Quaestio Iuris

vol.14,nº.04,RiodeJaneiro,2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

MARRAKESH TREATY AS A POSSIBILITY OF ETHICAL AND LEGAL CARE OF THE OTHER FROM EMMANUEL LEVINAS

TRATADO DE MARRAQUECHE COMO POSSIBILIDADE DE CUIDADO ÉTICO E JURÍDICO AO OUTRO A PARTIR DE EMMANUEL LEVINAS

Daniela Menengoti Gonçalves Ribeiro[1]
Rodrigo Valente Giublin Teixeira[2]
Walter Lucas Ikeda[3]

ABSTRACT:
Visually impaired people, and people with difficulties in reading printed texts, started to have an important milestone with the Marrakesh Treaty so that they have access to books, in an appropriate format. The Treaty incorporated as a Constitutional Amendment makes copyright more flexible and promotes a series of guidelines for implementing the Treaty, making some points more flexible for each regulatory State. And it is precisely on the regulation that Brazil will adopt that there are several market interests for the purpose of the Treaty and that this research will seek to analyze. Thus, the research problem that raises research is: which extrajudicial power plays that concern, in the first instance, the implementation of the Marrakesh Treaty? Through the hypothetical-deductive method, using legal and philosophical bibliographic research. The research contributions, based on the theoretical axis of Emmanuel Levinas, point out that the ethics of alterity seeks to make everyone responsible for caring for the Other, indicating that the commercial availability clause should not be adopted, favoring accessibility.

Keywords: Marrakesh Treaty. Rights of the disabled person. Personality rights. Other. Emmanuel Levinas

RESUMO:
O Tratado de Marraqueche representa um importante marco para as pessoas com deficiência visual e com dificuldade de leitura de textos impressos, uma vez que possibilitou a estes o acesso a livros em formato adequado. O Tratado incorporado como Emenda Constitucional flexibiliza direitos

[1] Doutora em Direito pela Pontifícia Universidade Católica de São Paulo (PUC/SP), com período de pesquisa (doutorado sanduíche) na Université Paris 1 - Panthéon-Sorbonne, Paris, França. Docente do Programa de Mestrado e Doutorado em Direito da Universidade Cesumar (UniCesumar), Maringá, Paraná, Brasil. Pesquisadora do Instituto Cesumar de Ciência, Tecnologia e Inovação (ICETI). Afiliação:Unicesumar. Lattes: http://lattes.cnpq.br/0704785648361421 ORCID: http://orcid.org/0000-0001-7621-8899. E-mail: daniela.ribeiro @unicesumar.edu.br.

[2] Doutor em Direito pela PUC/SP. MBA em Business Law pela FGV. Mestre em Direito pela UEL/PR. Bolsista Produtividade em Pesquisa do ICETI – Instituto Cesumar de Ciência, Tecnologia e Inovação. Professor Titular do Doutorado, Mestrado e da Graduação na UniCesumar. Advogado. Endereço Profissional: Avenida Guedner, n. 1610, CEP: 87.050-390 Maringá/PR.Afiliação:Unicesumar. Lattes: http://lattes.cnpq.br/9514467370087290. Orcid: https://orcid.org/0000-0001-6562-6731. Email: rodrigo@rodrigovalente.com.br.

[3] Doutorando em Ciências jurídicas pela Cesumar. Mestre em Ciências Jurídicas pela Cesumar. Pós-graduado pela PUCPR. Graduado em Direito pela Faculdade de Direito de São Bernardo do Campo. Graduando em Filosofia pela Cesumar. Professor da graduação e iniciação científica da Unifamma. Advogado.Afiliação:Unicesumar. Lattes:http://lattes.cnpq.br/8656706806234500. Orcid: http://orcid.org/0000-0002-6079-7109. E-mail: walterlucasikeda@gmail.com.

vol. 14, nº. 04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

autorais e promove uma série de diretrizes para sua concretização, flexibilizando alguns pontos para regulamentação de cada Estado. É justamente sobre a regulamentação adotada pelo Brasil que se encontram diversos interesses de mercado com a finalidade do Tratado e que esta pesquisa buscará analisar. Assim, o problema que se lança à pesquisa é: quais os jogos de força extrajudiciais que preocupam, em primeiro momento, a concretização do Tratado de Marraqueche? O estudo proposto se dá por meio do método hipotético-dedutivo, utilizando-se de pesquisa bibliográfica jurídica e filosófica. As contribuições da pesquisa, com base no eixo teórico de Emmanuel Levinas, apontam que a ética da alteridade busca a responsabilização de todos para o cuidado com o Outro, indicando que não se deve adotar a cláusula de disponibilidade comercial, privilegiando a acessibilidade.

Palavras-chave: Tratado de Marraqueche. Direitos da pessoa com deficiência. Direitos da personalidade. Outro. Emmanuel Levinas.

1 INTRODUCTION

The globalized world has allowed the approximation of different countries and people, making contacts between different cultures and values more and more frequent, thus fostering the need to establish pacts between different countries. Some of these pacts may deal with human rights and their enforcement, as is the case with the Marrakesh Treaty, which was incorporated with the status of Constitutional Amendment in Brazil.

Thus, aiming to trace an epistemological decision on human, fundamental and personality rights, this article adopts the concept that the difference between denominations is much more for topographical indication of norms: human rights are found in the Treaties and International conventions; the fundamental rights would be enshrined in the National Constitution, and the rights of the personality in the infra-constitutional legislation, but all the norms, in the last analysis, are protecting the human person (SCHREIBER, 2013, p. 13).

Also in this sense, it should be noted that the theories that mark the division between public and private law are no longer supported by their criticisms, just as the subject theory, the interest theory and the theory of the relationship of domination are removed by contemporary criticisms (ZANINI; OLIVEIRA; SIQUEIRA; FRANCO JUNIOR, 2018, p. 211-212), making the use of human rights, fundamental or private, used in this research to be indistinct and in confluence with the protection of the human person.

