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PRESENTACIÓN

Dossier “Educación Superior y Universidad en China”

Marcos Costa Lima¹ 

DOI: 10.22478/ufpb.2525-5584.2020v5n3.56997

Presentamos a usted el Dossier “Educación superior y universidad en China”. El dossier contiene un conjunto de artículos que fueron producidos en su mayoría por investigadores asociados al Instituto de Estudios Asiáticos de la Universidad Federal de Pernambuco (IEA/UFPE), una de las instituciones que, junto con la Universidad Estatal de Paraíba (GEPAP/UEPB/CNPq), en el Nordeste brasileño, dan vida a reflexiones sobre China y sus articulaciones a escala mundial, incluso problematizando sus relaciones con América Latina y Brasil.

China está experimentando un proceso de ascenso amplio y complejo a escala mundial y ya está liderando un papel de liderazgo en varios campos del conocimiento. Entre otros, destacamos su papel en la política y economía global, su mayor participación en proponer una agenda global en varias áreas, entre las que se encuentran políticas ambientales, políticas urbanas, políticas de ciencia y tecnología, políticas energéticas, políticas de reducción de la pobreza. No es diferente en los campos de la educación y la salud. En este sentido, en el ámbito de la educación, se observa que la educación superior china ha experimentado transformaciones sustanciales y positivas, de ahí la relevancia de profundizarse. Este proceso chino, por la importancia que hoy tiene el país, tiene repercusión mundial y, por tanto, no puede ser ignorado, en su dimensión heurística más integral.

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Lima. *Presentación – Dossier “Educación Superior y Universidad en China”*

En este dossier, el lector encontrará artículos sobre versa y establecerá un debate sobre las relaciones internacionales y la educación superior china. Se trata de artículos que parten de un macro análisis para el estudio de caso, con el fin de aportar y difundir un debate relevante a la comunidad científica brasileña.

Marcos Costa Lima
Coordinador del Instituto de Estudos de Asia

EDITORIAL


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Estimados miembros del Consejo Editorial, asistentes de edición, lectores, autores, revisores y otros usuarios, nos complace presentarles el primer número de 2020 (vol.5, n.3, 2020) de la Revista Brasileña de Políticas Públicas e Internacionais (RPPI). Manteniendo la propuesta de un medio de difusión académico-científico con perfil interdisciplinario, el RPPI acerca a la comunidad académica, investigadores, estudiantes y demás interesados un debate contemporáneo sobre temáticas asociadas e integradas con las políticas públicas y la cooperación internacional.

En 2020, RPPI comenzó a tener artículos publicados en dos idiomas, el portugués debe agregarse al español o al inglés a discreción de los autores. Así, comenzamos a cumplir con los criterios de internacionalización, accesibilidad y mayor difusión de los trabajos científicos publicados en el RPPI. En el mismo sentido, el nuevo sistema de la revista permite el acceso en tres idiomas (portugués, inglés y español) cumpliendo los mismos criterios de acceso a los autores, lectores y difusión internacional tanto de la revista como de los artículos publicados. Con estas mejoras, esperamos incrementar el alcance de nuestras publicaciones y cumplir con los criterios de los registros y las bases de indexación de producciones académicas y científicas nacionales e internacionales (Web of Science, Scopus, Scimago, índice h, entre otros). La mejora realizada en el sistema también tiene como objetivo ampliar nuestro espectro de captación de publicaciones internacionales, así como contribuir a la difusión del debate sobre políticas públicas en el país y en el exterior.





Aquí presentamos el volumen 03 de 2020. Contamos con artículos de diferentes temáticas, referentes a la propuesta PGPCI y RPPI. Así, mantenemos nuestro objetivo de avanzar en la divulgación académica y científica, abriendo espacios para la producción

plural e integrada, reconectando las áreas de constitución del conocimiento con la práctica, devolviendo la información a la sociedad. Nosotros, los editores y asistentes de edición, presentamos al público el volumen 03 de 2020 de la Revista Brasileña de Políticas Públicas e Internacionais, deseando a todos una buena lectura, felices fiestas y un excelente 2021.

Alexandre César Cunha Leite 
Editor-Chefe da Revista Brasileira de Políticas Públicas e Internacionais

Chinese Universities and International Relations

As Universidades Chinesas e as Relações Internacionais

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Abstract: The article aims to explore, at first, the field of International Relations (IR) in China and its emergence as a discipline, in addition to a possible theoretical formulation of its own, analyzing in the end how it relates to the foreign policy of the Chinese Communist Party (PCC). Through a literature review, the article explores the relationship between universities, International Relations and Chinese foreign policy.

Keywords: Chinese University; International Relations in China; Chinese Foreign Policy.

Resumo: O artigo tem como objetivo explorar, no primeiro momento, o campo das Relações Internacionais (RI) na China e seu surgimento como disciplina, além de uma possível formulação teórica própria, analisando ao final como esta se relaciona com a política externa do Partido Comunista Chinês (PCC). Por meio de uma revisão bibliográfica, o artigo explora a relação entre as universidades, as Relações Internacionais e a política externa chinesa.

Palavras-chave: Universidade Chinesa; Relações Internacionais na China; Política Externa Chinesa.

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1. Introduction

After the revolution, with the establishment of the People's Republic of China, it was crucial that the country achieved international recognition. For this intent, China opted for the creation of organizations to study the international system and for the preparation and qualification of its diplomats to perform its function of representing the interests of the Chinese state (Yang, 2004).

At first, International Relations studies in the country focused on ideological lenses, on the promotion of socialism to the detriment of capitalism, as well as on the study of the history of the international communist movement and the revolutionary mobilizations of the time. With the reforms and reopening introduced by Deng in the late 1980s, the study of IR in the country took more pragmatic directions, since the international scope was already different (Wang, 2009). With the dissolution of the Soviet Union and the polarization between capitalists and socialists, China was preparing to enter the international community with more intensity. The country's entry into the World Trade Organization is an example of a result of these efforts (Lynch, 2002).

The academic IR scenario has also followed this change. Faced with the introduction, debate and critical analysis of Western works, Chinese researchers realized that they had much to contribute to the field of International Relations (IR) studies from Chinese philosophical perspectives (Acharya, 2019). In this sense, there are discussions about the need for a school of Chinese thought and approach to International Relations, but there are still considerable difficulties for its materialization, mainly because some academics do not contest the fact that the possible Chinese theoretical approaches are not universal (Acharya, 2008).

In general, this article is divided into four parts: at first, the historical issues among IR development in the country are addressed; next, it is the Theory of IR with Chinese characteristics; thirdly, some of the main Chinese researchers in the field and research institutes are also highlighted; later, the role of academics in the construction of Chinese foreign policy is analysed and, finally, some considerations.

2. Historical issues

At the time of the founding of the People's Republic of China, the configuration of the international system placed the country at a disadvantage. In the face of the Cold War and its political and economic developments, especially the sanctions imposed by

capitalist nations, led by the United States of America, China's security was threatened by an adverse international scenario. Such a situation made the study of International Relations (IR) essential. Aware of this need, Premier Zhou Enlai requested the establishment of IR discipline at the inaugural meeting of the Ministry of Foreign Affairs in 1949 (Geeraerts & Jing, 2001).

In the post-revolution, the new political system brought about structural changes in the most diverse spheres of Chinese society. From the countryside to the cities, the lives of Chinese citizens have been transformed. And for the sciences it was no different. Social sciences, more broadly, and International Relations, in a more specific aspect, felt the effects of Maoist policies for higher education, the need for knowledge for the Chinese Communist Party (CCP), the Marxist-Leninist ideology, in addition to the influence of the Soviet Union (Shambaugh, 2011). With the emergence of the “new” Chinese state, it became necessary to understand the dynamics of international relations to guide diplomatic ties thereafter (Leite & Maximo, 2013). However, limitations of an external and internal nature hindered the development of studies in the area (Geeraerts & Jing, 2001).

In 1952, most of the departments of Political Science and International Relations were closed due to the reorganization of higher education in China orchestrated by the Soviets, which did not necessarily imply the end of studies in this area; for example, in 1955, the Faculty of Diplomacy was founded and, around the end of the 1950s, the Ministry of Foreign Affairs and the CCP's Research Department established their own institutes for study in the field of International Relations: the Institute International Studies and the Institute of Foreign Affairs, respectively (Shambaugh, 2011).

In the early 1960s, with the intensification of Sino-Soviet conflicts⁵, Mao supported Zhou Enlai's proposal to create a network of institutions to train diplomats and

⁵ In 1950, when the Sino-Soviet Treaty of Friendship, Alliance and Mutual Assistance was signed, a partnership began that marked world history. However, despite its initial success, this relationship began to enter a process of destabilization in the late 1950s. It is not a consensus among scholars in the field, but many authors point out that the beginning of the Sino-Soviet rupture started in 1956. In February of that year, Nikita Khrushchov criticized Stalin's actions. The Soviet leader's speech ended up offending the Chinese, not because of its content, but because they had not been consulted previously. In 1956, Moscow informed Beijing that it intended to carry out a military intervention in Poland. For their part, the Chinese were against such a measure and declared that this intervention would be an attack on Polish sovereignty. Beijing also disagreed with the Soviet intention to withdraw its troops from Hungary, which in the Chinese interpretation would be a betrayal of the Hungarian people. In both cases, Moscow changed the course of its actions, however, these events made clear the strategic contrast of the two actors. Despite these tensions, Sino-Soviet relations continued to develop between 1956 and 1957, mainly in the military and economic fields. In 1957, Soviet leader Khrushchov initiated a less warlike approach to the West. Chinese leader

researchers. Thus, in 1963, Fudan, Renmin and Peking Universities were instructed to establish departments of international politics (Xinning, 1997). The departments of Universities Fudan, Renmin and Peking were determined to focus on different areas. Peking University's international policy department was tasked with focusing on the study of national liberation movements; the study of communist movements around the world was under the responsibility of the department of Renmin University; the Fudan University department was responsible for the study of international relations in the western world (Leite & Maximo, 2013).

It is worth mentioning that this differentiation lasts until the present day, with the departments of these universities following different, but complementary, lines of study. Peking University currently focuses on Asian and Latin American studies, while Renmin University on studies related to the former Soviet Union and Eastern European countries; and Fudan University, in turn, in western European and North American states (Wang, 2009).

In conjunction with the creation of departments for the study of International Relations at Fudan, Peking and Renmin Universities, ten institutes linked to the area were also developed in 1963. However, they were not associated with universities, but with government agencies, such as the Ministry of Foreign Affairs. These institutes ended up being responsible for the production of texts and periodicals, as well as the translation of works by non-Chinese authors (Leite & Maximo, 2013).

Despite these efforts in the area, there was no inclination towards more in-depth theoretical production at the time. As Leite and Maximo (2013) indicate, in this period, in the field of IR, Chinese theorization was focused on the formulation of guidelines for practical action, political announcements of rules and principles to be followed and the formulation of strategies to deal with external actors (Leite & Maximo, 2013).

Mao, in turn, declared at an event that year that China, the Soviet Union and socialist movements represented a force against the United States and its allies. While the Soviets saw the Chinese position as quite choleric, the Chinese also did not welcome the Soviet search for a relaxation of relations with the West. In 1958, the Soviets presented several proposals for military cooperation and integration between the two actors. China repudiated the proposals, accusing the Soviets of trying to dominate the country militarily. The Sino-Soviet relationship was progressively becoming more tense. In 1960, after a disagreement with Mao, Moscow withdrew more than 1,300 technical experts from Chinese territory and reduced support for the country. In 1962, at the time of a Sino-Indian military dispute, the Soviets sent military support to the Indians. In 1963, China did not sign the Partial Nuclear Test Ban Treaty, led by the Soviet Union, the United States and Great Britain. Over the years, China began to bet even more on multipolarity, positioning itself as a challenger from the United States and the Soviet Union (Westad, 1998; Jian & Kuisong, 1998, Roman & Dresch, 2017)

In the early years of the post-formation of the People's Republic of China, the field of IR progressed in the country, but at a slow pace. Gustaaf Geeraerts and Men Jing (2001) highlight that in the two decades that followed the Chinese revolution (1950 and 1960), the central characteristics of the study of IR in the country were: a predominance of Marxism and Leninism, having these two lines of thought served as a guide for research; that in turn, in IR, they served the needs of the Chinese State, especially with regard to diplomatic issues; studies on national security also stand out (Geeraerts & Jing, 2001).

The Sino-Soviet rupture in the 1960s was a milestone in the history of the study of IR in China. The end of political ties between the Chinese state and the Soviet Union led China to detach itself from Soviet ideological and conceptual influence. With detachment, the Chinese intellectual community was called upon to intensify research in international areas (Leite & Maximo, 2013). However, even with the departure of the two actors, the way the Soviets approached IR continued to be very present in the Chinese study in the area. For example, when entering the field of IR theories, Chinese academics ended up limiting themselves to Russian works and / or classics of Marxism-Leninism (Wang, 2009).

In the 1980s, with the end of the Cultural Revolution and with Deng Xiaoping in power with his reform and reopening policies, this situation started to take more prosperous directions (Shambaugh, 2011). During this period, there was a concern that went beyond just economic aspects. Chinese modernization was linked to scientific development, including the advancement of studies in International Relations (Leite & Maximo, 2013).

This moment of reopening implied the meeting of Chinese thinkers with authors and works from the Western intellectual tradition, as well as a reallocation of the thematic axes of intellectual discussions in the country, formerly guided by Maoist thinking about war and constant revolution. Deng's approach, more positive in terms of the international order, became central from that moment on (Leite & Maximo, 2013). While in the 1950s and 1960s, IR research was limited to imperialism, national liberation movements, international solidarity and the principles of peaceful coexistence, from the 1970s onwards, Chinese researchers were inclined to study the theory of interdependence, international cooperation, diplomatic strategy and cultural elements in international relations (Geeraerts & Jing, 2001).

The courses in ideology and political theory underwent a reform process in 1985. The CCP requested that colleges and universities should offer new courses in world politics, economics and international relations. In response to this instruction, practically all higher education institutions in the country started offering a new course called "Contemporary world politics, economics and international relations" (Geeraerts & Jing, 2001). In addition to the course, there was also an effort to produce teaching materials that encompassed such themes, but which ended up not meeting expectations, either for quantitative reasons or for the quality of the material. With this in mind, the CCP Central Committee launched the document entitled "The Decision to Improve and Strengthen Ideology and Politics Education in Colleges and Universities", in 1987. In general, the document reinforced the position that, due to the current situation at the time, a systematic understanding of international economics and policies was of paramount importance (Geeraerts & Jing, 2001, p. 255).

Since 1979, there has been a commitment to translating International Relations works in Western foreign languages into Mandarin, works that are predominantly linked to realistic theoretical thinking. It is worth mentioning that the translated works, in turn, had a strong link with the American academic tradition in IR. Over the years, works from other theoretical lines, such as liberalism and constructivism, striking within the US academy, began to be translated (Leite & Maximo, 2013). However, this entry of foreign academic studies took place in a non-systematic way, which led to an incomplete understanding of the theories (Chan, 1998). It is important to note that this does not mean that the Chinese did not understand Western theories, but that the unavailability of these works made their study difficult. The translation of Western works did not happen at the same pace as their critical analysis, which led, as stated by Geeraerts and Jing (2001, p. 257), to an *ad hoc* understanding of the concepts present in Western works as well as their theoretical limitations, generating discussions among Chinese academics. In the 1980s, many Chinese students went to study abroad, the United States being one of the main destinations. Those studying International Relations theory and history began to introduce Western studies by translating books and studies into Mandarin. The introduction process to Western works took place gradually (Chan, 1998).

In this sense, the 1990s are presented as a landmark for the study of International Relations in China, since with the international environment in its constant change, an adequate understanding of Western International Relations Theories was crucial; only the

translation of foreign works was not enough, more complete analyzes and criticisms were necessary (Geeraerts & Jing, 2001). After the Tiananmen Square incident and the dissolution of the Soviet bloc, Western theories went through a period of questioning, but Chinese scholars soon expanded their interests, moving from international relations to globalization and gradually shifting from learning with the West to more independent thinking. So, in the face of these circumstances, Chinese intellectuals did not limit themselves to reproducing Western thought and theories, and sought to build an autonomous thought, shaped according to their idiosyncrasies (Wang, 2009).

3. Theory of International Relations with Chinese characteristics

China has become an extremely important player on the international board. In line with the advance of its economic relevance, international policy debates involving China have grown considerably. But how do Chinese IR academics work? Do you use concepts and theories with Chinese cultural traits? Which Chinese researchers have gained international prominence in the field of IR, and which theories do they tend to move?

All of these issues are extremely relevant in the sense of opening space for an investigation regarding the dissemination of Chinese IR theories and their use by academics in general, as well as their recognition in the academic environment. Thus, what is intended to be discussed in this section is precisely the formulation of Chinese thinking in the IR and its outstanding researchers.

3.1 A possible Chinese theoretical identity

In order to answer the questions raised above, one must go beyond the theories already consolidated in the West, such as realism, liberalism, constructivism. As a result, it is necessary to close the gap between Asian and Western contributions in order to see new perspectives, seeking to understand the philosophical differences among them while enriching the IR debate, emphasizing the importance of looking beyond economically developed countries.

International Relations as a broad field of study in Social Sciences has different schools of thought originated in different countries. When looking at Asian studies, some countries, such as China, Japan and India, are taken into account because they are increasingly engaged in debates, and questions arise about the possibility of a “school of

thought” of their own. In this sense, China is the aspirant that stands out the most for this, in terms of projection, given its geographic dimensions and original millenary tradition (Qin, 2011).

However, talking about the construction of a theory itself is talking about a unit of thought that is often problematic and full of generalizations. In this case, thinking about a unified Chinese School is unlikely given the diversity of thoughts within the country itself, hindering their direct influence on the academic community (Jiangli & Buzan, 2016). Thus, it can be said that it is not a question of China's inability to contribute, on the contrary, the country has much to add to the existing theories.

As for International Relations Theories (IRT), Chinese approaches are referenced less frequently. This condition is due to a tradition in considering Western Eurocentric and American production as classic, as already consolidated. Thus, exploring a little more about the dynamics of the Asian study area as a whole is essential, in order not only to demystify it, but also to add values and broaden our understanding of IR.

First of all, every theory goes through a process, a set of products and challenges until its final formulation. In an attempt to formulate its own, China encountered several barriers throughout the phases due to the difficulty in its own insertion in the global IR discussion. But, even so, it achieved considerable advances, raising a plurality of approaches and contributions, such as the *tsinghua* approach and the *tianxia* approach (Lima, 2018), and the relational theory of world politics, among others that seek to insert themselves in the academy as a Chinese legacy for IR (Demir, 2017).

Regarding the approaches, one of the best known is *tianxia*. According to Qin (2007), the *tianxia* world view and the tax system play a fundamental role in the conceptual formulation of Chinese IR. Confucianism carries an important understanding of the universe or the *tianxia* worldview, in which the tax system has been rationalized and explained. Literally, *tianxia* means "everything under the sky". This ancient philosophical and cultural concept impacted the academic community of Chinese IR, raising interest from theorists in general. Thus, a probable theoretical motivation arises that rethinks China and the international political system, carrying more Chinese cultural baggage than the other existing approaches until then.

According to one of the biggest contributors to such an approach, Zhao Tingyang (2005), the world today is still considered a “non-world”, and the central problem that is faced is not the “failed states”, but the whole failed world. He then criticizes Western

theories because they are contributing to a disordered world, with its emphasis on the nation-state, and believes that it would be possible to adjust this system through changes based on ancient Chinese thought, according to the *tianxia* approach, which offers an alternative model of a future world order that takes into account the interests of the whole world, whatever their constituent elements are.

Thus, within this Chinese philosophy, the question of the ego was not visible to everyone and, therefore, there was no dichotomy between oneself and the other. As a result, in Chinese culture, there could be something distant in time and space, but there was never anything that was the opposite, intolerant. The second idea is the highest ideal of the *tianxia* philosophy: *datong* (great harmony). In a holistic view, this communion is inevitable, since the opposite elements always tend to complement each other (Qin, 2007). So, some elements are highlighted as the common choice in the global scope, the emphasis on the collective, the presence of a world institution capable of organizing and guaranteeing a universal order, this being the largest, instead of being limited to the nation-state, in addition to constant cooperation, without hegemonic interest, aiming at general harmony.

3.2 Criticisms and difficulties for a Chinese theoretical formulation

Among the greatest difficulties in the formulation of a possible Chinese IR School is the minimal amount of productions with their own theories, since most Chinese scholars end up reproducing in their own works the classic Western concepts, since these are the sources most prevalent in universities. One example is the academic Tang Shiping, where much of his work is based on Western texts that have little discussion of China in general. In this way he ended up gaining prominence, but not for discussing with new approaches with Asian characteristics, but with the classic ones (Pan & Kavalski, 2018).

In addition, other factors are punctuated as difficulties for a theoretical Chinese formulation: the lack of an awareness of "internationality", beyond the domain of the western IRT discourse; and the absence of a firm theoretical core, for example (Do, 2016). The first factor comes from a culture that the world or even the state was not a clearly defined entity, moreover, the idea of sovereignty was not clear. China played a huge role in maintaining peace and trade, supplying public goods, but in general, the system had no room for internationality, and so the Chinese was not aware of internationality and, consequently, of integration. This is also included in the utopian character of the *tianxia*

approach, which even within Chinese territory has never been fully practiced, since individual interests end up overlapping the common interest in general (Zhang, 2010).

It was during the Movement of May 4, the greatest self-reflection of the Chinese, as they began to question not only Chinese technology and Chinese political and economic systems, but also Chinese culture as well as Confucianism. Although Confucianism gained a new version, modernizing it and becoming the Chinese learning school, the Western learning school, which was opposed to Confucianism, ended up becoming the dominant discourse, due to the greater spread of Enlightenment and Newtonian ideas (Qin, 2007).

Another issue that makes the theoretical formulation difficult is that it is usually necessary to follow an entire rigid structure through a research program that starts with an initial model and gradually grows. In addition, it is important to find regularities and causal relationships, seeking to understand the meanings in the social context. Callahan (2001) argues that any theory with a national identity must have a great idea: the American IR theory is democratic peace; for English School it is international society; and for the Chinese IR, the *Datong* (great universal harmony). As a consequence of these factors, the study of IR began to use Western discourse within the Chinese context (Qin, 2007).

In short, these are the main cultural differences between Chinese philosophy and the basis of Western culture. Traditional Chinese philosophy has focused more on human relationships, therefore, emphasizing the emotional part of human behaviour and the concern for adequate interpersonal relationships; Western philosophy focused more on material gains, therefore, emphasizing the rational part of human behaviour and disputing for relative gains in relationships between human beings and nature. Some changes were consolidated, and China started to adhere to some Western concepts as a means of having a strong and prosperous nation-state. Among these ideas, sovereignty was the most important in terms of relations with other countries (Qin, 2007). Therefore, although Western concepts have penetrated deeply into Chinese domestic discourse, the opposite is not true. In general, Chinese scholars have little space or impact on the international IR study community (Hellmann, 2011).

According to Wang (2002), the area of International Relations in China finds it difficult to prosper and to be recognized internationally because it is an area of recent approach, in addition to specific difficulties such as political control itself, the absence of

well-qualified academics, and absence of financial incentives. However, despite the ease of access to the internet and all the various sources of information available on international issues, these students also often demonstrate a very doctrinal and government-inspired interpretation on many issues (especially those related to China).

When China's rise is understood “literally” and treated only as a theoretical test case. Its theorizing tends to be hampered by a double tendency in IR: (i) thinking about paradigms and (ii) returning to familiar concepts. In doing so, it reinforces, instead of disturbing, a popular perception that the countries of the global South are particular examples of some universal phenomena already observed and theorized elsewhere (Pankavalski, 2018). As already noted, when China enters the theoretical debate, it is usually a matter of applying the main Western IR theories and practices to China, instead of extracting new theoretical ideas, in this point Acharya (2014) highlights that:

No doubt, this theorizing will have implications for specific IR theories. Yet its main purpose is not about validating or testing a particular theory, or a particular national school of IR theory for that matter. Rather, it is about reflecting on more meta-theoretical issues such as knowledge-production, power, identity, ontology, relationality, and spirituality. In this sense, it shares some of Global IR’s attempts to ‘develop concepts and approaches from non-Western contexts on their own terms and to apply them not only locally, but also to other contexts, including the larger global canvas’ (Acharya, 2014, p. 650 apud Pankavalski, 2018, p.12)

According to Do (2016), IR academics realized that, if China were not the power it is, the discourse about the existence or not of a Chinese IR School would not attract as much attention. With this, it can be said that there are some inherent causal relationships between material power and knowledge production, as seen in the field of US IR in studies at a global level. In addition to the connections between power and knowledge, the question of how China's geopolitical rise really shapes academic debates and practices is not analyzed in the best way (Do, 2016).

Finally, what is the role of academics in facing these difficulties? The IR field of study and universities as a whole have been closely related to government since its inception, as explained in the first section. In this way, many professionals are taken to work in different government sectors, representing the country in international affairs. In the perspective of Shambaugh, (2011), the time spent on these activities is equivalent to time not spent on research and other academic productions, justifying the difficulty in setting up a Chinese IR School. Also, according to the author, the amount of Chinese

academic production is not a problem, since they have a large number of publications. The problem in this case is the quality that these researches present, revealing the need for greater sophistication in their productions.

