of man with himself, with the community and with Nature according to Human Rights and the Rights of Nature, as well as the overcoming of the linear extractive model of polycentric globalization based on the productive reorganization with the reuse of artifacts as a general rule.

Therefore, this article aims to examine the approach and departure of the circular economy with Bem Viver (To live well), in order to assess whether there is an interface between these schools, and, if so, how it can contribute to the reflections for the construction of "*circular economy in Brazilian fashion*".

This research is justified not only by the novelty of the topic, but also by the federal Government's intention to formalize a Term of Commitment for the Implementation of Actions Aimed at Circular Economy and Reverse Logistics of Packaging in General to introduce the circular economy focused on packaging in general in the parents.

Regarding the methodology, a bibliographic review of the theme was carried out, which, given its unprecedented nature, there are still few articles and books available.

It is hoped that the results to be obtained with this work will be fruitful, and may contribute to the debate on the transition process to the circular economy in Latin America, and thus foster closer ties with Latin American schools of thought with a view to formation of a circular economy compatible with the reality of this region. This is the challenge of this work.

LINEAR ECONOMY AND ITS DEPLETION

The notion of linear economy is confused with the industrial economic model, which flourished after the Industrial Revolution. However, it is defended, under the bias of globalization, that this linear productive cycle had its embryo in the Age of Imperialism, which inaugurated an expropriation mercantilist economic model aimed at the exploitation of natural resources and subjugation of colonized peoples through warfare and culture, and, keeping due proportions, it lasts until the present day, notably in the face of colonized countries, which, today, are peripheral, and continue in their passive position as suppliers of commodities to rich countries (SANTOS, 2015, p. 29).

The linear economy, therefore, is currently guided, especially, by the use of the fossil energy matrix and is expanded through the process of polycentric globalization, which,

in turn, is not restricted to the logic of the market, and enters into other areas, such as, for example, science, culture, technology, health, military, transport, tourism, sport, and, to a lesser extent, politics, legislation and social assistance (TEUBNER, 2008, p. 329).

The linear economy model is based on the production, consumption and disposal cycle. In other words, it promotes, initially, the intense extraction of virgin natural resources, which, in turn, are processed and transformed into artifacts from the production cycle. Therefore, the artifacts are offered for sale for consumer consumption. At the end of the useful life of these artifacts, the disposal takes place in the form of solid waste, which, as a rule, is not reused as secondary raw material in the production cycle.

And, the inadequate management of solid waste has direct consequences in the urban space, since the lack of provision of this service or its insufficiency does not contribute to urban expansion. The inadequate disposal of waste deteriorates and encourages the degradation of the urban area with all sorts of negative impacts for its residents (PINTO, 2010, p.176/177).

Likewise, the inadequate management of solid waste will have a direct impact on the natural environment, including water resources, and also on the health of the population, which can contract diseases from the vectors found in the waste, such as, for example, chikungunya transmitted by aedes aegypti. In other words, inadequate waste management contributes to *“contamination of water sources, water courses and soils, for the siltation of rivers, for floods and, consequently, for the formation of favorable environments for the proliferation of agents that transmit various diseases, increasing the incidence of this in the population”* (SAIANI E TONETO JÚNIOR, 2014, p. 46).

In practice, diseases generated from vectors found in solid waste result in the work compromise of workers, who are either weakened and away from their jobs or fail to reach estimated productivity and production. Children are also affected by these diseases, which not only can compromise the development of their cognitive abilities, but also lead to low school attendance by encouraging school dropouts (SAIANI E TONETO JÚNIOR, 2014, p. 46).

Going further, the linear cycle is based on the idea of unlimited economic growth with unlimited exploitation of the planet's finite natural resources, thus establishing a close correlation between economic progress and the use of available natural resources. However, the valuation of this progress with the generation of well-being is made from and in accordance with economic growth. That is why, the footage of the economic strength of each country is made according to its gross domestic product (GDP), which does not take into account environmental or social aspects of the nation, but only economic variables.

However, the myth of unlimited economic growth is today faced with an undisputed factual reality, namely, the dramatic evidence of human, environmental and social deterioration. While, on the one hand, an expansion of material wealth is being promoted, driven by speculative capital and fostered by polycentric globalization, on the other, the financial assets resulting from this economic growth are concentrated in the hands of a few powerful conglomerates; which only reiterates the true and perverse face of this globalization (SANTOS, 2015, p. 18/21).

It is evident that the linear economy model would, and ended up seriously compromising the environmental limits of resilience of the planet. Therefore, the human consumption of natural resources (dimension of human consumption) with the overcoming of the

Earth's biological capacity (dimension of biodiversity) ended up causing disastrous consequences that resulted in different stages of environmental degradation in the ecological system in different parts of the planet - some, irreversible. So much so that "the 'ecological footprint', a tool for comparing these two dimensions, developed by the WWF in 1999, notes this change, as well as the decline in the abundance of species that live in forests, fresh water and the sea" (KAZAZIAN, 2009, 23).