This comparison of concepts is important for an initial analysis of the Marrakesh Treaty, as the international regulation was integrated with the status of Amendment to the Constitution, pursuant to the procedure set out in Article 5, paragraph 3, of the Federal Constitution. Thus, topographically, it changes from a human right to a fundamental one, and will still have influences with the rights of the personality, and all these regulations will allow for a complementary protection to the norm.

vol. 14, nº. 04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

The research problem that arises is: which extrajudicial power plays that concern, in the first instance, the implementation of the Marrakesh Treaty? The hypothesis being worked on is that despite the normative development in Brazil and other countries, economic issues still hinder the realization of rights for people with disabilities, especially with regard to the accessibility of books in an appropriate format aimed at the recipients of the Treaty.

The justification for this research is given by the fact that the regulation of the Treaty goes through some political decisions and heterogeneous interests, especially regarding the adoption of the clause of commercial availability, in which, on the one hand, the Treaty has a unique humanistic power, and on the other, they highlight market and property interests that justify the interest and relevance of this research.

The problematic of this study will go through the philosophical questions brought before the philosophy of Emmanuel Levinas, especially in his concepts of Other, subjectivation and otherness, which compare with different normative and recognition dispositions. Levinasian thought seeks to consider the rich and plural individuality of each individual, welcoming it in its ethical care that makes the political and justice emerge, not the other way around, and which proposes a radical ethics in the face of egological interests, the which makes it very incisive to the subject of this research.

In order to deal with the chosen problem, the hypothetical-deductive method is adopted, through a literature review, considering that the method is deductive for analyzing philosophical or legal hermeneutic concepts, and hypothetical for dealing with the concrete study of the Treaty of Marrakesh.

Thus, in the section entitled "Considerations on the Marrakesh Treaty", the basic concepts of the Treaty and its topography in the legal order are discussed, complementing with a bibliography of educational research, in order to analyze the context of the Treaty's innovation for in addition to its own sphere, that is, it seeks to analyze the entire historical and normative chain that paved this new possibility of path towards the rights of people with disabilities.

In a second moment, in the section entitled “Reflections on the person and the market from Emmanuel Levinas”, some of the concepts of the philosopher Emmanuel Levinas are analyzed, seeking to compose a synthesis between the normative desideratum of the Treaty and the philosopher's concepts Lithuanian, especially due to the ethical perspective and radical responsibility that the philosopher proposes to the Other, a philosophical concept that enriches the discussion and legally approaches the category of people with disabilities, subjects of the analysis proposed by this work.

vol. 14, nº. 04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

2 CONSIDERATIONS ABOUT THE MARRAKECH TREATY

The Treaty of Marrakesh deals with several norms that seek to help blind people, people with visual impairments or other people with reading difficulties to have access to the content of published works, which would encourage the development of this group of people, with a view to facilitating access to information that is difficult to capture due to their eye condition.

At the International Convention on People with Disabilities, accepted by Brazil as a Constitutional Amendment, it was stated that people with disabilities are those with long-term physical, mental, intellectual or even sensory impairments "who, in interaction with various barriers, may obstruct their full and effective participation in society on equal terms with other people" (BRASIL, 2009).

Despite the alignment of different state actors on the concept of people with disabilities, which had the merit of facing concepts from the World Health Organization (WHO) that previously indicated incapacity, disability and disadvantages, there is still great difficulty in quantifying and classifying these people in Brazilian society (MARQUES, 2006), and it is still observed the existence of many spaces of struggle to be conquered in the Brazilian reality and in its social structure.

In this sense, it can be observed that the International Convention on the Rights of Persons with Disabilities (BRASIL, 2009) adopts a biosocial view of the person with a disability, considering the biological and social aspect, in which it is recognized that disability is a dynamic concept and in development, observing the relationship between people with disabilities and the obstacles that the social structure imposes on their full and effective access to and participation in society, under conditions of equality and opportunity with any other person.

> The technical concept of disability involves, therefore, two deficiencies: that of the body, which brings it closer to the biomedical model, and that of the social structure, which brings it closer to the social model. The protection to be given to the rights of PwD is, therefore, twofold: on the one hand, the State must provide these people with their basic needs, which is normally done through assistance policies, with a financial fund; on the other hand, the State and also society, collectively or individually considered, have the duty to create opportunities that enable the PwD to exercise their capacity set (to use an expression close to that used by Sen) or set of capacities (which is an expression close but not exact to that used by the Indian economist). (FABRIZ; SIQUEIRA; VERMELHO, 2020, p. 1098).

At this point, it is important to highlight a brief criticism of taxonomy and legal positivism that blunt the complexity of the human person. The expansion of the list of personality rights, which often seeks to encompass more and more rights, still follows a logic of positive law that has not

vol. 14, nº. 04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

ceased to exist and cannot accept the person as an ontological fact, and which effectively is (ASCENSÃO, 2006, p. 154). Thus, what we seek to point out is that the inflows that the law can receive from the different dimensions only enrich it, such as the philosophical and axiological ones, and the law must remain continuously open and dynamic for the Other, in order to avoid injustices for the guardianship of a must-be ineffective in itself.

Nevertheless, we can mention that Hans Kelsen, a neo-Kantist who promoted law as a science, marginalized the conception of the psychic-biological person, only bringing the purely juridical concept of person into his system. The jurist still denied subjective rights beyond their formal character, as an expression of legal duty, basing all norms on a previous and hierarchically superior norm, avoiding bringing ontological content to the legal system. This conception impoverished the notion of person, which would not have material content, only legal attribution (KELSEN, 1998, p. 149). This position is well contrasted with that of Celso Lafer: "the value of the human person as an axiological conquest finds its juridical expression in the fundamental rights of man" (LAFER, 1988, p. 118).

Henceforth, one can observe the political alignment of various state agents regarding the Treaty taken to Marrakesh, Morocco. The treaty was proposed by the governments of Brazil, Paraguay, Ecuador, Argentina and Mexico, with the support of the Group of Latin American and Caribbean Countries. The proposal of the Treaty was to increase the number of works published in the world for people who are blind, disabled or with reading difficulties, noting that less than 1% of works in the world are converted for access by this group of people. The Minister of Culture at the time, Marta Suplicy, spoke to Agência Brasil, in the sense that:

> We are giving people with visual impairments and reading disabilities the hope of having their fundamental rights guaranteed, promoting the overcoming of concrete barriers to their full development. Based on this treaty, people with visual impairments will be able to have access to reading, education, personal development and work on equal opportunities with other people. (GIRALDI, 2013).

