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GLOBALIZATION AND SUSTAINABLE DEVELOPMENT: A RETURN TO MILTON SANTOS' FABLE

GLOBALIZAÇÃO E DESENVOLVIMENTO SUSTENTÁVEL: UM RETORNO À FÁBULA DE MILTON SANTOS

GLOBALIZACIÓN Y DESARROLLO SOSTENIBLE: UN RETORNO A LA FÁBULA DE MILTON SANTOS

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ABSTRACT
The SDG (Sustainable Development Goals) were crated following the same logic of the Millenium Development Goals, but changing its emphasis and adding more substance to its core concepts. Unfortunately, current ways of production and the complexity of international society, along with the evolution of the idea of globalization combine to suggest that some of these objectives are presented in a contradictory way, and lack both a more incisive approach in order to be enforceable, while also ignore methods of production and state dependance of market structures. With this in mind, this work will address the idea of globalization in Milton Santos' "Toward an Other Globalization", while presenting the main discourse which is addressed in the Sustainable Development Goals. For this task, the methodology employed was a bibliographical review along with a historical analysis of the Sustainable Development Goals in its context as well as the examples from the "green economy" idea.
Keywords: Sustainable Development Goals. Globalization. International Law. International Society. Third World Approaches to International Law. Discourse.

RESUMO
Os ODS (Objetivos de Desenvolvimento Sustentável) foram criados seguindo a mesma lógica dos Objetivos de Desenvolvimento do Milênio (ODM), mas mudando sua ênfase e adicionando mais substância aos seus conceitos principais. Infelizmente, as formas de produção e complexidade da sociedade internacional, em conjunto com a evolução da ideia de globalização, se combinam para sugerir que alguns desses objetivos são apresentados de uma maneira contraditória, e não possuem uma abordagem mais incisiva para serem executáveis, enquanto também ignoram métodos de produção e dependência de Estados de estruturas de mercado. Com isso em mente, este trabalho vai se voltar à ideia de

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globalização no livro de Milton Santos "Por Uma Outra Globalização", enquanto também vai apresentar o discurso principal que é tratado pelos Objetivos do Desenvolvimento Sustentável. Para tal tarefa, foi empregada a metodologia empregada foi uma revisão bibliográfica aliada à análise histórica das Metas de Desenvolvimento Sustentável em seu contexto, bem como exemplos sobre a ideia de economia verde.
Palavras-chave: Objetivos de Desenvolvimento Sustentável. Globalização. Direito Internacional. Sociedade Internacional. Abordagens Terceiro-mundistas de Direito Internacional. Discurso.

RESUMEN
Los ODS (Objetivos de Desarrollo Sostenible) se crearon siguiendo la misma lógica que los Objetivos de Desarrollo del Milenio (ODM), pero cambiando su énfasis y agregando más sustancia a sus conceptos principales. Desafortunadamente, las formas de producción y la complejidad de la sociedad internacional, junto con la evolución de la idea de globalización, se combinan para sugerir que algunas de estas metas se presentan de manera contradictoria, y carecen de un enfoque más incisivo para ser exigibles, mientras que también ignoran los métodos de producción y la dependencia estatal de las estructuras del mercado. Con eso en mente, este artículo volverá a la idea de globalización en el libro "Por Uma Outra Globalização" de Milton Santos, al mismo tiempo que presentará el discurso principal que es abordado por los Objetivos de Desarrollo Sostenible. Para esta tarea, la metodología empleada fue una revisión bibliográfica combinada con el análisis histórico de los Objetivos de Desarrollo Sostenible en su contexto, así como ejemplos de la idea de economía verde.
Palabras clave: Objetivos de Desarrollo Sostenible. globalización. Derecho internacional. Sociedad Internacional. Enfoques del Tercer Mundo al Derecho Internacional. Discurso.

INTRODUCTION

The Sustainable Development Goals (SGD) have its roots in the Millenium Development Goals (MDG), from the year 2001, having succeeding them in 2015. The previous goals were fruits of a series of negotiations from the nineties, taking shape into 8 large objectives, who became gradually adjusted over the years, as civil society, working groups and multilateral meetings formed in order to seek new ways to monitor its progress, measure their effectiveness, and attempted to frame them into new concepts and approaches. Among these initiatives, were the conference Rio+20 (UN), the documents who gathered comments and perception from civil society, The Future We Want, among others.