It is, therefore, another undisputed truth evidenced since the report "The Limits to Growth", of the Club of Rome, which subsidized the Stockholm Conference, in which the Stockholm Declaration was edited, and erected 26 basic principles to guide and guide countries to preserve and improve the environment. This Declaration can be considered as the international legal framework for environmental preservation, and influenced the elaboration of several constitutional and legal diplomas of the signatory countries, such as Brazil, which published Federal Law Number: 6.938, of August 31, 1981, National Environmental Policy (PNMA), and later led to the greening of the 1988 Constitution of the Federative Republic of Brazil (CRFB/1988).

As if that were not enough, the continuity of the linear economy model could invariably lead to another deep world productive crisis, such as what occurred in the oil crises in the 70s. This is because, the absence of finite natural resources, which, today, subsidize this productive cycle, it will be able to prevent, at least, the maintenance of the productive machine, which, in collapse, will result in another great recession.

Based on and aligned with the linear economy model, the consumer society of the liquid modern era emerges. This post-modern society has the fundamental characteristic of transforming the citizen-man into a rightful

consumer, and now into a commodity. The man of the liquid era is urged, from an early age, to consume the millions of products in mass dumped by the consumer market for different classes and types of consumers.

In effect, this man starts to undergo a process of recommodification to get out of invisibility to see and be seen, and thus represent what he has, and not who he actually is (BAUMAN, 2008, p. 200).

For this, it is necessary to foster, through advertising and/or the media in general, the melancholic emotional state of the consumer-merchandise, who, from their existential emptiness, is taken to a state of "pointillist" happiness. that is, perpetual and instantaneous, through the compulsive pursuit of unbridled consumption with the continuous denial of unhappiness, whatever it may be (BAUMAN, 2008, p. 45/46). And, this does not only occur in the personal unconscious sphere. It extrapolates to the scope of society as a whole, and inserts itself in the collective unconscious, perpetuating a continuous process of acquisition of artifacts, which represents an ultimate goal, a way of life, that is, consume to live, and live for consume.

As a result, the consumer society starts to enjoy a narcissistic personality, which, however, gives rise to psychological symptoms with the generation of diseases initially identified as symptomatic neuroses (hysteria and obsessive neuroses). However, these symptoms have worsened in recent decades. It evolved into narcissistic character disorders, whose personality disorders are often associated with feelings of emptiness and meaninglessness, inability to relate to others in a deep and meaningful way, hypochondria, diffuse ego boundaries and lack of a cohesive feeling of the self (SEVERIANO and ESTRMIANA, 2006, p. 41/42).

This, however, does not stop the linear production cycle that ensures economic

prosperity at high levels. It does not matter whether it is caused by the depreciation or devaluation of the artifact that was just released using programmed obsolescence, nor whether it is achieved through the stimulus of a new need, desire or compulsive will arising from the existential dissatisfaction of liquid-age man. In the end, it leads to the generation of more solid waste, and thus more environmental impact.

By way of example, and taking into account solid waste arising from packaging in general, that is, paper, plastic, metal, glass and others, the National Sanitation Information System (SNIS) of the National Sanitation Secretariat (SNS), of the Ministry of Regional Development, of the Union, in its 2019 Diagnosis of Urban Solid Waste Management, recorded, in 2019, that 1,681 Brazilian Municipalities out of a total of 5,570 Municipalities and the Federal District expressed their views on the use of the recovered mass of these recyclable wastes.

The SNIS reported that, in 2017, there was a recovery of 851,785 tons in the year, representing, therefore, 7.4% kilograms per inhabitant in the year; what was informed by 1,497 Municipalities. In 2018, the SNIS pointed out that 1,546 Municipalities commented on the use of recycled material, and indicated the recovery of 923,285 tons per year, totaling 7.76% kilograms per inhabitant in the year. It must be added that the SNIS indicated that, in 2019, 928,959 tons were recovered, representing a percentage of 7.5%. In addition, the SNIS points out that, still in 2019, 165,304.3 tons of plastics were recycled to a base of 1,175 Municipalities, resulting in a percentage of 24.3%.

There is, therefore, a low capacity for the country to use these packages in general, which, when thrown into open dumps, usually called dumps, can result in contamination of the soil, subsoil and water table, spreading contaminants throughout the natural

environment with a burden on the health of the population, it is repeated.

The SNIS points out that, in 2019, the country had 76.9% of sanitary landfills for a total of 5,570 Brazilian municipalities, while garbage dumps represented 11.7%, and controlled landfills 11.5%.

The linear production cycle continues unscathed, and led by the market associated with financial capital, which receives the seal of national States. Worse still, manipulated media do not provide the necessary and true space to awaken consumers, and the process of global environmental degradation is advancing rapidly under the eyes of the consumer society (MANZINI, 2008, p. 20).

CIRCULAR ECONOMY AND THE START OF ITS TRANSITION IN BRAZIL

In response to the linear economy model, the circular economy emerges, among other proposals for overcoming it, which, in theory, can be understood as an umbrella theory, since it incorporates into its concept lines of thought from schools that emerged since the from the 70s to the present day, the main ones being: Cradle to Cradle; Performance or Performance Economy; Industrial Ecology; Blue Economy; Natural Capitalism; Biomimetics; and, Regenerative Design (WEETMAN, 2019, p. 44/50). However, the circular economy goes beyond that.