Until the reception of the Marrakesh Treaty as a Constitutional Amendment, which took place in 2015, Brazil only gave the same treatment to the New York Convention (together with the International Convention on the Rights of Persons with Disabilities), ratified in New York in 2007 , and approved in Legislative Decree No. 186/2008.

Thus, we can observe that Brazil is in favor of protecting the rights of people with disabilities and their accessibility, in addition to promoting the struggle for access and comprehensive development of people with disabilities, and in the case of the Treaty, for blind people, with visual impairment or with difficulty in reading printed texts.

vol. 14, nº. 04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

When Brazil accepts the rule as a Constitutional Amendment, it must, according to contemporary hermeneutics, take the rules of a constitutional nature as a starting point for implementing the law, with due normative force, in which the Constitution is not merely an expression of a must to be, but to be, the Constitution must impose order and conformation to the political and social reality (HESES, 1991, p. 15).

In this sense, we can observe that the Treaties incorporated in Brazil as a Constitutional Amendment value not a state crutch, but rather to create conditions of accessibility so that all people with disabilities can be autonomous. This is the guideline of Law No. 13,146, of July 6, 2015, which institutes the Brazilian Law of Inclusion of Persons with Disabilities (Statute of Persons with Disabilities):

> Art. 3º For the purposes of applying this Law, the following are considered:
> I - accessibility: possibility and condition of reach for the use, with safety and autonomy, of spaces, furniture, urban equipment, buildings, transport, information and communication, including their systems and technologies, as well as other services and facilities open to the public, for public or private collective use, both in urban and rural areas, by people with disabilities or reduced mobility. (BRASIL, 2015).

The issue of the autonomy of people with disabilities is a great achievement for everyone, because people want to be someone, not a nobody, they want to decide for themselves, they want to lead their own lives and not just be objects of external influence or other people, they want become someone who has an individual reason, with unique potentials, and that distinguishes him from all other human beings, and from the rest of the world (GARCIA, 1994, p. 22).

Furthermore, it is salutary to point out that the Federal Constitution (1988) itself is clear in the sense that one of the fundamental objectives of the Federative Republic of Brazil is to promote the good of all, regardless of any form of discrimination (art. 3º); that education is everyone's right, being a duty not only of the State and of the family, but it will be encouraged with the collaboration of society, aiming at the full development of the person, with the preparation of everyone for citizenship and qualification for work (art. 205); that the State will guarantee everyone the full exercise of cultural rights and access to the sources of national culture; in addition to several other regulations that corroborate these guidelines.

These normative provisions are not valid and effective only after a regulatory decree, but they are principle norms, with direct application to specific cases. The constitutional legal principle is also a norm, as well as a regulation, in which there is a norm-rule and a norm-principle (CANOTILHO, 1993, p. 166).

We can also say that violating a principle is more serious than violating a rule. Because, considering that the non-observance of a principle violates an entire normative system, attacking a principle attacks an entire system in its fundamental values (MELLO, 1986, p. 230).

vol. 14, nº. 04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

In addition to a deontological normative perception of the object of our research, we must be concerned with the ontological, ratifying the methodology adopted in this research, in which the education of people with disabilities must be analyzed from the perspective of daily struggles that is the life, the pressure exerted as an individual on the collectivity and the pressure it receives from the collectivity, considering that each person is unique, with their own potential, as a person is understood to have their own ontological reality and constitutive rational opening (GONÇALVES , 2008, p. 64).

Thus, we can think that education only in an imposing character does not reach the core of what education is, but suffocates it as an act, since education as an "act of valuation and meaning only originates in the concretely lived life; values and meanings imposed become, therefore, insignificant" (DUARTE JUNIOR, 1988, p. 60).

According to Maria Luiza Silveira Teles (2001, p. 13), the person who comes to this world, comes into a world with a certain organization, which is the result of millennia of collective learning, and all this load of learning must be assimilated by this new person in a few years, this integration of the new person to all this wealth of knowledge in society, such as language, culture, religion, customs, gastronomy and many other elements is what characterizes what we call "Education".

In fact, the human person is a unitary and fundamental value in the legal order, and does not contain fragmentations; it cannot be perceived only by its integrity or physical aptitudes, it is much more than that, it is intimacy, privacy, honor, name, image; constituting the sum of all the projections of his personality, in addition to his relationship with the social body of his bonds, affections and even the environment, materialized in an ecologically balanced environment, connected to his right to health, and his right to a dignified life (GAMA; NUNES, 2019, p. 1955).

In this sense, considering that the State is formed by its citizens, the development of the nation is a consequence of the development of its members, in which we can only speak of democracy if everyone is assured the possibility of citizenship, and this is only possible with access the education. It is not enough for several laws to be drafted and for the fight for legal principles to be promoted, concrete actions are needed (AGUIAR, 1993, p. 13-14), and this is where we must return to the treaty to analyze a crucial point in its regulation, which is the commercial availability clause.

The Marrakesh Treaty, signed on June 27, 2013, during the Diplomatic Conference of the World Intellectual Property Organization (WIPO), became a normative that integrates other international copyright treaties administered by the Organization, and signed with the commitment of the countries signatories to remove legal barriers to access to books and other materials for recipients of the Treaty. At that time, WIPO registered 285 million blind or visually impaired people

vol. 14, nº. 04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

in the world, and that less than 7% of the books published allowed their accessibility, as in the case of Braille, audio and large print in digital formats (OMPI, 2016, p. 2).

The low number of books accessible to people with disabilities is not limited to books themselves, but indicates that people with disabilities are still marginalized from many basic services. The survey conducted by Humanity & Inclusion (HANDICAP INTERNACIONAL, 2015) recorded that 75% of people with disabilities do not have access to various basic services, such as water, sanitation and hygiene, psychosocial assistance, access to health, among others, and yet 32% of people with disabilities do not have information on how to implement their rights or even know about their existence. On this last point, it is always important to emphasize that access to justice is also a human right, considering that human dignity is made effective by the enjoyment of their rights (CASAGRANDE; TEIXEIRA, 2018, p. 386),

Furthermore, it should be noted that copyright is part of the digression of this research, as the treaty provides for the limitation of these rights, including the waiver of prior authorization or payment of copyright for its conversion into an accessible form, in order to achieve the objective stipulated, only for people who are blind, visually impaired or have difficulty reading printed books, as noted in the article 4º, 1. (a):

> The Contracting Parties shall establish in their national copyright law a limitation or exception to the rights of reproduction, distribution, as well as making available to the public, as defined in the WIPO Copyright Treaty, to facilitate the availability of works in formats accessible to beneficiaries. (BRASIL, 2009).