Even though with a much wider concept, better logistics and ingrained approach, the SGD still suffer from the same problems as the MDG (POGGE, SENGUPTA, 2016). What is worse is that, with the time and logistics developed during the first decade of the millennium, many opportunities were lost, and today, the actual overview is way worse when considering both the contradictions that exist into the SGD, and the way globalization has claimed new horizons, making more difficult that States can actually control capital and its flux (ALAMI; COPLEY; MORAITIS, 2023).

To better understand how this came to be, it is important to analyze this complicated relationship between international law, globalization and the control of the State. As some authors explain, international society today has evolved into a new complex order that usually escapes the grasp of mere states, to a set of new sub-systems of autonomous nature (VARELLA, 2015). As a result of this, new markets, struc-

tures of dependence and consume are seen drifting amiss, while States attempt to control the "scrambles" (ALAMI; COPLEY; MORAITIS, 2023).

What's more interesting is that, by examining the idea of globalization as exposed during the release of the MDG, it is possible to see the same parallels as today, with the SDG. Milton Santos (2000) exposed this phenomenon in his work "Toward An Other Globalization", as the globalization as a "fable", when promises of inclusion and progress are made, and "farce", when these promises are revealed to be nothing but ruses: ideas such as the sustainable growth, green economy while maintaining a stable development of 3%, among others, can be analyzed on the same discourse framework as globalization during the MDG (UNITED NATIONS, 2015).

Thus, this work will be divided into three parts: on the first chapter, a brief summary of the idea of the SDG and the MDG will be presented, on the second chapter, a parallel between the idea of globalization, encompassing the discourse of both goals will be exposed; next, a commentary about international law and international society regarding the goals and the growing complexity of private systems, will be suggested, using the metaphors present in "Towards an Other Globalization" (SANTOS, 2000). Conclusions will follow, summarizing the paper.

1 SMALL VICTORIES? AN OVERVIEW OF MILLENIUM DEVELOPMENT GOALS AND ITS SUCCESSOR

It is hard to not call the Millennium Development Goals as a victory of multilateralism, sustainability and a global effort for achieving better life conditions during the beginning of the year 2001. Marked by a campaign which surpassed a decade long, the MDGs framed much of world's anxieties during that period and suggested a new approach to it, trying to bring together the whole international community. The idea of the MDGs established a new reference point for development, cooperation and also, were a result of the confluence of numerous diplomatic efforts, such as Kofi-Annan (MCARTHUR, 2014).

A series of eight goals, the MDGs was agreed to begin in January 1st, 2001, and the UN agreed to hold meetings, summits, to monitor and assess its progress every 5 years. The original goals were to eliminate extreme poverty and hunger; to achieve global primary education; to empower women and promote gender equality; to reduce child mortality; to promote maternal health; to fight malaria, HIV/AIDS, and other diseases; to promote environmental sustainability; and, lastly, to develop a universal partnership for development (UNITED NATIONS, 2001).

It is hard to track where exactly the MDGs started to develop, the reason why authors usually place it in the nineties is because of the profusion of treaties, summits

and diplomatic meetings regarding several themes who ended up merging during the negotiations. For example, the World Summit for Children in New York on September 1990, The World Conference on Education for All in Jomtien during the same year, the United Nations Conference on Environment and Development, also known as "Earth Summit" or "Eco-92", and so forth.

It's also interesting to mention that all these conferences started to build "momentum" and the political force behind all those themes started to "merge", and consolidate as criterium for international donations (MCARTHUR, 2014). Other theme which also must be mentioned, is the return to development as a driving force for the international community. The World Conference on Human Rights in Vienna, 1993, resulted in the Vienna Declaration and Program of Action (UNITED NATIONS, 1993), and this document approaches the idea of development such as the 1986 Declaration on the Right to Development, bringing together economic development, the participation of the individual, and also the community, in the pursuit of development alongside the State, the protection of self-determination, and a human rights approach to development.

The rescue of development as a human right acted as some sort of "glue" among these other themes, because, as some authors point, the right to development is the right to a process of development, that must be completed with a summatory of efforts, based on respect for human rights, cooperation and the implementation of programs capable of addressing complex matters, such as poverty, education and health (SENGUPTA, 2000). This initiative was also in line with reports such as the World Development Report, released by the World Bank during 1990, announcing a set of priority investments in the same areas. Experts such as Arjun Sengupta (2000) declared that development cannot coexist with poverty, hunger and deprivation. In 1999, Amartya Sen (1999) released "Development as Freedom", catalyzing these ideas together, in a way that, development is built like a "wall" of rights, with each right reinforcing the other.

