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RESEARCH ARTICLE

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## HUMAN RIGHTS AND GLOBALIZATION IMPACTS OF THE COVID-19 PANDEMIC IN BRAZIL

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### ABSTRACT

Human rights are extended to everyone, regardless of their link to a given constitutional order, and have a supranational character. The aim of the article is to discuss human rights and verify the impact of globalization, especially influenced by the Covid-19 pandemic, in the Brazilian context. It is divided into three stages, the first dealing with human rights, the second dealing with globalization and the third dealing with the coronavirus pandemic in the Brazilian context. We are experiencing a process of permanent globalization and we can feel intensely during the Covid-19 pandemic how global decisions interfere directly and indirectly in the lives of citizens in each nation. The human being is the centerpiece in this process and, therefore, one wonders how to guarantee the valorization of the human being and the preservation of their rights? It is certain that history and science will blame, mainly the Brazilian federal executive power for the sanitary, social and economic crisis that hit and worsened in Brazil, as well as it will blame all the deniers and pseudoscientists who contributed for Brazil to figure as responsible for more than 10% of deaths from covid 19 globally. As for the methodology, the inductive method was used with bibliographical and documentary research.

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## INTRODUCTION

It is understood that human rights are covered by international law, as they extend to all human beings, regardless of their link to a given constitutional order, with universal validity and supranational character, this in itself demonstrates how complex it is in a globalized context, defend human rights. According to Demarchi (2019), globalization is characterized by a set of changes in the process of wealth production, in labor relations, in the performance of the State, in sociocultural relations, manifesting itself in instantaneous communication with increased speed in information processing ; in global trade with product diversity causing trade borders to cease to exist; in encouraging the privatization of companies; in facilitating the flow of products, services and investments; in the creation of an increasingly competitive market; in the mobility of capital, production and people. In the current pandemic context, nations around the world are uniting in favor of international cooperation, mainly in the scientific area, not only to guarantee unavailable rights such as the right to life, but also the right to hospital care and vaccination, in a race against time to manage one of the biggest health, economic and social crises the planet has ever experienced.

It is important to note that many decisions are being discussed globally, such as closing borders, social distance and even the complex and controversial decision to restrict the movement of people. Therefore, this article aims to discuss the impacts of these decisions on people's rights, especially in the Brazilian context. The article is divided into three moments, the first with a brief reflection on human rights, the second on globalization, and then on the coronavirus pandemic in the Brazilian context. In a context of globalization and pandemic, the human being is the centerpiece in the process and thus the question is: how to guarantee the valorization of the human being and the preservation of rights? As for the methodology, the inductive method was used with bibliographical and documentary research.

**GENERAL ASPECTS ABOUT HUMAN RIGHTS:** For a better understanding of this study, it is worth briefly explaining the distinction between the expressions "human rights" and "fundamental rights", which are generally used interchangeably, since fundamental rights are also considered human rights, in the sense of that its holder will always be the human being. It can be said that fundamental rights are the set of human rights and freedoms, institutionally recognized and affirmed within the scope of the constitutional law of a given

State. On the other hand, human rights are covered by international law, as they extend to all human beings, regardless of their attachment to a given constitutional order, with universal validity and supranational character. In this sense, it was proclaimed in 1948, with the Universal Declaration of Human Rights, approved by the General Assembly of the United Nations, that every man has the right to be, in all places, recognized as a person before the law, as provided for in its article VI (UN, 1948). The Declaration recognizes prerogatives enshrined in domestic and international texts, claiming it as an essential right to the person. These prerogatives can be identified as, for example, the right to work, to a fair wage, freedom to choose a profession, right to leisure, among others (Correia, 2020. p. 162-164). In addition to social rights, defined as human rights, the 1948 Declaration adds the worker's prerogative to an effective social security system, which is closely linked to the idea of well-being, guaranteeing housing, food, clothing, social services, medical care, among other benefits essential to their livelihood.