In view of these considerations about the Marrakesh Treaty and the regulations on the matter, it remains to be considered the implementation of the Treaty, which will take place through a Regulatory Decree, whose main role will be to ensure the fulfillment of the commitment signed with the Treaty and bring legal certainty, through the decision to adopt the commercial availability clause.

3 REFLECTIONS ABOUT THE PERSON AND THE MARKET FROM EMMANUEL LEVINAS

The accessibility of blind people, people with visual impairments or people who have difficulty reading printed works depends on an economic issue, which is the adoption or not of the commercial availability clause. This optional clause prescribes that if any publisher has made the work available in an accessible format and for a reasonable price, there is a limitation on the waiver of authorization and prior payment of copyright, that is, a limitation on the flexibility that the Treaty brought as a novelty.

vol.14, nº.04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

In this sense, it is important to emphasize that the treaty itself, ratified by the States, in its article 4º, allows them to decide internally whether they will adopt a commercial availability clause:

> art. 4. A Contracting Party may restrict the limitations or exceptions under this Article to works which, in the accessible format in question, cannot be commercially obtained under conditions reasonable to the beneficiaries in that market. Any Contracting Party exercising this right shall declare it in a notification deposited with the Director General of WIPO at the time of ratification, acceptance or accession to this Treaty or at any time thereafter. (BRASIL, 2009).

The adoption or not of the commercial clause by Brazil must be considered in several aspects, such as the difficulty of defining the term "work in accessible format", which must conform to the different needs, and which may be different to the recipients of the Treaty, the which could cause a disincentive to the entities authorized to carry out the conversion of the work, unjustifiably harming the legitimate rights of the beneficiaries of the Treaty. There is also the condition that the commercial availability clause would only be inserted if the work was available in an accessible format and in reasonable access conditions, and this last term was not defined objectively; and the commercial availability clause, still, should respect the purpose of the Treaty, which does not have the purpose of the market, but rather to ensure a right (FEBAB, 2020).

In addition to the State responsibility with the regulations enshrined in the Marrakesh Treaty, the ethical responsibility that must be included in all human conducts is also highlighted in order to seek together the best way to live. It is precisely in this ethical perspective that the thought of Emmanuel Levinas stands out, for whom there is no such thing as a human without ethics.

A concept of urgent importance of the Lithuanian philosopher and that has adherence to the object of our research is that of Other. For Levinas, the Other is the one found in an asymmetrical relationship, just as the teacher is for the student, just as blind people, with visual impairments and those with difficulty in reading printed texts are, at this time, recipients of the Treated.

What we intend to make clear with the exposition of Levinas' thought is that there is no possibility of thinking about a collective living and substantiation of the Self without the Other, in such a way that without the Other there is no Self, but a pure empty shell of I. For the philosopher, subjectivation, the development of the Self, begins with the Other, it is the Other that constitutes me and not the I that constitutes the Other. In this way, it is the Other who must say who he is and when I recognize who the Other is, I realize who I am. There is no Self without the Other.

In this sense, how can we think about recognizing the Other if not even he has access to his own development? The subjectivation of the I, knowing myself, goes through contact with the Other, as it is the Other that will show me what I don't know, what I can't see, the pains I can't feel,

vol. 14, nº. 04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

the taste buds that feel what I don't I feel. It is precisely in this contrast between the Self and the Other that I can perceive my own sphere of constitution.

Once I perceive my sphere of constitution and recognize the Other, the spheres combine and expand, making room for infinity. It is precisely in this expansion, in the recognition of the Other that I begin to enrich myself and have the desire for the infinite, the desire to recognize so many Others that exist and to look for something that transcends the very existence of the Self. For this task, the Self must always be being , the Self must be constantly open to the Other and not close in on itself, closing itself to the different, to what it does not understand, to what it cannot accept, living in a bubble, perceiving existence as a repeated projection of the Self in everything.

The way to receive and perceive the Other is in ethics. Ethics as the search for good living, for a life worth living, cannot occur without the recognition of the Other, as ethics is only possible with plurals, we must understand what is different from me (SOUZA, 2016, p . 43), we cannot talk about an ethical society in which we live well by closing our eyes to the Other, we cannot talk about ethics if we are not responsible for the Other and for recognizing him.

When thinking about Levinasian recognition, it is important to point out that recognition is not making the Other an equal, integrating a "we" that is made up of many Me, but recognizing the Other as a different one that can never be fully known, thus " The collective in I say you or we is not a plural of the I, I, you, are not individuals of a common concept" (LEVINAS, 1988a, p. 26).

It is precisely the encounter with the Other that challenges me for responsibility, and it is in this encounter that I constitute myself, emerging the care for the Other that is placed in my face, and which constitutes the first Levinasian philosophy, as we can only speak of philosophy and ethics after recognizing the responsibility we have to the Other:

> [...] all contact with reality, all interpretation of these facts is done ethically, where ethical contact and action replace traditional classifying knowledge and may come to found knowledge on absolutely new bases, with another meaning. All knowledge is then necessarily secondary – derived – to a first ethics in face of the most diverse dimensions of perceptible reality, to an ethically shared birth, perhaps a return to the origin of co-naissance. (SOUZA, 2016, p. 139).

This responsibility for the Other constitutes me and subjectives me, because our true intimacy of the Self for itself consists of always being responsible for the Other, in such a way that humans are not beings for themselves, but beings for others, and the Other is not it may be stranger to me, constituting the key for us to think about justice (LEVINAS, 2017, p. 150), as justice is born from the care I have for the Other, not the other way around.

We live in a world where many things matter, including the material possibilities that allow us to live and sustain ourselves. In this area, we have copyrights and publishers' rights, which must

vol. 14, nº. 04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

be respected, but given the flexibility that the Treaty's regulations allow, we have a scenario that allows us to think, and here it is suggested to think from the keys of thought that Levinas proposes.