In a certain way, the focus on cooperation and the political momentum of the nineties were driven together by a series of arrays which culminated on the adoption of the MDGs, just like a "wall" reinforced each other. In September 2001, the initiative of tracking together ways for a cooperation for development (the last goal) was approached by UN's assistant secretary general, Michael Doyle, while a new taskforce was formed by professionals from UN agencies' World Bank, International Monetary Fund (IMF), United Nations' Children Fund (UNICEF), and United Nations Development Program (UNDP) to provide technical support for establishing support and strategies to assess the MDGs, resulting in the report "Road Map Towards the Implementation of the United Nations Millennium Declaration" (UNITED NATIONS, 2001).

The MDGs passed through some major adaptations during the year 2010, with the Millennium Development Report and, posteriorly, the Millennium Development Goals Review Summit, held in New York during September 2010, seeking to accelerating the achievements of some of the goals regarding extreme poverty, hunger, disease, maternal and children's deaths, among others. Other major event in the same line was the 2012 Rio+20, marking the 20 years of the Eco-92, highlighting the importance of the MDGs and adopting the document "The Future we Want" (UNITED NATIONS, 2012).

This "roadmap" would, unfortunately, fall short on expectations regarding some of the goals. During 2013 report, Ban Ki-Moon, UN's General Secretary at the time, told that even though the results about poverty reduction were achieved, with outstanding progress regarding access to potable water 5 years ahead of its original projections, the MDGs still struggled to measure the extent of poverty. Also, the basic education access wouldn't be achieved during the initial estimations, and with sustainable development goals would even fall shorter, because even with most of planet's forests and oceans covered by some degree of legal protection, compliance with those laws were (and still are) a large concern to domestic governments around the world. Lastly, cooperation initiatives for a common development also depended too heavily with political negotiations which also left much to be desired (UNITED NATIONS, 2013).

Realizing this potential had to continue, even with some of the results being not so surprising, in 2014 the seeds for the SDGs were planted with a working group composed of 70 countries which were responsible for establishing 17 new goals and 169 auxiliary objectives, all of them learning from the idea suggested in the "development wave" of the nineties, incorporating a coordinated and multidisciplinary approach to the goals. In 2015 the document was adopted by the General Assembly under the name "Transforming Our World", and would establish a new set of goals with a new framework, consolidating the experience of the MDGs (UNITED NATIONS, 2015).

This is not to say that the MDGs were a failure. By all means, the spreading of discussions involving human rights, development and goals involving all spheres of international diplomacy while also calling for the participation from civil society, generated massive reverberations which started movements in an unprecedented manner, in fact, it is actually hard to measure the degree of impact the MDGs and all its discussion had between actors such as Non-Governmental Organizations.

The SDGs improved one of the most commented aspects of the MDGs, who were the absence of coordination or a multi-layered approach to the previous goals. With a much more robust framework, 17 goals each with their own set of approaches, named "targets" and a discourse who claims for joint interpretation, the SDGs try to spread a message of the possibility of plural and joint growth by all members of in-

ternational community, while also enforcing major environmental goals, without leaving the MDGs approach regarding emergency and deprivation behind.

This plural discourse was widely accepted, with some authors commenting it helped to fight the fragmentation of efforts when fighting global problems (CUMMINGS et al, 2017). Flexibility and the integration of goals are major sets about the spreading of this discourse, who also was constructed with support of civil society and actively seeking for public participation, with special mechanisms while drafting the text and trying to stimulate public responses with the website www.theworldwewant2015.org. As a social text, the importance of SDGs still carries the legacy of the MDGs and bring it into an even higher scale. But unfortunately, as it will be seen in the next chapter, much of this tendency falls short on soft law texts.

For the main purposes of this article, special attention will be given to goal 12 of the SDGs, ensuring sustainable consumption and production patterns: the patterns of consumption today are the result of a series of complex factors which regulate international relations and law. Therefore, the next chapter will be dedicated to criticizing the discourse crossing the SDGs and also, on a lesser scale, the MDGs. This discourse will also serve as a starting point to assessing the relationship of the goals with the globalization process at the end of this text.

2 CHANGING THE PLAYERS, KEEPING THE GAME: CRITIQUE TO THE SDGS' DISCOURSE

As exposed previously, both the MDGs and the SDGs are the results of several voices echoing merging with political negotiations trying to achieve a consensus. So, although the results of this experiment served as a new way of conducting progress in socioeconomic negotiations and commitments by the international community, the popularity of this model is still connected to certain discourses, and since it has become a "model", these discourses become the main "solution" presented by States, the "dominant paradigm".