Later came the 1966 pacts, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. These Covenants contributed to the regulation of the programmatic principles of the Universal Declaration, where they were recognized as human rights. In particular, non-discrimination on grounds of race, color, sex, language, religion, political opinion, nationality, social origin, economic position, birth or for any other reason, as well as equal treatment between men and women (Correia, 2020. p. 162-164). The 1948 United Nations declaration, which was guaranteed, complemented and regulated by the 1966 Covenants, determines, at a universal level, that not only eminently personal rights, but basic social rights are human rights, because they are in the natural order. of things and without them man's personality does not have the capacity to expand, or improve itself, and thus reach its fullness. It should be noted that the different stages of the historical affirmation of human rights are associated with the great declarations of rights resulting from the technical-scientific advances achieved by humanity, which have always encouraged unifying movements of humanity, aiming to harmonize social life, as an important factor of human solidarity. The 1988 Brazilian constitution incorporated the ideas of the universal declaration at various times. One can highlight, for example, article 227, which establishes the duty of the family, society and the state to ensure the right to life, health, food, education, leisure, professionalization, culture, dignity, respect, or even when establishing the fundamental objectives of the Republic, according to article 3 or even article 4, among others, of the 1988 constitution.

It can be seen that art. 5 of the 1988 Constitution (Brazil, 2021) states that everyone is equal before the law, without distinction of any kind, guaranteeing Brazilians and foreigners residing in the country the inviolability of the right to life, liberty, equality, and security and property. With regard to the prohibition of discrimination based on sex, the Constitution says that men and women are equal in rights and obligations, under the terms of the Constitution. It also stipulates that the practice of racism constitutes a non-bailable and imprescriptible crime, subject to the penalty of imprisonment, under the terms of the law. It is observed that Brazil accepted the precepts of the Universal Declaration of Human Rights, with more emphasis than the world text itself. The idea of "peoples' rights" was also welcomed when the principles of self-determination, non-intervention, equality between States, peaceful resolution of conflicts and cooperation between peoples for the progress of humanity were adopted, pursuant to article 4, not only in the 1988 Constitution, but also in infra-constitutional legislation, where these manifestations are present in many of the enacted laws.

## GLOBALIZATION AND INTERNATIONAL COOPERATION

The phenomenon of globalization has been responsible for the transformations of society and, as a consequence, for the way of thinking and acting of the State. The Law, as an essential matter for the organization of society, has also been molded to this global reality, impacting the life of human beings, directly or indirectly. The idea of globalization that began to be used at the end of the eighties of

the last century, designates the integration of economies, as well as cultural exchange and social and political interdependence between countries. In addition to strengthening commercial relations between companies and different countries, there was considerable advance in communications, technology and transport, bringing all relations closer. Moment when the "local and the global" (Giddens, 2005, p. 60) connected. Globalization is characterized, according to Demarchi (2019) by a set of changes in the process of wealth production, in labor relations, in the performance of the State, in sociocultural relations, manifesting itself in instantaneous communication with increased speed in the processing of information; in global trade with product diversity causing trade borders to cease to exist; in encouraging the privatization of companies; in facilitating the flow of products, services and investments; in the creation of an increasingly competitive market; in the mobility of capital, production and people. On the other hand, it brings with it, according to Martin and Schumann (1998, p. 36) "ecological destruction and cultural degeneration", because the economic aspect overlaps all other aspects of life. Globalization influences international decisions in a comprehensive way, with the economic aspect being the one with the greatest impact, constituting the engine of world society for decades. A country is measured by the amount of wealth it produces and, as a result, people are measured by the same standard, that is, by what they have. The problem observed in this context is that one lives for production and growth (TER) at the expense of the issues of BEING, an aspect little thought about and even less discussed, but which, over time, may, according to Demarchi (2020) sum up globalization in a single expression: consumerism.

The ultimate goal, in this context, is the production of wealth. As the wheel has to turn, in a constant and strong incentive to consumption, making people consume is the outstanding function, although this is not always the individual's need. In this scenario, society is prepared for constant consumption, not worrying about whether, in the long run, natural resources will be available or not. What matters is the current moment. Given this reality, there is a need to change the predatory matrix of the current economic model to one that seeks not only economic growth, but the development of a new economy that aims to generate a better quality of life. There is a fundamental need to prioritize human beings. From the economic consequences, it appears that globalization represents new types of exclusion, installs competition among individuals, reduces wages, increases unemployment, poverty, increases the relationship between rich and poor, increases the possibility of corruption and devastates the environment (Rosa, 2009, p. 79-80).