It is proposed that the economy must work as and in harmony with the planet's metabolism, in constant dynamic balance, thus enabling the construction of a regenerative and restorative economy in principle. In other words, economic growth is now dissociated from the use of finite natural resources and, therefore, from the generation of negative impacts, giving rise to the adoption of an economic model aligned with the resilience of the planet's biodiversity.

The Ellen MacArthur Foundation, an international non-governmental entity linked to the business sector, which has contributed significantly to the construction, dissemination and implementation of this economic model, especially in the European Union, sees the circular economy as “restorative and regenerative in principle and aims to maintain products, components and materials at their highest level of utility and value at all times, distinguishing between technical and biological cycles” (MacArthur, 2015).

In addition, the Ellen MacArthur Foundation emphasizes that the “*circular economy is conceived as a continuous cycle of positive development that preserves and enhances natural capital, optimizes resource productivity and minimizes systemic risks by managing finite stocks and renewable flows*” (MacArthur, 2015). And, finally, it concludes that “*a new economic model seeks, ultimately, to decouple global economic development from the consumption of finite resources*” (MacArthur, 2015).

From the concept of circular economy, it is clear that this economic model has the primary objective of keeping artifacts at their highest level of utility and value at all times, making use of these resources based on their classification as biological nutrients or technicians, who, in turn, will be part of the respective biological or technical cycles (WEETMAN, 2019, p. 72).

The biological cycle is the flow of renewable materials, which are designed to safely reenter the biosphere, without toxicity, to rebuild natural capital, such as wood, which constitutes a biological nutrient, can be used as a door for the construction of a house, and, after the demolition of this house, this nutrient can be inserted into the biological cycle for the use of a table, and so on, until, in the condition of waste, it can be incorporated

as compost from the composting process (WEETMAN, 2019, p. 72).

The technical cycle is based on the management of finite material stocks, which are also previously designed to circulate in the economy with high quality in the maximum possible cycle, but without returning to the biosphere as solid waste, thus remaining regenerated in the same technical cycle, such as, for example, the PET packaging, which is composed of polypropylene and, therefore, derived from petroleum, must be submitted to the previous regenerative design project that allows its supercycling to generate a plastic alloy, and thus, it will enable its use in the production process of waste collection packaging, without generating tailings (WEETMAN, 2019, p. 72).

Both cycles make it possible, in different ways, for each nutrient, whether biological or technical, inserted in the circular economic model, to reduce the need for new raw material for the production cycle to function, without however allowing access to goods and services for consumption by consumers.

The Ellen MacArthur Foundation, based on the primary objective of the circular economy, presents important principles that will guide this new economic model, without prejudice to the adoption of already established environmental principles, namely:

- “*Principle 1: Preserve and enhance natural capital by controlling finite stocks and balancing flows of renewable resources*” (MacArthur, 2015), which, in short, will represent the dematerialization of products and services through the use of information technology, and, when there is a need to use nutrients, the choice of technologies and processes that use renewable resources or that present better performance for insertion in the biological or technological cycle, depending on the nutrient characteristic;

- *“Principle 2: Optimize resource yields by circulating products, components and materials at the highest level at all times, both in the technical and biological cycles”* (MacArthur, 2015), which, in short, means designing the remanufacturing, renewal and recycling of nutrients so that they can remain in circulation to contribute to the economy. Therefore, these nutrients must circulate, whenever possible, in smaller circles (for example, repairing the product, instead of recycling it) and also in consecutive longer cycles for as long as possible to intensify its use (for example, reusing a product several times, extending its shelf life to the maximum), without prejudice to its use in cascades or by sharing these nutrients (for example, reusing or sharing cotton clothing, before being used in furniture coating). Reference must also be made to the need to encourage the safe reinsertion of biological nutrients into the biosphere through their decomposition without contaminants for conversion into raw material for use in another or new cycle.

- *“Principle 3: Encourage system effectiveness by revealing and excluding negative externalities from the start”* (MacArthur, 2015), that is, exposing and excluding negative externalities in the production system with the incorporation of the costs of environmental control in this system from the beginning, thus avoiding the accelerated environmental degradation of the ecosystem.

In 2015, the European Commission forwarded to the European Parliament, the European Council, the European Economic and Social Committee and also the Committee of the Regions an unprecedented and bold proposal entitled “Closing the Cycle – Action Plan for the European Union for the Circular Economy”, which, as the name implies, represents a plan to accelerate the transition from linear to circular economy on the European continent.

In addition, the European Commission presented, in 2020, the “New Plan for the Circular Economy”, which aims to create conditions to expand the circular economy through opportunities for innovation and investments in circular business models and enabling technologies; which, in theory, will contribute to the acceleration and continuity of the transition process to this new production cycle.

Therefore, the European Union advances with great strides towards the adoption and, now, the acceleration towards the circular economy as a strategy for the renewal of its economy with low impact and job creation in line with the sustainability of the planet, including through the adoption of specific sectorial plans and the review of their legislative directives aimed at waste management, in particular.

Brazil has not officially assumed the commitment to the transition to a circular economy, because it does not have a specific public policy to foster this cyclical production model.