The discourse analysis is useful to comprehend the SDGs and MDGs, because it can track the influences, identify the dominant discourses present in it, uncover how they frame certain phenomena, and also understand the limitations of these discourses (CARANT, 2016). According to this view, in order to achieve consensus, international society had to make choices of how to approach certain themes and how the goals would be developed, and these choices excluded other views and discourses about the same goals. Also, another point that deserves our attention is the dissonance that can be created, not only by the goals per se, but how States' practices view the goals and what is done to address them.

Considering the SDGs, it is possible to verify that among the major changes it promoted, the change about the State's quota of difference, which emphasized the commitments from poorer States, while spared the wealthier States from the contributions the Millennium goals established. It is also worth mentioning that the SDGs estipulate major goals based on the elimination of all poverty, discrimination and inequalities, not only their mitigation (POGGE; SENGUPTA; 2016). Also, other goals were separated into different goals, which also contributes to them gaining more weight and their own initiatives. This is the case of sustainable development in the MDGs: in the 2000s the idea of sustainable development was connected to environmental causes, the "development discourse", albeit present in the conception of the MDGs, were much more "peripheral" to the core ideas, and received more attention from specialists such as Arjun Sengupta and Amartya Sen. Since the goal, per se, lacked more definitions, it was left vulnerable to be simply, left aside by the States.

Examining the SDGs, by contrast, first, the joint-approach permeates the whole document, while also, sustainable development is now dismembered through a plethora of goals, such as the goals 11 to 17. It is worth mentioning that, among these goals, besides goal 13 (take urgent action to combat climate change and its impacts), all the other goals have the word sustainability or its variations. The same can also be said for goals 2, 6, 7, 8, 9 (UNITED NATIONS, 2015).

Despite the fact that the intention of the new document is to be interpreted in accordance to an integrated approach, and that the similar language adopted by each goal is made to facilitate this process, it is necessary to point that these points are not guarantees that this will be made. Attempting to find out which is the dominant discourse present in the SDGs, Pogge and Sengupta (2016), highlight the fact that by adopting the same soft law format, States opted for a "lighter" approach to human rights, hence the MDGs being called a "protocol of good intentions". The same can be said about the SDGs, some of the language, even though showed progression considering the MDGs, still fail when addressed what is to be done and how.

In the case of goal 12, sustainable consumption and production patterns, the document is limited to indicate that unsustainable patters are the cause of climate change, biodiversity loss, pollution, and citating data related to the rising of humanity's reliance on natural resources, electronic waste and so forth. No attention is paid to defining what "sustainable consumption" means, or to addressing inequalities of consumption worldwide. In fact, it is curious to see that the document opts to show the percentage of management of electronic waste by region, and no other data, for example, the energy consumption by region, where is noticeable how little countries from the global south consume in comparison with European and North American countries (OUR WORLD IN DATA, 2020).

This helps to illustrate the game of blame-shifting that happened during the MDGs, when richer countries propagated the idea that the goals should be accomplished by each country within their own jurisdiction. With the SDGs, the solution was to "dilute" the responsibilities within each country's capabilities, but this approach ends up locking the goals in the realm of each State's interpretation of their feasibility. The ideal solution, according to Pogge and Sengupta (2016), would be to present a framework with a division of labor, assigning roles, provisions and limits according to wealthy countries and also, companies and other subjects. This is especially applicable to goals such as 12, because by not assigning what is to be understandable as "sustainable", or even, what is to be accepted as "sustainable practices for companies" (goal 12.6, and also, 12.6.1, since there are no indicators of what is to be considered by private companies on their reports), the accountability and even the effects of the entire goal are compromised. It is even worse when in goal 12.7 the objectives of the sustainable consumption are connected to national politics and priorities (UNITED NATIONS, 2015).

According to Jane Briant Carant (2016), these are factors which allow us to identify that the dominant discourse pretended by the SDGs 12 are aimed at changing the patterns of consumption by relying on individual choice, adopting a Keynesian or even neoliberal approach. Since the SDGs are supposed to represent United Nations as a whole, this is clearly problematic, since the initiatives for its promotion were presented as following a pluralist-participatory discourse. Even worst is the fact that these discourses reflect the practices of wealthier nations is also made evident, with developing countries struggling to participate during the negotiations, naturalizing the practices of development as "business as usual", excluding other practices, especially, connected to traditional knowledge, transformative process from synergy between actors, among others (CUMMINGS et al, 2017).