In this context, the model presented meets the interests of capital in its entirety and is ignoring the human being and the social aspect, to the detriment of political and economic ascension. Based on the current moment, in which the Covid-19 pandemic opens up global inequality to catastrophic proportions, it can be seen that the economic model presented has increased social inequalities year after year, with an important worsening being felt during the pandemic of Brazil. coronavirus, which has contributed to widening the gap between rich and poor. In the Regional Human Development Report 2021 (UN, 2021a. p. 15-18), released in June by the United Nations Development Program (UNDP), the UN analyzes Latin America in the globalized context and highlights the trap in which it immerses the region, preventing progress towards the fulfillment of the 2030 Agenda and its Sustainable Development Goals - SDGs. According to the report, despite the progress of the last decades, countries in Latin America and the Caribbean are more unequal than those in other regions of the world, with similar levels of development, and their social indicators are still below expectations for their average level. of income. The gap between extreme wealth and extreme poverty and the vulnerability that characterizes the region has come into focus as never before and has deepened further as a result of the Covid-19 pandemic (UN, 2021b). The document also points out that the concentration of power in the hands of those few rich people who defend their private interests is one of the factors that connect high inequality with low growth.

But considering the context prior to the pandemic, globalization can be seen as a process that opens new perspectives for cooperation between societies and individuals, favoring greater interaction between population groups with different characteristics (Demarchi, 2014. p. 64.), and it must necessarily be, worrying about human rights, or even discussing and presenting solutions for the sustainability of the planet, on which the entire global economy depends and, without fail, all living beings. For globalization to be a process or model truly suited to society, it is necessary that all means of social exclusion, understood here as those that prevent the satisfaction of the basic needs of the person and their participation in society, be reduced or eliminated and that the people have access to the quantity and quality of resources and opportunities that allow them similar living conditions. Therefore, economic growth is not necessarily the element that represents and enables quality of life. Brazil stands out as an example in this context, being a rich country, however, with a poor people. It is understood that the indispensable condition for human development to occur is economic wealth, but economic wealth is not always efficiently converted into quality of life. Most of the time, the nation-state does not convert its economic wealth into quality for the people and this is what is observed in Brazil. It is opportune to note that in the context of the Covid-19 pandemic, international cooperation has been positioned as paramount, especially in collaboration between countries for vaccine development, as well as decision-making that, although internalized by nations, preserves international traits in the which are intended not only to contain the pandemic, but mainly, the recovery of the economy and the preservation of unavailable rights, such as the right to life. Humanity treads on unknown ground, for not having clearly defined how each country will emerge from the various pre-existing crises internally, which were greatly accentuated during the pandemic. For the goals of globalization to be preserved, international cooperation will be important. At this moment, mainly on the part of the rich countries, otherwise the economic and social collapse that is imminent worldwide will consolidate.

