

ENVIRONMENTAL EDUCATION FOR CITIZENSHIP, AN INSTRUMENT FOR THE REALIZATION OF THE RIGHT TO A BALANCED ENVIRONMENT IN BRAZIL AND IN PORTUGAL

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ABSTRACT

This paper deals with the importance of environmental education and the way in which this is reflected in society, the execution of our right to a balanced environment and the legal aspects involved, the necessary exercise of citizenship for this purpose, and the way in which this is related to accessing information on environmental matters. It maintains that the process of complex and transdisciplinary environmental education – both within and outside of teaching institutions – can be a tool for the desired sustainable development. The participation of citizens is a valuable instrument achieved through judicial and administrative measures, including popular action and having access to environmental data as a result of constitutional privileges and infra-constitutional laws. Furthermore, it is the legal responsibility of public administration to implement programs and actions that are effective and efficient for planetary environmental education, with collaboration from both the government and civil society. Deductive and comparative research methods were applied to this study, by means of qualitative biographical and documentary revision.

Keywords: Environmental education; Citizenship; Right to a balanced environment; Sustainable development.

EDUCAÇÃO AMBIENTAL PARA A CIDADANIA, INSTRUMENTO DE REALIZAÇÃO DO DIREITO A UM MEIO AMBIENTE EQUILIBRADO NO BRASIL E EM PORTUGAL

RESUMO

Este artigo enfrenta a importância da educação ambiental e seu reflexo para a sociedade, a execução do direito humano e fundamental a um meio ambiente equilibrado, incluindo os aspectos jurídicos, o necessário exercício da cidadania para este fim e sua relação com o acesso à informação sobre questões ambientais. Sustenta que o processo de formação ambiental complexa, transdisciplinar, dentro e fora da escola, pode ser uma ferramenta para o almejado princípio, objetivo e urgente paradigma do desenvolvimento sustentável. A participação cidadã é um valioso instrumento a ser alcançado com uso de instrumentos jurídicos que podem ser utilizados por meios judiciais e administrativos, entre eles a ação popular e o acesso às informações ambientais em razão de garantias constitucionais e normas infraconstitucionais. Ademais, a Administração Pública tem a responsabilidade legal de executar programas e ações efetivas e eficientes para uma educação ambiental planetária com a colaboração do Estado e da sociedade civil. Este trabalho utilizou-se do método de abordagem dedutivo e do auxiliar comparativo, mediante revisão bibliográfico-documental de caráter qualitativo.

Palavras-chave: *Educação ambiental; Cidadania; Direito ao meio ambiente equilibrado; Desenvolvimento sustentável.*

INTRODUCTION

Discussions on the environment strengthened from 1972 with the First World Conference on the Human Environment held in Stockholm and convened by the UN in the light of the Rome Club Report on the use of natural resources. At that conference, education was recommended as one of the tools for solving environmental problems; another event of great international repercussion addressed to the theme was the International Seminar on Environmental Education held in Belgrade in 1975, which indicated strategies for UN member countries to develop regional and international environmental education policies. After that, as a result of the Stockholm Conference, a conference was held in 1977 in Tbilisi, which resulted in the Declaration of the Intergovernmental Conference on Environmental Education, which points at environmental education as a creative source that is able to have individual understand the environment and to stimulate him to positive practices (TAZONI-REIS, 2004, pp.4-5).

The United Nations Conference on Environment and Development (Rio-92), which originated Agenda 21, the tool for sustainable development¹, in chapter 36, expanded the principles and recommendations presented in previous documents on environmental education, in addition to having played an important role in the international dissemination of the bases of environmental education: reorientation of education for sustainable development, increase of public awareness and promotion of training.

Society, the State and its institutions play an important role in environmental protection. Caring for the natural resources essential to the survival of mankind and other living beings requires a “caring for the whole community” (GADOTTI, 2008, p.12), a complex care that implies in the State making integrated efforts to promote actions that are able to promote and enhance ecological awareness by implementing programs and projects that develop a sense of responsibility for environmental issues. Thus, Leff claims (2013, p.154):

¹ The concept of sustainable development presupposes a plurality of dimensions that imply the observance of an integral and integrated approach with the social, economic and political dimensions, aiming at the sustainable use of natural resources, economic efficiency and social equity, imposing restrictions on the economic system, consumer society, and the ideal of developmental. In objective terms, RUIZ reports that sustainable development pursues the achievement of three essential objectives: a purely economic objective - resource efficiency and quantitative growth - a social and cultural goal - limiting poverty, maintaining social and cultural systems and social equity - and an ecological objective, the preservation of physical and biological systems (natural resources *lato sensu*) that support the life of human beings (RUIZ, 1999, p. 33).