4. The Chinese Academics

It is worth mentioning the participation of Chinese academics in the IR who work in some extension with China, and who discuss in their academic productions about the existence of Chinese contributions to the area, whether with theory or a ‘Chinese School’. In the book *Constructing a Chinese School of International Relations* (2016), Wang Jiangli and Barry Buzan compare the English School with a possible Chinese School, highlighting some authors as the main contributors to the discussion on IR in China. Some of these are shown in table 1 in order to better visualize your works and area of expertise.

Table 01: Outstanding Chinese Academics

Researcher	Highlighted publication / year	Working place	Research area
Yan Xuotong	<i>Ancient Chinese thought, modern Chinese power, (vol. 5) / 2013</i>	Tsinghua University	Foreign Affairs of China, International Security Challenges
Hung Jen Wang	<i>The rise of China and Chinese international relations scholarship / 2013</i>	Taiwan National University	Applied Econometrics, Monetary Economics
Liang Shoude	<i>Constructing an International Relations Theory with “Chinese Characteristics” / 1997</i>	Beijing University	International Politics, Chinese Politics
Yongjin Zhang	<i>System, Empire and State in Chinese International Relations / 2001</i>	Bristol University	IRT and Chinese history, politics, economic transformation
Qin Yaging	<i>Why is there no Chinese international relations theory? / 2007</i>	Beijing Foreign Studies University	Human rights, foreign policy and international relations

Source: Wang & Buzan (2014).

However, this discussion is not limited to Chinese universities, certain institutes, known as think tanks, also play an important role in the functioning and incentive of the development of International Relations in China. As previously mentioned, Beijing's growing involvement in the international community has generated a growing demand for in-depth research and analysis on foreign policy to assist Chinese leaders in decision-

making processes. One of the means found to supply this need was the system of research institutes in Chinese foreign policy (Glaser, 2013).

The National Association for the History of International Relations, the first Chinese national academic association dedicated specifically to IR, was created in the 1980s. In 1999, it changed its name to the National Association of International Studies in China (CNAIS - acronym referring to the name in English) “China National Association for International Studies”). The association was reformulated in order to include more topics relevant to IR. Currently, CNAIS covers almost all major research institutions in IR, with around 68 linked institutes (Leite & Maximo, 2013).

Other important and influential foreign policy institutes are, for example, the Chinese Academy of Social Sciences (CASS), the China Institute of International Studies - CISS, the China Institute of Contemporary International Relations - CICIR, Shanghai Institute for International Studies - SIIS, and China Institute for International Strategic Studies - CISS (Zhao, 2013).

However, it is important to note that the research organizations with the most influence over the foreign policy issues of the Chinese State are those that are directly linked to the government, the armed forces and the CCP, since they have channels to provide direct information to decision makers (Glaser, 2013). Still, academics at universities and institutes also play a leading role.

5. The role of academics in the construction of Chinese foreign policy

There is a growing participation of university professors in political discussions that bring together specialists from different research units. (Glaser & Saunders, 2002). Both in the scope of foreign policy and national security, decision makers seek and receive, even if sometimes unsolicited, information, advice and suggestions from research organizations (Glaser, 2013).

Despite not being so expressive, research organizations provide information, analysis and advise decision makers, adding to the formulation of foreign policy. In addition, researchers are also invited to give lectures to government work units and even factories across China, for example. The topics of the lectures include analysis of the international system, Chinese-American relations, Taiwan, security, among others (Glaser & Saunders, 2002).

One of the functions performed by the institutes and academics (individually) is to inform leaders which issues can become challenges at the international level, as well as providing new ideas to assist decision makers in formulating more effective policies (Glaser, 2013). As an example, academics were crucial for the Chinese government to adopt a pro-multilateralism stance in the late 1990s. Academics from the institutes and who worked directly for the Chinese government collaborated with officials from the country's Ministry of Foreign Affairs to promote new concepts such as mutual security, win-win relationships (positive-sum model, in contrast to zero-sum models). Some other important concepts that were adopted by the Chinese states also came from academics, such as the idea of “peaceful rise”, which was soon replaced by “peaceful development” (Glaser, 2013, p. 101-102).

Until the early 1990s, academics at Chinese universities had almost no voice and impact on the country's foreign policy formulation process, since there were no reliable channels for them to submit their ideas. In the same proportion, they were rarely consulted by Chinese government officials. So, research and academic production ended up being restricted to the academic public. This situation started to take new directions from the late 1990s (Glaser, 2013).

So, in the new scenario, there are several channels that enable academics from universities and institutes to participate in the process of building Chinese foreign policy. One of them is participation in government meetings: together with government experts, academics are invited to participate in meetings organized by government ministries. Participants are chosen mainly according to their expertise and have no relation to the academic affiliation of the academic (Glaser, 2013). But personal connections are also an important factor. Family ties, common school history, teacher-student relationships, common geographic origin are some of the elements of personal relationships that can provide access and influence for academics (Glaser, 2013). But the qualification of the researcher is an indispensable factor. It is also common for some government departments to request papers for academics at universities and think tanks. Likewise, sometimes these researchers are involved in the preparation of important documents (Glaser, 2013).

While Chinese academics are moving to increasingly participate in the policy-making process, the Chinese government is also present within universities. The most current reforms in the university system, which make the hiring and remuneration of teachers more flexible, have reduced the dependence of universities on the government.

However, the government's presence is still established in the affirmative in universities with the presence of a CCP secretary who has the power to notify and penalize teachers who considerably distance themselves from the party's ideals (Leite & Maximo, 2013).

Due to the close relationship between the institutes and the CCP, the adhesion of the institutes for the analysis of foreign policy was also impacted, becoming even more discerning. Some institutions, such as the Institute for Strategic Studies of the National Defense University and the policy research institute of the Central School of the Party, had to be dismissed due to their connection with foreign scholars (Abb, 2013).

Academics, unlike international analysts who are part of the government, have less conservative thinking, expressing opinions more freely. And as Glaser (2013) states, the increased contribution of researchers to Chinese foreign policy has helped to reinforce the quality of their analysis within the government system:

The increase in communication and collaboration among institute and university experts has generally resulted in greater dissemination of knowledge and information, as well as an improvement in the quality of analysis produced for the government. Policy influence is difficult to assess and measure, but the decision-making system has become more consultative over time, with an increased role played by research institute specialists (Glaser, 2013, p. 124).

6. Final considerations

The discussion on a possible formulation of a Chinese school firstly had to go through a historical analysis about the emergence of the study of International Relations itself. As mentioned, China understood the international area properly just after its relationship with other countries, mainly after the opening and reform in the 1970s, mutually with the period of stimulus to the globalization process. This scenario enabled China to understand and study the international scenario in a more pragmatic way as a way of developing more assertive strategies for its country.

With the paradigmatic change, the IR area gradually gained space in the country, being inserted in many universities, with different study specialties, managing to acquire greater freedom for their productions in relation to the CCP, although there are many needs for adjustments in this relationship.

Tianxia, as an example of a more eminent Chinese approach, represents one of the oldest and strongest Chinese philosophies, capable of contributing to a new theoretical perspective of IR, although this is still not considered sufficient to be in the same level of a theory. Its utopian character, however, demonstrates how China has a notion of

collective, contrasting with other classical theories of IR, not limited to the nation-state and anarchy of the international system, but on the contrary, this approach strongly asserts about the need for a higher universal order that is above all, without differences or particularities between nations.

On the other hand, despite the *tianxia*, Chinese academics of great prominence do not usually use such concepts in their productions, revealing a certain lack of priority or organization to lead themselves to a Chinese school of thought properly. Thus, many academics are even critical of the need to formulate a Chinese school, or their own theory, since the field of IR still needs to gain considerable space in the country.

Finally, the urge for the IR area in China are varied and, at the same time that China grows as a power in the global system, the very idea of hegemony is not recommended according to its philosophical approaches, as these aim at common collective agreement, and not only Chinese. China needs expertise in the field, and has a growing number of academics becoming important to the world's IR. Consequently, further research development, with higher quality, will improve China's chances of being a protagonist not only as an object of research, but as an active country and a contributor to the theoretical work of the science of International Relations.

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The projection of Mao in Xi Jinping: Marxism and university in the strengthening of Chinese socialism

A projeção de Mao em Xi Jinping: marxismo e universidade no fortalecimento do socialismo chinês

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Abstract: Since the end of the 1970s, the People's Republic of China (PRC) has stood out in the international conjuncture with impressive growth rates, in many years with up **Abstract:** This work indicates that the process of reform and opening up represented an instrument for the continuous development of China's productive forces. We adopt the perspective that ideology plays a central role in Chinese political and social stability, being an element of concern for the leaders of the Communist Party. In this sense, the article proposes a reading of the insertion of Marxism in Chinese universities, making a parallel between Mao Tse-Tung's thought and the speech of Xi Jinping, as well as the concrete policies in relation to higher education. It is also pointed out that the strengthening of the Marxist Theory is the foundation of internal cohesion and paradigmatic rupture in relation to the collapsed neoliberal system centered on the West. For this endeavor, the text "About art and literature" (TSE-TUNG, 1979) and recent speeches by President Xi Jinping will be used, as well as some policies defined through the Ministry of Education in the recent period, such as the institution of the Schools of Marxism.

Keywords: Chinese university. Marxism. Xi Jinping. Mao Tse-Tung. Marxist Theory.

Resumo: Este trabalho compreende que o processo de reforma e abertura, conduzido pela China, a partir de 1978, representou um instrumento de contínuo desenvolvimento das forças produtivas daquele país. A partir deste ponto, adota-se a perspectiva de que a ideologia cumpre um papel central na estabilidade política e social chinesa, sendo elemento de preocupação das lideranças do Partido Comunista. Neste sentido, o artigo propõe uma leitura da inserção do marxismo nas universidades chinesas, fazendo um

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paralelo entre o pensamento de Mao Tse-Tung e o discurso de Xi Jinping, bem como entre as políticas concretas em relação ao ensino superior. Assinala-se, ainda, que o fortalecimento da Teoria Marxista é alicerce de coesão interna e de ruptura paradigmática em relação ao colapsado sistema neoliberal centrado no Ocidente. Para este empreendimento, serão utilizados o texto “Sobre a arte e a literatura” (TSE-TUNG, 1979) e discursos recentes do presidente Xi Jinping, bem como algumas políticas definidas por meio do Ministério da Educação, como por exemplo, a projeção das Escolas de Marxismo.

Palavras-chave: Universidade chinesa. Marxismo. Xi Jinping. Mao Tse-Tung. Teoria Marxista.

1. Introduction

The first signs of the URSS’s dissolution, even before the fall of the Berlin Wall, represented a fundamental moment of transition in the international system. The Soviet bloc promoted an alternative to the capitalist mode of production, imposing geopolitical rivalry on the latter, by shaping zones of influence in different regions of the globe. Such a process would also occur in terms of promoting advances in the productive structure of society and in the living conditions of workers, making the consolidation of the welfare state in the Western world strongly linked to competition with socialist countries.

From the 1970s, after the break with the Keynesian-Fordist commitment, there is already an indication that the victory of capitalism would mean a substantial increase in social inequality and asymmetries between countries. In other words, the “End of History” would represent the triumph of a system based on individual competition, in the consolidation of its financial stage of capital accumulation (wealth concentrator) and in the precariousness of workers’ living conditions.

Faced with this scenario, China emerges as a contradictory element, symbolically representing pro-liberalization, modernizing and westernizing ideological discourses; as well as asserting itself as the greatest and most powerful heir to the 20th century socialist revolutions. In view of this dichotomy, this article understands that the social change that occurred in China, although renegotiated after the 1978 Reform and Opening, still takes place on socialist bases and, in this context, ideology fulfills two important functions: (i) to provide stability to the political system and (ii) reinforcing an antagonistic stance towards American hegemonic power.

In this sense, the idea that ideology is central “in the establishment, development and maintenance of the communist political system” is assumed as a premise and that this

framework is in a stage of frank strengthening in the political command of Xi Jinping. In other words, “the ideas that underlie the whole state-building of New China are rooted in Marxism, ranging from Marx, Lenin, Stalin, Mao Zedong to the most recent developments centered on the collective leadership of Xi Jinping” (XUAN; DORIA, 2017, p.118).

Domenico Losurdo understands that the base of the contemporary Chinese productive structure is socialist, considering that it uses, in an instrumental way, the bourgeois technical-productive-organizational arrangement, understanding it as the outpost of the development of the productive forces. But, the big difference is the virtual absence of political power of the economic elite that owns these productive means. Such an arrangement is possible by controlling goals from the central planning tool. In other words, the existence of the Five-Year Plans in itself reiterates the primacy of political power over economic, excluding the process of self-regulation of the market by the exclusive price mechanism, as neoliberalism predicts. Losurdo argues that

It is therefore a question of distinguishing between economic expropriation and political expropriation of the bourgeoisie. Only the latter should be conducted to the end, while the former, if not contained within well-defined limits, would compromise the economic development necessary to guarantee the territorial integrity and the resurgence of the country and, consequently, the respect of the social pact on whose base the communists conquered power (LOSURDO, 2004, p. 145).

This configuration is supported by the idea of “Socialism with Chinese characteristics”, a term that first appeared in 1982. Controversially, this name appears in the literature as (i) support for the restoration of capitalism in China and (ii) as development of the thought of Mao Tse-Tung, namely, a Chinese interpretation of Marxist theory (XUAN; DORIA, 2017). In the framework of this work, we will use as a guideline the Xi Jinping’s definition, who points out that Socialism with Chinese characteristics “was created in the new historical period after China implemented the policy of reform and openness, but, always based on the basic system of socialism already established by New China ”and that“ despite great differences in the construction of socialism in aspects of the guiding thought, guidelines, policies and real works, these two historical stages are not isolated or contrary to each other in any way ” (XI JINPING, 2014 apud XUAN; DORIA, 2017).

The Chinese theoretical arrangement has as its horizon an articulation between theory and reality, in order to observe the particularities and historical conditions of that country. This requires an effort in two main directions: (i) to develop productivity and production relations and (ii) to consolidate socialism with Chinese characteristics, which should ensure that the superiority of Chinese socialism could be demonstrated, precisely, through modernization (LIU, 2018) and improving the living conditions of the working class. This latter phenomenon is observable in China, in contrast to a worldwide trend of significant deterioration in the subsistence conditions of the popular strata. In other words, it is understood that such a process would not be possible without a strengthening of ideology in the political-institutional sphere. In other words, the relative internal political stability in China is based on a movement of restricted liberalization and the use of capitalist productive capacity, without this mechanism having become a platform for reforms towards political liberalization. This argument is strengthened by the speeches of the current president, Xi Jinping, who reaffirms the conviction of Marxism-Leninism as a fundamental theoretical apparatus and guiding political action.

There is a dialectical relationship between capitalist advances and the formation of a socialist society, entirely new and based on the particularities of that country. Thus, China takes, in practical terms, the lessons of Maoism, in the sense that a truly socialist society will be built out of its concrete historical and material conditions. In the face of these introductory arguments, this investigation will seek to indicate the strengthening of Marxist thought in Chinese universities, bringing an alignment between Mao Tse-Tung and Xi Jinping.

In summary, this article follows the assumptions below:

1. Chinese liberalization is restricted to the continuous development of the productive forces, and does not represent a form of political power inserted in the State and in planning decisions;
2. Derived from the last point, we understand that the Chinese superstructure stills based on Marxism, within a logic of constant confrontation between theory and concrete reality. This movement has its formulation in the idea of “Socialism with Chinese characteristics”;
3. Such an ideological apparatus expands internal cohesion and reinforces the figure of China in the international system as an antagonistic pole in relation to the United States;

4. China's current condition in the international system, that of protagonism and dispute in relation to hegemonic power, requires the reinforcement of these superstructural bases, which is clear in Xi Jinping's speech and practices;

5. Specific case under analysis: universities as an instrument for strengthening Marxism in China.

On this basis, the work will make an appreciation of Mao Tse-Tung and Xi Jinping thought in relation to the centrality of Marxist ideology and its insertion in higher education. From the point of view of the methodological approach, it is an examination that puts Mao Tse-Tung's thought in perspective, based on his text "On art and literature", and some statements by Xi Jinping, distributed between 2010 and 2020. Discourse is a relevant element in the construction of social life, being a material form of ideology. In concrete terms, some policies will be presented in relation to Chinese universities without, however, having it as a guide a refined exploration of historical periods. The comparison between the two leaders is justified by the frequency which Xi Jinping has been confronted by Mao Tse-Tung, especially by the Western media

Table 01: Comparison between Xi Jinping and Mao Tse-Tung in Western media

Título da matéria	Publicação e ano	Link de acesso
<i>"Xi Jinping 'most powerful Chinese leader since Mao Zedong'"</i> .	BBC, 2017	https://www.bbc.com/news/world-asia-china-41730948
<i>"China equates Xi Jinping with Mao Zedong"</i> .	DW, 2017	https://www.dw.com/pt-br/c-hina-equipara-xi-jinping-a-mao-ts%C3%A9-tung/a-41085797
<i>"Is Xi Jinping now a 'leader for life,' like Mao? Here's why this is dangerous"</i> .	Washington Post, 2018	https://www.washingtonpost.com/news/monkey-cage/wp/2018/02/27/is-xi-jinping-now-a-leader-for-life-like-mao-heres-why-this-is-dangerous/
<i>"Xi Jinping uses travel as a chance to rise to the pedestal of Mao Tse Tung"</i> .	Folha de São Paulo, 2018	https://www1.folha.uol.com.br/mundo/2018/09/xi-jinping-usa-viagem-como-chance-para-se-alcar-ao-pedestal-de-mao-tse-tung.shtml
<i>"China's Neo-Maoist Moment"</i> .	Foreign Affairs, 2019	https://www.foreignaffairs.com/articles/china/2019-10-01/chinas-neo-maoist-moment

Fonte: Author's elaboration.

The first part, after this brief introduction, will address the criticism of the arts and literature, formulated by Mao Tse-Tung, indicating his understanding of knowledge, and universities, as tools at the service of the masses. Still in this section, we will present the general characteristics and the main transformations that occurred in Chinese universities in the Mao Era.

Subsequently, Xi Jinping's stance will be addressed, as an element of projection of Marxism-Leninism as a theoretical orientation, as well as some concrete measures taken in his government, especially from the Ministry of Education. This step aims to reinforce the central argument that the Chinese government has sought to provide ideological reinvigoration from higher education. This work finally points out that the role played by China today implies a strengthening of its theoretical and political bases, both in the external and internal dimensions. Such a project has as its central element universities and the production of intellectuality.

2. “Raising the level from the bottom”: Mao Tse-Tung and the university

Scientific practice, as part of the historically determined conscience of man, is an integral and fundamental element of maintenance the status quo. Universities are ideological arms that are components of the superstructure, which give functionality to the reproduction of material life. In other words, these institutions supply the market with technical work and analyze the reality acting as an auxiliary line in the capitalist mode of accumulation.

In “About art and literature”, Mao Tse-Tung (1979) analyzes that the transition to a socialist society must have, as a basic institute, the disposition of its intellectual effort in the struggle and in the cause of the popular ranks. Mao rejects the spread of petty-bourgeois behavior, which understands that intellectual work is more noble than the tasks performed by workers, peasants and soldiers.

Therefore, the Chinese leader emphasizes that it is a fundamental task of intellectuals not only to describe the working class in a distant way, but to be between them and learn from them. In this regard,

Coming from the petty-bourgeoisie and being themselves intellectuals, many of us only look for friends among the intellectuals, and pay all their attention to the study and representation of the latter. It would be fair if they put themselves in the position of the proletariat to study and paint them. But that is not how it happens, or not at all. They put themselves in the position of petty-bourgeoisie and make their works a self-portrait of the petty-bourgeois. [...] In many cases, they have the greatest sympathy for intellectuals of petty-bourgeois origin and even in the face of their defects they show benevolence and even praise them. On the other hand, they lack ties with the masses of workers, peasants and soldiers [...] try to paint them, keep the clothes of a worker, but the face is that of the petty-bourgeois intellectual (TSE-TUNG, 1979, p. 99).

This excerpt is relevant because, even after the victory of the revolutionary movement, the reproduction of petty-bourgeois ideological forms was maintained, as part of a historical determination of material life in the consciousness of the Chinese intellectual. In other words, one of the great battles in the realm of socialism is the construction of a mentality, of a morality, of a subjectivity fixed in collective bases and in function of the collectivity, dismantling the individualistic character and turned to the profitability and the commodification of life and nature, present in the subjective and objective structures of capitalism.

From this point of view, Mao indicates that we must “raise the level” in the arts and literature. This should not proceed as an anti-people movement, away; but for the integration of the people as a founding base and through the cultural elevation of the popular strata:

Given that our art and literature are essentially for soldiers, peasants and workers, popularization means popularizing among them; level raising means raising the level from their level. What should we popularize among them? [...] We must popularize only that which workers, soldiers and peasants lack and which are willing to receive well. That is why, before undertaking the task of educating them, it is necessary to learn from them. This is particularly true when it comes to raising the level. To lift anything, you need to start from the base. [...] So, where do we start from to raise the bar? From the base of the feudal class? From the base of the bourgeoisie? Of petty-bourgeois intellectuals? No, neither. We can only raise it based on the mass of soldiers, peasants and workers. [...] Here, the task of placing ourselves at the school of the proletariat still imposes itself (Ibidem, p. 102).

Popularizing and raising the level are the basic tasks of intellectual work. Having the people as a foundation means that the intellectual exercise can offer back an analysis closer to reality, in a strongly dialectical activity: (i) from concrete reality to subjective elaboration; (ii) from theoretical subjectivity to the people, in the challenge of culturally elevating the masses. According to the diagram below:

Figure 01: Intellectual work and its relationship with concrete reality



Source: Self elaboration.

Intellectuality should serve as an instrument for building the economic, political and cultural emancipation of the working class, freeing it from alienating configurations that serve the interests of the exploiters. This movement has, according to Maoist

understanding, an enormous capacity for generating unity and recognizing the common enemy.

Currently, the problem they face is that they are engaged in a fierce and bloody struggle against the enemy and that being illiterate, without culture, for having been subjected by the feudal class and the bourgeoisie in long domination, insistently demand the development of a wide cultural initiation process. They require instruction, art and literature which they are in urgent need of and which they could assimilate without difficulty. That which would exalt your enthusiasm for combat, which would strengthen your faith and strengthen your union in the unanimous struggle against the enemy (Ibidem, p. 105).

Specifically, since the Revolution, Chinese higher education has undergone an important expansion. In 1949, there were 180 universities across the country and about 80,000 students regularly enrolled; as of 1957, China now has 440,000 people regularly enrolled in higher education. At first, the adoption of the Soviet model of heavy industrialization was reflected in the predominance of courses aimed at technical and scientific areas (SAYWELL, 1980).

After 1952, the Chinese university underwent a process of curricular modification, which reduced the influence of the Western system. Special emphasis to Economics courses, strongly marked, even after the Revolution of 1949, by the spread of orthodox economic theory. Gradually, economics curricula at Chinese universities began to replace the traditional framework with the Soviet academic system. Most universities modified their “Western” courses by Marxist economic theory, based on a markedly Soviet interpretation (LIU, 2018).

Subsequently, from the gradual Sino-Soviet withdrawal, it is possible to verify the materialization of the Maoist discourse of approximation between the intellectuals and the popular masses. Especially from 1958:

Politics and class background were introduced as criteria for admission to university. Priority was given programmes which aimed at achieving mass literacy, providing local initiative, expanding rural educational opportunities, encouraging curricular and structural innovation and politicizing education at all levels. Many of these policies including programmes like the part-work/part-study schemes had their roots in the Chinese Communists' revolutionary tradition long before Liberation and had been continued in the early 1950's (SAYWELL, 1980, p. 2).

As of 1959, 16 universities were categorized as “key universities”, directly linked to the Ministry of Education and the central government, which obtained greater resources and more qualified human capital. The binomial "technical education" - "political / class

education", in the 1960s, appears again as one of Mao's main concerns. For him, the emphasis on technical education reveals revisionist attitudes and the expansion of capitalist ranks within the Chinese Communist Party. Such concerns, within a broader and more complex context, will find an echo in the Cultural Revolution, starting in 1966.

Wangbei Ye and Fei Ye (2019) indicate that, since 1978, China has been going through a process of declining the teaching of Marxism in basic education, despite a certain impulse of this component in the curricula of higher education. Before that period, there was greater homogeneity in the transmission of Marxism as Mao Tse-Tung's political ideology and thought on these two levels. In this sense, mostly, during the Mao Era:

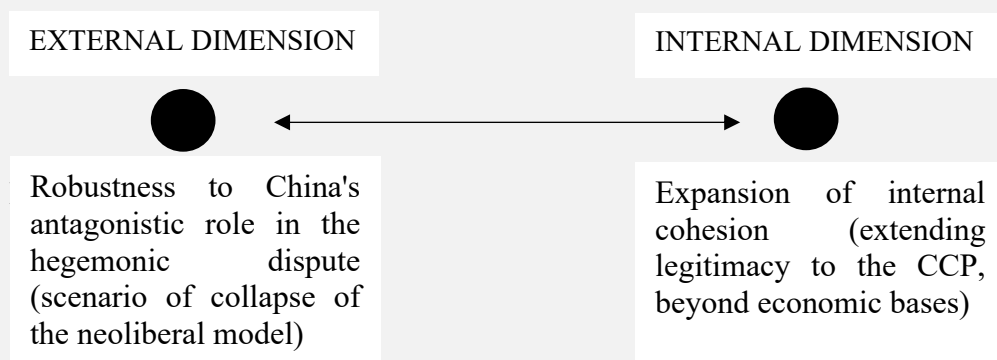
[...] As stated by the PRC's Ministry of Education (MoE), at the time, the aim of Chinese education was to 'convert youths into faithful communists' (Kirby 1965, 68). The relationship between political education in basic education and higher education at that time highlighted cooperation. For instance, political education in universities, in the early years of the PRC, was intended to 'equip young students with Marx-Leninism, Mao Zedong Thought, providing them proletarian education, to cultivate strong revolution successors, to cooperate with political education in middle schools (Ye; Ye, 2019, p. 3).