Scholars, philosophers and state men can discuss and judge, but in the end, the meaning is in the human being, as the human matters to the other human, and this demonstrates that few things matter to someone as much as another person (LEVINAS, 2014, p. 31). So, in the face of so many things that matter in the world, we must always remember that the Other Person has a place of priority.

Levinasian reading provokes us to overcome contemporary man, who was seen by Levinas as selfish, absolute, immediate. This individualism promotes the break of the Self with all values. The proposal is to overcome the *totality of being in itself* by opening to exteriority, walking towards the Other, towards the infinite (CAMILLO, 2016, p. 43).

Without the pretension, here, of postulating a theological line of the theme, when analyzing a passage from the book Proverbs in which John lends money to Paul, Levinas states that the one who guarantees the reimbursement of money to John becomes a prisoner of the pledged word. Thus, the philosopher proposes to reflect on the relationship of the word with business law:

> Unless you want to teach us the essence of the word. In what way could the word hurt if it were seen only as flatus vocis, as a vain word, as "simple word"? [...] The original function of the word does not consist in naming an object in order to communicate with the other, in an inconsequential game, but in assuming for someone else a responsibility in relation to someone else. Speaking is committing to the interests of men. The responsibility would configure the essence of the word (LEVINAS, 2017, p. 41).

We are hostages to our words. When the Marrakesh Treaty is ratified and incorporated as a Constitutional Amendment, we become responsible for that text. This is the responsibility we assume towards the Other, which brings two possibilities: welcoming or killing the Other.

Given the possibilities that I have when being questioned by the Other, one thinks about the concept of the face that rescues the maxim of you shall not kill, it is in the face that we find that which cannot be captured, totaled, and it is at this moment that the Self embraces the Other that we can know who the Self is, constituting a process of subjectivation that is radically different from traditional Western philosophy. It is in the face that we find the human principle (MARTINS; LEPARGNEUR, 2014, p. 19).

The concept of face in Levinasian philosophy fulfills a fundamental role in the alteristic proposal, insofar as it summons the Self to the movement of ethical responsibility towards the Other, allowing the ethics of Being towards the infinite. The face is a metaphor that provides a projection beyond Being, the face has no content and can never be completely reduced to content due to its transcendental nature (CAMILLO, 2016, p. 47).

vol. 14, nº. 04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

It is precisely in welcoming the Other that care is exercised towards him, and substitution is the maximum point of this acceptance. Substitution inaugurates a new time of subjectivity that arises from the responsibility to the Other, in which this is included in such a magnitude to the Self as if it came to live under my skin and to the point of taking the bread from my own mouth to give it to the Other (BONAMIGO, 2016, p. 154).

This position of welcoming the Other cannot privilege an individual person over the others, and it is exactly at this point that the reflection on equality between people arises, and this is how the political emerges for Levinas. The politician is the one who must take care of the Other without implying injustice to the Other, unlike what the contractualists postulated about the need to control generalized violence or to safeguard individual interests in a general will such as the birth of the political (BONAMIGO, 2016, p. 156).

In fact, the responsibility of the Self to the Other is always infinite, encountering no obstacles. But what happens when the Self meets an Other other than the Other whose responsibility is infinite? The I would have to be infinitely responsible for all the Others, but this third party that appears is what causes a difficulty in understanding an infinite responsibility to several Others, that is, the Other and the third that presents itself. In a metaphor, the husband or wife would have an infinite responsibility to their spouse, would be able to perform the most diverse acts to ensure the good of their spouse, but when a child appears, this would be a third party who would also be supported by a responsibility infinite, this is the discussion metaphorically. When the third arises, the importance of law is established, as the one that will delimit the responsibility of the Self to all Others (LEVINAS, 1974).

In fact, in a society founded on the myth of the social contract, those who cannot access the contract, those who are blind or have difficulty reading the text, which is one of the main forms of communication and traditionally the way to pass on knowledge to the generation coming, is what? He is an Other, excluded from public and political life, without the possibility of developing his full potential and having access to its content in order to oppose it. On the other hand, the politician is born precisely because of the care for others that rescues all the Others, and this care is what will generate justice, and thus enable the existence of a society with ethics.

How can we talk about building an ethical and democratic world if we close the door of the Other to meet many Others? The I is constituted by meeting the Other, but the Other is also an I that is not confused and does not represent any other Other, and it is in the plural encounter that the Other is also constituted:

> But living is, above all, finding Others, others varied, with other languages, other senses, other realities: other worlds, other lives. To live is to find the world strange... it's not being able to rest, having to answer for yourself in the face of reality, the multiple reality, demanding that everything that is different from me

vol. 14, nº. 04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

> means... living is the adventure par excellence, the mother of all the possible adventures (SOUZA, 2008, p. 12).

Henceforth, the thought of Emmanuel Levinas, with regard to his ethics of alterity, allows the construction of a foundation in relation to human rights, although harmonious and systematically linked with his concepts such as meeting the Other, responsibility in the face of The other, because it is precisely his thought that seeks to observe the Other in its unique richness concomitantly with its welcome to the Other, evoking care for this (CAVALCANTI; OLIVEIRA, 2018, p. 3038).

However, would rights and their regulations be able to face the critique of normative abstraction left by Emmanuel Levinas? The regulatory decree has the possibility of bringing the abstract normative to the individual concrete and enabling a new subjectivity to the Self and to so many other direct and indirect recipients of the Treaty. Levinas' criticism can be analyzed in an interview with François Poirié:

> Movements in relation to human rights come from what I call: the awareness that justice is still not fair enough. It is thinking of human rights and the need for human rights in liberal societies that the gap between justice and charity is incessantly trying to narrow. Movements that are constantly reinvented and that, however, can never leave the order of solutions and general formulas. This never fulfills what only mercy, concern for the individual, can give. This remains, beyond justice and law, as an appeal to individuals in their uniqueness, something that, citizens confident in justice, always continue to be. (POIRIÉ, 2007, p. 90).

What we can highlight with Levinas' criticism, based on the interview mentioned above, is that the responsibility for the Other is not limited to the State, but belongs to everyone, as it is inscribed in our Federal Constitution, even as a form of constitution of the I who occur in the encounter with the Other. We all must have this responsibility for the Other, but the possibility and responsibility of publishers as non-state actors in this debate is evident.