Academic strategies, educational policies, pedagogical methods, the production of scientific-technological knowledge and the formation of capacities are intertwined with the political, economic and cultural conditions of each region and each nation for the construction of an environmental knowledge and rationality that guide the processes of re-appropriation of nature and the practices of sustainable development.

The duty of the State to promote citizenship to ecological awareness and to contribute, through education, to deepen knowledge aimed at protecting the environment, is foreseen in art. 225, paragraph 1, item VI of the Constitution of the Federative Republic of Brazil, and it imposes, on that purpose, the obligation to promote environmental education at all levels of education.

The Portuguese State, like the Brazilian one, has the legal obligation to educate to ensure the right to the environment, as defined in art. 66, “g” of the Constitution of the Portuguese Republic, and on this purpose, it must have its own bodies responsible for promoting educational actions, both inside and outside the school, with the collaboration of society.

The legal positivation of the duty to educate to favor the balance and protection of the environment is a reflex of the legislator’s initiative to impose to the State this obligation, which should be promoted from the school, institutions and public agencies, in a broad and creative way, with the help of the society that, despite having the right to a balanced environment, also has the duty to protect and preserve it.

Public bodies appointed to carry out administrative or judicial environmental protection also have the obligation to develop environmental education programs that include the application of civil and criminal penalties as an educational measure, imposing a repressive stance on legal transgression, but contributing to the protection of the environment, in favor of collectivity and to the detriment of individual interests contrary to it. According to Aragão (2010, p.80), the collection of fees from environmental polluters, based on the polluter-pays principle, expressly provided for in Brazilian and European legal orders, aims at precaution, prevention and equity in redistributing the costs of public measures. Imposing a pecuniary penalty to those who harm the environment, besides the economic reflection in the recovery of public expenses in the fight against damages produced by the harmful action, also has the educational

function of discouraging it. With no strictly economic content as a means of education, school education at all levels can contribute to the preservation of the environment by including curricular programs directed to the subject and by carrying out broader actions outside the school environment, fulfilling constitutional determination and boosting global awareness, “still in the process of gestation, in search of its conditions of ideological legitimation, theoretical achievement and practical objetivation” (LEFF, 2013, p. 149).

Brazil and Portugal have curricular programs and other instruments to promote environmental awareness, showed below from normative experiences, civil and state initiatives. Considering that compliance with the legal responsibility to consolidate environmental education in these countries or in any other country contributes to raising the awareness of today’s children and young people of the importance of preserving the environment for themselves and for future generations even in the midst of increasing progress².

Certainly, to educate is to care, which is to know, which requires strategies that foster a look of integrity, “a paradigm of distinction / conjunction that allows distinguishing without disjuncting, of associating without identifying or reducing” (MORIN, 2001, p. 15), recognizing living creatures with alterity, towards which the United Nation’s Program for the Environment (PNUMA), the World Fund for Nature (WWF) and the International Union for the Conservation of Nature (IUCN) prepared a strategy³ that indicates guiding principles in care to: i) construct a sustainable society; ii) respect and care for the community of living beings; iii) improve the quality of life; iv) conserve the vitality and diversity of planet Earth; v) remain within the limits of the Earth’s bearing capacity; vi) change personal attitudes and practices; vii) allow communities to take care of their own environment; viii) generate a national structure to integrate development and conservation; and (ix) create a global alliance.

The importance of environmental education and its reflexes on society is the main object that this paper faces, including legal aspects, the necessary exercise of citizenship on that purpose and its relationship with the access to environmental information.

² The sense used for progress is broad and relates to the means employed in the modification of reality for the betterment of society.

³ UNITED NATION’S PROGRAM FOR THE ENVIRONMENT (PNUMA); WORLD FUND FOR NATURE (WWF); INTERNATIONAL UNION FOR THE CONSERVATION OF NATURE (IUCN), 1991. Available on: <<https://portals.iucn.org/library/efiles/documents/CFE-003.pdf>>. Acesso em: 02 fev. 2016.

This work was based on the deductive approach and comparative auxiliary methods, through bibliographic-documentary revision having a qualitative character. In this sense, we used the bibliographic-documentary revision to get to know the concepts, principles and legal systems analyzed about environmental education. Also, projects of the two countries were analyzed in order to strengthen and demonstrate the effectiveness of the mandatory conduct in the standards.