As of 1985, the "Decision on the Reform of Educational Structure" was launched, which meant a decentralization of basic education - with greater control by local governments and communities. This new regulation implied the alignment of basic education with the market demands, replacing Marxist political instruction in favor of more generic moral and civic qualities. In the late 1980s, Tiananmen protests forced the Communist Party to pay more attention to the carelessness about ideological instruction in universities in that decade, causing the government to boost political education at the higher level (Ye; Ye, 2019).

This question suggests that there is a fundamental dilemma in a socialist economy: would it be possible to expand the technical capacity, at the disposal of the development of the productive forces, without this process producing a countermovement based on a subjectivity / morality of a capitalist character? In other words, it is politically feasible to allow the university to promote a scientific / technological apparatus of a capitalist character, which can be used in the service of socialism - as indicated by Losurdo (2004; 2015), in the case of the use of bourgeois economic capacities (without political power)?

This article is not intended to answer these complex questions. It is identified, however, that the change in the Chinese posture, in the Xi Jinping Era, indicates the need to invigorate the Marxist theoretical and cultural bases within the Chinese university. This procedure feeds the antagonistic reference in the hegemonic dispute, given the intensification of Sino-American relations; and, internally, it reinforces the social stability necessary to strengthen the legitimacy of the Chinese Communist Party. In this respect, Mao and Xi Jinping get closer, given the idea of raising the consciousness of the masses in the light of Marxism-Leninism. This we will try to prove from elements of the speech of the current Chinese leader.

Figure 02: The role of Marxism-Leninism from Xi Jinping



Source: Self elaboration.

Therefore, as in the Maoist elaboration, it is understood that in today's China it is essential to rescue a theoretical-cultural-ideological mentality that reinforces the socialist project. In the current moment of intensification of the Sino-American dispute, it seems that the Asian country's distance from Western morality and values seems to be central, especially in relation to the neoliberal configuration. This option is realized in the political personality of Xi Jinping.

3. “Brilliant rays of truth”: Xi Jinping, Marxism and the university

On the occasion of the celebration of Karl Marx's 200th birthday in May 2018, Xi Jinping says that that thinker is “a teacher of revolution for the proletariat and workers worldwide, the main founder of Marxism, the creator of Marxist parties, a pioneer for international communism and the most important thinker of modern times” and that “Marx's doctrine still shines with the brilliant rays of truth” (XI JINPING, 2018). He goes on to state that

In the new era, Chinese Communists still need to study Marx, study and practice Marxism, and continually draw on its powerful knowledge and theories [...]. In our efforts at carrying out the coordinated advancement of the “five-pronged” overall plan and the “Four Comprehensives” strategy, thus ensuring that we always stay the course toward national rejuvenation as we break the waves and sail ahead (Ibidem, 2018).

Then, the PCC Secretary-General reinforces the imperative need to develop the productive forces within the scope of socialism, passing through the Western apparatus, of bourgeois character, alluding, even, to the Reform and Opening process:

Since the founding of the People’s Republic of China, and especially since reform and opening up, within 70 years our Party has led the people in resolute efforts at unleashing and developing national forces of production and completed a process of development that took the West several centuries to complete, thus propelling our country’s high-speed rise to become the world’s second largest economy. We need to have the courage to deepen reform in all areas, rouse the vitality of the national forces of production via balancing the relations of production, and adapt to the requirements of developing the economic foundation via improving the superstructure. By doing so, we will ensure that the development of Chinese socialism better conforms with the patterns governing the forces and relations of production (Ibidem, 2018).

At this point, Xi Jinping's speech connects the arguments of Domenico Losurdo (2004; 2015) and Mao Tse-Tung (1979), for establishing the importance of the development of the productive forces without, on the other hand, neglecting the ideological framework. He points out that the conscience of the working class must be elevated, according to a superstructure that is in accordance with its interests; otherwise, a social barrier will form:

Once advanced ideas and culture are apprehended by the masses, they transform into a formidable material force; conversely, if outmoded or erroneous ideas are not done away with, they become fetters on social development. Theoretical awareness and cultural confidence are a force for national progress; advanced values and a free mind are the source of social vitality. Culture both transforms and fashions the spirit of a nation. While remaining grounded in China’s realities, our nation must embrace modernization, the world, and the future. We must consolidate the position of Marxism as our guiding thought, develop an advanced socialist culture, and strengthen observance of socialist cultural and ethical standards. We must also see that all areas of social development are imbued with core socialist values, promote the creative transformation and innovative development of our fine traditional culture, help our people raise their political awareness and moral standards, and foster appreciation of fine culture. By doing so, we will continue to add new luster to Chinese culture. (Ibidem, 2018).

Ele também lembra, em declarações mais antigas, a necessidade de aproximação entre a intelectualidade e as massas. Em uma edição de 2010 da Revista Qiushi², Xi Jinping elabora uma crítica muito semelhante àquela feita por Mao Tse Tung (1979³), qual seja, a de que o elevado grau de instrução dos membros do Partido não deve resultar em distanciamento das camadas populares:

Some cadres have forgotten about the mass line. Many Party members and ordinary people complain that cadres are keeping a longer distance from the people [...]. in spite of the higher level of education of cadres, they are less able to do mass work. Such complaints reflect problems in the mass work of the Party and in the relationships between the Party and the people and between the cadres and the people. This is both a problem of their stand and feeling and a problem of working method and competence (XI JINPING, 2010).

In this same article, initiatives related to the Party School of the CPC Central Committee are shown. In June 2010, the first interview was carried out, with the participation of foreign journalists, and the institution's efforts to open up the institution to the outside world were reinforced. The publication reports the growth of academic cooperation with government departments, research institutes and universities in almost 30 countries (QIUSHI, 2010). However, this research found no additional evidence for this openness.

More concrete measures, in the sense of reaffirming Marxism as a master theory, can be verified through the Ministry of Education. In 2015, Minister Yuan Guiren would have, according to The New York Times, defined Western ideas as being dangerous for Chinese universities, warning of their growing presence and influence. The publication, of a critical character, points to Guiren as a remnant of the Cultural Revolution and still expresses concern with the Minister's guidelines, aligned with ideological loyalty to the Party, with the thinking of Xi Jinping and with the priority given to the teaching of Marxism⁴.

In the same year, the government issued, through The General Office of the Central Committee and the General Office of the State Council, a document containing “suggestions to strengthen and improve the work of propaganda and ideology in colleges and universities”. In this statement, it is emphasized that "as a frontier of ideological

² Available in: <http://english.qstheory.cn/magazine/201004/201109/t20110920_111355.htm>. Access in September 21, 2020.

³ See previous section.

⁴ Available in <<https://www.nytimes.com/2015/02/09/world/asia/china-tells-schools-to-suppress-western-ideas-with-one-big-exception.html>>. Accessed on September 21, 2020.

work, colleges and universities are responsible for studying, researching and propagating Marxism, cultivating and promoting the fundamental values of socialism, in order to achieve the great rejuvenation of the Chinese nation" (Chinese Communist Party; State Council, 2015).

The document outlines the seven fundamental guidelines below:

1. Reinforcing and improving the propaganda and ideological work of colleges and universities is a strategic, important and urgent task;
2. Guiding ideology, basic principles and main tasks;
3. Effectively promote the theoretical system of socialism with Chinese characteristics in teaching materials in the classroom and in the mind;
4. To vigorously improve the ideological and political quality of university professors;
5. Continue to strengthen dominant public and ideological opinion in colleges and universities;
6. Focus on strengthening the management of advertising and the ideological position of colleges and universities;
7. Effectively strengthen party leadership in propaganda and ideological work in colleges and universities⁵.

In March 2016, Yuan Guiren declared that “the Communist Party of China combined Marxist theory with the country's practical situation to establish it as a guiding ideology” and that “the value we refer to is that which is defended by ideology Marxist and that combines with the traditional value of China ” (XINHUA, 2016⁶).

In 2017, the Ministry of Education defined new standardization rules for the study of Marxism in universities, such as: facilities, faculty and courses, medium-sized classes and assessments. Within this framework, department directors and Party representatives will act in a more aligned manner, holding periodic meetings; Party members can also act as teachers, being directly linked to the pedagogical practice of the courses. In this

⁵ “《意见》分七个部分：一、加强和改进高校宣传思想工作是一项重大而紧迫的战略任务；二、指导思想、基本原则和主要任务；三、切实推动中国特色社会主义理论体系进教材进课堂进头脑；四、大力提高高校教师队伍思想政治素质；五、不断壮大高校主流思想舆论；六、着力加强高校宣传思想阵地管理；七、切实加强党对高校宣传思想工作的领导。”

⁶ Available in: < http://spanish.xinhuanet.com/2016-03/11/c_135176497.htm>. Accessed on September 21, 2020.

scenario, the Schools of Marxism gained relative autonomy, being considered independent institutions, although in the context of the university to which they are affiliated (Qu Qiuyan, 2017⁷).

The table below indicates that the strengthening of the Schools of Marxism is a recent phenomenon. Many of the universities listed below already had research groups related to the study of Marxist Theory, however, the institution of the Schools of Marxism occurred, mostly, in the last 12 years. Among the ten best placed universities in the QS World University Rankings, seven have such centers:

Table 02: Best Chinese universities and the presence/absence of Schools of Marxism in these institutions

UNIVERSITIES	RANKING	IS THERE A SCHOOL OF MARXISM?	FOUNDATION ⁸
Tsinghua University	16	Yes	2008
Peking University	22	Yes	1992
Fudan University	40	Yes	2014
Zhejiang University	54	Yes	2015
Shanghai Jiao Tong University	60	Yes	2009
University of Science and Technology of China	89	No	-
Nanjing University	120	No	-
Wuhan University	257	Yes	2011
Tongji University	265	No	-
Harbin Institute of Technology	277	Yes	2011

Source: <https://www.topuniversities.com/university-rankings/world-university-rankings/2020>. Universities websites. Author's Elaboration.

The comparison between Mao Tse-Tung and Xi Jinping is justified by the political strength that the current Chinese president represents, in particular, by his expanded presence in the context of global governance and, also, by his argument intensely based on a Marxist approach. An example of this latter direction was the approval, at the 19th Congress of the Communist Party of China, of the theoretical framework “Xi Jinping’s Thought about Socialism with Chinese Characteristics for a New Age”. On that occasion, it was decided to expand the study of Xi Jinping’s thought, through the establishment of

⁷ <http://www.globaltimes.cn/content/1068750.shtml>

⁸ Some of these centers already had consolidated Marxist research centers, being renamed and made independent as “Schools of Marxism” later. The dates listed here refer to this milestone.

introductory courses at important universities, such as Beijing and Tsinghua, having been the first center established at Renmin University in 2017.

The PCC's publication also indicates a concern with the articulation between Xi Jinping's Thought and local particularities, even at the community level: “the three units (Renmin, Beijing and Tsinghua) adapted measures to local conditions and combined the study of the ideas of Xi Jinping on socialism with Chinese characteristics in the new era with local practice ”.

In practical terms, this means that the theoretical framework must serve regional development needs. In the same document, it is also possible to identify the close relationship between the implementation of Xi Jinping's Thought in universities and the direct role of the Schools of Marxism in the process.

The consolidation of these structures, as a project, does not mean the orthodox, static and Eurocentric reproduction of Marxism. In several speeches, Xi Jinping has reiterated the need to develop the theory based on contemporary and particular elements of the Chinese experience, which includes the process of reform and opening up. In August 2020, in an article for Qiushi Magazine, he argues in favor of the continuous study of Marxist political economy, as a parameter for understanding the movements proper to the reproduction of material life. On the other hand, Xi emphasizes the maintenance of vitality and the opening of new horizons in this field of study, essential for the elevation of the country's economic and social conditions. In the same text, he highlights the centrality of state ownership and China's greater participation in global governance (XINHUA, 2020⁹).

A more assertive international projection is constantly associated with the figure of Xi Jinping. As argued at the beginning of this work, the more firm stance in relation to the promotion of Marxism, both in the speech of the Chinese leader and in universities, seems part of a dynamic to strengthen the Chinese position, of his socialist project, both internally and in international relations. This interaction between the internal and the external, through the mediation of Marxism as a guiding theory, is noticeable in this excerpt:

A theory has great global value only if it has a strong national identity and will only be able to influence internationally if it is advanced. We must base ourselves on the characteristics of time and renew Marxism

⁹ Available in: < http://portuguese.xinhuanet.com/2020-08/16/c_139294592.htm>. Accessed on September 21, 2020.

to those characteristics and, at the same time, use Marxism to better observe, interpret and conduct the era, to truly understand the mission it confers on us and to know well the past world history and its course of development in the future (XI JINPING, 2019, p. 75).

The consolidation of socialism with Chinese characteristics goes through a constant reformulation of Marxism, which is different from a revisionist position or a rehabilitation of capitalism. We understand that the theory serves to guide the opening process within a non-Western logic and to create a morality that places the collective as a priority over the individual. Such a principle, of the primacy of the collectivity over the individual, would be projected for the international system, which can be verified, for example, in the Chinese action against coronavirus pandemic, in its posture of growing international solidarity, and in the constant incentive to multilateralism - in a scenario of rising protectionist, nationalist, neo-fascist discourses, etc.

4. Concluding Remarks

Those who are not convinced that China still operates on mostly socialist foundations will not have enough arguments, however, to prove that it is a full capitalist economy. State-owned companies are still the major holders of strategic resources, public banks play an important role in the stability of economic cycles and millions of people are lifted out of poverty every year.

Central planning, aiming at economic and social prosperity, is a basic instrument of the Chinese economy. At the same time, in much of the globe, society is walking the tightrope of the market's "moods". This market is daily emphasized by Western ideological devices, as a natural and ontologically linked element to human existence. This is the daily task of building an alienating mentality, that the human being is himself a commodity, responsible for his own individual success or failure.

In other words, it is difficult to sustain China's full liberalization argument, in a context where the differences between the Asian country's system and the collapsed neoliberal model are quite considerable. Contemporary example of the superiority of the Chinese social formulation was the fight against coronavirus in that country, capable of presenting surprising results in terms of preserving life, collective conscience and economic recovery¹⁰.

¹⁰ As of the closing date of this text, the USA had 6,951,789 infected and 202,344 deaths. China, in the same period, had a total of 90,416 people infected and 4,738 lives lost, being the first country affected and

This opposition to the Western world is not possible without a relative internal cohesion, without a strong political direction and without articulating a different mentality and moral base. While neoliberalism denies ideology, reinforces discourses of neutrality and imposes its institutions as neutral, natural and superior, it strongly expands inequality - in unprecedented patterns since post-World War II. In this model, the denial of ideology becomes its immediate opposite.

If this article had American universities as its focus of analysis, it would not be difficult to prove that, with the advance of neoliberalism, those institutions are also completely modified, due to the creation of technical and ideological staff, capable of spreading the aligned principles to that political-economic practice. In the documentary *Inside Job*, by Charles H. Ferguson, the close link between North American universities and the financial market and the performance of these agents within the country's political system is quite evident. This demonstrates that, for an economic system to work, it needs to be powered by a superstructural apparatus that gives sustainability to its practices on the material plane.

In this work, we tried to prove the strengthening of Marxist theory in the context of Chinese higher education. This aspect has an affinity with the consolidation of a society that operates in patterns essentially different from the Western system. Such concern, namely, of an ideological strengthening, externalized in the speeches of Xi Jinping and in the policies of the Ministry of Education, has reason to be in the expansion of internal cohesion - in addition to limited economic gains; and attitude towards the international community.

Xi Jinping projects Mao Tse-Tung in his narrative of (i) continuous reformulation of Marxism according to China's historical-concrete bases and determinations, (ii) in his concern with the continued formation of the cadres and their approach to the popular masses and (iii) the centrality of the theoretical apparatus as a guiding element in political action. The summary table below presents the points of approximation between thought and practices for higher education (and the understanding of intellectuality, more broadly) in Mao Tse-Tung and Xi Jinping:

the one with the largest population in the world. Source: Johns Hopkins. Available at <https://coronavirus.jhu.edu/map.html>. Accessed on September 24, 2020.

“[...]China is the only major economy that expects positive growth this year. J.P. Morgan recently increased its Chinese growth prospects in 2020 to 2.5%, compared to 1.3% in April”. Source: Xinhua. Available in http://portuguese.xinhuanet.com/2020-08/26/c_139318556.htm. Accessed on September 24, 2020.

Table 03: Mao's projection on Xi Jinping - theoretical and practical elements for strengthening Marxism

IDENTIFIED ELEMENTS	MAO TSE-TUNG	XI JINPING
Proximity between Party and People	Discourse and practice	Discourse (practice not evidenced within this research limits)
Concern with the Westernization of universities	Discourse and practice	Discourse and practice
Promotion of basic guiding principles (consolidation of a theoretical construct around the leader)	Discourse and practice	Discourse and practice
Marxism-Leninism in education as a promoter of loyalty to the Communist Party and the Chinese development project	Discourse and practice (1950's)	Discourse and practice (19th CCP Congress, 2017)
Concern with the continuous reformulation of the theory in relation to community realities	Discourse and practice	Discourse and practice

Source: Author's Elaboration.

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An analysis of the Chinese higher education system (1949-2019): policies, advances and challenges

An analysis of the Chinese higher education system (1949-2019): policies, advances and challenges

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Abstract: This article aims to analyze historically the Chinese higher education system, presenting its main policies and advances. It is perceived that Chinese development is surprising, and the role of these educational reforms has contributed to advances, both in human resources and in innovation, as well as in educational infrastructure. superior education has undergone reformulations since 1949, but in the post-reform and opening-up period, when massive reforms were implemented in order to provide the Chinese superior education system with greater capacity to meet social demands and China's policy. Therefore, between 1993 and 2010, reforms emphasized massification, decentralization, liberation and privatization. The work also focuses on explaining two projects, the first entitled Project 211, implemented in 1995, with the government seeking to invest in around 100 universities to provide them with greater technical and scientific capacity in the 21st century. The second project, launched in 1998, it was called Project 985 and aimed to create world-class universities in the 21st century. Finally, the work presents challenges that still exist for the development of higher education.

Keywords: Chinese university. Marxism. Xi Jinping. Mao Zedong. Marxist Theory.

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Resumo: Este artigo tem como objetivo analisar historicamente o sistema educacional superior chinês, apresentando suas principais políticas e avanços. É percebido que o desenvolvimento chinês é surpreendente, e o papel dessas reformas educacionais tem contribuído com os avanços, tanto em recursos humanos quanto em inovação, bem como em infraestruturas educacionais. O ensino superior tem sofrido reformulações desde 1949, quando massivas reformas foram implantadas com o intuito de dotar o sistema superior chinês de maior capacidade de atender as demandas sociais e política da China. Desse modo, entre 1993 e 2010, as reformas tiveram ênfase na massificação, descentralização, liberação e privatização. O trabalho incide ainda na explicitação de dois projetos, o primeiro intitulado de Projeto 211, implementado em 1995, com o governo buscando investir em cerca de 100 universidades para dotá-las de maior capacidade técnico-científica no século XXI. Já o segundo projeto, lançado em 1998, foi chamado de o Projeto 985 e tinha como objetivo criar universidades de nível mundial no século XXI. Por fim, o trabalho apresenta desafios ainda existentes para o desenvolvimento do ensino superior.

Palavras-chave: Universidades; Universidades na China; Reformas do Ensino Superior na China; Políticas de desenvolvimento.

1. Introduction

The main objective of this article is to present the transformations of the Chinese higher education system. For this, it was necessary to point out some elements of the Country's Educational System, since a system seen in a watertight way always undermines a holistic understanding of the process. Higher education has undergone reformulations since 1949, but in the post-reform and opening-up period, the tipping point in higher education came in 1993 when massive reforms were implemented in order to provide the Chinese higher system with greater capacity to meet social demands and China's policy. Thus, between 1993 and 2010, reforms emphasized massification, decentralization, liberation and privatization.

Therefore, the present is divided as follows, to contextualize the reader about Chinese education, Chapter 2 presents a brief evolution of the Chinese basic education system. From the beginning of the Cultural Revolution until 1978, school financing was either carried out by local communities (*minban*), or managed by the state (*gongba*), but the difficulties were numerous. In addition to establishing the main changes chronologically, the chapter also discusses the three theories that served as a basis for thinking about the Educational System in China: the Theory of Modernity, the Theory of Human Capital and the Postcolonial Mentality (Li, 2017).

Chapter 3 deals specifically with the superior system, from the revolution in 1949 to 2019. We sought to present the 3 periods of university reforms, which began as early

as 1980, when there was a departure from the Soviet model, and started with a approximation with the North American model; in a next moment, a more pragmatic view of teaching; and, in the third stage, starting in 1993, when a series of reforms in higher education began, with emphasis on the “Outline for Reform and Development of Education in China” (CC-CPC, 1993).

Chapter 4 analyzes the main policies for higher education, *Project 211* and *Project 985*, in order to make a case study. The first was *Project 211*, started in 1995, which made reference to the slogan “Run a hundred universities in the 21st century”, in free translation of the original in Mandarin⁵, where the government sought to invest in around 100 universities to provide them not only with greater technical-scientific capacity, but to make them world-renowned universities in the 21st century (Wan, 2003; Zhao & Zhu, 2010).

The second policy called *Project 985* was launched after the speech by former President Jiang Zemin, on May 4, 1998, at the centenary of Beijing University. Its main objective was to create world-class universities for the 21st century. The project involved the national and local spheres and sought to invest in a select group of Universities (Cai, 2013).

Finally, chapters 5 and 6 deal with the advances and challenges of the reforms. China China realizes that to move forward, investment in quality education and science is necessary. This is clear from Xi Jinping, who, with the materialization of the idea of national rejuvenation, starts to give a new centrality to education (Xinhua, 2020). Chapter 7 is devoted to final considerations.

2. Chinese Education: a brief evolution of the educational system and policies for basic education

The increasing impact of educational reforms across the Chinese education system has been the subject of unprecedented changes (Oyniran & Uwamahoro, 2017). The increased impact of these educational reforms has provided significant advances, both in human resources and in innovation, as well as in educational infrastructures, which facilitated and gave consistency to progress in the country's economic, political, cultural

⁵面向 21 世纪办好百所高校 (*Miànxàng 21 shìjì bàn hǎo bǎi suǒ gāoxiào*)

and social development. So, this section seeks to present the main points of the evolution of the Chinese education system.

If we take the Chinese educational system as a comparison during the Cultural Revolution, we will see the great advances achieved. According to Emily *et al* (2008), documents of the time indicate that much of the funding of schools during the Cultural Revolution was at the expense of local communities (*minban*), or managed by people, teachers and schools, which are distinct from (*gongba*), or state-run teachers and schools. As part of this process, many primary school teachers in rural areas were compensated with “work points” instead of wages and reclassified as rural residents (Tsang, 2000).

Minban-style education grew rapidly during the Cultural Revolution, first in rural areas and then in cities. Educational authorities have given responsibility for state-run primary schools to local production teams or brigades, communes, factories, businesses, neighborhood revolutionary committees and other instances of Chinese administration (Tsang, 2000; Wang, 2002).

During this period, *minban* teachers were paid in grain rations and supplementary cash subsidies per unit of work based on the work points they earned, while state teachers received salaries from governments. It is important to say under this arrangement that the direct costs of education were rarely borne by families, even in rural communities, and that every child in the countryside was able to attend primary school free of charge during the final years of the Cultural Revolution (Han, 2001).

In the late 1970's, a differentiated agenda guided educational policy, as leaders thought about promoting market reforms and economic modernization. In March 1978 Deng Xiaoping delivered an opening speech at the National Symposium on Science and Technology in Beijing. In this speech, he reiterated the importance of science and technology for economic modernization and stated that “the basis for training science and technology is based on education” (Shen, 1994).

Since 1978, Chinese educational policy has gone through four stages, namely: i) the recovery and reconstruction of the educational order (1978-1984); ii) the beginning of a total reform of the educational system (1985-1992); iii) adjustment of the educational policy capable of facing the reform of the economic market system (1993-2002); iv) and the new development of educational policy under the command of scientific perspectives on development (2003-2009).

Li (2017) points out that the starting point is in 1985 when the government outlines long-term goals, such as the consolidation of the compulsory 9-year educational system and greater autonomy in higher education. These objectives have been modernized over time to dialogue with China's needs. Thereby, this modernization resulted in an increase in educational policies, as can be seen in the period from 2000 to 2017, when the Chinese state enacted 22 documents related to educational policies (Li, 2017).