Levinas' position, at first, is not about a change in any article, decree or legislation, it is much more about a change in the meta-legal dimension, in the ethical and political sense, and with further analysis, a change in the foundation and sense of the figure of the subject of law, considering that:

> And history proves this, since no legal doctrine has so far succeeded in making the weak and oppressed cease to be so; and the world is there, with its wars, with underdevelopment and hunger, with the exploitation of the poor, individuals and peoples, the reification of the person, with the domination of a part of the world by some States, all in the name of freedom , dignity and respect for the human person, and ultimately in the name of human rights. (ZENNI, 2018, p. 159).

Thus, in order to think about a possibility of ethical rupture, it is necessary to think of everyone as responsible agents, considering the circumstances of each situation. At this point, on

vol. 14, nº. 04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

the one hand there is the state actor who will be responsible for regulation and, on the other hand, there are publishers and various entities that act as non-state actors (RIBEIRO; VINCE, 2019), embodying in agents who do not belong to the state structure, but who have undeniable influence for the regulation of the decree, and must, in a levinasian reading, assume responsibility for the Other, who are the recipients of the Treaty.

Even though Levinasian alterity proposes substitution as the summit of alterity, publishers and other non-state agents follow a market logic, and to impose a different logic would be to totalize publishers and other non-state actors. Thus, what is proposed is to think about possibilities of coexistence of ontological dimensions between them, not allowing either of them to be excluded or eliminated, but that they be integrated into an even larger sphere.

As for the economic aspect, it is reinforced that the Treaty dispenses with prior payment authorization from the copyright holder to convert the work into an accessible format, so that the recipients of the Treaty can have proper access. This is an innovative regulation with great power to break barriers to the realization of the rights of the Treaty's recipients, making it possible not to capture the face, as these people will not be mere consumers, but individual, plural and complex people of their own powers to be developed.

Another point, with regard to the commercial availability clause, which is one of the sensitive points of this research, is that once this clause is adopted, entities will be prevented from carrying out the conversion if the work is already included in a national catalog with an accessible format. Thus, if the work is already available in the format by any publisher, the gratuity that the Treaty makes possible as one of its greatest contributions in terms of accessibility would be ineffective, that is, people who are blind, visually impaired and have reading difficulties , must pay to have access to the work already cataloged by a publisher.

On the consideration that we propose to make, thinking about a Levinasian alterity, posing the problem of monetization of works, publishers and other non-state actors must take the bread out of their mouths and give it to those who do not have it. And this in no way prevents publishers and other non-state agents from creating other products and services for this audience, such as classes and materials that promote the audio-cognitive literacy of the Treaty's recipients.

In this sense, it is essential to emphasize that literacy is not literacy. There are two distinct and complementary processes: literacy, which is the conventional system that allows reading and writing; and the development of skills to use this system in reading and writing activities within a social context, of social practices that relate to texts, which is literacy (SOARES, 2004, p. 14). Thus, it is not enough for the recipients to have access to the works, there will be a need for complementary tools that can be exploited by the market in a sustainable way.

vol. 14, nº. 04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

Still, considering the proposal of Levinasian subjectivity, the Self is constituted from the Other. Not only is the Self constituted by the Other, but legally we must change the center of our perspective from the Self to the Other, so the dignity of the human person does not begin with the Self, but begins with the Other. It is necessary to rethink the guidelines of our ethics, and consequently our values and the right itself, because "There is no way to think about dignity without starting with the dignity of the other; before asking about my dignity, it is the dignity of the other that already demands respect" (CARVALHO, 2018, p. 30).

The possibility of converting the works into an accessible format did not occur with the ratification of the Treaty, therefore, it is not a question of a market possibility that did not exist before. The conversion of the works will allow millions of marginalized people access to the works that constitute the collection of the history of our civilization, and will create possibilities for the market, which allows us to think of a joint action with non-state actors that will be able to promote the market with unique products and services for the public that will emerge, which leads to the promotion of literacy among the recipients of the Treaty, as access to the works is only the first step, it will not be enough just to have access, it will be necessary to have instruments to use the works as a means of transformation and social practices.

4 FINAL CONSIDERATIONS

This research proposed a Levinasian reflection on the Marrakesh Treaty, especially regarding the adoption of the commercial availability clause, which bears a normative of evident care for the Other, proposing its cultural, social and political development.

When analyzing the history and political context of the Marrakesh Treaty, it was glimpsed that there is a political context of various state agents, such as the case of Brazil, in assuming commitment and responsibility to foster an accessible society for all, including people with disabilities.

The Treaty adopted as a Constitutional Amendment is in line with Education. The person who comes to this world, in a short period of time, must absorb a series of knowledge and practices to be recognized and be able to influence this world, excluding, in the opposite direction, all those Others who, due to different circumstances, are not successful in assimilating this set. of society's knowledge.

The choice of standardizing these knowledge and practices is problematic. The choice of a pattern that excludes several Other People reinforces the totalizing intention of our current consciousness and philosophy, in which the Self seeks to project itself to everything and everyone, and those who do not fit into this projection are excluded.

vol. 14, nº. 04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

Would Emmanuel Levinas' philosophy oppose totalizing thought? Yes, the Lithuanian philosopher proposes a revolutionary form of subjectivation, another way of constituting the Self, no longer starting from the same, but starting from the Other, as it is the Other that constitutes me and allows me to be ethical.

It is precisely through the encounter with the Other that calls me to kill him or embrace him that we must realize the responsibility we have towards him. And in the position that publishers and other non-state actors find themselves, this choice must also be made, and in no way does this choice imply a unilateral sacrifice, even though Levinas speaks of gratuitous and disinterested responsibility.

Publishers and other non-state agents can think about creating products and services that develop audio-cognitive literacy and foster the development and subjectivity of this Other that is the recipient of the Marrakesh Treaty, recognizing this Other in a new sphere of possibilities that opens up and makes the Levinasian infinity possible.

The Levinasian infinity is the one that seeks the recognition of everyone, with each recognition the sphere of my perception increases, and this sphere seeks the infinite, the recognition of everyone. In order for us to think about recognizing all the Others, everyone must be responsible for thinking about and adopting a series of practical, political and even economic measures.