However, the country has a framework composed of planning, normative instruments and legislation in the solid waste sector that contribute, albeit indirectly, to the conformation of the circular economy and, therefore, can lead to its insertion with legal certainty in the national territory.

In this sense, Federal Law Number: 12,305, of August 2, 2010, National Policy on Solid Waste (PNRS), which is regulated by Federal Decree Number: 7,404, of December 23, 2010, is the national regulatory framework for the management and management of solid waste, and serves as a starting point for the transition to the circular economy.

The PNRS is concerned with the shared responsibility for the life cycle of products with complex, but individualized and linked attributions among all the actors operating

in the production cycle, thus giving rise to the delimitation of the responsibility of these actors also in the process of transition to the economy. Circular.

As a result of this shared responsibility, the PNRS institutes a reverse logistics system that focuses on special post-consumer solid waste, including packaging in general. This reverse logistics system will involve a set of actions, procedures and technical-operational infrastructure to be implemented and funded by producers for the reinsertion of these special post-consumer wastes in the cyclical production cycle without the diversion of waste.

Precisely for this reason, the artifact producer (read, manufacturers, importers, distributors and traders), according to their shared responsibility for the life cycle of the products, has an obligation to promote the redesign of the past of this artifact in the context of the system of reverse logistics, conceiving it, from the outset, in a way that it can be reused and recycled (art. 32, caput, §1st, items I to III, of the PNRS); which reveals the induction in favor of the regenerative design school of thought, of the circular economy, by the PNRS (ARAÚJO, 2019, p. 9/10).

Going further, the sectorial agreement for packaging in general, which is a negotiating instrument that materializes this reverse logistics system, conforms the producer's performance in achieving the indispensable measures for financing and implementing this system. With this, one can contribute to the transition to the circular economy, as the sectorial agreement outlines technical-operational guidelines on the processing of the technical cycle or the biological cycle.

On November 27, 2015, the Federal Official Gazette, in Section 3, page 169, published the extract of the Sectorial

Agreement for Packaging in General, which was formalized, on November 25, 2015, by the Union, through of the Ministry of the Environment (MMA), and by the associations and entities representing the companies listed in Annex I, of this sectorial agreement, with the intervention and consent of the Business Commitment to Recycling (CEMPRE), of the Brazilian Packaging Association (ABRE), of the National Association of Paper Shredders (ANAP), the National Institute of Companies for the Preparation of Non-Ferrous Scrap and Iron and Steel (INESFA), the National Association of Cart Drivers and Recyclable Material Collectors (ANCAT) and the National Confederation of Commerce of Goods, Services and Tourism (CNC).

The General Sector Packaging Agreement is the subject of a public civil action filed by the Public Ministry of the State of São Paulo and the Federal Public Ministry contesting, either in the preliminary injunction or on the merits, the omission of operational responsibility of the signatory companies in headquarters of the reverse logistics system, as well as demanding the declaration of nullity of the financial obligations imputed to the waste picker organizations, and also requires the financial reimbursement of the Municipality of São Paulo for carrying out activities inherent to this system¹.

On June 1, 2020, the Ministry of the Environment issued Ordinance Number: 252, which made public the process of remote public consultation, in the period already ended from June 4, 2020 to July 3, 2020, on the proposal for Term of Commitment for the Implementation of Actions Aimed at the Circular Economy and Reverse Logistics of Packaging in General, which will be formalized, on the one hand, by the Union, through the Ministry of the Environment,

1. Read about: BRASIL – Justiça Federal – Seção Judiciária de São Paulo – 17ª Vara de São Paulo – Ação Civil Pública - Processo n.º0015159-35.2016.403.6100 – Autor: Ministério Público do Estado de São Paulo e outros – Réu União e outros – Disponível em: <http://www.jfsp.jus.br/foruns-federais/> - Acessado em 21/01/2021.

and on the other, by “ReCircula”, which brings together the signatory companies listed in Annex I of this term.

It is important to emphasize that this Term of Commitment, after being formalized, will replace, for all purposes, the obligations of the committed companies under the aforementioned Sectorial Packaging Agreement (Clause Five - Implementation of the Commitments assumed). It is, ultimately, a novation of the originally formed obligation (art. 360, item I, of Federal Law Number: 10.406, of January 10, 2002, Civil Code), since the signatory parties are the same, and furthermore, it is intended to ensure that all the commitments of the signatory companies are followed by the relational themes of circular economy and reverse logistics of packaging in general established in this Term of Commitment for the period of its validity; which, in theory, may represent an attempt by the signatory companies to avoid the litigation that is the target of the Sector Packaging Agreement.

The Term of Commitment, in its Consideranda, presents the following definition of circular economy, namely:

“a set of measures that seek to redefine the notion of growth, focusing on benefits for the whole society, involving the dissociation of economic activity from the consumption of finite resources and elimination of waste by principle, aiming at the construction of economic, natural and social capital, based on three principles: (i) eliminate waste and pollution; (ii) keep products and materials in cycles of use; and (iii) regenerate natural systems”

The Term of Commitment is intended to establish guidelines, initiatives and actions that will be carried out by the signatories for the development of the circular economy of packaging in general that enter the market, taking into account the objectives of the PNRS, especially: (i) non-generation, reduction,

reuse, recycling and treatment of solid waste; (ii) encouraging the adoption of sustainable patterns of production and consumption of goods and services; (iii) encouraging the recycling industry to encourage the use of renewable, recyclable and recycled raw materials and inputs; and, (iv) technical and financial cooperation for integrated solid waste management (Clause One – Object, Term of Commitment).