In addition, the author points out that over the years, three types of theories - have been juxtaposed to create Chinese development policies. What are the Theory of Modernity, the Theory of Human Capital and the Postcolonial Mentality. These reasoning is based on a philosophical concept of Confucius (*Zhong-Yong*). Li (2017) describes it as a “Confucian model of development”.

Modernization Theory holds that Chinese leaders have always pursued modernization. As such, they saw education as the foundation structure for reforms. In other words, education had an instrumental role in national rejuvenation. In turn, Human Capital theorists saw education as the largest investment in human capital that could be made. In this way, Chinese leaders used reasoning that educational reforms should raise the quality of education and student development. Consequently, this would produce a more qualified workforce, leading to further modernization and development. In this way, there would be economic growth and achievement of national goals, ultimately raising national competitiveness (Li, 2017).

As soon, for Li (2017), the Confucian Development Model, based on these three mindsets, has resulted in significant changes in recent decades. In particular, expanding access to education, expanding higher education, optimizing the educational system and structure and improving teacher training.

The completion of nine-year compulsory education provided a sufficient basis for further education reform for the new century. The reform covered all stages of training, from pre-school education to continuing education, including educational objectives, the role of teachers and researchers and international cooperation (Li, 2017).

Article 19 of the 1982 Constitution of the People's Republic of China stipulates that "the State develops socialist education to raise the cultural and scientific standard of the entire people" (CRPC, 1983). On May 27, 1985, the decision to reform the educational system was made by the Central Committee of the Communist Party of China (CC-CPC) (Ming, 1986). In 1986, China enacted the Compulsory Education Law, which

guaranteed the implementation of nine years of compulsory education, which is now applied throughout the national territory, according to the Law, which stipulates that all children and adolescents must receive free, compulsory and universal education (MoE, 2009).

In 1993, China's Educational Reform and Development Program was issued by the CC-CPC and the State Council (Yang, 2009). In 1995 a major effort was made to increase rates of secondary education and tertiary education. The reform was designed to achieve a number of objectives, among which were: i) generalize compulsory education for nine years, when at the time, only 75% were enrolled; ii) end illiteracy; iii) develop technical secondary education, adult education and continuing education; iv) improving the level of education of girls and national minorities in poor areas; v) construct, renovate buildings for research and teaching, aiming to increase the number of students.

Advancing into the 21st century, in 2007, coverage of compulsory education and literacy reached 98% (MoE, 2007). In 2010, 50.94% of high school students were enrolled in vocational secondary schools and students enrolled in all forms of professional higher colleges represented 46.92% of the total number enrolled in higher education (Statistical Bulletin for National Educational Development, 2010, p .34).

Finally, by the end of 2011, China had had ample success in reaching the goal of “Universal Compulsory Education for Nine Years” across the country with an enrollment rate that reached 100% (MoE, 2013). According to the Ministry of Education, the gross enrollment rate in secondary schools reached 100.1% (MoE, 2012a, p.34). In 2013, 100% of the locations at the municipality level reached the goal of universalizing mandatory 9-year education. In 2015, the total gross enrollment rate in higher education was 36% (Sang, 2015, p.35).

3. The Chinese Higher Education System (1949-2010)

The origin of the Chinese higher education can be traced back to the ancient period, and Shuyuan⁶ (Chinese classical learning academy) in the Tang Dynasty (618-

⁶ Confucian philosopher, educator and scholar, Zhan received his jin shi diploma during the reign of Hongzhi (1488–1505) and was appointed president of the Imperial Nanjing Academy in 1524. He later became minister of the Cabinet of Rites after the Personnel Office, and after the War Office in Nanjing. Famous educator, during his life he founded more than 40 Shu yuan (Confucian academies). As a philosopher, he was a follower of Zhu Xi (1130–1200), a Confucian scholar of the Song dynasty and who became a leading figure in the School of Principles and the most influential neo-Confucian rationalist in China. He was also a longtime friend of the philosopher Wang Yangming (1472–1529) and, although his

907 AD) is a prototype of it (Cai, Kivistö & Zhang, 2011). However, the development of modern universities and the higher education system in China is relatively recent. The first institution considered as the counterpart of the western university was created in 1895, namely *Beiyang gongxue* - the precursor to Tianjin University. Subsequently, Shanghai Jiaotong University (南洋公學 *Nanyang gongxue*) and Imperial University (Beijing University) were successively founded in 1896 and 1898.

After the establishment of the People's Republic of China (PRC) in 1949, there was a reformulation of higher education, as was happening in other areas of Chinese society. Thus, for the sake of better understanding, Chen (2012), in his analysis, divides the process into three temporal stages: the destructive legacy of the old Soviet model and the Cultural Revolution (1949-1976); second reorganization of the university and its paradoxical development in the economic transition (1977-1997) and the expansion of higher education and the recognition of the intrinsic value of knowledge in the knowledge economy (1998–2010).

The first stage is defined by the widespread influence of the Soviet model, which is characterized by centrally planned mechanisms, such as “governments allocating higher education resources, appointing university leaders, assigning jobs to graduates and deciding enrollment numbers for individual institutions” (Cai, 2004, p. 158). In addition, Chinese universities were restructured into “a political apparatus and an economic instrument for socialist political and economic development” (Chen, p. 102, 2012). This resulted in a loss of the freedom and autonomy of universities and their academics to the detriment of the political ideology of the Communist Party of China (CPC).

From the end of the 1970s, together with the introduction of an “open door” policy, China has continuously launched a series of reforms, especially in the economic sphere⁷. Over time, the country was gradually transformed from a centrally planned economy to a market-oriented economy. From that moment on, there is a change in the purpose of Chinese universities, that is, universities no longer have a purpose of knowledge as an end in itself, to have a purpose of functional and technical development of society (Chen, 2012; Li, 2017).

intellectual paths diverged, he shared with Wang an appreciation of *xin xue* (idealism), Taoism and Buddhism.

⁷ The policy is inserted in the context of reform and openness carried out by Deng Xiaoping in 1978. This new behavior sought to integrate China in the international environment.

From the second phase onwards, what characterized the reforms in Chinese higher education since the 1980s was the move away from the Soviet model towards an approach of American influence, with the exception of higher education programs from 2 to 3 years old. Professional guidance, inherited from the former Soviet Union, which remained with some modifications under German influence (Cai *et al.*, 2011).

Inserted in this context of change, Chinese universities underwent a reorganization, of which two points stand out. The first concerns the merger of former specialized colleges into broader universities (Chen, 2012). The second point, on the other hand, was, in a way, the commercialization of universities, that is, universities were encouraged to go to the market to generate revenue (Chen, 2012). This is due to the context of reforms that China was undergoing, there was a retraction of the role of the State with regard to investment.

Finally, the last stage is characterized by the recognition of the strategic role that universities would have in Chinese development. As an example of this perception was the internet *boom* in the late 1990s in China, where most information technology (IT) business leaders and high-tech *start-up* entrepreneurs were graduates from major Chinese universities, such as Tsinghua University, the University of Beijing and the University of Science and Technology of China. Therefore, Chen (2012) states that

Knowledge production and transfer were no longer peripheral services as one of the university's three uses (Kerr, 1995), but an essential source of economic growth and wealth creation, which is fully recognized by Chinese leaders after the Asian economic crisis in 1997 (Chen, p. 103, 2012)

It should be noted that, within the third stage presented by Chen (2012), the year 1993 is considered as the turning point, as it was in that year that a series of reforms in higher education began, with emphasis on the “Sketch for Education Reform and Development in China” (Yang, 2000, p. 48). These reforms were implemented with the aim of providing the superior Chinese system with a greater capacity to meet China's social and political demands.

Among the strategies used were to introduce market forces in order to liberalize education, creating the impetus for change. In addition, the government used legislation to regulate the social relations, practices and behaviors that emerged from the entry of liberalizing forces (Cai, 2013). In other words, the Chinese government sought to maximize the positive aspects of a more liberal education, but sought to create

mechanisms to control the negative externalities that would result from greater liberalization. So, between 1993 and 2010, reforms emphasized decentralization, liberation and privatization (Cai, 2013).

In addition to this, in 1999, the Ministry of Education of China initiated the universalization of higher education, with a 50% increase in the number of enrollments and the continuous expansion of enrollments in the next ten years. The expansion of higher education was based on the political understanding of Chinese education: turning its population size into an asset through the development of human capital (Levin & Xu, 2006). In other words, more people in universities means more human capital generated to support the knowledge economy and face global competition (Chen, 2012, p. 103). In this way, the main objectives of the political reforms of massification of higher education were to meet the growing demand for the rapid development of the economy, a way of minimizing the urban problem of unemployment and promoting the qualified use of human resources (Wu & Zheng, 2008).

It is worth noting that the reforms in the period from 1980 to 2000 achieved remarkable results, including massive expansion of higher education, progress in the development of the teaching staff, decentralization of administration, diversification of financing, privatization of education provision, development of competitive universities and internationalization (Wang & Liu, 2009).

However, reforms also encountered problems and dilemmas, including deteriorating teaching conditions and quality, weak ability to cultivate excellent and talented personnel, difference between skills taught at universities and demands from industry, unstable and inadequate conditions for the sustainable development of higher education and the pressure to employ university graduates (Cai *et al.*, 2011). These questions about results and dilemmas have been better debated and presented in the following sections that cover the advances and challenges of the Chinese higher education system.

4. Chinese Superior Education Policies and Governance: an analysis of Projects 211 and 985

Despite common sense to understand the Chinese political system as being a monolithic bloc, the reality is presented in an opposite way. Despite the fact that China has a government in which only one party has control, the distribution of power and, in

turn, administration, is governed by the relationship between central government and local governments⁸. In this way, regular public higher education institutions (HEIs)⁹ are administered from these two levels. Thus, at the central government level, 73 higher education institutions are administered by the Ministry of Education (MOE) and 40 by other ministries (MoE, 2015)

At the provincial level, in 2014, 1,684 institutions were administered by the provincial governments, autonomous regions or municipalities (MoE, 2015). With regard to access to Chinese higher education, the country has the *gaokao* (高考) or National Examination for Admission to Higher Education. Higher education at the undergraduate level included three-year degree programs (*dazhuan*) and four-year degree programs.

The policies implemented by the Chinese State were formulated in the context of the decade and 1990, that is, in a period of decentralization, liberation and privatization (Cai, 2013). Among the objectives outlined were the following priorities: transformation of governance in higher education, restructuring of higher education institutions, 'massification' of higher education, construction of world-class universities and improvement of social engagement and internationalization of the university (Cai, 2013).

Among these public education policies for higher education, two stand out for reasons of directing large flows of investments to universities and for having objectives of providing educational institutions in large centers of global scientific production. The first policy implemented was Project 211, which started in 1995. Having this name in reference to the slogan "Run a hundred universities in the 21st century"¹⁰, the government sought to invest in around 100 universities to provide them with greater technical and scientific capacity in the 21st century.

At the beginning, each university received an investment of ¥ 400 million from the central government, in addition to investments from local governments (Ma, 2007)¹¹. Analyzing the period between 1995 and 2005, Zhang *et al* (2013, p.767) point out that general investments in Project 211 totaled ¥ 36.836 billion, of which ¥ 16.541

⁸ Although there are other parties in China, it is up to the CPC to lead the country, as can be analyzed from the Chinese constitution (Council of State, 2019). In addition, the CPC occupies the main key organs of the Chinese state, like the National Congress and the State Council.

⁹ The term "regular" is used to distinguish these institutions from "adult" higher education institutions; who supposedly receive a marginal share of all enrollments.

¹⁰ 面向21世纪办好百所高校 (*Miànxàng 21 shìjì bàn hǎo bǎi suǒ gāoxiào*).

¹¹ As examples of local government investments, Ma (2007, p.33) points out that the Shanghai government contributed about ¥ 120 million to Fudan University and Shanghai Jiao Tong University in 1995.

billion were allocated to the construction of key disciplines and ¥ 7.1 billion in the establishment of a public service system. In addition, ¥ 2.409 billion was earmarked to strengthen the faculty and ¥ 10.771 billion to build infrastructure.

With regard to special funds, in 2008 the then Director of the Department of Education, Science and Culture of the Ministry of Finance, Zhao Lu said that in the first phase of Project 211, about ¥ 2.755 billion was invested in special funds; in the second phase, ¥ 6 billion was allocated and, finally, the third phase of the project approximately ¥ 10 billion (Lu, 2008).

Despite representing only 6% of all Chinese higher education institutions, universities within Project 211 are responsible for training 4/5 of doctoral students, 2/3 of graduate students, 1/2 of students abroad and 1/3 of undergraduate students. In addition, they offer 85% of the main subjects / themes of direct interest to the State; holds 96% of the state's main laboratories; and use 70% of the funding for scientific research (Lu, 2008).

The second most prominent higher education policy was Project 985. This project was launched after the speech by former President Jiang Zemin, on May 4, 1998, at the centenary of Beijing University. With the objective of creating world-class universities in the 21st century, *Project 985* involved the national and local spheres and sought to invest in a select group of universities, building new research centers, improving facilities, attracting world-renowned professors and visiting academics, in addition to help Chinese teachers attend conferences abroad.

The project initially had two institutions, Beijing University and Tsinghua University, which received ¥ 1.8 billion in the first three years of the project, ¥ 300 million in 1999, ¥ 600 million in 2000 and ¥ 900 million in 2001 (Chen, 2013, Zhang *et al*, 2013). In 2011, when the program was closed, the project had 37 institutions¹² of higher education, in addition to those previously mentioned.

¹² They are: Xiamen University; Nanjing University; Fudan University; Tianjin University; Zhejiang University; Nankai University; Xi'an Jiao Tong University; Southeast University; Wuhan University; Shanghai Jiao Tong University; Shandong University; Hunan University; Renmin University of China; Jilin University; Chongqing University; University of Electronic Science and Technology; Sichuan University; Zhongshan University; South China University of Technology; Lanzhou University; University of the Northeast; Northwest Polytechnic University; Harbin Institute of Technology; Huazhong University of Science and Technology; China Ocean University; Beijing Institute of Technology ; Dalian University of Technology; Beihang University; Beijing Normal University; Tongji University; South Central University; China University of Science and Technology; Agricultural University of China; National Defense Science and Technology University; Minzu University of China; East China Normal University; Northwestern University of Agriculture and Forestry.

During the first phase of the project (1999–2003), the central government made an allocation of ¥ 14 billion to universities and in the second phase (2004–2007), with the “Action Plan for the Rejuvenation of Education 2003–2007”, the allocation of ¥ 18.9 billion, of which ¥ 12.9 billion was earmarked for teacher training, resulting in the creation of 372 platforms for scientific and technological innovation and innovation bases in philosophy and social sciences (Ying, 2011, p. 23).

In this way, Project 985 was successful in significantly improving international competitiveness and enhancing Chinese technological innovation (Ying, 2011). In addition, Zhang *et al* (2013) point out that, within Project 985, second- and third-sized universities¹³ perform better than the first ones, but in general, there was an increase in the rate of publications for universities Project 985, demonstrating that Chinese researchers are publishing more in international journals.

Finally, in addition to these two projects, in 2017, the Chinese government launched a third project known as “*Double World Class*”. In order to develop another 42 higher education institutions and specific courses at another 95 universities. This policy aims to continue the process of evolution of Chinese higher education at a level compared to institutions of recognized global renown (Xinhua, 2017).

5. Advances

The Chinese state has maintained its policy of expanding higher education. To this end, it launched the National Medium and Long Term Education Reform and Development Plan (2010–2020) in which it seeks, among other objectives, to transform China into a country with a huge educational system for one with a strong international system, improves the quality and level of education, aiming at research and service and forming a system that aggregates Chinese cultural values with global standards.

Education 2020 is geared towards education at all levels and based on the ideology that “education is the cornerstone of national rejuvenation and social progress, and a fundamental way to improve the quality of citizens and promote their general development, with the hope of millions of people” (MoE, 2010, s.p.).

¹³ Zhang *et al* (2013) points out that the size of universities is defined according to their inclusion in Project 985 and through their reputation in the ranking of international universities. The first universities entered the project in 1999 and are considered elite universities. The second ones also entered the project in 1999, but they are below the top universities in the international ranking and are responsible for gaining international recognition. The third companies also entered the project in 1999 and are developing with the objective of being nationally recognized universities.

In general, while higher education reforms before 2010 can be characterized by the expansion of higher education mainly in terms of quantity, the reform has since then been engaged in improving quality in all aspects. It is important to check in Table 1 the Chinese jump when compared to the United States and European Union¹⁴.

Table 01: Comparison between the number of undergraduate enrollments (2000-2010).

Year/Country	China	USA	European Union
2000	495.624	1.254.618	1.077.459
2005	1.465.786	1.456.401	1.264.903
2010	2.590.535	1.668.227	N/A

Source: Science and Engineering Indicators.

Table 2 shows, between 1998 and 2010, the big jump in the number of Chinese institutions of higher education with more than 1,336 new establishments being created in the period. Also the average number of students among these universities is impressive, since there were 3,335 students on average in 1998, increasing to 9,298, an average increase of slightly less than 3 times in just 13 years. The number of new enrollments also jumped from one million new students in 1998 to 6 million six hundred and ten thousand new university students in 2010.

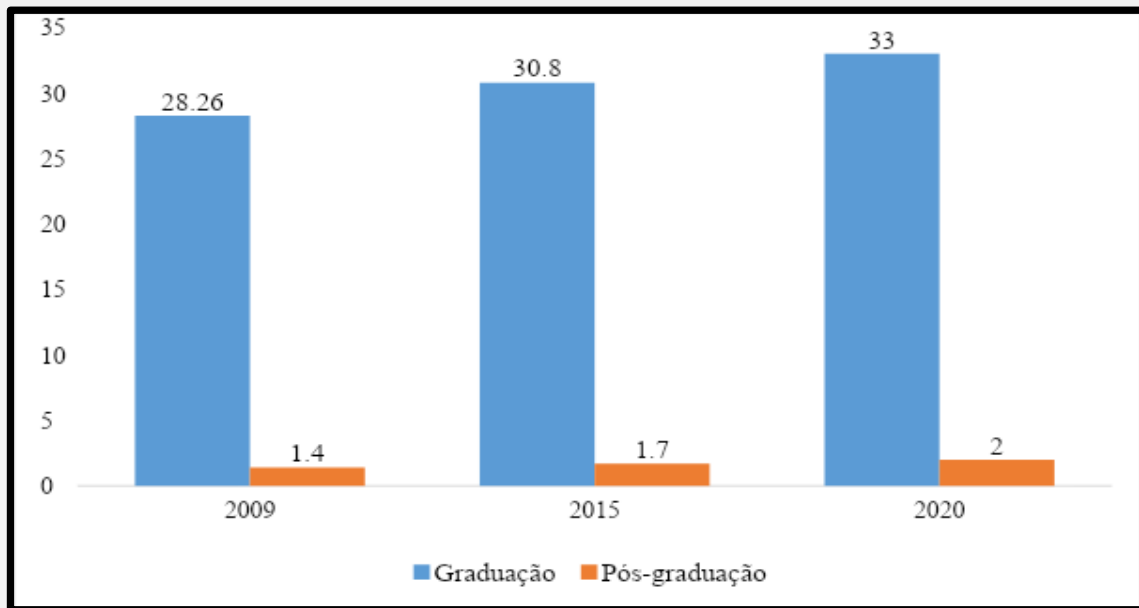
Table 02: Development of Higher Education in China 1998-2010

Year	No. of Higher Education Institutions	Average Students per Institution	New Entry for University Students (1000)	Growth rate of student entry over the previous year (%)
1998	1022	3335	1,083.60	8.32
1999	1071	3815	1,548.60	42.91
2000	1041	5289	2,006.10	29.54
2001	1225	5870	2,682.80	33.73
2002	1396	6471	3,037.60	13.22
2003	1552	7143	3,821.70	25.81
2004	1731	7704	4,473.40	17.05
2005	1792	7666	5,044.60	12.77
2006	1867	8148	5,460.50	8.24
2007	1908	8571	5,659.20	3.64
2008	2263	8931	6,076.60	7.38
2009	2305	9086	6,349.60	5.24
2010	2358	9298	6,617.60	3.48

Source: Cai & Yan (2017).

¹⁴ Aggregate figures for the United Kingdom, France, Germany, Italy and Spain

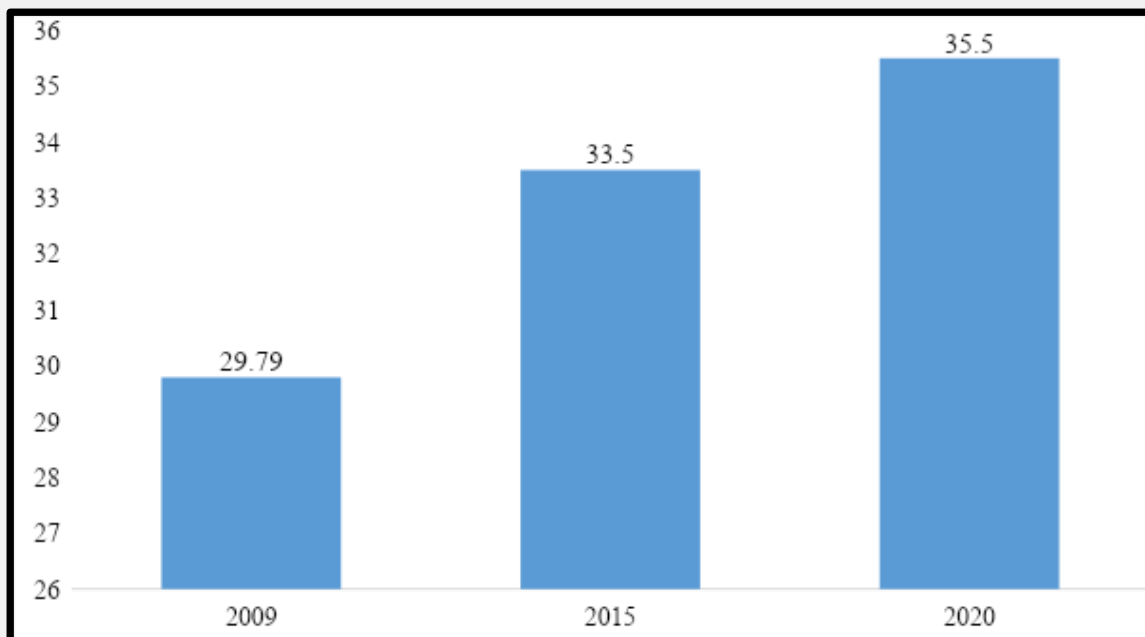
Graph 01: Total enrollments, in millions. (2009-2020)



Source: Authors' Elaboration based on Cai (2013).

From these data, we can see that the policy of massification of Chinese higher education, regardless of its economic objectives, reached its goals in terms of enrollment rates, because in the country, this rate had never exceeded 4% until 1992. 2010, the enrollment rate had reached 26.5%. Success also created new problems, especially the decline in the quality of education, inequality in access to higher education and high unemployment rates among graduates (Cai & Yan, 2017, p.180).

Graph 02: Number of undergraduate and graduate students, in millions (2009-2017)

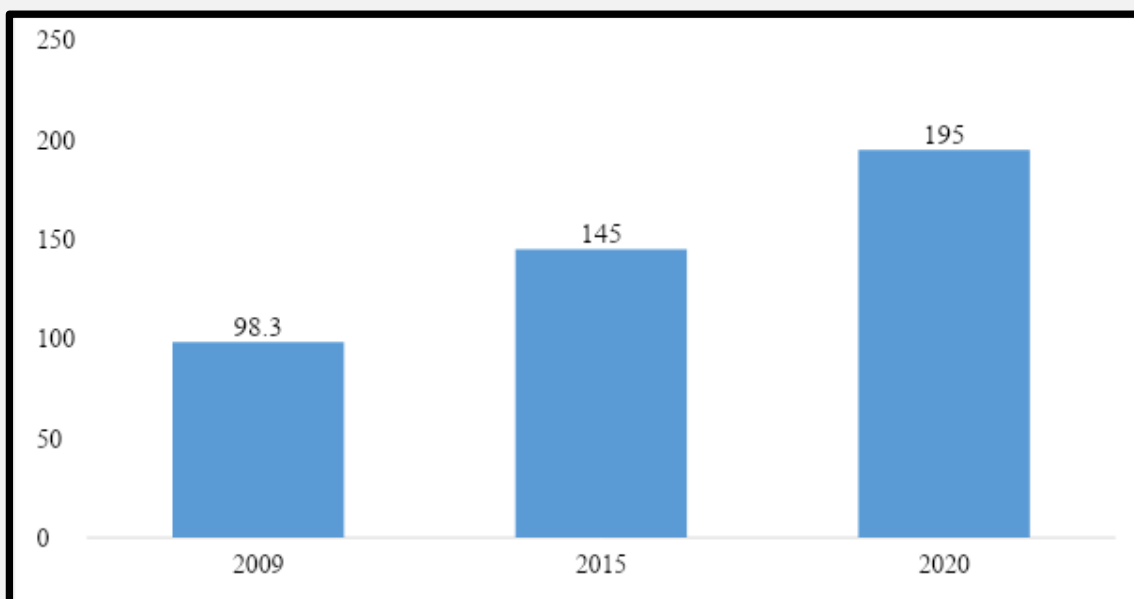


Source: Authors' elaboration based on Cai (2013)

The data presented in Graph 1 show that the expansion planning of universities has taken place in order to provide the expansion of access to higher education. Total enrollments increased by 19%, from almost 30 million to 35.5 million in the period between 2009 and 2015.