#### **COVID-19 AND HUMAN RIGHTS IN THE BRAZILIAN CONTEXT:**

The year 2020, the year the world literally stopped, can also be defined as the watershed, from which history will have a new chapter. The years 2020/2021 will be remembered as the period in which all countries were tested and had to respond to complex and unknown situations, each in its own way. Regarding the current health crisis, it is important to remember that this was not the first time that humanity suffered an epidemic. It certainly won't be the last. However, the coronavirus epidemic will be marked by evidencing crises already installed and publicizing the fragility between constitutionally constituted powers, mainly in Brazil. Harari (2020, p. 08) describes that epidemics have always "played a central role in human history since the Agricultural Revolution and frequently triggered political and economic crises". As in previous pandemics, also in relation to covid-19, the author argues that "the most important thing to remember is that viruses do not shape history. Humans, yes." The pandemic of the new Coronavirus (Sars-cov 2) that causes Covid-19 disease, according to data from Johns Hopkins University (2021), has already reached more than 190 countries and 200 territories, causing the death of 4,765,483 people, with 230,563. 227 cases reported to WHO and continues to spread. With no real prospects for when it will be controlled, the pandemic has been the watershed, causing deep crises, especially in the economic, social and health sectors, evidencing ills and impacting to a greater degree in countries with economic, political and social instability, as is the case in Brazil, where the repercussions are very pronounced in the poorest populations. Although the Brazilian Constitution of 1988, in its article 196, establishes that health is a right for all and that it must be guaranteed through public policy actions, with a national health system that is universal, comprehensive and with equity, this constitutional precept has been shown somewhat distant from reality. As Barata stated in 2009 (p. 09) "the public health problem was already latent", and it worsened exponentially during the pandemic and the situation of public calamity led Fiocruz to declare in March 2021, that we are experiencing the "greatest sanitary and hospital collapse of history" (CNN/BRASIL, 2021). The Lowy Institute

(2021), an independent Australian institution, analyzed nearly 100 countries according to six criteria, such as confirmed cases, deaths and capacity to detect the disease and, in March 2021, pointed to the Brazilian public management of the Covid-19 pandemic as the worst in the world. The rapid spread of the virus, territorial inequality in the distribution of health equipment, the lack of investments in actions in Primary Care to prevent the spread of the virus materialize as challenges in the complex mosaic of problems aggravated by COVID-19 in Brazil (Lima; Pereira; Machado, 2020). It is important to highlight that the current health crisis and its social and economic consequences do not affect everyone equally. Although the virus does not choose social or economic class, in Brazil, it especially affects vulnerable groups that are already on the periphery of society and state services. Among these groups, the poor, black population, women and other socially marginalized stand out.

The pandemic helped to unveil existing inequalities. Despite reaching everyone, the less favored had their most accentuated inequalities. The pandemic has highlighted the profound difference between the social strata of the country, which ranks as the 8th worst nation on the planet in income difference, according to a UNDP report (UNDP BRASIL, 2020) released in December 2020 and Brazil arrives to 2021 with the challenge of reducing the gap between social classes. Another major challenge is to demand a coordinated response from public and private health institutions, maintaining synergy with the SUS, which despite being considered one of the most robust health systems in the world, cannot meet the demand during the pandemic on its own. According to the World Health Organization, the ideal parameter for health care is 1 doctor for every thousand inhabitants. Brazil overcomes this reason: today, there are 2.4 doctors for every thousand inhabitants. However, distortions in the distribution of professionals by territory are still a challenge for health managers (Conselho Federal de Medicina, 2020). In this context, health policy, in particular, the Unified Health System (SUS) has demanded the watchful eye of specialists, government authorities and society. According to Lotta, et al (2021, p. 3) "Brazil has two assets in the field of health: the SUS and the more than 3 and a half million health professionals who work in it", but effective care for patients in the network public policy still depends on great advances ahead, especially in light of the pandemic moment. In relation to vaccination against Covid-19, which makes little progress in Brazil due to the lack of planning and investments on the part of the federal government, its scenario is aggravated by the shortage of vaccine doses and the complex logistics to quickly reach the most vulnerable people.

The official estimate of the Federal Government's National Immunization Plan is to complete the vaccination of Brazilians by the end of 2021, however, with a slow advance in vaccination, it is not possible to be sure that this goal will be reached within this period. Data from the Ministry of Health in the second half of September 2021 show the distribution of more than 280 million doses of vaccine across the country, with more than 230 million being applied - of these, more than 145 million in the first dose and 85 million in the second dose or single dose, that is, approximately 40% of the Brazilian population is immunized (Conselho Nacional de Saude, 2021). In this scenario, in which several mistakes are evident, from the lack of data and indicators, or even the misuse of existing data, there is no other way, if not to recognize the fragility of the Brazilian health system, with serious and irreversible consequences for the Brazilian population. In this context, the individual is unprotected, abandoned and violated by the State itself. Therefore, it appears that in Brazil, due to a political crisis, caused by a denial president, who spreads false news, values pseudoscience, presents easy solutions to problems that are at a global level, gave rise to an absence of planning and a national policy in the management of public health, further accentuating the sanitary, economic and social crises, affecting Brazilian society as a whole. Worse than that, we are more than a year and a half away from the beginning of the pandemic, and the president and his followers still continue to propagate the same ideas and ineffective measures against covid 19. Based on this information, there is a portion of the population questioning the importance of