In addition, Clause Two – Description of Measures to Promote the Circular Economy of Packaging in General, of the Term of Commitment, by providing for the progressive implementation of measures aimed at promoting the circular economy of packaging in general, points to the development of the following initiatives, which are based on the technical and operational aspects provided for in “Annex II - Fundamentals and Technical Guidelines”: (i) innovation in the production of packaging in general, which aims to enable the packaging of its products to be, from conception, developed for recycling, in addition to actions that contribute to the reduction, reuse and recycling of post-consumer packaging; (ii) fostering the recycling chain through actions that contribute to the development of the circular packaging economy in general, which add value to post-consumer material and make it economically viable to be recycled, respecting technical limitations; and, (iii) engagement of consumers for the separation and correct disposal of post-consumer packaging through awareness-raising actions to be developed in support of the national urban environmental quality agenda.

The Term of Commitment, in its Third Clause - Commitments of the Commitments, provides that the committed companies of ReCircula, by promoting the circular economy of packaging in general, undertake, jointly, to meet the goals described in the

“Annex II - Fundamentals and Technical Guidelines” and “Annex III - Estimated Goals and Metrics” through compliance with the following lines of action: (i) 100% recyclability by 2025; (ii) progressively increase the use of post-consumer recycled raw material in packaging; (iii) maintain and encourage the use of alternative delivery models; (iv) reverse logistics for packaging in general.

The Term of Commitment, which has a term of 05 years, automatically extendable, in the absence of an express statement to the contrary, up to 03 months before its expiration (Clause Seven - Effectiveness and Validity), will be subject to monitoring, follow-up and report annually, through the presentation of an independent report that must be sent to the Federal Government (Clause Six - Monitoring, Control and Inspection of Commitments, the Term of Commitment).

During the period of public consultation, the Term of Commitment was the target of severe criticism, highlighting, among them, the Technical Note issued by the Brazilian Association of Members of the Public Ministry for the Environment

(ABRAMPA)², which, by way of conclusion, suggested the full rejection of this Term of Commitment for not meeting, at least, the legal requirements established for the materialization of the reverse logistics system for packaging in general provided for in the PNRS.

Regarding the obligations related to the circular economy pointed out in the Term of Commitment, ABRAMPA, based on studies by the Ellen MacArthur Foundation, points out that this new production cycle will only be successful and reach its goals if the enabling conditions and conditions are met. favorable systematics. These conditions depend on much broader actions, involving the liability of third parties other than artifact products.

2. Available at: <https://abrampa.org.br/abrampa/site/index.php?ct=conteudoEsq&id=873&modulo=NOT%C3%8DCIA> - Acessado em 21/01/2021

Indeed, the aforementioned conditions must involve (i) collaboration, (ii) review of incentives, (iii) establishment of appropriate international environmental rules, (iv) leadership, for example and with a focus on scale and agility, and (v) access to financing.

In this sense, ABRAMPA points out that the country still does not have the enabling conditions and systematic favorable conditions for the transition to the circular economy. However, the committed companies, regardless of these conditions, can, and must, adequately structure the reverse logistics system for packaging in general, so that this secondary raw material can be reused, in the same cycle or in another, for as long as possible, or, if applicable, sent to an environmentally suitable final destination; which the Term of Commitment does not contemplate, and it is an antecedent aspect of an operational nature of fundamental importance for the implementation of the circular economy as well.

To date, the Term of Commitment for the Implementation of Actions Aimed at Circular Economy and Reverse Logistics for Packaging in General has not yet been formally formalized.

On November 12, 2020, the Federal Official Gazette, in Section 3, published the extract of the Term of Commitment to Improve the Reverse Logistics System for Aluminum Cans for Drinks, which was signed on November 10, 2020, and has as parties, on the one hand, the Union, through the Ministry of the Environment, and, on the other, the companies associated with the Brazilian Association of Aluminum Can Manufacturers (ABRALATAS) and the Brazilian Aluminum Association (ABAL).

The Term of Commitment for Aluminum Cans aims to regulate the reverse logistics system for aluminum cans, through the return

after use by the consumer, in order to improve this already existing system by guaranteeing the continuity of the high recycling rate, improving the system's efficiency and also strengthening the environmental awareness of the population and public managers.

The Term of Commitment for Aluminum Cans promotes a new development in relation to the sectorial agreement for packaging in general, since the first, the term of commitment, will succeed all other sectorial instruments of reverse logistics at the national, state and regional level, including this one lastly, the sectorial agreement; which is in line with the intention of the Term of Commitment for the Implementation of Actions Aimed at the Circular Economy and Reverse Logistics of Packaging in General.