Finally, we have the number of individuals with higher education and the percentage of those who work. Graph 3 shows a considerable increase in the number of people with higher education. Between 2009 and 2015, the number of people with a diploma jumped from 98.3 million to 145 million and in 2020 it is expected to reach 195 million, an increase of 98%.

Graph 03: Number of Chinese with higher education, in millions (2009-2020)



Source: Authors' elaboration based on Cai (2013)

Among this population with higher education, the percentage of those who work demonstrates the main challenge of Chinese educational policies. Despite the increase in 2009 and 2015, from 9.9% to 15%. In other words, in 2009, 9.7 million Chinese with higher education were employed, in 2015 this number rises to 21 million. In 2020, the rate is expected to be 20% (39 million).

However, the Chinese state has faced problems and dilemmas in the quest to develop a full educational system. Due to the objectives pursued, the massification of higher education, the development of universities of global standard and of high quality, there are problems such as the lack of mechanisms that guarantee the quality of institutions, the distribution and unequal access of resources and different social groups

(Cai, 2013) and the conflict between the ideologies of the Communist Party of China (CPC) and the West (Cai, 2013).

Despite its economic purpose, the massification policy has achieved its goals in terms of tuition fees. In China, the gross enrollment rate in higher education had never exceeded 4% until 1992. In 2010, the rate had already reached 26.5% (Cai, 2013). Despite this achievement, the rapid growth in enrollment has created a number of problems, particularly a decline in the quality of education, unequal access to higher education and high unemployment among graduates

6. Challenges

Despite the success of the implemented policies, there are challenges that still persist and others that are products of the implemented policies, such as the drop in the quality of education due to universalization. Among the challenges and dilemmas posed for the development of Chinese higher education, we can classify those that still persist in three areas. Are they. i) rural and urban inequalities; ii) the contrasts and paradoxes within the educational system and iii) regional inequalities.

According to Gao (2014), there is a great gap in educational opportunities between students in rural areas and those in cities. Gao also noted that around 60 million students in rural areas are children "left behind", who live in the care of grandparents as parents seek work in distant cities. While many of the urban children go to schools equipped with state-of-the-art facilities, in addition to well-trained teachers, rural students often encounter difficulties with regard to school physical infrastructure and understanding advanced topics such as English and chemistry, amid a shortage of qualified instructors (Gao, 2014, p.39).

With regard to contrasts within the international system, one can point out the inequality in pay between teachers in rural areas who are less prepared and receive lower salaries than those in the urban area. In 2001, the proportion of teachers with higher education in the city was 40.94% for primary and 23.51% for colleges, while in rural areas these proportions were respectively 20.25% and 9.35% (Yixian & Yanshu, 2004 *apud* Oyniran & Uwamahoro, 2017).

However, challenges still remain due to the lack of funding that is also the main focus of other socioeconomic issues. In fact, in urban areas almost all children attend schools, but school fees and tuition are very expensive. The example

of Beijing's reputable R schools is that fees are at least ¥ 1000 per month, about U\$S 170 per child aged 0 to 6 years. At a time when China changes to be and have more influence in the world, it still has a huge disparity between rural and urban in terms of educational quality (Collins, 2016, p.40).

With regard to regional inequalities, since 2009, 2,305 colleges and universities have qualified to become research universities and have started master's and doctoral programs. However, the conditions for the sustainable development of higher education are not yet adequate or stable. Many colleges and universities are in debt, the debt is estimated to reach ¥ 250 billion in total.

According to Grenier and Belotel-Grenié (2006), the decentralization of education financing has widened regional disparities: three quarters are illiterate in rural areas and 72.7% of them are women, according to the 2000 census. Made by the authorities for decades to raise the level of education in China. *China Development Bank* reports (CDB, 2015) confirmed educational progress, suffice it to mention that after introducing a new compulsory curriculum in 1986, the country reached a 100% enrollment rate in 2011, while illiteracy was reduced to 1.08% among adults (CDB, 2015, p. 44)

With all these efforts, the quality of Chinese universities still lags behind those of other countries at the center of world power. Data from the Times Higher Education World University Rankings 2016-2017, a prestigious gauger of the position of world universities, includes only two Chinese universities among the 100 most worldwide universities, which are Tsinghua University and Beijing in the 22nd and 31st place respectively (THE, 2019.)

Another point to be highlighted concerns the geographical distribution of high-level universities. Chinese universities are generally divided into four levels, the first level of which receives substantial investments from the central government to create world centers of excellence. These are located in rich municipalities and provinces. Five of the top 10 are located in Beijing and Shanghai. When the distribution of Project 985 universities is observed, the inequality is greater. In the study by Zhang *et al* (2013), of 24 universities examined, three are located in Beijing, three in Shanghai, two in Guangzhou and nine in the eastern capitals. Only seven universities in the program are located in western and central China.

Finally, enrollments in Chinese higher education, as already shown, also reflect the strong divide between China's urban and rural education. At the national level, just

over a quarter of the country's university-age population is enrolled in a tertiary institution. Shanghai, one of the richest municipalities in China, has a 70% enrollment rate, while provinces like Guangxi suffer from enrollment rates below 20%.

7. Final Remarks

The present study sought to carry out a historical analysis of the Chinese higher education system, presenting its development policies, the advances and challenges that the Asian country had throughout the process. We chose, as case studies, to analyze two of these policies, Projects 211 and 985. From this, it is understood that although it faces challenges, such as the great inequality between regions of the country due to the disparities between the countryside and the city, the a project to expand and improve Chinese educational policies has proven to be effective in achieving the various goals achieved, especially with regard to the number of enrollments.

Yet, even if this article develops the outline referring to the universities of China, the mention of mandatory policies for basic education, the way the Chinese think modernization and plan national development in the long term is imperative to the deep understanding of the plans for expansion of the higher education in China. For, it focuses on not only a sharp public policy, but the unique way of thinking and planning a country in the long term, mixing economic insertion on an international level and the ambition of a Chinese projection that is not only numerous, but significant. This, combined with the goals of growth and development of its people.

The figures collected during the survey demonstrate mostly the success of the initiatives put in place by the Chinese Government, the biggest obstacle materializing in a dilemma known to China, not only in the cut of higher education, and which is usually present in other problems faced by the country is the social, technological and development gap between the rural and urban areas of China, since, being massively applied the measures and programs of studies makes the young population, and above all female, find great difficulties in accompanying the progress of education, whether due to the level of classes or the disparity in the training of education professionals teaching in each of the regions. As a consequence, it also affects the horizontality of access to universities in the country.

Despite the difficulties, it is clear that, on the road to what it aspires for the future, China is doing well in the policies it has applied and it appears to be aware of the obstacles

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and disparities mentioned during the discussion and perceived by the authors mentioned above. As well as their educational actions and policies, they align and converge to leverage the crucial position of relevance in several aspects of the international sphere.

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Universities and Research Institutes as Foreign Policy Actors in China

Universidades e Institutos de Pesquisa como Atores de Política Externa na China

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Abstract: In parallel with the increasing international projection of the People's Republic of China, a broad process of decision-making decentralization and proliferation of foreign policy actors is underway. As a result, the myriad of issues that the country needs to deal with globally have accelerated the professionalization of specialized bureaucracy, as well as demanded expertise in official advice. This article aims to investigate the role of universities and research institutes in this scenario. To this end, the paper initially presents a brief retrospective of contemporary Chinese foreign policy and an overview of recent trends involving decision-making. Then, we seek to discover how the channels of dialogue between the various Chinese think tanks and the leaders responsible for the policy implementation work, guiding the discussion through a historical perspective. We hope, therefore, to contribute to recent studies on the complexification of China's international agency and the coordination challenges that arise from it.

Keywords: China; Foreign Policy; Decision-making Process; Universities; Think Tanks.

Resumo: Em paralelo ao adensamento da projeção internacional da República Popular da China, está em curso um amplo processo de descentralização decisória e proliferação de atores em sua política externa. Em consequência, a miríade de questões com as quais o país precisa lidar no âmbito global tem acelerado a profissionalização da burocracia especializada, bem como demandado *expertise* no aconselhamento oficial. O presente artigo tem o objetivo de investigar o papel das universidades e institutos de pesquisa diante desse cenário. Para tanto, o trabalho apresenta, de início, uma breve retrospectiva da política externa chinesa contemporânea e uma visão geral a respeito das tendências

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recentes envolvendo o processo decisório. Em seguida, buscamos desvendar como funcionam os canais de interlocução entre os diversos *think tanks* chineses e as lideranças responsáveis pela implementação política *de facto*, norteando a discussão através de uma perspectiva histórica. Esperamos, assim, prestar uma contribuição aos estudos hodiernos sobre a complexificação da atuação internacional da China e as dificuldades de coordenação que daí emergem.

Palavras-chave: China; Política Externa; Processo Decisório; Universidades; Think Tanks.

1. Introduction

More than 70 years after the communist revolution of 1949, the foreign policy of the People's Republic of China (PRC) has gone through significant changes since then. For the last few decades, such shifts were caused, at first, both by readjustments on a domestic level, specially the reforms undertaken at the end of the 1970's, as well as due to the structural changes that occurred on the international system, mainly after the end of the Cold War. Nowadays, China's international presence is much more prominent than in previous years, notably regarding its economic influence and active participation in multilateral arrangements.

In that sense, the decision-making process has become increasingly complex and is characterized by, among other factors, the multiplication of actors³ and the increasing professionalization of the bureaucracy. Therefore, it is possible to see a slight democratization of the Chinese foreign policy process, even if it is still strongly centralized and relatively opaque. It is true that the pinnacle of the decision-making process is still retained at the Politburo Standing Committee (PSC), a very exclusive group of leaders who are responsible for the more delicate strategical decisions. In practice, issues such as relations with other major powers and the reunification with Taiwan remain under the responsibility of such elite.

Even then, the number of players that compete to influence the high leadership has increased considerably. In this context, the Ministry of Foreign Affairs (MFA) is just one out of many players, which are not necessarily in agreement over what constitutes the Chinese national interest or how to best pursue it in a global arena. At the moment, the foreign policy of the PRC is influenced not only by corporations linked to the Chinese

³ Specifically, in the area of foreign policy, these actors can be understood as institutions and individuals that have the power to make decisions, are formally part of the formulation process or seek to influence outputs (Jakobson & Knox, 2010).

Communist Party (CCP), the government and the armed forces, but also by organizations outside of such spheres.

Experts from universities, research organizations, military academies, executives from state owned companies, bank directors, sub-national administrative authorities and media representatives are some of the leaders that operate on the fringe, outside of traditional official demarcations (Jakobson & Knox, 2010). In this article, our focus is to understand the space that experts occupy, be it through the universities themselves or via think tanks and other institutions dedicated to research. How have these actors been influencing current Chinese foreign policy?

Before we get into this discussion, it would be appropriate to present a brief retrospective of contemporary Chinese foreign policy, which will be covered in the next section. After that, the article will look into recent trends involving the decision-making process of the PRC. Following that, we seek to understand how the channels of dialogue between think tanks (whether they're linked to universities or not) and the leaders which are responsible for the *de facto* policy implementation work, bringing a historical evolution of the topic, as well as some examples. At the end, we draw up some conclusive notes.

2. Chinese Foreign Policy Post-1949: a brief summary

The first moments of China's international performance in the post-revolutionary context were marked by Mao Zedong's determination in assuring the regime's stability – specially focusing on the recovery of the economy, which had been wrecked by recurrent wars – and avoiding any external threat. At that point in time, the high leadership of the CCP saw the possibility of a military conflict with the United States as imminent, either in Taiwan, Indochina, or at the Korean peninsula, as it did indeed happen a few months after the proclamation of the PRC.

Chinese foreign policy during that time, it can be said, was strongly linked to Mao's worldview, who saw North-American imperialism as a great threat which should be eliminated (Mao, 1966; Hunt, 1996). As a matter of fact, a broad content analysis of the speeches of Chinese leaders revealed that Mao's operational beliefs were strongly conflict-oriented (Feng, 2007), mostly because of his historic as a revolutionary partisan and his permanent mistrust regarding the two sides of the bipolar conflict, as exposed on his well-known Three Worlds Theory.

On the other hand, premier Zhou Enlai used to adopt a more diplomatic perspective. Not for nothing he played a vital part on the international insertion of China during the post-war era, having a very important role at the Conference of Bandung (1955) and in the articulation with African countries (Abegunrin & Manyeruke, 2020). As the hostilities of the Cold War slowed down, the leaders responsible for China's foreign policy started reinterpreting the country's position in the world.

The 1970's – which were marked by the replacement of Taipei by Beijing at the United Nations (1971), Mao's death (1976), the rise to power of Deng Xiaoping, and the establishment of formal diplomatic relations with the United States (1979) – were a relevant point of inflection. Since then, with the gradual reforms implemented by Deng, economic development became a greater priority. Direct conflict with the United States or even with the Soviet Union was no longer seen as an inevitable occurrence.

Thus, it was inaugurated a foreign policy strategy based on building friendly and cooperative relations with every and any country, detached from political and ideological guidelines. This behavior, implemented with more energy during the 1980's, had a dual purpose: at the same time that it guaranteed a peaceful international environment for China to integrate itself into the existing international order, it also helped consolidate the power of the CCP “at home” (Wang, 2011).

Through a global performance based on a low profile approach, the PRC reinvented itself under Deng Xiaoping, became an observer of the established norms, an enthusiast of the *status quo*, willing to seize the windows of opportunity. From that behavior emerges the known Dengist aphorism: “*Observe calmly; secure our position; cope with affairs calmly; hide our capacities and bide our time*” (Brown, 2017, p. 19). This less assertive approach to foreign policy remained, with a few adjustments⁴, during the presidencies of Jiang Zemin (1993-2003) and Hu Jintao (2003-2013) and was abandoned with Xi Jinping's recent rise to power⁵.

In parallel with the succession of new leaders, China's international projection has taken on unimaginable proportions. As the country grew at a double-digit rate annually,

4 Jiang Zemin predicted a time frame of 20 years of strategic opportunities and Hu Jintao's administration highlighted the country's international projection under the label of “peaceful development”. As facts unfolded at the beginning of the current century, in particular the 9/11 attacks and the subprime financial crisis, which shifted the global strategy of the United States, this discreet foreign policy was abandoned in China.

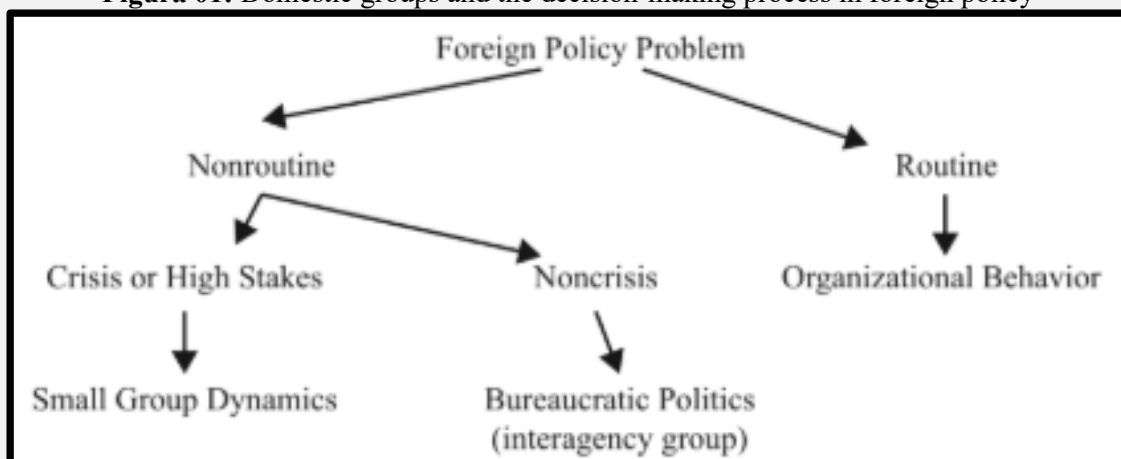
5 It is beyond the scope of the current article to discuss the recent assertiveness of China's foreign policy. For a broad debate on the topic, see: Christensen (2011), Johnston (2013), Chen & Pu (2014), Yan (2014), Zhang (2015), Chang-liao (2016) and Poh & Li (2017).

it was natural that the notion of national interest would expand, as did the number of actors involved in this process. In the 21st century, the great political leaders of the PRC, such as Xi Jinping and current premier Li Keqiang, despite efforts to restore the levels of centralization observed in the past, have to share the stage in regards to the international behavior of the country. As for the present article, it is important to reinforce that its aim is to analyze the role that universities and research institutes play in this context.

3. Decision-making process in the PRC: overview and recent dynamics

Even under very centralized political regimes, as is the case for China, the foreign policy decision-making process is never an exclusively personalist one. That is to say: it does not matter how influential a head of state and/or government is, he will have to reach out to some group dynamic in order to make and implement decisions. Therefore, a good basis for the discussion we aim to develop in this section rests on the fact that the state is not a unitary rational actor (Hudson, 2014).

Figura 01: Domestic groups and the decision-making process in foreign policy



Source: Hudson (2014, p. 73)

In the subdiscipline of Foreign Policy Analysis (FPA), a consensual way to divide foreign policy problems is between routine and non-routine issues. For the former, organizational behavior, through standard operating procedures (SOP), is enough to produce the necessary outputs. On the other hand, non-routine issues are divided between those that involve a crisis situation, when it is necessary to restrict deliberation to a small elite, and the non-crisis ones. The latter tend to be resolved via domestic games played by multiple unitary and corporate actors, which involves bargains, coalitions and manipulating communication channels. The Figure 1 sums up the discussion.

The governance regime implemented by the CCP is composed of three vertical “systems”: The Party itself, the government, and the armed forces. Each of these branches has its own subdivisions, which operate according to some major functional sectors (e.g. military issues, administrative issues, propaganda), overseen by a member of the PSC. As we have discussed in the introduction, the PSC is the highest decision-making body in the country. Composed of less than ten members, the committee is the privileged *locus* where political leaders of the country can interact. The PSC is formed from the Party’s Central Committee, acting as an executive branch of the committee. The Central Committee and the State Council, alongside the National People’s Congress, which is less relevant than the former two, are the central coordinating bodies of the country’s domestic political system.

It is important to keep in mind that the Party, government, and armed forces often overlap on the different action fronts of the Chinese State, but there is a certain prevalence of the CCP over the others. At best, the Party controls the use of force – after all, the People’s Liberation Army (PLA) is the armed wing of the Party, and not a regular state army – as well as the State’s advisory mechanisms (Jakobson & Manuel, 2016). In regards to foreign policy, the highest decision-making body is the Central Foreign Affairs Commission, which is linked to the Party’s Central Committee and has been headed, since 2013, by Yang Jiechi, one of the architects behind China’s current global performance. The Ministry of Foreign Affairs (MFA), which is one of the government’s bodies, has less power inside this structure.

At the end of the day, it is essential to underline that the great leaders of the country, to a greater or a lesser extent, are still responsible for a significant portion of the decisions made. This is the distinctive continuity trait of the Chinese foreign policy. On the other hand, the role played by experts in counseling the government has increased considerably. In addition to that, the bureaucracy has been going through large professionalization and its role is becoming more complex so that routine decisions or non-crisis situations, especially those that require a high degree of specialized knowledge and experience, might restrain – or even constrain – the interference of the higher political elite.

The Chinese policy-making process, therefore, presents the analyst with two faces. With regard to major issues of strategy, the setting of broad agendas, and crisis management, the senior elite still has considerable latitude (...) At the same time, in its myriad dealings with the rest of the world on routine issues ranging from arms control to economic

relations, Beijing increasingly speaks, often with multiple voices, in terms familiar to the rest of the world, and policy changes gradually. In this realm, decisions tend toward global and professional norms, against the ever-present backdrop of realpolitik and considerations of national interest. (Lampton, 2001, p. 2)

Summing up, it is possible to list at least three interconnected trends which have somehow influenced the way in which foreign policy decisions are made in China: (i) the proliferation of organizations, groups, and individuals throughout the decision-making process⁶; (ii) the increase of technical capacities of the bureaucracy and the recurring need to summon experts of a certain field; and (iii) the decentralization of the decision-making process as a whole (Lampton, 2001; Jakobson & Knox, 2010). Understanding the intricacies of these domestic conditions is, therefore, imperative in the investigation of the PRC's foreign policy.

Maybe because they ignore these China's idiosyncrasies, various western analysts – specially Europeans and North-Americans – see a great assertive strategy in how the Asian dragon behaves internationally. To them, China's international performance is a result of rational calculations by its leaders as response to the increasing power and influence that the country has developed (Christensen, 2013). As for the Chinese analysts themselves, they see things differently: China is looking for a great strategy and, on this search, needs to deal with a double challenge of coordinating the different government branches and manage the myriad of different points of view between the elites and the general public (Wang, 2011)⁷.

It is within the aforementioned context that academic experts and other research bodies – whether they're linked to the government/Party or not – have been gaining space. Such experts enjoy a relative “symbolic capital” over the decision makers, even if they cannot exert the same level of influence over the public opinion or calculations of a political order. Even then, “they are socially recognized as privileged holders of expertise, which gives them a certain intellectual authority. This position allows them not only to

6 Roughly, the decision-making process includes many stages – recognizing the issue, framing, prioritizing goals, contingency planning, evaluating possible options, etc. – and different levels of analysis. Moreover, a decision will often be reevaluated and tweaked as time passes. It is, in practice, a “constellation of decisions made with reference to a specific situation” (Hudson, 2014, p. 4).

7 Only with respect to maritime affairs, the following bodies, among others, compete for influence: Ministry of Defense; Ministry of Agriculture; Ministry of Land and Resources; Ministry of Transport; Ministry of Ecology and Environment, formerly the Ministry of Environmental Protection; Ministry of Science and Technology; and, above all, the National Development and Reform Commission, which is responsible for the general economic development and particularly for the resources (Jakobson, 2014).

supply governments with information, but also to help construct the cognitive frame through which information is filtered and interpreted” (Morin & Paquin, 2018, p. 196).

In China, the academics ability to influence the decision-making process was practically nonexistent until the 1980’s and well into the 1990’s. At that point, there were barely any channels of communication with the government and/or the Party. Additionally, these experts were rarely sought by high level government officials for any kind of consultation. As a result of that, few studies produced on an academic environment had political connotations. Testimonies of a few members of the Chinese Academy of Social Sciences (CASS) reveal that, halfway through the 1990’s, a shift occurred in this setting.

An analyst from the CASS Institute of American Studies recalled his institute first receiving attention from policy makers after the Clinton administration granted a visa to Taiwan President Lee Teng-hui. The State Council informed the leadership that no visa would be granted based on what Vice Premier Qian Qichen believed to be a promise from US Secretary of State Warren Christopher. However, experts from the Institute of American Studies correctly predicted that Lee would be granted a visa. Following that episode, the analyst recounted, the MFA sought advice more frequently from outside specialists. An expert from the CASS Institute of World Economics and Politics dated the beginning of government attention to his institute and the process of government consultation with scholars to the Asian Financial Crisis in 1997. (Glaser, 2013, pp. 102-103)

During the 2000’s, right after being named General Secretary of the CCP, Hu Jintao developed a routine of summoning collective study sessions within the scope of the Politburo, when experts from the Party, the government, the PLA or from universities were invited to give lectures on a specific topic of interest (Jakobson & Knox, 2010). It is notable, then, that the conversion of the academy and other research institutes into foreign policy actors is an extremely recent phenomenon, even acknowledging that the reforms at the end of the 1970’s have played a central role in this shift. On the following section, we will discuss this subject in detail.

4. The development of think tanks in China

It is extremely important to define the main object of study in this section: the think tanks (*zhiku* 智库 or *sixiangku* 思想库). There is a myriad of different types of think tanks and their institutional links in China: (i) research institutes coordinated by ministries and other government agencies (most of them are divided into departments to better meet specific needs); (ii) academic institutes based in the provinces and other sub-national

administrative units; (iii) research institutes at universities; (iv) research institutes inside the schools of the Communist Party; (v) research institutes within the Armed Forces; and even (vi) research institutes established by non-public foundations, state companies or even financed by other resources (Zhang, 2013). There is, then, a variety of different arrangements, which can be linked to all three of the vertical systems of the PRC, state companies, universities as well as non-public organizations.

The presence of experts in public debate and political counseling, as previously discussed, is a distinctive feature of contemporary Chinese foreign policy. Never before has the cultural, economic and political elite of the country been so engaged and attentive to the think tanks and the expansion of research capacity at universities and other research centers, which are now recognized as guiding tools for the decision-making process. As PRC's foreign affairs expanded, a result of economic growth and the internationalization of national companies, the same happened with the demand for more information about new partners of the country and other global themes (Abb, 2013; Li, 2009; Zhang, 2013). Either way, generally speaking, think tanks are not exactly a novelty in China.

