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“Food and nutrition security and its resilience
to global crises”

Judiciary System; Pesticides, Sustainable Development; Economy

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Abstract

The growing authorisation to pesticides has raised questions among Brazilian people concerning to the consequences that unadvised usage may have on health, food safety, nutrition and environmental protection. President Bolsonaro and an important part of National Congress were elected, among other reasons, because of their promises to improve economic development and make access to pesticides easier and simpler. However, in Brazil, the Constitution consider health, environmental protection, social justice and human dignity as human rights and principles that may limit and guide decisions on private or public spheres. Thus, when a litigation is taken to Judiciary, it must follow the main hermeneutic line established on the Constitution. In order to evaluate the application of these principles by the Judiciary system, this research analyses the final decisions given by two Brazilian courts, responsible by the states of Goiás and Tocantins. These states have their economies especially focused on agricultural activities. Due to economic relevance of rural activities in Goiás and Tocantins, it is important to consider the enforcement of Constitution when litigation involves discussions about pesticides. After all, if the Constitution commands on social justice, health and environmental protection, the courts need to rule accordingly. Thus, this paper evaluates court decisions in order to understand the reasons discussed on the cases by using statistical analysis concerning to fundamentals for ruling, damages, rural activities developed on the areas and conditions of families and workers. The Judiciary is the last frontier on avoiding destructive policies to take place, especially when profit surpasses human rights. However, the research identified a small amount of actions that do not reflect the quantity of problems, the number of people negative affected by pesticides or the importance of rural activity for the analysed states. The paper raises hypothesis about the reasons why, even though there are many complaints on pesticides usage, many cases do not go to court.

Keywords: Economy, judiciary system, Pesticides, Sustainable Development