Without prejudice to the criticisms pointed out by ABRAMPA on the Federal Government's proposal to introduce the circular economy in the packaging sector in general, it is certain that this transition to the new production cycle, whose roots are European, does not, in principle, dialogue with the various aspects that distinguish and mark the peripheral countries of Latin America, especially Brazil; which will be discussed further ahead.

Thus, another specific challenge arises to be overcome in the transition to the circular economy in Latin America, which can and must involve the interface of this new production cycle with schools of thought aligned with Latin American roots. Among them, the Bem Viver (To live well) stands out, which is based on the cultural values of traditional peoples and the forests of Latin America, including the Guaraní indigenous peoples of Brazil (BONIN, 2014, p. 3); which justifies the choice of this Latin American school of thought.

BEM VIVER (TO LIVE WELL)

Bem Viver (To live well) seeks to pave the way for a civilizing transformation collectively built for a new way of life in harmony between man and himself, with his community and with Pachamama, Mother Nature (ACOSTA, 2016, p. 24/30).

It is not about an idealization of a better system of material accumulation, nor even a system of distribution or redistribution of goods. Even less does it represent a proposal to meet or disguise the exclusionary and failed developmental status quo, which, however, has dominated Latin America for centuries (ACOSTA, 2016, p. 21).

Bem Viver (To live well), which is based on the principles of reciprocity, relationality, complementarity and solidarity, constitutes an idea, a utopian vision under construction, free from prejudice, which opens doors for the formulation of alternative visions of life with a view to overcoming of the linear capitalist production model (ACOSTA, 2016, p. 24/30).

It is, therefore, a matter of coexistence based on Human Rights and the Rights of Nature, and it is not limited to a simple Western well-being. Bem Viver (To live well) bets on a different future, which presupposes the construction of exchange and cooperation relationships, so that it is possible to provide sufficiency sustained by solidarity (ACOSTA, 2016, p. 26/27).

Hence, the key element for understanding the Well living is to turn attention not only to man in an anthropocentric view, but to human beings in their relationship with the community and in harmony with Nature from a biocentric view. In other words, it is not only the defense in the face of the exploitation of labor violated by the linear surplus value at stake. The frontier of civilizing defense is widening and will encompass protection in the face of anthropocentric schemes of productive organization that cause the destruction of

planetary biodiversity (ACOSTA, 2016, p. 27/28).

Ecuador and Bolivia, based on the revolutionary proposals for a traditional civilizational rupture that gained political strength in these countries, raised the results of these struggles in their constitutions, thus contributing to concrete measures to implement this new civilizing process (ACOSTA, 2016, p. 22).

However, the simple fact of being a right enshrined in the constitution does not have the power to overcome the linear system. Likewise, the mere bureaucratic incorporation of the dimensions and values of the Andean indigenous peoples and communities or the favoring of special spaces by the State will not translate into a peaceful transition to Well living. This will require a historic commitment from the State, which, in seeking qualification as a multinational, must incorporate the cultural codes of traditional peoples, and open the doors to a broad debate with a view to transitioning to another state model, uncommitted to Eurocentric and US ties (ACOSTA, 2016, p. 25/26).

Precisely for this reason, the need to build a new economy compatible with this other civilization will emerge. This new economy, which is based on the aforementioned principles, and also on the principles of responsibility, integrity, sufficiency, cultural diversity, equity and democracy, can and must seek the deconstruction of capitalist rationalism, and rebuild alternatives to its overcoming. The recognition and appreciation of other knowledge and practices, including the social reinterpretation of Nature from the cultural imagination of native peoples, will be essential to enable this rational economic transformation (ACOSTA and BRAND, 2018, p. 136).

Hence, the proposal of this economy aligned with Bem Viver (To live well) will presuppose

a productive reorganization that abandons the logic of increasing material goods accumulation, which, therefore, contributes to social and environmental devastation; which, again, characterizes the then-current linear economy model (ACOSTA, 2016, p. 165/166).

Therefore, space must be given to a major transformation of the base, which makes it possible to consume differently, better and, in some cases, less, in order to obtain better results in terms of quality of life, including. This new solidary and sustainable economy will also demand a change from the axis of an economy of growth to a society of growth, in which a growing community self-dependence is sought to overcome consumerism and productivism, with human relations always prevailing, the community and those established with Nature (ACOSTA, 2016, p. 165/166).

In order to create conditions to securely establish Bem Viver (To live well), and to enable the deepening of its premises also in the field of economic rationalism, post-extractionism emerges. (ACOSTA and BRAND, 2018, p. 138).

The extractive model may represent, not without criticism, a perpetuation of Imperialism, which gave rise to the linear economy, and remains firmly in the grip of Latin America. It is a developmental model based on the exploitation of natural resources and income concentration, whose results are exported in the form of commodities to developed countries; which only reinforces the dependence on price volatility and the oligopolistic power of transnational companies (ACOSTA and BRAND, 2018, p. 139)

In opposition to this model, the post-extractivist movement emerges, born from the mobilization in the face of neoliberalism and the questioning about neoextractivism (ACOSTA and BRAND, 2018, p. 140). Post-

extractivism results from the observation that there is a universal civilizing crisis, and not just an economic, financial or multiple crisis, which is why the developmental patterns of authoritarian, vertical and asymmetric domination of the world market with its practices of consuming, producing and generating waste (ACOSTA and BRAND, 2018, p. 141/142).