Considering both the importance of the SDGs, and how the United Nations worked for its discourse as "the standard procedure and approach to development", and how the negotiations became an arena pending clearly in favor of the richer countries, the SDGs end up also presenting a dissuasive effect in other parallel initiatives to the goals, weakening claims from social groups to their observance (CARANT, 2016). For example, even though there is an effort to follow the joint perspective and approach to SDGs, the idea of development as a project of both means and an end (SEN, 1999), solidarity as a human right, among others, are left without much consideration.

Concluding this chapter, the SDGs doesn't follow a division of labor, even though improvements were made when compared to MDGs. This factor is particularly important when considering patterns of consumption, since there's a clear division of rich and poor countries, and the data presented doesn't suggest a clear view. Also, by tying

certain goals only to national preferences, a clear unbalance is settled, compromising the purpose of the goal. By the end, analyzing the text and data presented, the SDGs clearly try to act by appealing to individual choice, such as neoliberal approaches. This is reinforced by the difficulty of developing countries to present disagreements during negotiations. Thus, the SDGs end up helping to consolidate some discourses as the "standard" procedure. The next chapter will present a parallel between globalization according to Milton Santos and the complexity of international society, which helps to explain why SDGs and patterns of consumption are, each day, disconnected from ordinary systems of traditional systems of regulation.

3 THE NEW FABLE OF SUSTAINABILITY? TOWARDS ANOTHER SUSTAINABILITY

When we unveil the dominant discourses contained in the SDGs, we can assert, not only its limitations, but also, think about the environment that encompassed that same reality. Regarding the SDGs, it is interesting to notice that, considering the limitations of the MDGs, and the whole concept of globalization and its origins, to think the SDGs is, in a large way, to think how globalization shaped the international society and how the same globalization processes have adapted into a new discourse and paradigm. This chapter will cover the globalization discourse, framing it through the international law's scope, and comprehending the globalization discourse according to Milton Santos' work "Towards Other Globalization" (SANTOS, 2001).

Debates about the justification for power and dominant discourses are part of the history of international law, since Francisco de Vitória in the "School of Salamanca"[1] and the Spanish Empire (KOSKENIEMMI, 2011). These debates continued throughout history, especially through the transfiguration of sovereignty in international law, with the representations of this power changing roles from time to time.

It is important to realize how ideas such as globalization and new power arrangements are situated within this discourse of power. Anthony Anghie (2005), one of the authors of the Third World Approaches to International Law and critical legal theory, affirms that the balance of power, when it comes to sovereignty and its role in the international landscape, remains, more or less, the same until major structural changes during the XIX Century: the majority of people in Asia, Pacific and Africa become subjected to colonialism and European judicial systems. International law becomes

1 The so-called "School of Salamanca" gathered catholic priests such as Vitoria and Domingo de Soto, and its main debate was the source and justification of the actions of the Spanish Crown in the America, regarding the indigenous people, the catholic doctrine and the process of colonization by the crown.

more interested in positivist spirit of the era, and the identification of this spirit with Europe is also transferred to the idea of sovereignty.

This discourse influenced the whole process of decolonization: since the material components of power were, even more, falling into non-European hands, and the means to keep the power over colonies via the discourse of sovereignty was failing, the partial solution was in the discourse of acquiring sovereignty. With a series of pacts between western governments in the Concert of Europe, power still needed to go through via acknowledgement from European states. What this acquisition meant was that states needed to become more and more "European" in order to be considered sovereign states (ANGHIE, 2005).

At the same time, processes of specialization started to be developed in the XIX Century[2], with the dislocation of some of State's power into other organizations, such as the International Organizations (KLABBERS, 2022). This process will serve, gradually, as a mechanism of the major powers to preserve their influence without depending on other justifications, such as those related to sovereignty, now that it is no longer an exclusive characteristic of Europe and western states. One of the examples is that the attempts of new States to reform the international system, such as the New International Economic Order, and the Non-Aligned Movement, supported by Third World Countries[3], were severely weakened by western powers, or even, mitigated (GALINDO, 2013).

It is by this same reason that Anghie (2003) asserts that the same processes which permitted western domination via colonization, is separated from the idea of sovereignty and is regulated according to a new set of interests, correlated with foreign investments and international trade law, maintaining the same set of problems from the colonization period.

Reflecting this paradigm, after the two world wars, the multipolarity favored, both, the rise of universalist discourses and an asymmetric distribution of resources: with the intensification of economic activity worldwide, was not accompanied by processes of regulation, on the process known as globalization. If the previous paradigm of sovereignty affirmed the territorialization of law and its concentration in the hands of State, the new processes are its antithesis, with the deterritorialization, decentralization and denationalization as new functional forms of capitalism. During its attempts to mitigate this scenario, international law became more and more specialized, but the same is valid to trade law, financial investment and its forms (VARELLA, 2013).