1 LEGAL INSTRUMENTS FOR ENVIRONMENTAL EDUCATION IN BRAZIL AND IN PORTUGAL

Environmental education, according to Guimarães (2000, p.17), has been implemented with the main objective of changing the values and attitudes of humanity towards nature and contributing to a better understanding of environmental sustainability, taking into account the development/environment relationship. It goes beyond simply internalizing the values of nature conservation, which has shown the results, and it is aligned to the idea that:

The environmental principles and values promoted by an environmental pedagogy should be enriched by a pedagogy of complexity, which induces students a vision of the multi-causality and interrelations of the different processes that integrate their life-world in the different stages of psychogenetic development; That generates critical and creative thinking based on new cognitive abilities (LEFF, 2013, p. 243)

One of the objectives of teaching in Brazil, according to art. 32, II of the Law of Guidelines and Bases of Education (Law n. 9.394/96) is to educate citizens into understanding the natural environment, which is ratified in the law that created the Environmental Education Policy (Law No. 9.795/99), claiming immediate actions for fulfilling the objective of providing the construction of citizens who are more aware of responsibilities towards nature.

Article 5 of the aforementioned Policy provides for fundamental objectives, including the development of an integrated understanding of the environment in its multiple and complex relations, involving ecological, psychological, legal, political, social, economic, scientific, cultural and ethical aspects, thus contributing for a complex, transdisciplinary view of knowledge, since “the construction of an environmental rationality implies

in building new learning and the interdisciplinary integration of knowledge to explain the behavior of complex socio-environmental systems” (LEFF, 2013, 145). This legal provision imposes on the State an integrated action, both inside and outside the administrative structure, requiring it to implement broad programs that promote ecological awareness in partnership with society. In this sense, it is very important to look for the notion and the need for transversality between areas of knowledge as Rodrigues e Derani (2013, p. 126) state.

The idea of a transversal theme meets indeed the requirements and principles established for environmental education. Adopting it a transversal axis, in the context of each course’s pedagogical, enables the discussion and analysis of the environmental theme in different areas of knowledge - in this sense, it implies the adoption of an interdisciplinary or even transdisciplinary view, allowing for discussions and practices that congregate different knowledge, transcending the notions of discipline, subject and area.

In turn, the Comprehensive Law on the Education System of Portugal (46/86) allows for the insertion into the basic education curricular plans of a component dedicated to ecological education. Nevertheless, art. 47, paragraph 2 does not forcefully include that subject once the wording of the above mentioned article admits inclusion without making it mandatory when stating that “it may have ecological education, consumer education, family education, sex education as a component (...)”, that is, it may be included or not. However, Law n. 49/2005, which amended the Comprehensive Law on the Education System, corrected this deficiency by stating in art. 50º, n. 2 that the curricular plans have the obligation to include the curricular component dedicated to ecological education, among others.

The legal system, especially in democratic countries, is a strong instrument to promote fundamental rights, among which is the right to a healthy environment and to education since that is where the actions are based, whether they claim rights or fulfill obligations. The foundations of environmental education are laid in the Brazilian and the Portuguese legal systems, as mentioned below.

1.1 Brazilian legal system

As already said, the 1988 Constitution of the Federative Republic of Brazil has several articles related to the environment, but Article 225 is dedicated to specifically dealing with the subject, saying in its caption that everyone has the right to an ecologically balanced environment (...), and it is a responsibility of all - State and society - to defend and preserve it, enabling the present and future generations to enjoy their qualities.

That article imposes on the public power responsibilities in order to make those rights effective, among which are promoting environmental education at all levels of education and public awareness for the preservation of the environment. As a result, it is important to notice that the State should promote public policies for the education area at all levels.

The Brazilian Ministry of Education, based on the general principles of the LDB - Law of Guidelines and Bases of Education (Law n. 9.394 / 1996), has the obligation, in basic education, to form citizens who are able to understand the natural and social environments and, on this objective, it is trying to broaden the programs. However, such a commandment has had very timid effectiveness, given the continuity of the education process and the necessary material requirements.

The 1998 curricular parameters of elementary education, for example, place the theme as part of the Physical Education pedagogical project⁴, but only in relation to the use of public spaces for the practical classes, as a way to make students feel inserted into different environments. The initiative, although beneficial, was subtle when it comes to a highly relevant subject that requires action against current practices that are opposed to a healthy environment. In this sense, to alleviate the generality of the program, the following was included in 2002: Parameters in Action: environment at school⁵; it includes the coordinator's kit and teacher's kit as part of the material to support the development of activities in the schools that voluntarily adhered to the program.

The curricular parameters of high school in 2002⁶ followed with some deficit once, although they present considerations about the role

4 BRAZIL. Fundamental Education Secretariat, 1998. Available at: <<http://portal.mec.gov.br/seb/arquivos/pdf/fisica.pdf>>. Access on: Nov 17, 2016.

5 MEC. Fundamental Education Secretariat, 2001. Available at: <<http://portal.mec.gov.br/secad/arquivos/pdf/coea/CadernoApresentacao.pdf>>. Access on: Feb 05, 2016.