It is recognized the unsustainability of the perpetuation of exploitation of the whole of Nature's biodiversity with the burden of its limits of resilience. Nature has limits of disturbances, which obviously cannot be subordinated to man's will.

And, these limits are increasingly noticeable and unsustainable in the face of capitalist developmental appropriation. Therefore, surrender to a visible reality is the first step to drive the process of transformation of economic and social rationality (ACOSTA and BRAND, 2018, p. 146).

Post-extractivism will imply large and wide-ranging social transformations, focusing on creating conditions and forms of integral social reproduction, including social economic and environmental aspects (ACOSTA and BRAND, 2018, p. 148). Therefore, the reencounter is rescued, the link between man and Nature, which was dissolved due to a predatory and intolerable conception of life. With this union, politics will be able to recover a current force capable of overcoming the commodification of Nature (ACOSTA and BRAND, 2018, p. 146).

Therefore, the objectives of this new economy will respect the functioning of natural systems, complying with the principle of human dignity to provide a better quality of life for people (ACOSTA and BRAND, 2018, p. 147). But not only that.

The plurality of society itself will lead to the construction of freedom, equity and happiness; which will enable the creation of institutions

and norms to develop and consolidate a more prolific and radical democracy. With this, space is opened for the reversal of the current capitalist domination, power is created with social legitimacy and, also, it provokes a review of the State's thinking from a community dimension that expands direct democracy in all spheres possible (ACOSTA and BRAND, 2018, p. 147). "It is from here that a post-extractive transition must be built in the molds of an endless process of democracy, in which reform, structural transformation and rebellion are combined" (ACOSTA and BRAND, 2018, p. 147).

APPROACH AND REMOVAL OF THE CIRCULAR ECONOMY WITH GOOD VIVER

The circular economy and Bem Viver (To live well) will come closer insofar as they present themselves as a proposal to break and overcome the linear developmental model. Both are related to a concept of well-being and visions of the future based on a society developed in alignment with the planet's biodiversity, and respecting the limits of nature's resilience. Therefore, they proclaim that the forms of production must be socially and environmentally compatible, in order to provide an attractive life for everyone with the prevalence of the relationship between man with himself, with the community and with Nature.

The circular economy, based on the Performance Economy in the context of the premises of the social economy and the cultural economy, highlights the importance and the need to promote the defense of human rights and the decent generation of employment and income, as well as the commitment to ethical-cultural values arising from the historical and cultural heritage of peoples (WEETMAN, 2019, p. 44/45); which, of course, will contribute to the formation of

this regenerative and restorative economy in principle.

In line with this sociocultural proposal of the circular economy, Bem Viver (To live well) advocates the construction of a new community-based society aimed at harmonious coexistence with Nature, and, therefore, it will give rise to a new post-extractive economy divorced from the logic of development mercantilist of capitalism, all guided by the prevalence of Human Rights and, more than that, the Rights of Nature, guided by the materialization of the principles of reciprocity, relationality, complementarity and solidarity.

The circular economy and the Good Life, therefore, present the need to reorganize production that is disconnected from the domination of market mechanisms guided by a utilitarian vision of exploitation, without limits on finite planetary resources. This productive reorganization seeks to respect the natural environment from the reuse of resources with the reorganization in new ecological cycles, giving rise, therefore, to a different way of thinking about consumption, and, in some cases, consuming less to result in a better quality of life.

However, this alone is not enough. The productivist and consumerist paradigm of liquid modernity's consumer society needs to be broken. It is necessary to understand and overcome the compulsive consumption processes of man in this liquid era in order to reveal, transform and integrate his melancholy emotional state. Therefore, the process of self-knowledge added to the search for the self are essential pieces and keys to ensure the plunge into the human existential void, and bring from the individual unconscious of man to his conscious the tools necessary to awaken from the self and, therefore, from the its essence (JUNG, 1980, p. 101/105)

From the awakening of this new man, it will be possible to establish connections with higher ethical and spiritual values (KRISHNAMURTI, 2018, p. 112), notably with himself, with the community and with Pachamama; what has always been at the genesis of the cultural awareness of traditional peoples, and, in this current season, constitutes the backbone of Bem Viver (To live well) for a civilizational transformation that has already gained constitutional status in Ecuador and Bolivia.

In short, the circular economy presents and recognizes the need to break the consumerism that shapes the man-commodity of the era of liquid modernity, according to BAUMAN's happy expression, while Bem Viver (To live well) complements this break through the rescue of the connection of the human essence with Nature to give rise to another society, fraternal, just, solidary and free, in any part of the planet, according to ACOSTA.

However, the interface between the circular economy and the Well living ends there.

Bem Viver (To live well) comprises the historical extractivist, mercantilist and segregationist process, which is based on a linear development of a polycentric globalizing nature that devastates Latin America.

Bem Viver (To live well) goes against not only the prevailing capitalist developmental status quo, but also the alternative proposals for rupture that conform to this status quo. It defends the need for a destabilizing transformation of capitalism and its interests to create social conditions that allow a community and solidarity social context to flourish (ACOSTA and BRAND, 2018, p. 158).