The so called “first generation” of think tanks goes back to the 1950's, 1960's and part of the 1970's. These spaces were constituted, for the most part, using the blueprint of Soviet research institutes, and were strongly linked to specific ministries and their respective institutional missions (Tanner, 2002). Since the PRC was established, it is important to stress, the role of think tanks was highly dependent on preferences and specific characteristics of the main leader. Therefore, despite existing even in the post-revolution context, such arrangements were far from challenging the centralizing forces of the decision-making process in Maoist China.

With the end of Mao's rule and the reforms led by Deng, it became clear that the delay in science and technology constituted a serious barrier to national development. In the Social Sciences, Economics and Foreign Studies research were designated as vital for the reform project, which led to a rebuilding and systematic expansion of the existing institutional foundation. It was during this period, the end of the 1970's, that the Chinese Academy of Social Sciences (CASS) was established, created from the division of Philosophy and Social Sciences of the Chinese Academy of Sciences (CAS), and put under direct control of the State, which designated that it would be considered a unit of ministerial level. To this day, the CASS is the most important research institute in China in the Social Sciences and Humanities field (Abb, 2013).

In the beginning of the 1980's, with the development of the "second generation", many research institutes started gaining more space. The reason behind that was that the main leaders of the Country, specially those more aligned with a reformist orientation, believed that the political reports they were receiving from the traditional departments of the CCP and its ministries were inadequate tools to guide the ongoing economic restructuring. Such leaders, then, started to demand alternatives with a better theoretical and empirical orientation (Tanner, 2002).

At this point, almost all state agencies that dealt with foreign policy tried to build their own expert bodies. Therefore, Deng's administration was characterized by a transition where Soviet style research practices were abolished in favor of Western inspired reforms. Among other events, it should be highlighted: the decentralization of scientific funding; researchers and institutes were allowed more freedom to create their own projects and hire researches; universities were allowed to design their own syllabus' autonomously (Tanner, 2002; Abb, 2013).

The repercussions of the episode on Tiananmen square, in 1989, marked the beginning of what was called "the third generation" of think tanks. The repression threatened the operation of those institutions which were connected to the reform policies. As it pertains to the public security think tanks, what happened in Tiananmen helped redefine the whole research agenda, initially sparking discussions about who was to blame for the demonstrations and the misconduct triggered, forcing analysts to reflect with unprecedented sophistication about the social, economic, and political aspects of the unrest in a socialist society under reform (Tanner, 2002). On the other hand, Tiananmen did not represent such an inflection point at the same intensity for the think tanks of the military, international relations and foreign policy sectors (Tanner, 2002; Abb, 2013).

Under president Jiang Zemin (1993-2003), the think tanks unquestionably consolidated their space and influence within the central government. During the 1990's, Jiang Zemin frequently received counsel from academic institutions in Shanghai, such as Fudan University, the East China University of Political Science and Law, the Shanghai Academy of Social Sciences and the Institute of International Studies⁸. Throughout the decade, various young experts with experience in the field of International Relations

⁸ Before reaching presidency, Jiang Zemin was mayor of Shanghai. According to experts, he is the leader of a coalition within the CCP. For more information: <https://edition.cnn.com/2012/10/23/world/asia/china-political-factions-primer/index.html>.

moved from Shanghai to Beijing, where they worked alongside the president in areas such as policy planning, propaganda, issues pertaining to Taiwan, and foreign affairs (Li, 2009).

The vast majority of Chinese think tanks studying foreign policy are somehow related to the government⁹, from universities and other institutes affiliated to the CCP. The institutional structure of these think tanks is designed to form a critical wing of the government (Abb & Kollner, 2015). All of these groups share one important characteristic: they are strongly linked to the nexus of power between the State and the Party, although in different ways and to varying degrees. Such connection between the government and the CCP is valued by the Chinese think tanks, as such tight connections with the leadership are a criterion for trust and credibility, as opposed to Western think tanks, which value independence (Li, 2009; Abb & Kollner, 2015; Akani, 2019).

Universities and research institutes that act as think tanks in China publish research reports, articles, and books that include both domestic issues and foreign affairs. These analyses frequently come in the form of public policy reports, created according to the demands made by government agencies or as designed by the research institutes themselves. It is not rare that researchers and academics are summoned to be a part of internal discussions among officials and asked to write and comment on the public policy proposals that come out of such discussions. Not only that, but it is common for employees of the CCP, the government, and armed forces to give lectures and participate in seminar discussions and academic workshops (Jakobson & Knox, 2010). The official communication happens through various channels, be it administrative links or personal connections¹⁰ (Zhu, 2019).

A recent study by the University of Pennsylvania shows that China currently has 507 think tanks, behind the United States (1.871) and remarkably close to India (509). On the list of the 100 most important research institutes of the world, the following should be highlighted: *China Institutes of Contemporary International Relations (CICIR)*, 18th place on the overall ranking, best ranking of a Chinese institution; *Chinese Academy of Social Sciences (CASS)*, 38th place; *China Institute of International Studies (CIIS)*, 50th

9 Some examples at a ministerial level are the China's Institute of International Studies (CIIS), under management of the Ministry of Foreign Affairs (MFA); China Institutes of Contemporary International Relations (CICIR), under the Ministry of State Security; and the Chinese Academy of International Trade and Economic Cooperation, linked to the Ministry of Commerce.

10 What in China is referred to as *guanxi*, 关系.

place; *Development Research Center of the State Council (DRC)*, 56th place; *Center for China and Globalization (CCG)*, 76th place; *Institute of International and Strategic Studies (IISS)*, 81th place; and *Shanghai Institutes for International Studies (SIIS)*, 96th place (McGann, 2019).

In the following section, we briefly present some of these research institutions, as well as three universities that have a key role in policy making in China (Peking, Fudan, and Tsinghua).

4.1. The Chinese Academy of Social Sciences – CASS (中国社会科学院)

The CASS is the main academic organization and a broad research center of the PRC in the fields of Philosophy and Social Sciences, being affiliated to the State Council. It was created in May, 1977, and today it consists of 31 institutes and 45 subordinate research centers, which are accountable for activities covering almost 300 subdisciplines. Nowadays, the CASS has around 4.200 employees, of which over 3.200 are professional researchers.

According to the Chinese government, establishing a broad international exchange program is one of the primordial guidelines for the CASS, a goal which has gained momentum over the last years. The number of researchers that take part in academic exchanges has gone from dozens of people split in ten groups in 1979, to over 4.100 divided into 1.398 groups in 1995. Meanwhile, CASS has built an effective relationship with over 200 research organizations and institutes, institutions of higher education, foundations, and related government departments, in over 80 countries and regions.

The organization, today, has partnerships with institutions from 41 Asian countries, 11 African countries, 36 European countries, 12 Latin-American countries, as well as three regional areas (Taiwan, Hong Kong and Macao; United States and Canada; Australian and New Zealand). In 2019, the Campinas State University (Unicamp), in Brazil, became the first Latin American university to host a CASS owned center, with the intent to reflect about opportunities and challenges that the growth of the Asian country represent for Brazil, as well as to develop new educational, scientific, cultural and commercial partnerships between the two countries (China Hoje, 2019).

4.2. *China Institutes of Contemporary International Relation – CICIR*
(中国现代国际关系研究院)

The China Institutes of Contemporary International Relation (CICIR) is a very well-established complex for research and consultation, extensive and multi-functional, which focuses on strategic studies and international security, created in 1980 from the Ministry of State Security. For years, it has partaken in international academic exchanges. It offers masters and PhD courses and has three academic publications: *Xiandai Guoji Guanxi*, *Contemporary International Relations* and *Guoji Yanjiu Cankao*.

In 2015, the CICIR was designated as a pilot unit for the construction of China's main think tanks. Nowadays, the official organizational blueprint includes 11 sub institutes, two research divisions, eight research centers and various administrative departments. Overall, the team includes 380 people, 150 of which are professors¹¹.

4.3. *China Institute of International Studies – CIIS* (中国国际问题研究所)

The CIIS is responsible for researching about international issues to serve the Chinese diplomatic body. It is, in essence, the think tank of the Ministry of Foreign Affairs. The CIIS was founded on the 25th of November of 1956 and it is responsible for leading research and analysis, mainly about medium and long term issues which are of strategic relevance, particularly those pertaining to the global economy and politics. It also studies and offers recommendations on policies for large events and pressing issues.

The CIIS received its current name in December of 1986. Before, it acted under the label of “Institute of International Relations (IIR)”, under China Academy of Science. In 1988, the Chinese Center for International Studies (CCIS), previously a research institution of the State Council, was incorporated to the CIIS.

CIIS' team is composed of almost a hundred researchers and other professionals. Among them are senior diplomats, area studies experts, and featured experts of the main areas of foreign affairs. All the young scholarship holders of the CIIS have advanced university degrees in international relations or other related disciplines. The institute has its own professional library, which houses over 260.000

11 For more information: <http://www.cicir.ac.cn/NEW/en-us/index.html>.

books. According to the MFA, the collection of international affairs is one of the biggest in the country¹².

4.4. Shanghai Institutes for International Studies – SIIS (上海国际问题研究院)

Founded in 1960, the Shanghai Institutes for International Studies, connected to the government, are a broad research organization for studying international politics, economics, security strategies and China's foreign affairs. Among other topics, the think tank dedicates itself to the modernization of China and the economic development and opening of Shanghai.

Overall, the SIIS is composed of 14 subdivisions, including study centers (for example: Center for Asia-Pacific Studies, Center for Russian & Central Asia Studies, Center of European Studies), institutes (Institute for World Economy Studies, Institute of Foreign Policy Studies, etc.) and departments (there are only two: Department of International Exchanges and Department of Research Management). After the efforts of many generations of researchers, the SIIS is now a nationally and internationally renowned, ranking among the best think tanks of the world¹³.

4.5. Peking University - Beida (北京大学)

Founded in 1898, the Peking University is one of the most prestigious Chinese universities in the world. In October 2013, the university established the Institute of International and Strategic Studies (IISS) as a think tank, aiming to increase its influence over the main decision makers in China.

Formerly known as the Center of International and Strategic Studies of the Peking University, created in May of 2007, the IISS is affiliated to the School of International Studies. Their Administrative Council is composed of senior researchers and academics outside and within the School of International Studies, and the accountability system of the president is implemented under the leadership of the Council¹⁴.

12 Details at: http://www.ciis.org.cn/english/2019-01/10/content_40639859.html.

13 More information: <http://www.siis.org.cn/EnIndex>.

14 For more details, see: <http://en.iiss.pku.edu.cn/>.

Also, under the governance of the Peking University, is the Institute of Poverty Research, an institution dedicated to research on social and economic development related to poverty. It produces analyses and reports for the Central Government¹⁵.

4.6. Fudan University (复旦大学)

Fudan University was founded in 1905, formerly called the Fudan Public School. There are, in total, 18 research institutes incubated at the University, which promote interdisciplinary studies in Regional Development, Ecological Governance, Industrial Economy, Digital and Technological Governance and Innovation, etc. Among these institutes is a broad reaching net which includes the Global Think Tank Center, the Fudan-Latin-America University Consortium (FLAUC) and the BRICS University League.

Another example arose in August, 2013, when the Policy Research Center for the Chinese Economy, a think tank project proposed by the China Center for Economic Studies at Fudan was officially approved by the Educational Commission of Shanghai. It is also important to highlight the role of the Fudan Development Institute (FDDI), a global research organization which focuses on Development Studies. The FDDI, with its multidisciplinary characteristics, is one of the pioneer academic think tanks established after the reform and reopening policies were launched in 1978¹⁶.

4.7. Tsinghua University (清华大学)

Founded in 1911, the Tsinghua University is considered by many as the best university in China, and is responsible for the academic training of well-known names such as Nobel prize winner Tsung-Dao Lee and Yang Zhenning, not to mention ex-president Hu Jintao and current president Xi Jinping.

The university established its Technical Innovation Research Center in 2000, as a key research center for the Humanities and the Social Sciences. Considering it is a national level think tank, it focuses on the management of technical innovation, strategy and politics for S&T and high-tech enterprises.

¹⁵ Details at: <https://onthinktanks.org/think-tank/北京大学贫困地区发展研究院/>.

¹⁶ See more at: <http://fddi.en.fudan.edu.cn/>.

In 2009, the Tsinghua University also spurred the creation of the China Data Center (CDC), designed to provide a data platform to assist academic research and teaching in the relevant disciplines. It is expected that the Center will act as a think tank for the government, focusing on in depth research about the main issues of Chinese society. Apart from this, other branches of the University are also notorious on a national level: The Institute of Modern International Relations and the Institute of International Strategies and Development¹⁷.

5. Concluding Remarks

Setting off from a brief contextualization about the Chinese international behavior and current trends revolving around the decision-making process, this article sought to discuss the role played by experts as foreign policy actors. We have seen that the demand for expertise has cemented itself on the organizational chart of the PRC, a natural consequence of the strengthening of the country's global projection. This expansion of the national interest beyond the immediate surroundings of Asia has amplified the country's number of partners and dialogue fronts on a global level.

In this context, the national research institutes, initially designed based on the Soviet model, have started to constitute an important sphere for communication between experts and political leaders. Although some of these institutes are linked to the government or the Party, they have, actually, a very similar role to the universities, which are also fundamental pieces of the contemporary process of creating and implementing Chinese foreign policy.

An increasing number of experts from these spheres have become well known on the public debate as a whole, and particularly in the discipline of International Relations. Names such as Wang Jisi, Yan Xuetong, and Qin Yaqing – directors of, respectively, the School for International Studies of the Peking University; the Institute of Modern International Relations, Tsinghua University; and of the Chinese Foreign Affairs University (CFAU), linked to the MFA – have become part of a select group of experts in the discipline, which for a long time consisted solely of North-Americans and Europeans, save for a few, rare exceptions

¹⁷ Details at: <https://www.tsinghua.edu.cn/en/index.htm>.

The research effort developed here, we highlight as a conclusion, is still rudimentary. China's experience in integrating experts into the decision-making process deserves, in our opinion, more careful attention from the academic and political community in Brazil and other developing nations. Future works that seek to implement more in depth case studies about the role of the Chinese research institutes are, therefore, extremely welcome, especially now, that the *Belt and Road Initiative* presents itself as the apex of the journey of international projection of the PRC. Certainly, Chinese experts from various fields of study have played a significant part for the success of such initiative. It is interesting to follow closely.

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Universities, Innovation and Automation: A Chinese Case Study

Universidades, Inovação e Automação: um estudo de caso chinês

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Abstract: How is China acting, in terms of public policies for higher education, in order to guarantee its technological and economic progress in the face of the social impacts of automation? We make a case study of China's public policies in the pursuit of becoming a global power in the development of Industry 4.0. Indeed, some researchers argue that there is a new kind of technological war, in which both China and the United States are fighting for the supremacy of human capital and industrial production. Methodologically, descriptive statistics and bibliographic review were used to understand the historical dimension of Chinese idiosyncrasies in the search for technological progress, as well as document analysis of two strategic state documents in the area of innovation. As a result, we understand that China is showing itself with significant force in scientific production in some industrial sectors, but it still remains behind in the sense of human capital compared to the USA.

Keywords: China; Technological Progress; Universities; Geopolitics; Automation.

Resumo: Como a China tem atuado, em termos de políticas públicas para a educação superior, a fim de garantir o seu progresso tecnológico e econômico face aos impactos sociais da automação? Fazemos um estudo de caso das políticas públicas da China na persecução de tornar-se uma potência global no desenvolvimento da Indústria 4.0. Com efeito, alguns pesquisadores argumentam que existe uma nova espécie de guerra tecnológica, na qual tanto a China quanto os EUA batalham pela supremacia de capital humano e produção industrial. Metodologicamente, foi utilizada estatística descritiva e

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revisão bibliográfica para entender a dimensão histórica das idiossincrasias chinesas na busca pelo progresso tecnológico, bem como a análise documental de dois documentos estatais estratégicos na área de inovação. Como resultados, entendemos que a China se revela com força expressiva na produção científica em alguns setores industriais, mas ainda permanece atrás no sentido de capital humano em comparação com os EUA

Palavras-chave: China; Progresso Tecnológico; Universidades; Geopolítica; Automação.

1. Introduction

How has China acted, in terms of public policies for higher education, in order to guarantee its technological and economic progress in the face of the social impacts of automation? The Age of Industry 4.0 and the massive development in emerging technologies bring about significant social and economic changes for the whole world. From the point of view of the latter, a country's technological progress is capable of increasing its factors of production on a large scale, which produces growth in its market power and in the population's standard of living.

In contrast, with regard to the social factor, automation generates several impacts, especially in the field of work due to the replacement of intensive labor by driving machines. China, as a country that has had unique growth and modernization rates since 1978, and due to its extensive investment in the educational sector, has become an object of fundamental study to understand the new dynamics focused on its strategies in relation to investments in human capital. Acemoglu and Restrepo (2016), for example, argue that in the long run this phenomenon of automation can generate new tasks, but these require specialized human capital for new skills. This model also illustrates that, at first, inequality widens due to the heterogeneity between unskilled jobs, which are directly affected by the rigging of machines, and the need to provide new tasks that require specific skills. Thus, it is observed that this reality imposes modern challenges on States with regard to technoscientific development and the safeguarding of social rights, such as employment and quality of life.

In this light, Atkinson (2015) asserts that States have a central role in the healthy investment of innovation and the need to maintain the “human dimension in the provision of services”. To this end, the author indicates that the promotion of scientific research and public regulatory policies are fundamental steps in achieving the reduction of inequality. In this sense, the formation of qualified human capital through investment in education

(basic and tertiary) is a key element in this process. In this perspective, China has stood out on the international stage for its national techno-scientific development strategies. In his quest to occupy a new space in the World Multiplayer System, Xi Jinping (XI, 2014) made it clear that his nation's prosperity must align with technological progress. To this end, many measures were taken to align state investments in high technology with the maximization of the supply of resources and specialized human capital.

Thus, this article begins its theoretical discussion by examining the new configuration of geopolitics in relation to the new power struggles for the development of the information industry. After all, part of the recent International Relations literature argues that, in addition to the Sino-American trade war, there is a new race for the mastery of highly computerized complex systems, of which artificial intelligence is the most prominent. Thus, we will seek to understand the mechanisms used by the Middle Kingdom to increase its international economic competitiveness, based on a special focus on public policies aimed at the development of new technologies in Universities. Certainly, the country's higher education has undergone multiple reforms in the last decade, and research in innovation has a fundamental role in achieving socioeconomic progress and adapting qualified and specialized labor to the new model of robotic industry.

In order to answer the initial research question and to systematize the triad of public policies, universities and automation in China, this article was organized as follows: first, a brief explanation of the methodological aspects used in this research will be made. , then we started a contextualization of the theme, in order to present the challenges of the current situation in relation to the advances of the cutting edge technology by the expressive search of the Chinese government for Réncai [人才 (talented individuals)]. Soon after, we present the theoretical discussion, in which we show some statistics and systematize the main theories and studies that address automation, international competition for complex information systems and Chinese national strategies; then, we bring the results of the documentary analysis and, finally, our conclusion.

2. Methodological Aspects

The research design of this work is based on the use of descriptive statistics and document analysis of official Chinese government documents listed below:

- a) Next Generation Artificial Intelligence Development Plan – State Council (2017);
- b) Artificial Intelligence Innovation Action Plan for Institutions of Higher Education - Ministry of Education (2018).

In addition, regarding descriptive statistics, indicators from several institutions were accessed on digital platforms with the assistance of the SPSS Program = *Statistical Package for Social Scientists* (IBM SPSS *Statistical Package* - 26, 2019), which can be checked below. We believe that this quantitative analysis will be essential to highlight our conclusions in relation to our research question.

- a) *China AI Development Report*, 2018. In this report, we use data referring to the body of talent in artificial intelligence in the world, as well as the categorization of Chinese Universities that have specific laboratories for innovation;
- b) Indicators of investment in research and development in the OECD world (*Organization for Economic Cooperation and Development*)
- c) IFR (*International Federation of Robotics*) robots operational stock indicators;
- d) *Mind the (AI) Gap Report*, 2018. We use data for the sectors in which companies from China and the USA invest the most in AI, 2018;
- e) *National Science Board (NSB)* - Indicators of computer engineering graduates and doctors in the USA, China and aggregated data from the six members of the European Union that produce the largest number of these degrees in computer engineering, 2016: France, Germany, Italy, Poland, Spain and the United Kingdom.

From this exposition of the methodological aspects of our work, we will continue with a brief contextualization of the theme.

3. Contextualization

The United Nations Conference on Trade and Development⁴ discussed the transformation of the global structure and the increase in inequality due to the innovations

⁴Note from the UNCTAD Secretariat - United Nations Conference on Trade and Development. Structural transformation, Industry 4.0 and inequality: Science, technology and innovation policy challenges, 2019. Available at: <https://unctad.org/meetings/en/SessionalDocuments/ciid43_en.pdf. > Last accessed March 25, 2020.

brought about by Industry 4.0⁵, mainly by Artificial Intelligence and Robotics. This modern form of production is capable of completely changing the rules of the game for nations that are embarking on the path of automation. One of the highlights of the economic and social disruption is justified by the dismantling of current labor relations, mass unemployment and the high market concentration by a few dominant companies in the digital industry.

In addition to illustrating this situation, ways are pointed out so that States can enjoy the benefits of border technologies without its harmful effects. The role of regulatory policies in science and technology, as well as public investments in inclusive digital education are recognized as the main ways of promoting social stability and diversifying their promotion. Therefore, one of the great motivations of this article is, without a doubt, to understand the way in which state actors are facing this dilemma of automation.

In addition, we selected China as a case study for its relevance in the international system, its massive development in cutting-edge technologies in the last decade and its unique political system configuration. Through this descriptive mechanism, we can make a historical-analytical immersion of the main factors that justify the technology to have become one of the main engines of this society.

Furthermore, Kai-fu Lee (2019), a scientist and investor in technology in the USA and China, points out that the latter is going through a Sputnik moment in innovation, especially with the implementation of the national strategy of “Made in China 2025” (2015) and the “Next Generation Artificial Intelligence Development Plan” (2017). The author states that there is a new world order accentuated by the growing competition of both countries for market dominance and development of technologies, especially with regard to the possibilities of systematization of large amounts of data (big data) emanating from artificial intelligence (hereinafter AI). The author states that there is a dazzle in China in AI, mainly due to the performance of specific tasks more accurately than humans, which makes this market quite attractive at the moment. However, Kai-Fu Lee

⁵ The definition of Industry 4.0 is presented as “(...) (it) refers to the increased use of automation and data exchange in manufacturing - a current trend - resulting in smart and connected production systems. It is one of the major drivers of the fourth industrial revolution. Industry 4.0 is associated with increased digitization in manufacturing through connectivity, the industrial Internet of things, big data collection and analytics, new forms of interaction between humans and machines, improvements in using digital instructions due to robotics and three-dimensional (3D) printing. ” Ibid., Page 4.

understands that the United States has a significant advantage in human capital and innovation production than in China.

Faced with this scenario, the Chinese government has shown concern about the power to disrupt social stability due to the rapid expansion of border technologies. In a recent White Paper on Security and Artificial Intelligence (2018)⁶ published by a think tank from the Ministry of Industry and Information Technology, the negative risk of AI was the reduction or complete elimination of some tasks, which can lead the country to structural unemployment. Thus, one of the proposed alternatives to avoid this disruption in automation is the strengthening of a talent pool in AI technology and industry through the financing of laboratories in qualified Universities and the investment of specific courses to these needs.

Table 01: Estimated Displacement and Job Creation With AI and Related Technologies in China by Industrial Sector (2017 - 2037)

Sector	Displacement of Workstations		Creation of Workstations		Work Networks	
Services	-72m	-21%	169m	50%	97m	29%
Construction	-15m	-25%	29m	48%	14m	23%
Industry	-59m	-36%	63m	39%	4m	3%
Agriculture	-57m	-27%	35m	16%	-22m	-10%
Total	-204m	-26%	297m	38%	93m	12%

Source: PricewaterHouse (PcW)

In this sense, a complete implementation of the “AI Action and Innovation Plan for Higher Education Institutions” is proposed, prepared by the Ministry of Education (2018), so that it is possible to provide professional education that promotes skills and abilities. AI man-machine collaborative operation capabilities. Thus, it is noted that China, carefully observing the advances and harms of automation for the national economy and society, seeks to minimize these impacts through, above all, the restructuring of the scientific academy. Below there is a table with estimates of job displacement and creation of new tasks in some strategic sectors in China, in order to observe the difference in impacts brought about by automation. The survey projects a majority of net job gains for service sectors, where an increase of 29% (about 97 million)

⁶ The full document exists only in Chinese, and can be accessed at <http://www.caict.ac.cn/kxyj/qwfb/bps/201809/t20180918_185339.htm>. The English translation can be found at <<https://seer.ufs.br/index.php/tempopresente/article/view/12590>>

is estimated, while predicting a negative impact on the agriculture sector, with a loss of 10% (about 22 million) net jobs.

In view of the above, China believes that Universities play a fundamental role in balancing the tripod of innovation, economic progress and the labor market. In relation to the latter, we argue that the country has many challenges in relation to the balance of the specialized human capital network and the replacement and intensive labor by automation, but it is acting strongly in the quality and massification of Higher Education specialized in emerging technologies such as bet to reduce the impacts of technology to social inequality.