6 MEC, 2000. Available at <<http://portal.mec.gov.br/seb/arquivos/pdf/blegais.pdf>>. Accessed on Feb 05, 2016.

of the school as a contributor to qualitative citizenship, providing enough knowledge for the student to become a responsible social protagonist, allowing them to fulfill rights such as having a healthy environment, they failed to address the issue as a specific requirement to be developed, just placing it as a theme within the subjects included in the discipline of Biology. From that perspective, Leff warns (2013, p. 145):

Environmental knowledge exceeds “environmental sciences”, constituted as a set of specializations arising from the incorporation of ecological approaches to traditional disciplines - ecological anthropology; urban ecology; health, psychology, economics and environmental engineering - and extends beyond the articulation field of sciences, to open the ground of ethical values, practical knowledge and traditional knowledge.

Nevertheless, Law n. 9.795 / 1999, which provides for environmental education and establishes the National Policy on Environmental Education in Brazil, has fostered this form of education in Brazil, imposing responsibilities on the public power regarding the definition of public policies, the promotion of environmental education at all levels of education with the involvement of society, based on the principles of environmental education listed in Art. 4 of Law n. 9.795/1999, which are: I - the humanistic, holistic, democratic and participatory approach; II - the conception of the environment in its totality, considering the interdependence between the natural, social-economic and cultural environments, under the focus of sustainability; III - the pluralism of ideas and pedagogical conceptions, from the perspective of inter, multi and transdisciplinarity; IV - the link between ethics, education, work and social practices; V - the guarantee of continuity and permanence of the educational process; VI - the permanent critical evaluation of the educational process; VII - the articulated approach of local, regional, national and global environmental issues; VIII - recognition and respect for plurality, individual and cultural diversity.

According to art. 3, educational institutions, National Environmental System’s agencies (SISNAMA), the mass media, companies, class institutions and the society as a whole take part in the education process. Therefore, this law demonstrates the legal commitments to be taken over by the different parts of civil society and the State in relation to environmental education, but it is weak when it fails to define penalties or

incentives for those who attend to it or not.

It is important to list the National Program on Environmental Education – PRONEA⁷, which has already launched several versions of the program (the last one refers to 2014) to meet the provisions in the Constitution, in Law n. 9.795/99 and in other standards or international agreements that involve Brazil.

1.2 Portuguese legal system

Article 66, “g” of the Constitution of the Portuguese Republic imposes on the State the responsibility to promote environmental education and respect for environmental values. That determination is the base for government public policies to foster a citizen practice in favor of the environment in Portugal, a principle for other standards.

The Comprehensive Law on the Education System, published in 1986, recognizes environmental education as one of the objectives for the education of students (PINTO, 2004), but it fails to state how that is going to be included into school curricula (PINTO, 2004). Law n. 49/2005 dated August 30, 2nd amendment to the above mentioned law was a little more specific when it imposes to curricular development at basic education, in all cycles, the inclusion of ecological education components (art. 50º/nº 2), but it fails to specify the strategies to be adopted.

Portugal’s entrance into the European Union has provided, in addition to many other aspects, positive factors regarding the development of its environmental policy and education by combining political-legal instruments and financial incentives. The new Portuguese phase imposed

⁷ The main objectives of Pronea are: to promote environmental education processes focused on humanistic values, knowledge, skills, attitudes and skills that contribute to citizen participation in the construction of sustainable societies; to foment processes of continuous formation in environmental education, formal and non- formal, providing conditions for action in the different sectors of the society; foster transversality through the internationalization and diffusion of the environmental dimension in governmental and non-governmental projects; to stimulate companies, class entities, public and private institutions to develop programs to train workers, aiming at improving and making effective the control over work environment, as well as on the impacts of the productive process on the environment; spread environmental legislation, through environmental education programs, projects and actions, etc. MMA. Secretariat for Institutional Articulation and Environmental Citizenship Environmental Education Department, 2014. Available at <file:///C:/Users/Usu%C3%A1rio/Downloads/pronea4.pdf >. Accessed on: Feb 10, 2016.

commitments and led to the publication of the Law of Associations for the Defense of the Environment (Law n. 10/87) and the Law of Bases for the Environment (Law n. 11/87). On the other hand, INAMB - National Institute for the Environment (Law n. 11/87), replaced by the IPAMB - Institute for Environmental Promotion, now absorbed by the IA - Institute of the Environment, carried out actions planned for the environment (PINTO, 2004).