2 Perhaps one of the best examples is the Universal Postal Union, created in 1874.

3 The term here is used as a common reference to states who were subjected to processes of colonization, even though these states possess many differences, they are also characterized by having a particular conjunction of common interests in the international sphere, according to the Third World Approaches to International Law.

It is interesting to note that, approaching this scenario, Milton Santos proposed the concept of verticalization of territory. According to this idea, territory's control is subjected to the organization of law which defines its use, hence, the possibility of a non-contiguous control of the same territory (SANTOS, 1998). This is the result of new processes of logic and discourses, each day, faster and more fluid. The same complexity and fragmentation alluded before, are the results of the interaction between political forces (on national and international levels and also exercised by private entities, such as corporations) and the technical discourse. According to the author, these interactions are exposed as an "universal", accessible to everyone, but this is illusory: the same multipolarity is asymmetric, and the logic which governs the instrumentalization of territories is unification, not union[4]. Between the rupture of territoriality and the use of a whole set of techniques allowing the flow of money and information, according to a particular discourse, lies the globalization (SANTOS, 2001).

This is the same logic which governs globalization: Discourse is the fundamental factor which precedes a substantial part of human relations, such as consume, power, technique and production. The set of political forces referred by Santos (2001) controls the discourse making use of technical information by presenting only a specific set of pieces of information, more or less, agglutinated in a way which makes it difficult to comprehend, but easier to accept. This construction is made by an exercise of exclusion of which discourse to echo, but, according to the same author, even the construction of this discourse has its limits in rationality itself, represented by the periphery, the existence of other discourses, ways of life, and perspectives, such as the traditional knowledges, the pluri-participatory and emancipatory, among others.

Returning to the SDGs, it is by no coincidence that is possible to see some sort of dissonance between the goals. The fragmented perspective and the growing of complexity regarding techniques and capital flow proportioned by globalization also conducts to a dissonance between discourse and possibilities. The goal 8, for instance, calls for all efforts in order to states to attain a growth of 3% of Gross Domestic Product per year, but offers no justification for this value, and also, contradicts estimations that correlates GDP to the emission of material footprints. Even though the SDGs don't offer how much material footprints need to be reduced to achieve goal 12, doctrine and experts usually estimates a minimum 50 tons per year, with a limit of 8 tons by year until 2030, which is simply not feasibly in the long term, even considering rich nations (HICKEL, 2019).

4 The difference is that unification privileges a market logic, regrouping principles of common life and fluidity around this same logic, consolidating market as the main reason for fluidity of spaces, creating a "dissonance" between communities, technical discourse and political forces.

The same dissonance is also seen examining the idea of "green economy". With the transfigurations of sovereignty, the growth of autonomous economic systems, States usually struggle to manage multiple crisis, and control the surplus populations with job offers, and even the promises of sustainability present challenges to regulation with the market paradigm. The example of solar energy economy and its fluctuations is noteworthy: from 2010 to 2019 the market bloomed, with a rapid growth which caused its overall prices to fall, projected by several governments, as subsidies to renewable energy. However, a decade later, the solar market was flooded with overproduction, which plunged the prices of solar energy to almost zero, preventing profitability of the same companies. The process was called a "cannibalization" of this area, which depends on a continuous progress of the technology used to build solar plants, in order to drive down the costs and make the energy profitable, in an environment few emprises can actually survives. During the years 2012-2014, the market stabilized, but this phase didn't last with new Chinese announcements for massive investments in the area. The cycle continues when the costs to producing these power plants are also the cause of economic and environmental stability, such as the mining operations to gather the materials needed for solar panels. Lastly, researches show that the new solar market don't create permanent jobs and is subject to a growing increase of automation (ALAMI; COPLEY; MORAITIS, 2023).

Another example lies in the environmental setbacks experienced by states from the global south, especially, in Latin America. In Brazil's case, the expansion of new agricultural technologies occurred in progressive governments, but it didn't challenge the extractivist paradigm. The lack of a new rationality, capable of keeping the interests of the agricultural frontier aside while promoting environmental and human rights (especially the indigenous peoples rights), resulted in a rise of countryside conflicts regarding the use and disputes of land. Worst of all, approximately 60% of these disputes involve the government, due to improper and/or lack of protective politics (GIACOMETTI; FLORIANI, 2021).

