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Social Responsibility, Sustainability and its awareness in Brazil

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Abstract. This paper discusses the importance of social responsibility as a base for sustainability and tries to provide an overview of this relationship in Brazil nowadays. It is recognized as necessary the existence of three classes of economical, ecological and social sustainability and the big challenge of reconciling these three elements. Are included the results and discussion of a research aiming to identify the different viewpoints on these subjects and its awareness in a group composed by lawyers and other professionals. It is expected that this research may contribute for the adoption of propositions able to improve this degree of awareness in Brazil, including a better commitment of the legal professionals.

Keywords: Sustainability, social responsibility, lawyers, awareness.

1 Introduction

The concept of environmental sustainability addresses the necessary arrangements for the environment we live in, circumscribed to the physical limits of the globe, so that it does not degrade itself to a point of becoming non-viable conditions for the exercise and preservation of the life of plant and animal species, human being included.

However, the concept of sustainability extends to the question of businesses economic survival, which generates jobs and produces goods and services necessary to society, as a social matter linked to the right that the people and the communities have to possess a worthy quality of life.

Thus, we must understand the sustainable development as the one who meets the needs of the present without compromising the ability of future generations to meet their own needs. The convergence between the economic, ecological and social objectives that prevails the conservation and sustainability of these elements is the basis of sustainable development. The big question that comes is the possibility of coexisting environmental, economic and social sustainability simultaneously. Are no they antagonistic? One does not

exclude the resource from the other? Resolving this apparent incongruity is the formidable challenge that is presented to humanity and it must be accepted, otherwise the future will be tragic. This issue is extremely current, needs to be looked at a very short time, and is directly related to the issue of corporate social responsibility.

In fact, there is certainly much to do, because the major global issues, today recognized, are caused by massive existing of productive agglomerations not resolved and keeps affecting increasingly the environment, taking the less optimistic people to worry about a catastrophe in a near future. Global warming, the consequent melting of polar ice caps rising the sea levels, the limited resources of fossil fuels, increasing water shortages, air pollution, population growth incompatible with the resources necessary to survival with dignity, the rise of China with new demands of progress and well being, all of these and many other threats to humanity are demanding energetic and effective actions to ensure conditions so that the future generations may inhabit the planet decently.

In this frightening picture, it is up to industries to do its part, since, historically, many of them have been largely responsible for the degradation of nature in their surroundings, by the release of smoke polluting the air, toxic waste in rivers, garbage in nature, etc. From that comes the necessity to adapt to other obligations, to perform a cleaner production as a way to make a contribution to the salvation of the planet [1], [2].

2 Objectives

From the above assumptions, this paper seeks to situate the issue of social responsibility in Brazil as a part of major importance to economic, ecological and social sustainability. In this context, are raised conceptual, legislation and other issues related to this questions in the country. The results of a field research are also invoked to better know the awareness aspects related to the theoretical concepts.

3 Methodology

The research related with this paper consist of two parts, the first one based on selected references on the subjects of Social Responsibility, Sustainability and related topics, including also interviews with organs and persons linked with the topics of intents, two of which are presented in this paper. The second part of the research involves a questionnaire of interest to the subject, with 10 questions applied to 50 lawyers and 50 other professionals. These questions were selected among a total of 16 included in the original research, which can be seen in [3].

4 Social Responsibility in Brazil

As consequence of the implementation of the Brazilian Program of Quality and Productivity and the existence of the Brazilian Quality National Prize, now world-wide benchmark in some aspects, among others positive actions of the government and the society, the number of entrepreneurs conscious of the importance of the problem has grown significantly in Brazil. This constitutes certainly a good starting point, but clearly it is still not enough so that the global actions for sustainability be verified in practice.

It also fits to mention that the ABNT – Brazilian Association of Technical Standards anticipated itself to the proper ISO organization when launched the national standard ABNT NBR 16001: Social Responsibility – Management System – Requirements, showing the existing institutional concern with this question [4].

Such standard establishes the minimum requirements so that the organizations present a system of management of the social responsibility, such as: politics and objectives that take in account the legal requirements, the ethical commitments and its concern with the promotion of citizenship, sustainable development and transparency of its activities.