Also, ASPEA - the Portuguese Association for Environmental Education, created on July 6, 1990, has the main statutory objective of “[...] fostering environmental education for development and sustainability in formal, non-formal and informal education systems” (Article 3 of the Statute), aiming at contributing to the dissemination, promotion and creation of programs for environmental education, looking for interaction with universities, companies, agencies and the public sector (Article 4 of the Statute). It is a civil organization with the objective of promoting actions that are able to contribute for a humans (children and adults) to change their posture in the face of climate and environmental changes that reflect on the well-being of this and the future generations.

The Ministry of Education and Science of Portugal approaches Environmental Education for Sustainability as an essential requirement for the promotion of values, changing attitudes and behaviors towards the environment to awake the youth to exercise citizenship before the current environmental claims⁸.

The promotion of environmental education is subtly foreseen in secondary school curricula by indicating two subjects with environmental content, only in the 10th, 11th and 12th years of the technological course of land use planning and environment, unlike other disciplines included in all courses, such as Catholic moral and religious education. Thus, there is a need for a curricular programmatic reinforcement to bring it into line with higher standards, including the Constitution itself, which imposes environmental education as one of the ways of valuing citizenship.

⁸ General Direction for Education s/d. Available at: <<http://www.dge.mec.pt/educacao-ambiental-para-sustentabilidade>>. Accessed on: Feb 17, 2016.

2 CITIZENSHIP FOR ENVIRONMENTAL EDUCATION

It is important to understand citizenship as the expression of several rights that enable citizens to actively participate in life, whether in the political, social or governmental sphere (DALLARI, 1998). According to Dallari (1998, p.14), “those who fail to have citizenship are marginalized or excluded from social life and from decision-making, and are placed in a lower position within the social group.” In this context, education for citizenship is an instrument for the effectiveness of this set of rights, among which, having a healthy, balanced and sustainable environment.

Strengthening citizenship, one of the objectives of environmental education, implies in knowing rights and duties, an indispensable requirement to strengthen and assure citizen performance. But pure awareness of this information does not become an exercise in citizenship, since participating in activities to prevent or alleviate problems does not guarantee a linear result and it implies in several inter-subjective factors that make it difficult to formalize uniform and successful pedagogical strategies.

Waltzer (1996: 20) understands that losing the centrality of citizen activism has provided greater fragmentation and complexization of civil society, mainly because of the pluralism and multiculturalism of contemporary societies, and because citizens are more concerned about their individual interests. This statement ratifies the idea that it is useless to have elaborate constitutions when guarantees that are able to establish a balanced society are not concretely applied, where the preservation of the environment is the order of the day and nature is integrated to that environment; it has to be seen as an asset that belongs to the collectivity and that is necessary to all living beings, and not as a private asset belonging to some privileged people, some of which frequently explore natural wealth.

In order to oppose these repeated deviations, citizens must raise the flag of citizenship as high as possible, abolishing the ills inside or outside the Public Administration, mainly under the protection of legal standards. Citizens must be the main leaders of democracy, and taking over this task means to assume autonomy as a person, according to Cortina (1999).

In this sense, pedagogical programs should provide, in addition to other aspects, information on legal paths for the promotion, defense and protection of the environment, in order to better train today's youth to be future adults who are aware of their environmental responsibilities.

2.1 The popular action as an instrument to make citizenship effective

Caring for the environment is an obligation provided for in the Brazilian and the Portuguese legal systems that offer legal defense instruments through the interference of public agencies, such as the Public Prosecutor's Office, and citizens (individually or represented by social organizations), with a highlight on the popular action, a procedural instrument that can be used by any citizen who proves citizenship, to refute acts detrimental to the patrimony committed by the Public Power, including the environment, the treasury and the cultural, artistic, aesthetic, tourism and landscape values.

In Brazil, the popular action is regulated by Law n. 4.717/1965, and it allows citizens, having full political rights and able to evidence citizenship, to petition before the judiciary power to void or declare the nullity of acts that harm the public property (assets and rights that have economic, artistic, aesthetic, historical or tourist value) or any other belonging to entities that participate in the State, as well as damage to administrative morality and to the environment.

In Portugal, the popular action is defined in art. 52, paragraph 3 of the Constitution of the Portuguese Republic and it, directly or through associations, insures citizens the right to promote the prevention, cessation or judicial prosecution of violations against public health, consumer rights, quality of life, environmental and cultural heritage preservation; among others.

The normative protection is made concrete when the State, through its agencies, acts according to its responsibility to protect the environment. In the case of the 1988 Brazilian Constitution, several articles show the level of responsibility imposed on the State throughout the territory to protect the environment and fight pollution. The Portuguese Constitution, of equal content, highlights in some articles government tasks to protect, value and defend nature and the environment, as well as to preserve natural resources.