The Marrakesh Treaty is an important milestone for Brazil and various state agents, and if we really want to live in a material and real democracy, which presupposes the plural, the different and the complex, we must provide everyone with the possibilities to develop, reach their potency and say who they are, which implies everyone's responsibility towards the Other.

The commercial availability clause proves to be incompatible with the Levinasian philosophy and its sense of otherness, which reaches its summit with replacement, and likewise is incompatible with the reality of the Brazilian publishing market, which has never explored this market in an incisive way, unveiling into reckless commercial opportunism.

The prospect that man ceases to be a good for the Other man was only possible due to the phenomenon of alienation, caused by the economic structure. The economy that constituted a danger to the freedom and affirmation of the dignity of the human person. And one of Levinasian proposals is to limit the discretion of the economy and this alienation. The market that has often established itself as a free absolute cannot be displaced from its primary function, which must be to meet people's basic needs, such as educational development, shelter and food. The contradictions of the system cannot be left out of an ethics of radical alterity, infinitely giving prestige to the Other, as is the proposal of Emmanuel Levinas.

vol. 14, nº. 04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

> Finally, it can be said that the absolute character of the market has not yet realized that its dynamics to assert itself in the possibilities of future and maintenance occur when denying what would be its conditions of possibility. Because the man denied access to the basic conditions of his existence and the banishment of the conditions of nature in its most varied aspects, makes the current system not only a denier of human rights and a spreader of voracious injustice, but also a denier of itself (SOUZA, 2018, p. 212).

What can be summarized is that accessible books are not enough, despite being a decisive first step, but it will be necessary to develop spaces for participation and speech of those people who will emerge, in addition to literacy tools, which allows such spaces for a long time. more people and goes towards a truly democratic society, that is, a society that assumes that its components are plural, different and complex.

REFERENCES

AGUIAR, Ubiratan Diniz de. **Educação uma decisão política**. Brasília: Brasília Jurídica, 1993.

ASCENSÃO, José de Oliveira. "Pessoa, direitos fundamentais e direito da personalidade". **Revista Mestrado em Direito**, Osasco, ano6, n.1, p. 145-168, 2006. Disponível em: https://intranet.unifieo.br/legado/edifieo/index.php/rmd/article/view/28/39. Acesso em: 03 dez. 2020.

BRASIL. Constituição (1988). **Constituição da República Federativa do Brasil**. Brasília, DF: 1988. Disponível em: http://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm Acesso em: 12 out. 2021.

BRASIL. Presidência da República. **Decreto Legislativo nº 261, de 25 de novembro de 2015**. Disponível em: http://www.planalto.gov.br/ccivil_03/_Ato2015-2018/2018/Decreto/D9522.htm. Acesso em: 06 dez. 2020.

BRASIL. Presidência da República. **Decreto nº 6.949, de 25 de agosto de 2009**. Disponível em: http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2015/lei/l13146.htm. Acesso em: 06 dez. 2020.

CAMILLO, Carlos Eduardo Nicoletti. **A teoria da alteridade jurídica**: em busca do conceito de direito em Emmanuel Lévinas. São Paulo: Perspectiva, 2016.

CARVALHO, Felipe Rodolfo de. Dignidade humana e Ordem jurídica do Desejo. In: **Amor e Justiça em Lévinas**. Nilo Ribeiro Júnior (org.). São Paulo: Perspectiva, 2018. p. 27-43.

CASAGRANDE, Jéfferson Ferreira; TEIXEIRA, Rodrigo Valente Giublin. O papel do judiciário na contemporaneidade e seu reflexo na dignidade da pessoa humana. **Revista pensamento jurídico**, São Paulo, v. 12, n. 2, p. 375-396, 2018. Disponível em:

vol. 14, nº. 04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

https://fadisp.com.br/revista/ojs/index.php/pensamentojuridico/article/view/155/196. Acesso em: 15 nov. 2020.

CANOTILHO, Joaquim José Gomes. **Direito Constitucional**. Coimbra: Almedina, 1993.

CAVALCANTI, Rodrigo de Camargo; OLIVEIRA, José Sebastião de. A ética da alteridade em Emmanuel Levinas e na perspectiva de Alain Badiou em face de relevantes teorias dos direitos humanos e dos direitos da personalidade. **Revista Quaestio Iuris**, Rio de Janeiro, v. 11, n. 4, p. 3030-3048, 2018. Disponível em: https://www.e-publicacoes.uerj.br/index.php/quaestioiuris/article/view/36532/27079. Acesso em: 22 dez. 2020.

DUARTE JUNIOR, João Francisco. **Fundamentos estéticos da educação**. Campinas: Papirus, 1988.

FABRIZ, Daury César; SIQUEIRA, Julio Pinheiro Faro Homem de; VERMELHO, Schamyr Pancieri. Leving no one behind: a proteção internacional humanitária dos direitos das pessoas com deficiência em zonas de conflito na perspectiva dos deveres. **Revista Quaestio Iuris**, Rio de Janeiro, v. 13, n. 3, p. 1091-1121, 2020. Disponível em: https://www.e-publicacoes.uerj.br/index.php/quaestioiuris/article/view/43754/36374. Acesso em: 22 dez. 2020.

FEDERAÇÃO BRASILEIRA DE ASSOCIAÇÕES DE BIBLIOTECÁRIOS, CIENTISTAS DE INFORMAÇÃO E INSTITUIÇÕES, FEBAB. **A regulamentação do Tratado de Marraqueche está em consulta pública**, 10 de maio de 2020. Texto da Comissão Brasileira de Direitos de Autor e Acesso Aberto. Disponível em: http://www.crb8.org.br/a-regulamentacao-do-tratado-de-marraqueche-esta-em-consulta-publica/#:~:text=A%20cl%C3%A1usula%20de%20disponibilidade%20comercial,acess%C3%ADvel%20e%20em%20condi%C3%A7%C3%B5es%20razo%C3%A1veis. Acesso em: 06 dez. 2020.