Moreover, as the ABNT NBR 16001 standard considers the sustainable development as being a minimum requirement to characterize a socially responsible organization, we can affirm that Social Responsibility without a Sustainability component does not exist. In a similar way, it is impossible to prosper in the Sustainability subject without considering the question of the preservation of the environment that is directly related to the Quality of Life of the citizens.

Brazil, even being still a developing country, is in an increasing process in the questions of Social Responsibility related with Sustainability. The specialized literature in the subject grows in number of national authors who reflect the Brazilian reality, showing cases of success pointing in the direction that the organizations are quickly understanding the competitive and comparative advantages with the adoption of measures of social responsibility, looking towards the sustainable development.

Brazilian authors as Alonso, López and Castrucci define Social Responsibility as being a taking of conscience of the company which leads it to freely assume activities and incumbencies in favor of the society where she is inserted.[5]

For [6], Social Responsibility is not a finite program in time and space, but a continuous process that grows in perfection with time. To have effective Social Responsibility, it is necessary the coherence between action and speech, promoting an attack to the causes of the problems.

Brazilian Federal Constitution says in its article 225: “Everyone has the right to the environment ecologically balanced, feasible for the common use by people and essential to the healthy quality of life, having the Public Power and the collectivity the responsibility of defend and preserve it for the present and future generations”.

In [7] is added that the environment must be a central concern of the humanity, since all aggression to it can bring irreversible implications of impact for all the people. Due to this,

and with the intention of protecting the environment against the annihilating and maleficent performance of man, it is why legal instruments of protection, also called ambient legislation, appear.

In addition, [8] argues that the Environmental Law is not worried only about the natural environment, the physical condition of earth, air, water. It also deals with the human environment – health and other social conditions produced by man that affect the living place of the human beings in the Land.

There are other Brazilian exceptional, specials and general standards applied to the current legal system that demonstrate the progress of laws in the country when it comes to environment and consumer. Among these standards are:

- Norms of the Customer Protection Code, that prioritize the civil liability of the manufacturer, producer, constructor or importer to protect consumers from damages;
- Norms integrated to environmental law, for example, specific rules on liability for nuclear damage, and general rules on liability for damage to the environment;
- Constitutional standards which reaffirm and consolidate the special and general legal rules on liability for environmental damage.

5. Results of interviews

The two interviews given below were selected among others made in the original research [3], selected according to its interest to this article.

a) Ethos Institute

“The Ethos Institute is a nongovernmental organization with responsibility due to the Ministry of Justice. Our mission is to mobilize companies, to help them to manage its businesses on a socially responsible form and to make them partners for the construction of a more fair society.”

“We think problematic to consider a company socially responsible or not. For example, the company may have a very advanced initiative in the relationship with the consumer and, on the other hand, have a devastating practice. Some indicators exist, as the Index of Enterprise Sustainability (ISE), but I do not consider that it is enough to certify or to guarantee that a company is socially responsible. Mainly, because ethics is very fluid. There exists the ISO 26000 standard, but it does not certify, exactly for this reason.”

b) Dr. Paulo Hoffman, lawyer and university professor:

“Law is common-sense! Had the people conscience of its obligations, as well as responsibility and honesty to carry out them, the Judiciary Power would become unnecessary. Anyway, it has a fundamental regulating and enlightening role, hindering doubts and divergences and thus providing improvement of the quality of life.”

“It is not spread among the practitioners of the law activities the concern with sustainability and social responsibility. Excepting courses or specific disciplines on the subject, in general there is not more conscience or interest, and a complete lack of

interdisciplinarity. Moreover, I would dare to affirm, even without scientific or academic sustentation, that the proper generic definition of sustainability and social responsibility would be of difficult delimitation for the scholars of the law science”

6 Results of the questionnaires

To the 50 lawyers and 50 other professionals were formulated 16 questions in the original research [3]. Of these, 10 were selected, for being of better interest to the present article, whose enunciates are presented in Table 1, where

AC = I agree completely, A = I agree, I = I do not agree nor disagree, D = I disagree.

Table1. Percentages of answers to the questions.