using masks, questioning the need for social distance and questioning whether vaccines are effective and safe. Thankfully, as the president himself said in his speech at the UN on September 21, 2021, "History and science will know how to hold everyone accountable." (See, 2021) In other words, it is expected that Brazilian society knows, when exercising its right to vote, to hold responsible those responsible for the sanitary, social and economic crisis that hit and worsened in Brazil, as well as to hold responsible the all the deniers and pseudoscientists who contributed to the fact that Brazilian society, which represents 2.7% of the world population, represented more than 10% of covid deaths 19. These data by themselves already demonstrate who is responsible. It is necessary to learn from mistakes. The pandemic offered a moment to rethink and observe that the current predatory matrix of this economic model that seeks results and profit at any price cannot prosper. We need a new economy that aims at sustainability and as a consequence the quality of life, guided by human rights and based on the dignity of the human person. According to Demarchi and Cimadon (2020, p. 49) if the atrocities of the second war made the proclamation of the Universal Declaration of Human Rights as a way for countries to commit to avoiding new horrors, who knows, the post-pandemic society "walks towards a new level in which Solidarity is the instrument for an inclusion process that installs cooperation between individuals, reduces social inequalities, eradicates poverty and marginalization".

## CONCLUSION

The article had as general objective to discuss about Human Rights, about the consequences of globalization in the internal decision-making of countries, and also to evaluate the impacts of the Covid-19 pandemic in the Brazilian context. In this context, it was found that human rights are covered by international law, as they extend to all human beings, regardless of their link to a given constitutional order, with universal validity and supranational character. Globalization can be seen as a process that opens up new perspectives for cooperation between societies and individuals, favoring greater interaction between population groups with different characteristics, which must necessarily be concerned with human rights, or even, discussing and presenting solutions for sustainability of the planet, on which the entire global economy and, without fail, all living beings depend. In the context of the Covid-19 pandemic, international cooperation has been positioned as paramount, especially in collaboration between countries for the development of vaccines, as well as decision-making that, although internalized by nations, preserves traces of international influence, in which are intended not only to contain the pandemic, but mainly, the recovery of the economy and the preservation of unavailable rights, such as the right to life. The coronavirus sanitary crisis brought enormous negative impacts in all areas, being the health and economic areas the most affected, with repercussions in several other sectors such as education, social sector and public policies. Given this context, there is the question whether during the Covid-19 pandemic, in any way, the State took decisions that have harmed the rights of the Brazilian individual, especially in the area of human rights. Much has been discussed in this regard, such as the questioning of the right to come and go, restricted in some states and cities in Brazil, including a curfew in the most nefarious moments of the pandemic, as well as the refusal by some citizens to vaccinate.

The pandemic caused by Covid-19 is a public health emergency of national and international importance, therefore, it presents an emergency situation, in which the measures taken by the public administration are guided by urgency and emergency. In this respect, the State has a duty to act. In the current scenario of accentuated public health emergency, of national and international importance, in Brazil, municipalities, states and the Federal District, with regard to decisions to control and contain the Covid-19 pandemic, have been aligned with the decisions and globalized international standards, but the lack of planning and a national policy in the management of public health leaves the individual unprotected, abandoned and violated by the State itself.

It is certain that history and science will blame, mainly the Brazilian federal executive power for the sanitary, social and economic crisis

that hit and worsened in Brazil, as well as it will blame all the deniers and pseudoscientists who contributed for Brazil to figure as responsible for more than 10% of deaths from covid 19 globally. It is necessary to learn from mistakes and not repeat, since those who suffer most are the most needy and excluded.

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