These examples contribute to situate the new promises of sustainable development brought by SDGs in the realm of the "fable" according to Milton Santos (2001): The discourse, by predating the technique, consume, and other forms of interaction, causes dissonance. This dissonance can be perceived inside the system, when we compare the set of goals and how they seem to contradict themselves, such as with the examples 8 and 12, but also, outside, when its preferences regarding discourses abandon other options for development instead of embracing plurality.

By learning with the popularity of MDGs, but maintaining tendencies and refusing major reforms, states worked to draw new goals, albeit keeping the same set

of problems, despite major contributions for the development debate[5]. This "fable" derives from the exclusion of other major voices (CARANT, 2016), such as peripheral discourses, traditional knowledges, and alternatives offered by non-western nations, as documented during negotiations regarding the SDGs (CUMMINGS et al, 2017).

This "fable" betrays the own purpose of the system of development goals with respect to pluri-participatory discourse and human rights, in what Santos calls "perverse globalization". For this, sustainability must be viewed again, through other lens, to achieve their real purpose.

CONCLUSIONS

The SDGs refined and improved several aspects of the MDGs, and also contributed to shed light into different discourses with worldwide logistics and an impact in soft law that is still to be measured. Unfortunately, due to lack of political will, the scope and discourse of the SDGs remains the same "letter of good intentions" that MDGs were criticized for being, but with negotiations still being pendent one and two years prior the SDGs' acceptance, predictions already pointed of how difficult it would be to change the current goals' paradigm.

Nonetheless the document was praised for its "joint approach", with one goal reinforcing the other even by their structure, it was also a victim of mitigation and "dilution" of its force, by lack of more well-defined goals, data, frameworks and a more specific labor division which could greatly benefit developing countries. The SDGs, even proclaiming the joint approach, end up leaving some of its key-definitions to domestic policies, which may compromise them, by not establishing how these policies relate to other goals. This amount of mismatched information generates dissonance between the goals and is a conducive environment to states excusing themselves of complying with them.

Even worse is the fact that by keeping the same format as the MDGs, it is noticeable the discourse surrounding the SDGs, in spite of being scientific oriented, also is structured in a neoliberal and, in some cases, Keynesian paradigm. The main problem with this, is the fact that the document should represent the whole United Nations, and by being structured in this way, it fails to comply with a pluri-participatory discourse.

As exposed previously, international law and politics nowadays, are the results of decades of transfigurations of elements such as sovereignty, with discourses adapting to this environment of growing complexity and globalization. Milton Santos describes the globalization dividing it in three aspects: Fable, perversity and the

5 Such as the human rights approach and the right to development.

"other" globalization, born of the need for better life conditions in an ever-changing environment. Analyzing the SDGs, and, especially, goal 12, it is noticeable how little information the text gathers about how to measure sustainable development. Also, it is embedded in its core, the fact that sustainable development is aimed at the medium citizen, on a typical neoliberal approach.

Analyzing cases such as the solar panels market and estimations made by the doctrine, about material footprints, GDP and the SDGs, unfortunately, the sustainability discourse fails to be addressed in an encompassing way, allowing for pluri-participatory mechanisms and paving the way for change following the human rights approach. This dissonance between goals and recent cases seems to be the same described by Santos in his essays, which bring us to the same conclusion: we need to head towards another sustainability.

BIBLIOGRAPHIC REFERENCES

ALAMI, Ilias; COPLEY, Jack; MORAITIS, Alexis. The 'wicked trinity' of late capitalism: governing in an era of stagnation, surplus humanity, and environmental breakdown. **Geoforum**, [S.L.], p. 103691, fev. 2023. Elsevier BV. http://dx.doi.org/10.1016/j.geoforum.2023.103691.

ANGHIE, Antony. Colonialism in Nineteen Century International Law. **Imperialism, Sovereignty And The Making Of International Law**, [s.l.], p.196-244, ago. 2005. Cambridge University Press.

CUMMINGS, Sarah; REGEER, Barbara; HAAN, Leah de; ZWEEKHORST, Marjolein; BUNDERS, Joske. Critical discourse analysis of perspectives on knowledge and the knowledge society within the Sustainable Development Goals. **Development Policy Review**, [S.L.], v. 36, n. 6, p. 727-742, 29 ago. 2017. Wiley. http://dx.doi.org/10.1111/dpr.12296.

GALINDO, George Rodrigo Bandeira. **A volta do terceiro mundo ao direito internacional.** Boletim da Sociedade Brasileira de Direito Internacional, v. 119-24, p. 46-68, 2013.