4. Theoretical Discussion

This section aligns the bibliographic review, theories and statistics that cover our research topic. For better understanding, we have systematized our structure into topics, which can be viewed below.

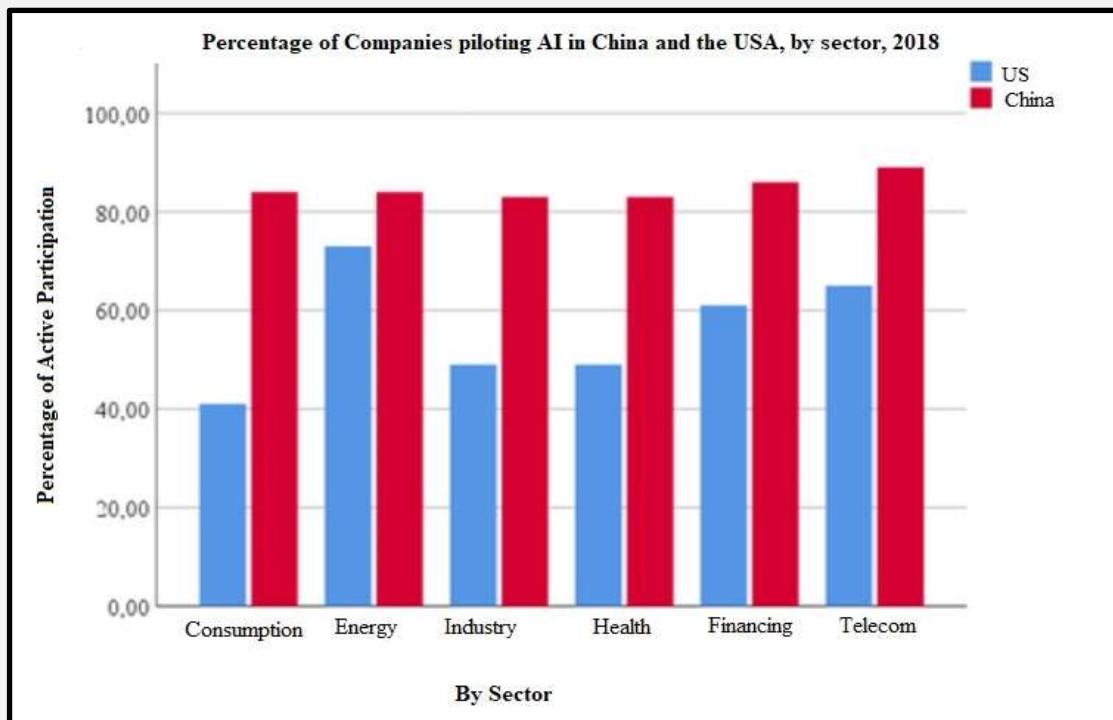
4.1. Geopolitics, Technological War and the Chinese Dream

In an analysis of the historical transformations of Chinese Foreign Policy, Flint and Zhang (2019) theorize that the international geopolitical context must be understood to support the decisions of States. In this perspective, the authors argue that the historical retrospective of World Systems Theory is able to clarify enough the current political tensions between the USA and China that involve disputes for the trade and dominance of emerging technologies, especially AI. Thus, it is noted that investments in scientific research and development represent a fundamental historical process in the countries' search for prominence in the international economic scenario (FLINT and ZHANG, 2019).

In addition, from an economic point of view, several researchers understand that long-term growth in living standards depends on an economy's capacity to sustain technological progress (BRANDT and RAWSKI, 2008; LI et al., 2019). In the particular Chinese case, a large part of their society is connected, and giant companies such as Baidu, Alibaba and Tencent that work especially with the support of the information industry and large data in their favor. As an example of this social immersion of central Chinese cities to technology, we can mention the extensive use of facial recognition in stores and payment for purchases only with the cell phone (mainly through the WeChat

Pay and AliPay platforms), which made cash money a tool almost obsolete. In order to illustrate the immersion of Chinese companies from different sectors that use modern technologies, the following chart shows the percentage of AI use compared to the USA. In all the fields below, it is possible to note that Chinese companies use more AI than those in the USA, with a special advantage in relation to consumption, industry and health.

Figure 01: Percentage of Enterprises that are Using Artificial Intelligence per sector, China and the US (2018)



Source: Boston Consulting Group (BCG) (2018)

Furthermore, the Chinese innovation system reflected a strong determination by the Party to become a world leader in S&T. Policies and strategies for economic development expressed the feeling that foreign technology was the basis of the Chinese process and that a strong shift towards an “indigenous innovation” capacity was needed. As innovation is generally understood to be happening in a complex system, that is, a network involving universities, firms and governmental organizations, a national innovation system should be structured.

In this sense, the 1990s fulfilled the intention. Around 2002, more than 400 incubators and 53 high development zones were established, with government support (Kjersem and Gammeltof, 2009), (Kjersem, 2006), (Gammeltof, 2006) (Huang et al, 2004). The Zhongguancun Science Park in Beijing, which articulated 40 universities and

130 research institutes, has become one of the most well-established scientific zones and, given the attractiveness of the Chinese market, the government has also pursued a “technology to market” policy, where they encouraged foreign investors to transfer technology to China (Gassman and Han, 2004).

In addition to the business initiative in China, many national policies have been developed since the beginning of 2010 for the development of industry 4.0, notably the Internet of Things (IoT), robotics, cloud computing and AI. Made in China 2025, launched in 2015, was one of the most talked about innovation plans in the world due to the intensive strategy of accelerating the computerization of industries and the focus on product quality. This policy was launched as a way for the country to maintain its high levels of productivity and improve the value chain in technology, in order to guarantee its economic growth with efficiency in the creative standard.

However, artificial intelligence⁷ deserves special attention due to its prominence in the country since the AlphaGo supercomputer, developed by Google Deepmind AI to play the ancient Chinese game weiqi (圍棋), defeated the world champions Lee Sedol, South Korean, and Ke Jie, Chinese, in 2016 and 2017⁸, respectively. These matches aroused a lot of curiosity and popularity across the country, mainly due to the discussion of Human-Machine interaction and speculation about the superiority of computer intelligence to humans. In August 2017, the State Council launched a national strategy focused only on the development of AI: the “Next Generation Artificial Intelligence Development Plan” (2017), this is one of the factors that guided the decision to analyze the content of this document in this article.

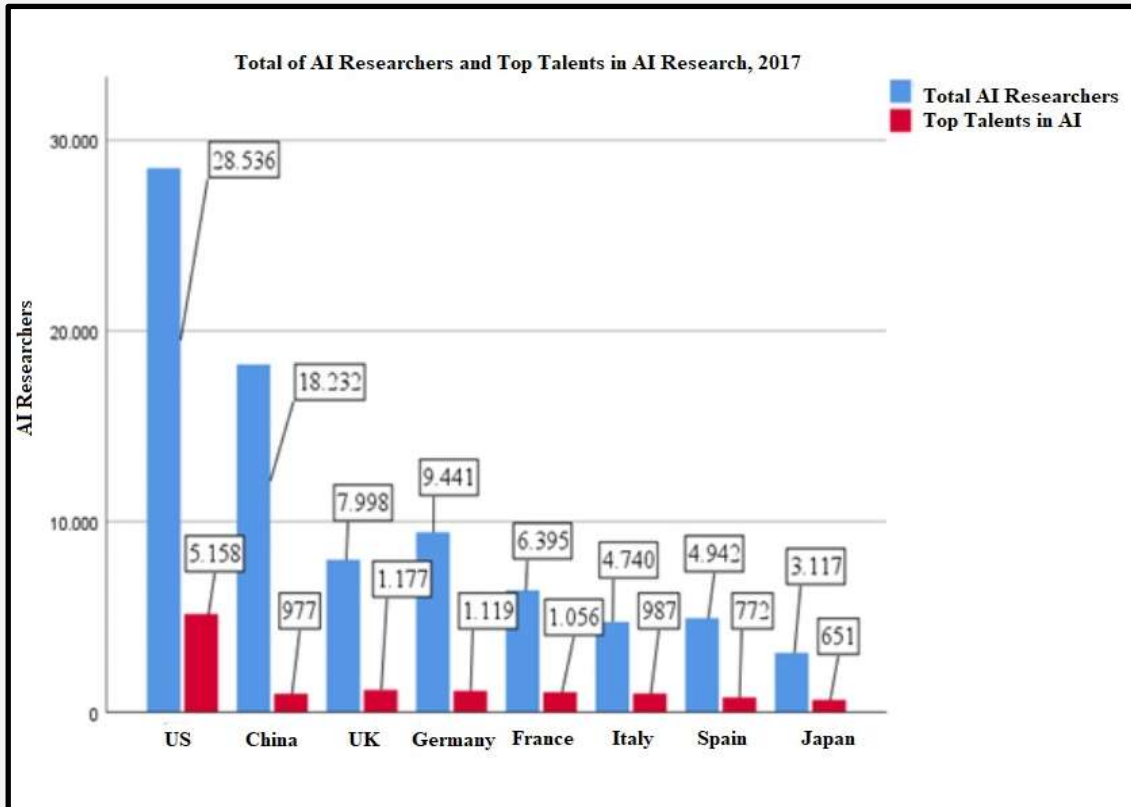
In this document, one of the key elements is, without a doubt, its geopolitical aspect. Roberts et al. (2019) illustrate that the plan encompasses three steps for China to become a major AI power by 2030: maintaining competitiveness with the largest producers of this technology and optimizing its development environment; be a leader in some AI applications and advance your theory; establish itself as a world center for

7 In general, AI is a computer system that helps us to make decisions or execute them autonomously, based on the processing of available data. The evolution of software engineering techniques considers AI as an umbrella term that encompasses machine learning (machine learning) and deep learning (deep learning) systems, whose skills, especially in relation to the latter, bring up ethical discussions on the increase in the object's autonomy and the difficulty of scientists in making their development models more "explainable". Given their ability to facilitate individuals' choices and allow accurate responses to any type of problem, AI agents have come to be widely used by companies, governments and individuals as mechanisms capable of finding quick answers from systems immersed in large amounts of given away.

8 Byford, Sam. “Google’s AlphaGo AI Defeats World Go Number One Keie”, 2017. Available at: <<https://www.theverge.com/2017/5/23/15679110/go-alpha-go-ke-jie-match-google-deepmind-ai-2017>>. Last Accessed in April, 2nd 2020.

innovation in AI. It is noted, therefore, that this technology has become essential to leverage its power in the structure of the international balance. Given this, Ding (2018) believes that the construction of AlphaGo by Google demonstrates that the advances in AI are linked to the national prestige and the status perceived by the great powers.

Figure 02: Total Number of AI Researchers and Leading Researchers in IA (2017)



Source: China AI Development Report (2018)

In addition, the author states that the government is very attuned to the strategies and advances of this technology in countries that it considers to be prominent in this industry: the United States (the nation with the largest body of talent), the European Union (due to the great project for the reproduction of the human brain by AI), Japan (largest consumer of robots) and the United Kingdom (leader in the standardization of ethical issues in Industry 4.0 (DING, 2018)). Regarding the USA, Wang You and Chen Dingding (2018) consider that there is a growing tension between China and AI policy manipulation. However, despite massive Chinese investment to achieve it, there is still a huge American advantage in terms of its industrial scale, product quality, theory and, above all, qualified human capital. The authors conclude, therefore, that "*even with the relatively higher salary offer for AI developers, the lack of talent will continue to be a bottleneck for the development of China's AI industry*" (pg. 249)

As an illustration, the chart below shows the eight countries that have more researchers with technical expertise and creative skills in AI development (in blue), as well as the researchers who lead and stand out in this field internationally (in red). As can be seen, the USA has a great advantage in relation to the total of specialist researchers, as well as in top talents in AI. It is interesting to note that, regarding the volume of researchers, China is in second place, while it falls to the sixth position with respect to leading AI specialists, behind the United Kingdom, Germany, France and Italy.

In this context, it is clear that the international scenario encompasses a geopolitical and economic dispute over technological development and the production of talents that create innovative projects for industry 4.0. China sees the evolution of AI as an opportunity to highlight its national strength and scientific pioneering spirit, and while still far from overtaking the US in terms of its talent pool, it employs many policies to bridge the gap in the long run. The “Artificial Intelligence Innovation Action Plan for Institutions of Higher Education” (2018), which will be analyzed in the results section, is a great example of this future vision to become the main world center in research and development. Finally, it is opportune to illustrate part of President Xi Jinping's speech in 2018, when he calls for healthy AI development.

Accelerating the development of a new generation of artificial intelligence is an important strategic starting point for us to win the initiative in the global scientific and technological competition. It is also an important strategic resource to promote the development of China's science and technology, optimization, industrial upgrading and general productivity leap. (Xinhuanet, 2018⁹)

In view of the above, Rosales (2020) emphasizes that the national revitalization of China, through economic integration with the rest of the world and the positive reception of modern scientific and technological advances, was the Chinese dream of all leaders who succeeded the policy of closing of Mao Zedong. In terms of foreign policy projection, Professor Yan (2014) alludes that Xi Jinping changed the low-profile profile of international relations to a determination in striving for achievement. It is noted, therefore, that innovation has a fundamental role in the pursuit of the Chinese dream for a worldwide presence.

⁹ Original: “加快发展新一代人工智能是我们赢得全球科技竞争主动权的重要战略抓手,是推动我国科技跨越发展,产业优化升级,生产力整体跃升的重要战略资源.”

Next, we will make a historical retrospective of the importance of innovation for the country, analyze the educational reforms in the last decade for higher education and, finally, address the modern dilemma of work, unemployment and automation.

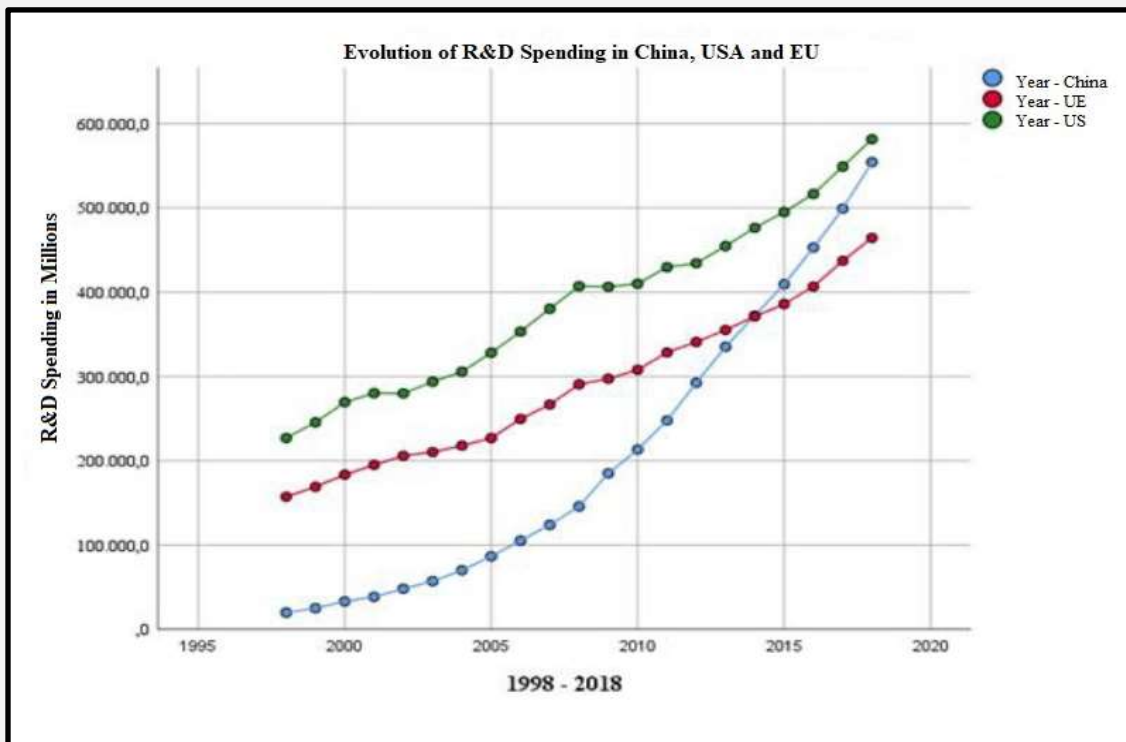
4.2. Innovation Dilemmas: Challenges and Opportunities for Chinese Politics and Economy

When analyzing the role of science as a national development project, Wu (2019) looks back on China's last 150 years and argues that research and technology have always been strongly rooted in the country's culture. In addition, as pointed out, the last decade of the 21st century was marked by an expressive search by the Chinese government for Réncái (才 - talented individuals), as well as massive investments of Government public policies exclusively for the promotion of innovation in the State.

In this context, there is a certain consensus in the literature that it is from the government of Deng Xiaoping that China begins its technological trajectory and economic opening that allowed the country to reach the level it has today (SHAMBAUGH, 1993). One of Xiaoping's main objectives was to modernize four strategic areas for the Chinese economy: agriculture, industry, science and technology and military defense (JUNG-SEUNG, 2012). Despite some setbacks throughout the country's political history, today China presents itself as one of the largest investors in cutting-edge technology and scientific research within its territory. The Chinese government has been advocating a policy of scientific use since its inception, requiring research institutes and universities that serves the national economy, to solve practical issues and problems in the industry.

The graph below illustrates the exponential growth of Chinese investment in research and development (research and development - R&D) compared to the USA and the European Union over the past twenty years. The data were extracted from the OECD and attest that the budget for this area is close to the United States, as well as exceeding that of the EU bloc by millions of dollars. Thus, the narrowing of the curve demonstrates the country's strategic vision and continuity of the development plan created since the economic opening.

Figure 03: Investments Evolution in R&D in China, US and EU (1998-2018)



Source: OCDE

Under this prism of reform and opening up markets in China, it is important to highlight the expectation of a change in political structure with its entry into the World Trade Organization (WTO) in December 2001. Indeed, as the internet made the world hopelessly more connected, it was speculated that it was impossible to maintain a closed political regime in the face of advances in globalization¹⁰

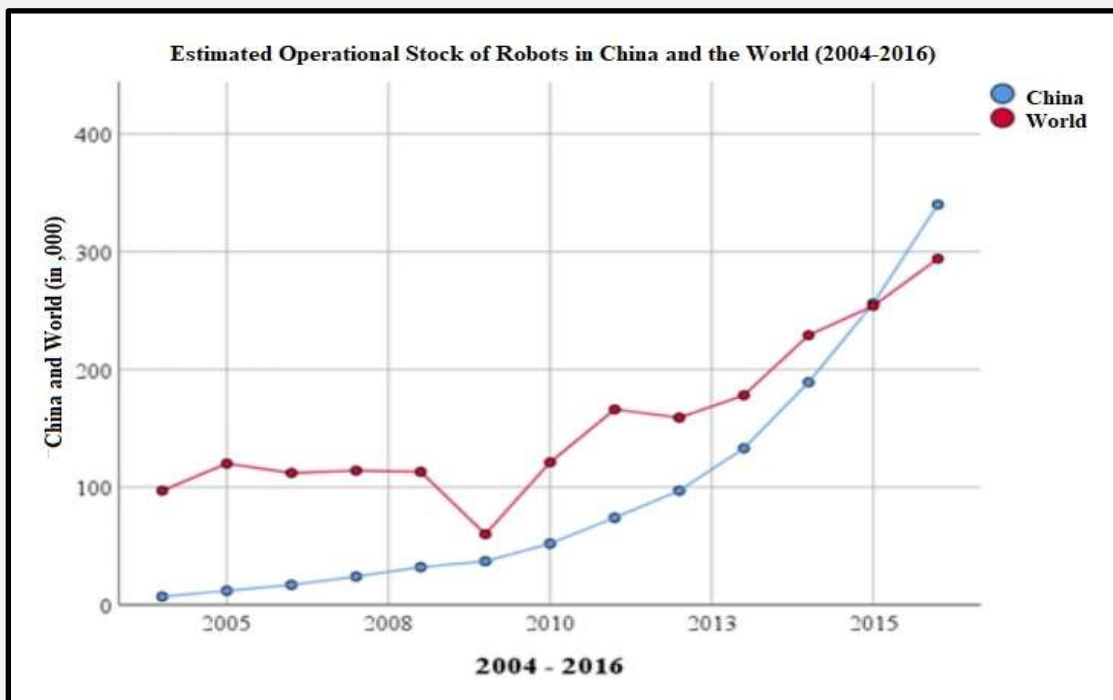
However, it should be noted that the Chinese system has shown itself to be quite firm and has managed to adapt to the new institutions and challenges that have emerged in the Digital Age. In fact, an empire of data has been built that strengthens the centralized political system, the basis of which is based on the ideology of the Communist Party. In this sense, Xi Jinping, in an important speech given on the 40th anniversary of the reform and opening up, expressed that the model of socialism with Chinese characteristics and the leadership of the party are elements that represent the great strength and socioeconomic advances of its territory. National and cultural identities are on their way to the center of the national community and many contributions have already been made

¹⁰ In 2000, former US President Bill Clinton made a speech with this line of reasoning, arguing that it was impossible for China to combat the open changes brought about by the massification of the internet. "We know how much the Internet has changed America, and we are already an open society. Imagine how much it could change China. Now there's no question China has been trying to crack down on the Internet. Good luck! That's sort of like trying to nail Jell-O to the wall. ". Available at <<https://www.nytimes.com/2000/03/09/world/clinton-s-words-on-china-trade-is-the-smart-thing.html>> Last accessed March 25, 2020.

to the progress of human civilization¹¹. Thus, it can be said that information technology is a great ally to the functioning and control of Chinese politics.

In this context, the continuity of reforms, maintenance of economic growth and safeguarding the quality of life of the population depend on facing some modern challenges. Rosales (2020) argues that the guarantee of stable and healthy growth in the country is linked to some socioeconomic transitions that occur simultaneously: the prevalence of consumption; the shift from traditional manufacturing to smart manufacturing; the expressive increase in the service sector; intense urbanization and industrialization; and demographic changes.

Figure 04: Estimated Operational Stock of Robots in China and the World (2004-2016)



Source: IFR - International Federation of Robotics

Regarding the latter, the author understands that the one-child policy, among others, has substantially changed the scenario of the country's economically active population. Despite still being the most populous nation in the world, China must prepare for a situation in which local labor may be lacking, given the growing population aging. To overcome this issue, it is suggested that China increase its productivity levels, when

¹¹ XINHUANET. “Highlights of President Xi Jinping’s remarks on China’s reform and opening-up”. 2018. Available at: http://www.xinhuanet.com/english/2018-12/20/c_137687815.htm. Last Accessed on April, 2nd 2020.

innovation, automation and the implementation of the Made in China 2025 plan come into play. A study by the International Robotics Federation (IFR, 2017) found that the operating stock of industrial robots in China marked the highest level in the world in 2016, in addition to highlighting the expansion of national market share, so that there was never an increase so dynamic in such a short period of time in any market.

However, this strategy of maintaining the high production standard through innovation and automation also causes social demands that challenge the healthy development of Chinese society. In effect, the problem of mass unemployment and substitution of occupations is capable of causing several disruptions, such as increasing inequality and decreasing quality of life. Spitz-Oener (2006) carried out a fundamental study by correlating the need to increase the requirements for new skills in the workplace due to technological changes. Its results are based on the fact that occupations have increased in complexity, insofar as repetitive and manual activities are programmable by computer, while tasks that require dynamic cognitive effort encompass a new reality at work. Thus, the author's analysis suggests that the change in occupational skills requirements explains a significant part of the educational update of the last decades.

Given this situation, the work of Chen et al (2019) takes an interesting approach to the impacts of automation in cities with different industry structures fostered by the State Council. The results show that cities with more dynamism in occupations and more government investments in educational reforms for higher education have more resilience in relation to the effect of unemployment through automation. In this context, large technological hubs such as Beijing, Shanghai, Guangzhou and Shenzhen have less negative developments from automation than cities Nanyang and Zhumadian. These cities, as they are specialized in isolated activities, such as agriculture and mining, should have the highest impact of unemployment. Thus, the two studies above demonstrate a correlation between the implementation of educational reforms, the replacement of tasks with new technologies and the resilience of the negative effects of automation.

When addressing the five themes above, it is clear the structuring role that economic development plays in Chinese politics and how technological development presents itself as a “double-edged sword”. If, on the one hand, technological input appears as a new factor of economic development, on the other, the lack of state planning can cause a lack of control between the rate of economic growth and the rate of

unemployment. This may threaten what some authors have agreed to call “the implicit governability pact” (ROSALES, 2020) between the Chinese state and society.

Finally, it is important to highlight that regulatory policies have been developed by the State in order to combat some deleterious effects of Industry 4.0. As illustrated, the White Paper on Security and Artificial Intelligence (2018) suggests the complete implementation of the “AI Action and Innovation Plan for Higher Education Institutions” (2018) in order to streamline the role of the new tasks that these disruptive technologies demand. Next, we will illustrate China's most important educational reforms in order to present, in the results, some significant data on the relationship of Universities in the policy of expanding innovation in the country.