It has been possible to notice that the standards on the subject have not been enough to eliminate the damages imposed by the human being to the environment and to those that make a living on it, including the man himself. The reasons range from poor public management, lack of adequate interference from society, public agencies have unsuitable material and

human capacity and, as it happens in several areas, the evil interference of economic power, squandering the natural patrimony in benefit of capital interests to the detriment of society and the natural environment.

2.2 Public transparency – contribution for citizenship

The transparency of public actions is a previous condition to inform the society of public administration matters, including those inherent to the environment. On that purpose, it is necessary to allow access to environmental data and information in public agencies as a control and social participation mechanism. This guarantee is provided for in Brazilian Law n. 10.650/2003 and Portuguese Law n. 19/2006.

Knowing the environmental standards and facts enables citizens to control and inspect the acts performed by the public administration, assigning them the responsibility to protect it. Knowing in order to protect forces citizens to have an active posture, not acting as a mere spectator. Moreover, the information passed on to citizens can contribute for the reduction of practices that harm the environment as it can influence their own attitudes towards nature.

Transparency regarding Public Administration's acts is an obligation imposed by the standards in force. In Brazil, the main legal support is enshrined in Article 37 of the Constitution of the Federative Republic of Brazil, which provides for publicity as a requirement for the validity of the acts practiced by Public Administration. The constitutional principle of publicity allows the citizen to petition the Public Administration for information, document copies and access to the content of documents and public contracts, except for the cases provided by law; the obligation is confirmed in Law n. 10.650 dated April 16, 2003 on the access to environmental information held by agencies in the National Environmental System; reconfirmed in Law n. 12.527/2011, which regulates the right to access public information.

Article 119 of the Portuguese Constitution requires the disclosure of normative and other acts, as foreseen in specific laws, in order to inform all stakeholders. Transparency regarding public acts is a legal and social requirement that cannot be delegated and that refutes, as a rule, the secrecy of information by the public administration, an effect that strengthens democracy and fosters citizenship. Law n. 19/2006, on the access to environmental information, such as the Brazilian infra-constitutional law,

provides citizen guarantees in environmental defense and protection.

When citizenship is exercised in favor of the environment, it interferes directly in the protection of living beings, citizens get more aware of their rights by citizens, broad dialogue over the problems and possible environmental solutions contribute with positive results, it involves and holds the society accountable. Fragmentation, compartmentalization and the atomization of knowledge make it impossible to connect the whole and shrink the knowledge and awareness of solidarity. On the other hand, union promotes these effects to the contrary (MORIN, 2005). Isolated citizens fail to have enough power to face difficulties and the problems that strike society, among which are environmental issues, when often striving a not always sustainable development. In this sense, making knowledge over citizens' rights available to all by using the available resources, but not restricted to those indicated in the standards and including those from other governmental initiatives, is a mandatory task for democratic states such as Brazil and Portugal.

Good union practices together with awareness on rights and obligations strengthen democracy at all levels and gradually recompose the feeling of solidarity as individuals have a sense of belonging to a whole and, consequently, repudiate practices that harm the environment.

Educate for citizenship is to allow political actions that are able to create a society that is responsible for the world where it lives, taking that responsibility all the time (GUIMARÃES, 2000) because prolonged rest with no efficient attitudes puts natural wealth essential for the survival of living creatures at risk. That is why the society should participate and contribute by interfering in the context of the exponential ecological crises.

2.3 Access to the content of the environmental information

Law n. 10.650/2003 on the public access to existing environmental data and information stored in SISNAMA's integrating bodies and entities, regardless the justification. The interested part protocols a written request and agrees not to use the information on commercial purposes, being subject to civil or criminal penalties in case of disobedience pursuant to art. 2, § 1 of the standard referred to.

When the public body or entity receives the request, it has a 30-day timeframe to provide the information, if the requestor does not make

the inquiry at the agency during working hours. In case the information request or the consultation of the administrative process is denied, the citizen has the right to appeal within 15 days as of the date he was informed of the denial. When the request is denied, the authority has to give reasons and to communicate the requestor of the decision by letter or publication in the Official Gazette so that it produces all the legal effects.

The above mentioned law contributes to give citizens the right to information about the Brazilian environmental issues, reinforcing the principles of publicity and impersonality regarding the acts of the public administration, clarifying the right to the information referred to when requested from the Public Administration. However, the State that is forced to disclose environmental information also has the right, according to the standard, to request from the stakeholder payment corresponding to the amount spent as a consequence of the information supplied, according to the tables set by the agencies at the federal, state and municipal levels, pursuant to article 9.

It is important to point out that the infraconstitutional standard limits access to information that interest citizens in violation of the constitutional principle of disclosure of public acts in disrespect of transparency, when it requires the payment of amounts set by the agencies and even when it only allows for document consultation before the public server in charge of it. In this sense, although it is precautionary measure to protect public documents, it may have an inhibiting effect.