FRANCISCO BONAMIGO, Gilmar. O problema do humano em Emmanuel Lévinas. **O que nos faz pensar**, [S.l.], v. 25, n. 38, p. 139-160, 2016. Disponível em: http://www.oquenosfazpensar.fil.puc-rio.br/index.php/oqnfp/article/view/493. Acesso em: 10 dez. 2020.

GAMA, Guilherme Calmon Nogueira; NUNES, Marina Lacerda. Regime das incapacidades e pessoa com deficiência. **Revista Quaestio Iuris**, Rio de Janeiro, v. 11, n. 3, p. 1946-1976, 2019. Disponível em: https://www.e-publicacoes.uerj.br/index.php/quaestioiuris/article/view/36232/25969. Acesso em: 12 dez. 2020.

GARCIA, Maria. **Desobediência civil**: direito fundamental. São Paulo: Revista dos Tribunais, 1994.

GIRALDI, Renata. Assinado Tratado para facilitar acesso de pessoas com deficiências visuais à leitura. **Agência Brasil**, Brasília, 28 de junho de 2013. Disponível em: http://memoria.ebc.com.br/agenciabrasil/agenciabrasil/noticia/2013-06-28/assinado-tratado-para-facilitar-acesso-de-pessoas-com-deficiencias-visuais-leitura. Acesso em: 27 nov. 2020.

GONÇALVES, Diogo Costa. **Pessoa e direitos da personalidade**: fundamentação ontológica da tutela. Coimbra: Almedina, 2008.

vol. 14, nº. 04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

HANDICAP INTERNATIONAL. **Vulnerability assessment framework.** 2015. Disponível em: https://humanity-inclusion.org.uk/sites/uk/files/documents/files/2016-11-disability-universal-indicator-jordan-unhcr.pdf. Acesso em: 15 dez. 2020.

HESSE, Konrad. **A força normativa da Constituição**. Tradução: Gilmar Ferreira Mendes. Porto Alegre: Sergio Antonio Fabris Editos, 1991.

LAFER, Celso. **A reconstrução dos direitos humanos:** um diálogo com o pensamento de Hanna Arendt. Porto Alegre: Sergio Antonio Fabris, 1988.

LEVINAS, Emmanuel. **Autrement qu'être ou au-delà de l'essence**. Paris: M. Nijhoff, 1974.

LEVINAS, Emmanuel. **Ética e infinito**: diálogos com Philippe Nemo. Lisboa: Edições 70, 1988.

LEVINAS, Emmanuel. **Quatro leituras Talmúdicas**. São Paulo: Perspectiva, 2017.

LEVINAS, Emmanuel. **Totalidade e infinito**. Lisboa: Edições 70, 1988.

LEVINAS, Emmanuel. **Violência do Rosto**. São Paulo: Loyola, 2014.

MARQUES, Christiani. Discriminação no emprego. *In*: ARAUJO, Luiz Alberto David (coord.). **Defesa dos direitos das pessoas com deficiência**. São Paulo: Editora Revista dos Tribunais, 2006. p. 105-132.

MARTINS, Rogério Jolins; LEPARGNEUR, Hubert. **Introdução a Lévinas**: pensar a ética no século XXI. São Paulo: Paulus, 2014.

MELLO, Celso Antonio Bandeira de. **Elementos de direito administrativo**. São Paulo: Revista dos Tribunais, 1986.

ORGANIZAÇÃO MUNDIAL DA PROPRIEDADE INTELECTUAL, OMPI. **El Tratado de Marrakech – Hacia la erradicación del hambre mundial de libros**. Genebra, Suíça, [2016]. Disponível em: https://www.wipo.int/edocs/pubdocs/es/wipo_pub_marrakesh_overview.pdf. Acesso em: 06 dez. 2020.

POIRIÉ, François. **Emmanuel Levinas**: ensaios e entrevistas. São Paulo: Perspectiva, 2007.

KELSEN, Hans. **Teoria pura do direito**. Tradução João Batista Machado. São Paulo: Martins Fontes, 1998.

RIBEIRO, Daniela Menengoti Gonçalves; VINCE, Fernando Navarro. Atores não-estatais e a democracia no Brasil: o protagonismo das empresas do vale do silício no exercício da cidadania. **Revista Unicuritiba**, Curitiba, v. 3, n. 56, p. 378-403, 2019. Disponível em: http://revista.unicuritiba.edu.br/index.php/RevJur/article/view/3582/371371973. Acesso em: 12 dez. 2020.

SCHREIBER, Anderson. **Direitos da personalidade**. São Paulo: Atlas, 2013.

ZANINI, Leonardo Estevam de Assis; OLIVEIRA, Edmundo Alves de; SIQUEIRA, Dirceu Pereira; FRANCO JUNIOR, Raul de Mello. Os direitos da personalidade em face da dicotomia direito público – direito privado. **Revista de Direito Brasileira**, v. 19, p. 208-220, 2018. Disponível em: http://www.indexlaw.org/index.php/rdb/article/view/3203/3534. Acesso em: 01 de dez. 2020.

vol. 14, nº. 04, Rio de Janeiro, 2021. pp. 1001-1038
DOI: 10.12957/rqi.2021.56776

SOARES, Magda. Letramento e alfabetização: as muitas facetas. **Revista Brasileira de Educação**, n. 25, p. 5-17, 2004. Disponível em: https://www.scielo.br/pdf/rbedu/n25/n25a01.pdf. Acesso em: 3 dez. 2020.

SOUZA, José Tadeu Batista de. O infinito do Direito à Justiça. In: **Amor e Justiça em Lévinas**. Nilo Ribeiro Júnior (org.). São Paulo: Perspectiva, 2018. p. 203-2017.

SOUZA, Ricardo Timm de. **Sobre a construção do sentido**: o pensar e o agir entre a vida e a filosofia. São Paulo: Perspectiva, 2008.

SOUZA. Ricardo Timm de. **Ética como fundamento II**: pequeno tratado de ética radical. Caxias do Sul: Educs, 2016.

TELES, Maria Luiza Silveira. **Educação**: a revolução necessária. Petrópolis, Vozes, 2001.

ZENNI, Alessandro Severino Valler. **Pessoa e justiça**: questão de direito. Porto Alegre: Sergio Antonio Fabris, 2018.

Trabalho recebido em 22 de dezembro de 2020
Aceito em 17 de outubro de 2021