GIACOMETTI, Renata Brockelt; FLORIANI, Dimas. Conflitos socioambientais e disputas sobre as terras indígenas. **Revista Videre**, [S.L.], v. 13, n. 26, p. 97-121, 23 abr. 2021. Universidade Federal de Grande Dourados. http://dx.doi.org/10.30612/videre.v13i26.12949.

HICKEL, Jason. The contradiction of the sustainable development goals: growth versus ecology on a finite planet. **Sustainable Development**, [S.L.], v. 27, n. 5, p. 873-884, 15 abr. 2019. Wiley. http://dx.doi.org/10.1002/sd.1947.

KLABBERS, Jan. Beyond Functionalism: International Organizations Law in Context. In: **The Cambridge Companion to International Organizations Law.** KLABBERS, Jan. Cambridge University Press. 2022.

KOSKENNIEMI, Martti. Empire and International Law: The Real Spanish Contribution. **University of Toronto Law Journal**, [s.l.], v. 61, n. 1, p.1-36, jan. 2011. University of Toronto Press Inc. (UTPress).

MCARTHUR, John W. The origins of the millennium development goals. **The SAIS Review of International Affairs**, v. 34, n. 2, p. 5-24, 2014.

UNITED NATIONS. **Declaração e Programa de Ação de Viena.** World Conference on Human Rights, 1993, Available: <http://www.oas.org/dil/port/1993%20Declara%C3%A7%C3%A3o%20e%20Programa%20de%20Ac%C3%A7%C3%A3o%20adoptado%20pela%20Confer%C3%AAncia%20Mundial%20de%20Viena%20sobre%20Direitos%20Humanos%20em%20junho%20de%201993.pdf>. Accessed 12 jan 2014.

UNITED NATIONS. United Nations Development Program (UNDP) **The Millenium Development Goals Report 2013**, disponível em <http://www.undp.org/content/dam/undp/library/MDG/english/mdg-report-2013-english.pdf> Acesso em 15 jan 2014.

UNITED NATIONS. United Nations Development Program (UNDP) **The Millenium Development Goals Report 2013**, disponível em: <http://www.undp.org/content/dam/undp/library/MDG/english/mdg-report-2013-english.pdf> Acesso em 15 jan 2014. p. 3.

UNITED NATIONS. **The Future We Want**. June 22, 2012. Available at: <https://sustainabledevelopment.un.org/content/documents/733FutureWeWant.pdf>. Accessed 10 jan 2020.

UNITED NATIONS. **Transformando o Nosso Mundo: A Agenda 2030 para o Desenvolvimento Sustentável.** September 25, 2015. Available at: <https://nacoesunidas.org/wp-content/uploads/2015/10/agenda2030-pt-br.pdf >. Accessed 10 jan. 2020.

OUR WORLD IN DATA. **Energy use per person, 2021**. Available at: < https://ourworldindata.org/energy>. Accessed 12 mar 2023.

POGGE, Thomas; SENGUPTA, Mitu. Assessing the sustainable development goals from a human rights perspective. **Journal Of International And Comparative Social Policy**, [s.l.], v. 32, n. 2, p.83-97, 3 maio 2016. Cambridge University Press (CUP). http://dx.doi.org/10.1080/21699763.2016.1198268.

SANTOS, Milton. O retorno do território. In: **Território, Globalização e Fragmentação.** SANTOS, Milton; DE SOUZA, Maria Adélia A.; SILVEIRA, Maria Laura. 4ª Edição. São Paulo, Editora Hucitec, 1998.

SANTOS, Milton. Por uma outra globalização – Do pensamento único à consciência universal. 6ª Edição. Rio de Janeiro, Editora Record, 2001.

SEN, Amartya. **Development As Freedom.** Nova Iorque: Alfred A. Knopf, 2000. 366 p.

SENGUPTA, Arjun K. **The Right to Development: Report of the Independent Expert on the Right to Development, Dr. Arjun Sengupta, pursuant to General Assembly resolution 54/175 and Commission on Human Rights resolution E/CN.4/RES/2000/5. 2000**. Disponível em: <http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/4490c26031920601c12569610048a2a0/$FILE/G0015327.pdf>. Accessed 15 jan. 2014.

UNITED NATIONS. Report of the Secretary General: **Road map towards the implementation of the United Nations Millennium Declaration.** September, 2001. Available at: <https://digitallibrary.un.org/record/448375**>.** Accessed 10 mar 2023.

VARELLA, Marcelo. **Internacionalização do Direito: Direito Internacional, globalização e complexidade.** 2013. Centro Universitário de Brasília, Brasília. Available at: <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2263949>. Accessed 10 mar 2022.