Prior to the publication of the law referred to, the citizen could invoke the principles mentioned above to obtain the information from public agencies on any subject, including the environment, except for subjects protected by legal secrecy. However, because they are constitutional principles, they do not have specificities as to the limits of applicant's rights or public managers' obligations, since the constitutional standard "establishes a general obligation" (BENJAMIN, 2010, p. 102) The generality was solved by Law n. 10.650/2003, which expressly imposes the obligation of public bodies and entities to allow public access to documents, records and administrative processes that deal with environmental matters and to supply all environmental information under its power (Article 2).

Article 4 of the aforementioned Brazilian law describes the ways to advertise certain environmental matters, described as example and, based on the principle of publicity, the State must expand it to fulfill its objective, and not be restricted to publication in the Official Gazette, as is the case,

for example, of permits authorized and extended; infraction notices and the penalties attributed to the offenders, including recidivism; the terms of conduct adjustment; Appeals and their decisions; environmental impact studies and the terms of approval or rejection. Publicity through the Official Gazette is corroborated by the obligatory disclosure of the same information somewhere that is easily accessible by public in general, usually in public buildings. It is important to notice that, as the number of official newspaper readers is reduced, other forms of disclosure can and should be offered in favor of citizenship.

The Constitution of the Portuguese Republic in art. 37, paragraphs 1 and 2 declares the right of everyone to inform, inform themselves and be informed, without any impediment, limitation, discrimination or censorship. Thus, any citizen who is interested in information about the environment or any other public matter, if not confidential, can make use of these constitutional determinations.

On that purpose, Law n. 19/2006 rules the access to environmental information held by public authorities or held in its name and establishes the conditions for that. In addition to guaranteeing the right of access to environmental information, it imposes on the Portuguese State the obligation to disclose this information and to promote access by means of technologies, regardless of the request.

The stakeholder must file a request and wait between 10 to 30 days, which may be extended for up to two months, pursuant to article 9 of the law. The request may be rejected if the authority fails to have the document or if the proceeding is in progress; if the disclosure of such information jeopardizes confidentiality of information, international relations, public security, national defense or the secrecy of justice, and that justifies the denial (article 11); total or partial rejection of the request for information forces the notification of the applicant within 10 days as of the date the request was registered so that the rejection can be challenged by the applicant.

The interested party may have access to some documents without having to pay for that, but public authorities may charge for the provision of environmental information, pursuant to art. 12/n. 2 of Law 65/93 as amended by Laws n. 8/95 and 94/99. It is important to say that some non-governmental environmental organizations may have a 50% reduction in the payment of these fees. The table of payment values, reduction and remission shall be disclosed by the public authority.

Law n. 46/2007, a reflex of Directive n. 2003/98/CE, rules the access to administrative documents and repeated uses. This national provision ensures citizens' access to public documents in compliance with publicity, transparency, equality, fairness and impartiality principles (Article 1), no prejudice to the guarantees on access to environmental information. According to article 5, the interested party does not need to justify the request and may choose the form of access, whether by consultation, reproduction or simply request for information.

3 OPPORTUNITIES FOR ENVIRONMENTAL EDUCATION

Education should focus on sustainable development - at least on its local potential - which requires a change of values, in a world where the practices of the human being are consistent with the needs of living beings, that is, environmental education practices should allow for the qualification of citizens who are committed to the environmental quality issue (GUIMARÃES, 2000). A development founded on "environmental sustainability of growth and the improvement of quality of life" (VEIGA, 2010, p. 187).

Thus, promoting a reflexive environmental education requires achieving political projects built inside and outside public spaces. Involving associations of parents, academic centers, teachers' organizations of different levels, neighborhood associations, labor unions, among other organizations, can contribute to strengthen the processes of building ecological awareness. Educating for sustainability moves interests, including economic ones favorable or contrary to preservation, conservation and/or recovery of the environment, that is, "transforms the economic, political and cultural order, which is impossible without transforming people's awareness and behavior" (LEFF, 2013, p. 237).

The several meetings promoted by international organizations with the participation of several States bring up ideas about public policies that are important for environmental education, which can and should be carried out with the contribution and initiatives by the civil society.

Some projects carried out to raise the level of public awareness about the environment take place in Brazil and Portugal, both by public or private initiatives with public support.