Nº (*)	Questions	Lawyers				Other professionals			
		AC	A	I	D	AC	A	I	D
2	Ethics is the base of social responsibility and sustainability.	22	60	12	6	50	40	10	0
4	The concern with sustainability and social responsibility is spread out among the practitioners of the law.	4	16	10	70	8	30	32	30
5	Social responsibility is a factor for the competitiveness of the companies.	12	30	24	34	22	48	12	18
6	Social responsibility of companies is evidenced by its philanthropic activities.	10	24	32	34	2	24	8	66
8	In buying, consumers take in account the factor social responsibility.	10	24	32	34	2	24	8	66
9	In the two last decades, the quality of life of society has increased significantly.	4	62	12	22	10	52	16	22
10	Environmental legislation is a tool for sustainability.	30	60	4	6	40	46	12	2
12	The quality of products and services is important for the sustainable development.	32	56	8	4	20	56	16	8
13	Companies implement total quality exclusively aiming the increase of profitability.	12	38	20	30	8	44	18	30
14	Organizations that respect the labor laws of the employees do it, not only to fulfill legislation, but, overall, looking for the improvement in quality of life of the society.	4	20	22	54	24	22	26	28

(*) Numeration as in the original research.

Source: [9]

To these answers it was applied the well know non parametric chi-square test of homogeneity as described in [10], through which is tested the hypothesis that the opinions are homogeneous between the lawyers and the other professionals. This hypothesis was

accepted, at the 5% of significance level, in questions 9, 10, 12 and 13. In the other questions, it was found significant difference between the two categories of respondents, as shown in Table 2.

Table 2- Results of tests where there are significant differences in the answers.

Question	X^2_v	ν	$X^2_{v,5\%}$	$X^2_{v,1\%}$
2	8,587*	2	5,991	9,210
4	16,505**	2	5,991	9,210
5	8,009*	3	7,815	11,345
6	12,853**	2	5,991	9,210
8	12,853**	2	5,991	9,210
14	11,479**	3	7,815	11,345

*: $\alpha = 5\%$; **: $\alpha = 1\%$

Source: [9]

It may be seen that the questions which present more significant differences, identified at the level of 1% of significance, are, in decreasing order of certainty, numbers 4, 6, 8 and 14, and with significant differences at the level of 5%, are questions 2 and 5.

Comments on questions with significant difference:

Question 2: There is strong agreement of the two groups in this question (82% x 90%), but the intensity of conviction is stronger among the non lawyers, perhaps because the lawyers think that law, more than ethics, supply this basement.

Question 4: The research demonstrates that the concern with sustainability is less spread among the lawyers than among the other professionals. This information is a too worrying one.

Question 5: It is natural that the lawyers do not understand the social responsibility as a factor of competitiveness among companies, because this is not part of their world. No longer, in the other group, probably mainly for being included managers, entrepreneurs and engineers, the percentage is bigger on the affirmation that social responsibility is a factor of competitiveness of the companies.

Question 6: The result of the opinions demonstrates that among the lawyers was bigger the number of them who confuse social responsibility with philanthropy. This meets the results of questions 4 and 5, indicating that the subject is less spread out among the lawyers.

Question 8: The overall majority believes that the factor social responsibility is not taken in account by the consumers. Moreover, this belief is statistically stronger among the lawyers.

Question 14: Is big the number of interviewed professionals affirming that the labor legislation is only fulfilled due to law and inspection, mainly among the lawyers, since they know more closely this reality.

7 Conclusion

In the first part of this paper were made considerations, based in selected references and considerations by the authors, on the field of Social Responsibility and Sustainability, showing the close interconnection between these two very important and considered concepts in the XXI Century reality.

The research conducted with lawyers and other professionals brought some interesting comparisons, showing the first group less aware on sustainability issues. Something must be done towards their commitment, since they have in their hands the powerful tool of the law.

From these considerations, we reinforce the following ones due to its undeniable relevance:

- a) The opinion of Dr. Paulo Hoffman about the little concern by the practitioners of the Law on sustainability and social responsibility. This consideration meets the result of question 4, suggesting the necessity of better to engage the legal class of professionals in the fight for sustainability.
- b) The evidence given by some questions that lawyers are more attached to the cold text of the law, what often prevent them of having a deeper concern on aspects related to environmental sustainability.
- c) The opinion, that was transparent in the research, that the companies are still more worried with attendance to the text of the laws, without any doubt important when related to the question of sustainability and social responsibility, than with the exercise of a conscious performance toward these problems.

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