Therefore, Bem Viver (To live well) goes far beyond the circular economy, and proposes structural changes at the heart of society and, obviously, the State to build an alternative and evolution of life that is rethought from a holistic and systemic perspective based on

Human Rights and in the Rights of Nature, and guided by the principles of reciprocity, relationality, complementarity and solidarity (ACOSTA, 2016, p. 166).

CIRCULAR ECONOMY IN BRAZILIAN FASHION

The emergence of the “Brazilian-style circular economy” may occur precisely at the intersection between the circular economy and Bem Viver (To live well). However, one must go further to emphasize the importance of the distinctive aspects that stand out from Bem Viver (To live well), due to the inherent characteristics of a peripheral Latin American country such as Brazil.

In this sense, the “circular economy in Brazilian fashion” must be based on the rupture and overcoming of the linear extractive economy of a polycentric globalizing nature, and advocate for the transformation of the core of society - and not only of a production cycle - and, consequently, of national States, so that a new social, cultural, economic and environmental alternative can be built from a holistic and systemic perspective that is aligned with the planet’s biodiversity, and respect for the limits of nature’s resilience.

This new society - which will guide the actions of national States, and not the other way round - must be committed to the ethical-cultural values inherited from the constituent peoples of the country (art. 3, items I and II, of the Constitution of the Federative Republic of Brazil de 1988), and prioritize the flourishing of a community and solidary social base to establish a harmonious coexistence of man with himself, with the community and with Nature, always observing the prevalence of Human Rights and the Rights of Nature with materialization of the principles of reciprocity, relationality, complementarity and solidarity.

As a result of this, the “circular economy in Brazilian fashion” must presuppose the

reorganization of the production cycle disconnected from market mechanisms of a mercantilist and utilitarian nature of finite environmental resources. Indeed, this new economy must have as a rule the respect for Nature, and recognize it as a living being with rights to be guaranteed in the constitutional framework by the national States; which will imply the migration of the CRFB/1988’s broadened and greenish anthropocentrism to an effective ecocentrism.

Precisely for this reason, the “circular economy in Brazilian fashion” must invert the current logic of the use of natural resources, that is, the use of natural resources must be the exception, and the reuse of secondary raw materials the rule, therefore importing, in the insertion of these artifacts in the same or in other production cycles, for as long as possible, without the generation of solid waste to be sent to an environmentally appropriate final destination.

Going further, the new society and, still, the national States, both responsible for the construction of the “circular economy in the Brazilian fashion”, must also commit to the rupture of the liquid modern consumer society, and offer the necessary means to ensure that the commodity man of this liquid age can understand and overcome the compulsive consumption processes to reveal, transform and integrate his melancholy emotional state.

From the process of self-knowledge added to the search for the self, the commodity man will be able to dive into his existential emptiness, and bring from the individual unconscious to his conscious the tools necessary to reveal its essence; which may entail the rescue of higher ethical and spiritual values in connection with Nature. Hence, man will no longer be a commodity, and will rescue his real human dignity, thus being able to enjoy a state of full inner grace with

a reduction in consumption deviations that impact the natural environment. With this, man will be able to have the clarity that he can even consume sustainably, but not fall into the empty consumerism of this liquid era.

CONCLUSION

The circular economy advocates the rupture of the linear economy model, and recognizes the need to overcome the consumerism that guides the life of the commodity-man in the consumer society of the era of liquid modernity. In addition, Bem Viver (To live well) reinforces these guidelines of the circular economy, and induces the recovery of man's connection with Nature to give rise to another society, fraternal, fair, solidary and free.

However, Bem Viver (To live well) goes further, and proposes a structural change in society and, therefore, in the national State to build an alternative path with a holistic and systemic look in line with Human Rights and the Rights of Nature, and guided by the principles of reciprocity, relationality, complementarity and solidarity.

Bearing in mind this interface between the circular economy and the Well living, reflections are proposed for the construction of a "circular economy in Brazilian fashion", which, in turn, can contribute to the debate on the transformation of society and the national state from the harmonious coexistence of man with himself, with the community and with Nature according to Human Rights and the Rights of Nature.

Furthermore, the "circular economy in the Brazilian fashion" may result in the reordering of the logic of the production cycle, in which the use of natural resources must be the exception, and the reuse of secondary raw materials the rule, thus resulting in the insertion of these artifacts in the same or other production cycles, for as long as possible, without the generation of contaminants of any kind.

Going further, the "circular economy in the Brazilian fashion" must ensure the means for the commodity-man to seek the process of self-known aggregated with the search for the self, in order to enable the plunge into the existential void. With this, this man will be able to bring from the individual unconscious to his conscious the necessary tools to reveal his essence, thus importing the rescue of higher ethical and spiritual values in connection with Nature.

Therefore, man will be able to rescue his real human dignity, and enjoy a state of full inner grace with a reduction in consumption deviations that impact the natural environment. This way, it will be possible to have the clarity that you can even consume sustainably, but not fall into the empty consumerism of this liquid era.

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