On this subject, we can mention NGO Ramudá (*Ramos que Brotam em Tempos de Cambança*), a non-profit civil organization based

in Brazil, whose mission is to promote environmental education and sustainable development values through projects and activities. Among the activities is the bio-construction workshop, which aims to disseminate knowledge about construction techniques with materials to contribute in reform processes and improvements to the conditions of residential buildings, seeking information on techniques related to low cost materials. This initiative aims to broaden the discussions and knowledge aimed at socio-environmental balance in the construction of residences with raw materials and production processes with no or lower environmental impacts. The NGO says that the civil construction sector is one of the main causes of “environmental impacts due to the high consumption of materials, energy and high waste generation”.⁹

The environmental education project Learning from Nature¹⁰, developed by PHILIPS do Brasil, aims to pass on to society, especially to children, the importance of preserving the environment and living in harmony with the ecosystem. Among the different actions, the company created the green product seal, identified by a logo that, according to company data, has been increasing sales each year, especially in the lighting area, which recorded 46% of Green Product sales, followed by Health Care, with 9.26% and Consumption and Lifestyle, with 0.34%. This program was created in 2002 and it is concentrated in public elementary schools in the cities where the company has plants: Mauá (SP), Varginha (MG), Recife (PE) and Manaus (AM), besides being recognized by the Ministry of Education and Culture and by Unesco.

Moreover, the European Blue Flag Program¹¹, developed by the Blue Flag Association in Europe since 1987, with the support of the European Commission, whose objective is to increase citizens' awareness on the urgent need to protect the marine and coastal environment and to promote initiatives that are able to solve problems faced in environmental areas: beaches, ports, entertainment and entertainment vessels. This project is recognized by UNEP and is intended to be developed in other continents. In Portugal, the program is based on the criteria established by the “National Blue Flag Jury for beaches – JBAP”, which includes public, central and

9 Ramudá, s/d. Available at: <<http://ongramuda.blogspot.com.br/2011/06/ong-ramuda-promove-oficina-de.html>>. Access on: Nov 17, 2016.

10 PHILLIPS, s/d. Available at: <http://www.sustentabilidade.philips.com.br/aprendendo_natureza.htm>. Access on: Feb 23, 2016.

11 Fondation for Environmental Education (FEE), s/d. Disponível em: <<http://www.bandeiraazul.org.br/>>. Acesso em: 23 fev. 1016.

regional government entities, as well as non-governmental organizations and that has produced good results in Portugal since 1987.

The examples demonstrate practices carried out by civil society organizations and also by the State, by direct or indirect action. The projects carried out by civil organizations involve society and allow integration between people of different ages, without the intervention of the State. Others are executed by these organizations and the State acts as a regulator, promoter and sponsor of the actions, imposing certain standards, rules and directions. Regardless of whether or not there is partnership, the implementation of educational initiatives focused on the environment contributes, directly or indirectly, to draw attention to the practice of sustainable development and, consequently, to create conditions for the effectiveness of the right to a balanced environment.

The forms of environmental education are diverse and require a collective action by society and the State for the difficult implementation of sustainable development. These actions must be carried out by the school, family, associations, unions, non-profit civil organizations in general, public agencies and by citizens themselves, in a global and continuous collective action.

FINAL CONSIDERATIONS

Balanced development is essential for humanity. New discoveries and other actions responsible for improving people's quality of life cannot be prevented and must happen in a sustainable way, respecting the environment, social equity and efficient economy, promoting preventive and corrective measures through the initiative and involvement of the state and citizens in general.

Changes necessary for good practices in favor of a healthy and balanced environment require continuous environmental education programs inside and outside the school.

Although education legislations deal with the environment, it is necessary to clarify contents, methods and pedagogical objectives at all levels as an essential requirement for the Ministry of Education to evaluate results in the different countries.

The inclusion of environmental education as a compulsory subject

at schools in Portugal and Brazil requires a strong program with objective methods, especially executable as in other subjects: mathematics, biology, Portuguese, history, etc. It is important to make society aware of how to use the environment in a way that does not harm it as much as it understands the function of mathematics for the everyday life of all.

The fundamental protections of individual, collective and diffuse rights are made positive in the main public standards, but it is necessary to make information available to the mass of people, as one of the functions of environmental education and to strengthen citizenship.

Many cases hinder a particular focus on environmental protection responsibilities, considering that many detrimental actions against the environment, regardless of where they were initially undertaken, can cause environmental problems over long distances. Therefore, strengthening a globalized citizenship, that is, actions of citizens and entities carried out in defense and against damages to the environment, must be exponentially taken, creating spaces for the effectiveness and strengthening of the long-awaited sustainable development.

Transdisciplinary environmental education, in response to the environmental crisis, is one of the instruments of social transformation essential for an inclusive, environmentally balanced and economically efficient transformation; it may be an excellent tool to build the objective, principle, paradigm of sustainable development and, consequently, the realization of the right to a balanced environment.

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