4.3. From Quantity to Quality: Key Educational Reforms

Chinese educational institutions have an ancient tradition that goes back to the Tang Dynasty (in Chinese: 唐朝, 618-906). However, the historical outline that interests us for this article is the long process of educational reforms initiated by the Cultural Revolution of 1949, which flows into the current Chinese educational context. In 1949, the Chinese higher education model started to be deeply influenced by the current model of the former USSR, therefore, it was characterized by a structure strongly focused on the central government, through the allocation of resources, selection of University leaders and at the limit enrollment per institution. The first national education conference on the new regime was held in December 1949, and discussed the main normative guidelines for education defined in the Common Program of the Chinese People's Consultative Conference (CCPPC)¹² which established educational policies and had the task of raising the cultural level of people and training them for national construction works.

At that time, the main values established were patriotism, love of work and love of science. Current literature agrees on the understanding that there was a political commitment to the development of natural sciences at the service of industry, agriculture and national defense, and the application of a scientific and historical point of view to the study and interpretation of history, economics, politics, culture and international affairs. (CAI & YAN, 2017; HAYHOE, 2004). HAYOE (2004) reports that, between 1957 and 1960, the number of Chinese institutions rose from 229 to 1,289. Likewise, the percentage

¹² In chinese: 中国人民政治协商会议, China's advisory body that meets annually.

of students enrolled in engineering increased from 26% in 1949 to 37% in 1957, while teacher training increased from 10.3% to 26%.

However, the 1970s and Deng Xiaoping's reopening policy brought about new educational reforms due to the transition from a planned economy to a market reopening. CAI and YAN (2017) point out that the effective transition from the Soviet model to American influence in universities occurred only during the period between 1993 and 2010, when political strategies were introduced that emphasized the decentralization, liberalization and privatization of University education. It is important to highlight that the result of these reforms impacted the number of Universities controlled by the Ministry of Education, which dropped from 358 to 35 until the 2000s.

In addition, these changes have resulted in developments in the percentage of this control by the central government, which fell from 51% in 1995 to 9% in 2002, with a view to transferring the tutelage of these institutions to local governments (HONG, 2008). This last cycle of reforms aimed to favor the environment of collaboration and knowledge-transfer between local universities and industry, which generated a greater strengthening of the autonomy of Chinese technological hubs, such as Beijing, Shanghai, Guangzhou and Shenzhen. (HONG, 2008). However, FUTAO (2017) argues that these reforms focused on decentralization were fundamental to provide less political interference and more autonomy for the academic development of the provinces, but the basic characteristics of governance and internal politics, in general, are still quite influenced by the Central Government.

With regard to educational reforms, it is important to highlight the two most recent ones, which reflect the rapid Chinese economic growth and the relevance of innovation to ensure the healthy development of the country's new consumption and production demands. Thus, on the one hand, in 1993, the "Outline for China's Educational Reform and Development (1993 - 2010)" was published, in which strategies were introduced that promoted the massification of courses and the broad entry of students to higher education.

On the other hand, in 2010 the State Council enacted the National Plan for Educational Reform for Medium to Long-Term Development (2010 - 2020), based on the ideology that education is the pillar for the nation's rejuvenation and social progress. CAI and YAN (2017) assert that the difference between the reform from 1993 to 2010 is the alteration of a model focused on quantity for the quality of universities. Chinese. Thus, it can be said, in general, that the higher education system has undergone deep reforms,

which have the following priorities: transformation of governance in higher education, restructuring of institutions, construction of world-class universities, social involvement and internationalization of the university, whose objective is to attract more talented students.

Furthermore, it is important to highlight two national projects that were fundamental to demonstrate the deep involvement of the communist party in transforming universities into quality institutions at the international level. The "National Project 211", whose name is formed by "21", the new century, and "1", which refers to an average of 100 universities, started in 1995 with the government's intention to invest heavily in development higher education and improve national production standards for scientific research. In total, 117 were awarded in order to cultivate talents for the country's economic and social development strategies.

In addition, in May 1998, the Chinese government launched the "National Project 985", whose name is related to the date of its edition, May (month "5") of the year "98", with the clear objective of promoting internationalization of students and establishing several world-class universities. Only 39 (thirty-nine) institutions were contemplated, and all of them are listed in the "National Project 211". The project involves national and local governments that allocate funding to certain universities in order to build new research centers, improve facilities, hold international conferences, attract world-renowned professors and visiting academics, in addition to helping Chinese professors to attend conferences in the outside.

Therefore, it is noted that China has a clear policy of expanding the quality of universities, in order to reach international levels of productivity and scientific research. At first, as analyzed, the search was to massify the entry of students in higher education institutions, in order to expand this access to the plan of the entire nation. In this perspective, this coordinated effort by the Central Government and the locals has promoted advances in the classification of Universities in global measurement indices. The Times Higher Education¹³ has a global reputation for measuring the quality of higher education worldwide, and in the last ranking of 2021, some Chinese institutions stood out in the ranking among the 100 best rated, including Tsinghua University (20th), Peking

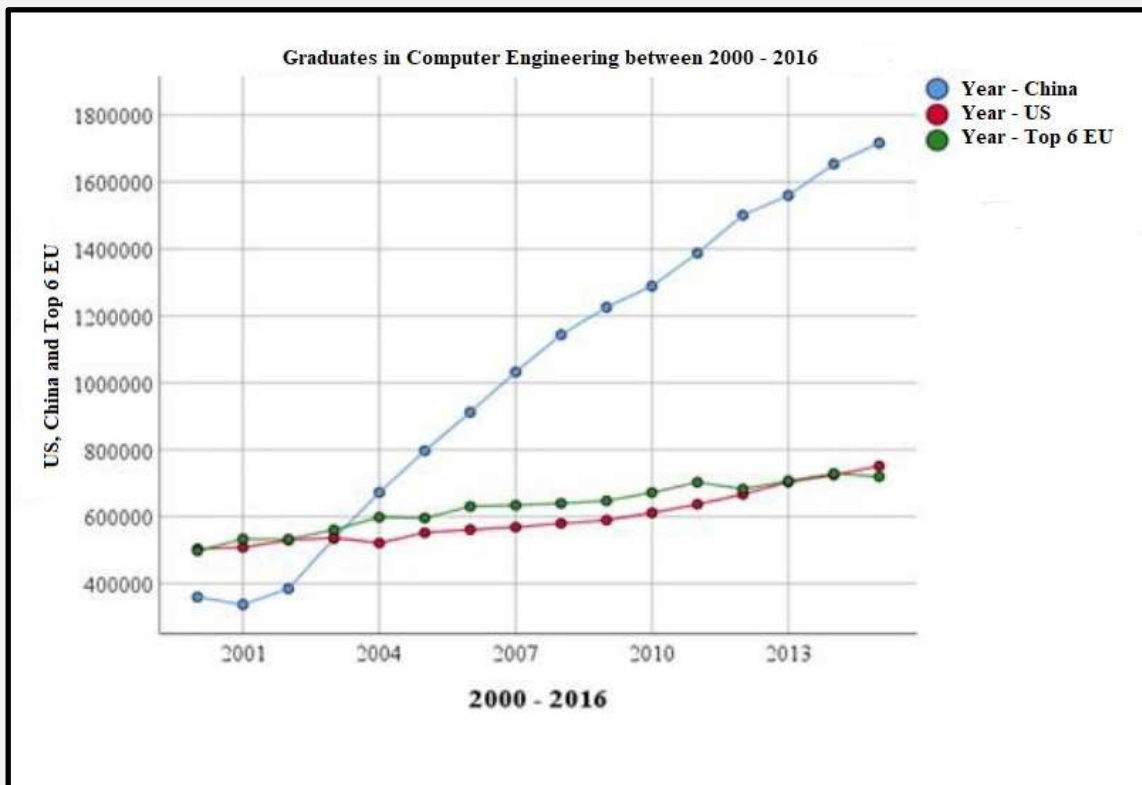
¹³Times Higher Education. *World Universities Ranking 2020*. Available at: <https://www.timeshighereducation.com/world-university-rankings/2020/world-ranking#!/page/0/length/25/sort_by/rank/sort_order/asc/cols/stats>. Last Accessed April, 20th 2020.

University (23rd), Fudan University (70th), China University of Science and Technology (87th), Zhejiang University (94th) and Shanghai Jiao tong University (100th).

It is important to notice the last edition of the *Shanghai Ranking*¹⁴ (2020) where China obtained similar results, with emphasis also on Tsinghua University (29th), Peking University (49th), Zhejiang University (58th), Shanghai Jiao Tong University (63rd), China University of Science and Technology (73rd) and Fudan University (100^o). All of these universities, with the exception of the University of Science and Technology of China, are part of National Projects 211 and 985.

With regard to policy coordination in higher education to encourage innovation and Industry 4.0, there is an exponential growth in student interest in courses related to computing. In this sense, the two graphs below show the number of graduates and doctors (respectively) in the Computer Engineering course between 2000 - 2016 compared to the USA and the 6 largest European countries that produce these diplomas (France, Germany, Italy, Poland, Spain and the United Kingdom):

Figure 05: Computer Engineering Graduates per Year: US, China, Top 6 EU Countries (2000-2016)

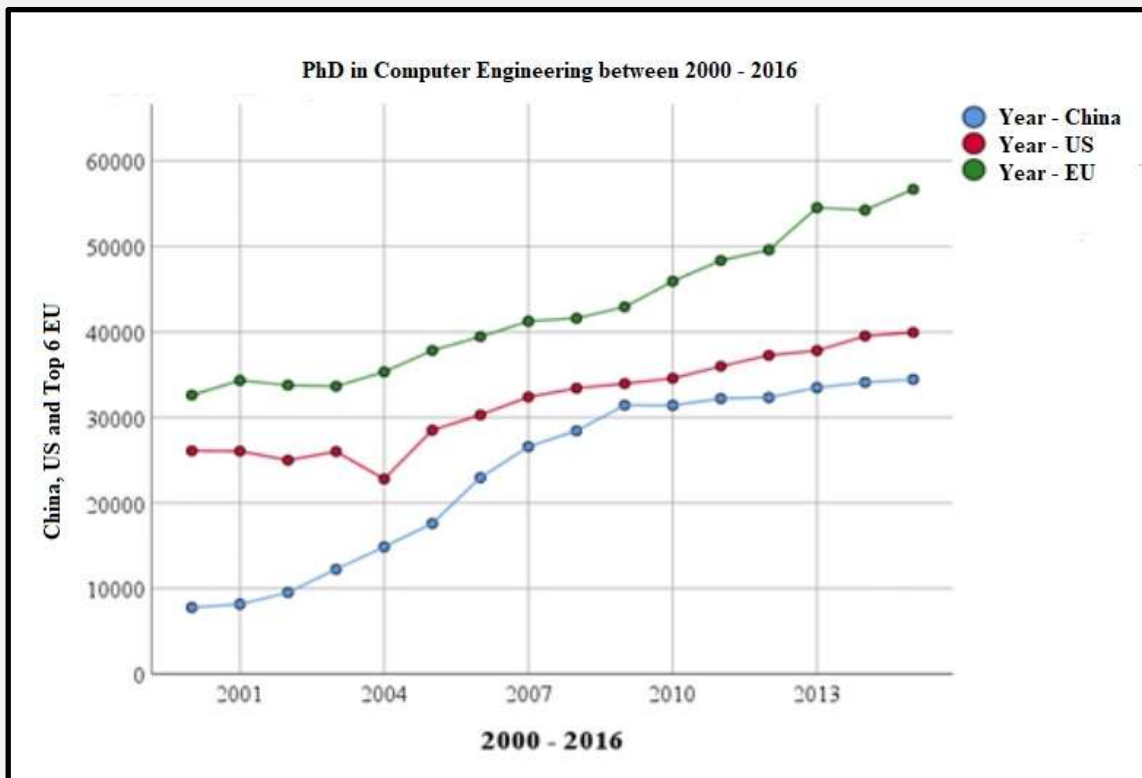


Source: IFR - International Federation of Robotics

14 Shanghai Ranking. Academic Ranking of World Universities. Available at: <<http://www.shanghairanking.com/ARWU2020.html>>. Last Accessed April, 20th 2020.

It is noted that China leads the training of professionals in computer engineering, producing more than one million graduates in this area in 2016, while the USA and the top 6 in the EU do not exceed 800,000 graduates in the same year. However, the graph changes considerably in relation to the training of doctors in the same area, with the EU as the leader.

Figure 06: Computer Engineering PhDs per year (2000-2016)



Source: IFR - International Federation of Robotics

Source: IFR - International Federation of Robotics

Furthermore, it is important to illustrate that several Chinese universities, paying attention to the recommendations of the AI Action and Innovation Plan for Educational Institutions (to be analyzed in the next item), have integrated laboratories of modern technologies combined with AI to promote innovation. Below there is a table with the Chinese institutions and their respective institutes:

Furthermore, it is important to illustrate that several Chinese universities, paying attention to the recommendations of the AI Action and Innovation Plan for Educational Institutions (to be analyzed in the next item), have integrated laboratories of modern technologies combined with AI to promote innovation. Below is a table with the Chinese

institutions and their respective institutes¹⁵. As for citations in the world of AI articles, the University of Systems of California (USA) leads in this classification, followed by the Chinese Academy of Sciences and Technology (2nd).

Table 02: List of the main Chinese Universities and their respective Integrated Artificial Intelligence Laboratories.

Top Chinese Universities	Integrated AI Laboratories
Tsinghua University (Project Participant 211 and 985)	State Laboratory of Technology and Intelligent Systems
Peking University (Project Participant 211 and 985)	State Laboratory for the Processing of Visual and Auditory Information; Machine Perception Laboratory
Chinese Academy of Sciences and Technology	State Standards Recognition Laboratory; Intelligent Information Processing Laboratory
Zhejiang University (Project Participant 211 and 985)	Institute of Artificial Intelligence; I-MD Research Center for Artificial Intelligence
Shanghai Jiao Tong University (Project Participant 211 and 985)	Intelligent Computing and Intelligent Systems Laboratory (co-developed with Microsoft Research Asia)
Nanjing University (Project Participant 211 and 985)	State Laboratory for New Software Technology
Fudan University (Project Participant 211 and 985)	Institute of Science and Technology for Brain-Inspired Intelligence
Harbin Institute of Technology (Project Participant 211 and 985)	Laboratory of Natural Language and Speech Processing
China University of Science and Technology (Project Participant 211 and 985)	National Engineering Laboratory for Brain Inspired Intelligence, Technology and Application
Beijing Post and Telecommunications University (Project 211 Participant)	Mobile Robot and Intelligent Technology Laboratory

Source: China AI Development Report (2018)

In this perspective, it can be said that China is making great strides in its goals of winning quality higher education institutions. With regard to innovation and scientific

¹⁵ China AI Development Report, 2018. Page 16.

production, it is clear that the Government includes universities as a fundamental ally in the search for a body of talent worldwide, capable of moving the nation towards progress, international competitiveness and economic development. It is understood, therefore, that the cultivation of a highly qualified workforce is fundamental for China to be able to make the transition to an economy based, above all, on innovation.

In the next section, we illustrate the results of our content analysis of two essential documents so that we can understand the Chinese strategic vision for AI and its scientific production.

5. Document Analysis

5.1. Document Analysis of the Next Generation Artificial Intelligence Development Plan

The Next Generation Artificial Intelligence Development Plan is a document issued by the Chinese Council of State addressed to the provincial governments, autonomous regions and municipalities directly subordinate to the Chinese central government, as well as to all ministries of the State Council and institutions directly controlled by him. The plan not only outlines China's political objective in relation to S & T & I, but also presents evidence of the Chinese state view. Below, we present the inferences of this document analysis.

The Development Plan of the Chinese State Council is a thorough and detailed document that outlines the Chinese political strategy on the use of A.I. The document is divided in a way that presents the strategic vision of the Chinese State and the general requirements that are subdivided into four categories. Then, it delimits the essential tasks that must be performed by the State and all subordinate bodies. There are 16 tasks subdivided into 6 strategic categories. Finally, the council presents how the allocation of resources will take place, the security measures of the strategic plan, and, finally, it deals with the organization and implementation of the A.I for the new generation.

With regard to the strategic vision presented by the State, it is interesting to highlight the government's understanding that: *“artificial intelligence has become the new focus of international competition, and it is believed that it is the strategic technology that will lead the future; the main developed countries in the world consider its development as the main strategy to increase national competitiveness and national*

security.” In other words, there is a confidence in innovation and cutting-edge technology to guarantee a new Chinese space in the international system.

In addition, caution is noted with regard to China's current space in this system. You can see this motivation in the document in the following lines:

“Currently, China's national security and the international competition situation are more complex, so we must look at the world, plan the development of artificial intelligence at the national strategic level, firmly understand the strategic initiative of international competition during the new stage of development artificial intelligence, create new competitive advantages, open new spaces for development and effectively protect national security.”(p.2)

The general requirements for this development plan are divided into four categories: the guiding thinking, based on the ideology of the Chinese government, and the basic principles that should outline the AI for the new generation. Here it is relevant to mention them one by one: technological leadership, systematic structures, all oriented towards the market and open source. With regard to what systematic structures mean, it is possible to observe the government's will that AI will assist in the integration of various sectors of society, such as research, innovation and industry, as well as the latent understanding that the socialist system it is fundamental to this task, *"since (he) focuses on getting things done, promoting projects and creating a collaborative force between strengthening innovation capacity, institutional reform and the political environment."* The political goals of this plan converge with those of the second document analyzed, therefore, they will be treated as more specific in the next session.

Regarding the general implementation of this plan, it is worth highlighting the clearly defined political agenda of the Chinese state, which aims to fully support science and technology, economic, social development and national security, as it understands that through this technology, a comprehensive discovery of the capacity for innovation in China could be made. The state aims to strengthen the artificial intelligence industry, cultivate the smart economy to create a new cycle of growth for the next ten years or decades of economic prosperity in China. In this section, we explain the following lines

“we will build an artificial intelligence society to improve people's livelihood and well-being in society and to implement the people-centered development ideology; we will increase the national defense force of artificial intelligence to protect and safeguard national security.(p.7)”

With regard to the essential tasks of the plan, it is possible to map six categories of action: a) Build an open and cooperative technological system of artificial intelligence; b) cultivating a cutting-edge and efficient smart economy; c) Build a safe and convenient smart society; d) Strengthen AI in the field of military-civil integration; e) Build a safe and efficient intelligent infrastructure system; f) Establish a new generation of major AI science and technology projects. This last category can be seen as the guiding thread of this great Chinese enterprise, since that is where the leading role of innovative technological research is inserted. As we will see in the next section, the success of this initiative outlined in this document depends on the successful implementation of the Action Plan for Chinese Education Institutions.

However, before focusing on the analysis of the second document, it is worth mentioning the caution of the Chinese state that defined security measures to guarantee the success of this initiative. Security measures are based on six strategic points, which are: to develop laws and regulations and ethical standards that promote the development of AI, to improve the main public policies that support the development of AI, to set standards in the intellectual property system aimed at for AI technology, ensure supervisory and security assessment systems for AI, strengthen the training of the workforce that deals with AI on a day-to-day basis, and perform a wide range of scientific activities related to Artificial Intelligence.

5.2. Document Analysis of the Artificial Intelligence Innovation Action Plan for Institutions of Higher Education – Ministry of Education

The document is the action plan of the Chinese Ministry of Education that serves as a guide for the action of Chinese universities in relation to the use of Artificial Intelligence, issued in 2018 and aims to encourage higher education institutions to focus on the vanguard of global science and technology, continually improving the ability to promote scientific and technological innovation, international cooperation and exchange, in addition to providing training in the field of AI and providing strategic support to the Artificial Intelligence Development Plan, which was the document analyzed in the section above. Below, we present the main inferences of this documentary analysis.

Right in the basic precepts of this action plan, what draws attention in the state discourse is the concern with the citizen-IA relationship in the passage that demonstrates the state's view of what this relationship should be like: “*The Chinese people's desire for*

a good life and the requirements for high-quality economic development have created a bright future for the development and application of AI in China.” It is possible to infer a concern for social well-being and the notion that the development of S&T&I is a resource that can assist in relation to this state concern.

Still on the basic precepts, the Chinese state declares the understanding that:

“AI technology is permeating and reconstructing the connections between the economic activities of production, distribution, exchange and consumption.” and therefore it is necessary to *“use AI to innovate in new ways of providing training, revolutionize teaching methods, improve academic administration and create an intelligent, networked, personalized and lifelong education system as an important measure for promote the development of balanced education”*.(p.2)

The excerpt reiterates the Chinese commitment to educational modernization, a topic discussed in our theoretical discussion session. The difference that can be expected for this new phase (post-2018) is the new role of A.I in the Chinese educational model. It is also one of the general political lines of the Ministry of Education to understand that universities should: a). intensify its basic applied research and increase the advances in the main technologies of general use, b) to continuously promote the wide integration of artificial intelligence with the real economy, in order to promote new drivers of economic development.

With regard to the guiding ideology of the ministry's policy, the action plan reiterates the commitment to Xi Jinping's political line on Chinese Socialism with characteristics for a new era, which is spelled out in the President's two published works. In addition, the ministry reaffirms its ideological commitment to: 1. development philosophy focused on innovation, coordination, environmental sustainability, openness and solidarity, 2. strategic policies that include the rejuvenation of China, 3. support for science education, 4. strengthening of China with Réncái [Talented Individuals], 5. innovation-oriented development and 6. civil-military fusion.

When analyzing the basic principles of the document, it is possible to outline four types of principles: those related to scientific development, civic development, structural development and civil-military development. The first concerns the notion of the centrality of the role of Innovation for the development of AI in universities and, consequently, in the economy. Civic development is about understanding the need to merge science and education and fully implementing a plan that promotes civic character and virtue. Structural development concerns the intensification of structural and

institutional reforms that strengthen cooperation between colleges and universities and local governments, companies and research institutes. It also concerns the objective of accelerating the transfer and application of scientific and technological achievements in the field of AI to the main industries and economic sectors. Finally, the basic principles in relation to civil-military development relate to the Chinese will to actively merge China's military and civil integration systems and to continuously promote the bi-directional transfer of military and civilian technologies.

Consequently, the Chinese Ministry of Education has ambitious political objectives to be achieved. Delimits that by 2025 China should significantly improve the capacity for scientific and technological innovation and the quality of training in the field of artificial intelligence, and demonstrate internationally theoretical relevance in the scientific field of S&T&I and AI, which demonstrates political ambition in the development of hegemony in the cultural and scientific field. In addition, they intend by 2025 to modernize national industries, transform the economy and build an intelligent society (with the active use of AI). The goals set for 2030 have the goal that by this year, universities will become the main force behind building the world's leading AI innovation centers and will lead the development of a new generation of AI talent to provide to China scientific and technological support and guaranteed talent to put the country at the forefront of innovation-oriented countries.

The remainder of the document presents 18 essential tasks that universities and their deans must fulfill to ensure that political objectives are achieved. The focus on the international academic cooperation that Chinese universities must have draws attention, some of the guidelines concern the exchange of scientists, as well as the importation of brains that can help in initiatives aimed at expanding scientific development and training new scientists. In addition, the deep concern with the insertion of Chinese research in the international academic-scientific debate. In addition to these tasks of expanding the development of S&T&I, there is a latent concern at the end of the document to transform this scientific capital into S&T&I into commercial products and to demonstrate to the international market the ability to apply AI in fields such as finance, agriculture, architecture, production, judiciary and related fields.

6. Conclusion

In view of the above, we can see that China's continuous search for Réncái (talented individuals) has a broader and more ambitious objective than just guaranteeing a body of talent in specialized scientific research. Behind these goals is a political agenda that aims to strengthen your nation, but more than that, an implicit (sometimes even explicit) feeling of actively participating in the construction of a new technology-friendly society, guided by a notion of well-being for people. Undoubtedly, massive public investments and educational reforms in the country encompass a long-term strategic plan that includes safeguarding the shift from a manufacturing economy to an innovative and service-oriented one; a geopolitical plan for international competitiveness with regard to the dream of scientific and technological leadership; and the alliance of Industry 4.0 innovation with a new, highly qualified workforce that is able to combat the unwanted effects of automation.

However, as stated, there are still many pitfalls for China in its talent hunt and production of innovation for technological leadership, since the United States has a large advantage in this regard. According to researcher Zhang Jiang, *“there is still a very big gap before China can lead the competition, because it lacks fundamental innovations. China is still a good student, but not a good innovator.”* (p. 261)¹⁶.

With regard to our research question: "how has China acted, in terms of public policies for higher education, in order to guarantee its technological and economic progress in the face of the social impacts of automation?", Was it possible to observe so much the history of the role given to universities in Chinese politics, the evolution of educational reforms, the evolution of autonomy of research centers in relation to the central government, and the role of universities in the process-making of the Chinese government.

We emphasize that the research design used here, as well as all research models, has limitations, which is why we encourage the growth of the research agenda on this topic, but it is possible to affirm the importance of the role of Chinese universities and the alliances between market and universities when we observe the advancement of the use and research in technological innovation in the country. However, the Chinese government's view appears to be that the greater the economic development, the greater

¹⁶ CYRANOSKY, D. "China Enters the Battle for AI Talent". *Nature*, 553, no 7688 260–61. <<https://doi.org/10.1038/d41586-018-00604-6>>. 2018.

the inputs for research, which consequently will generate greater economic development. However, this understanding may overestimate the consumption capacity of the world market, but these and other issues cannot be analyzed here, so we suggest and encourage them to be investigated by our fellow researchers.

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The Chinese Educational Cooperation: a case study on the Chinese Government Scholarship System

A Cooperação Educacional Chinesa: um estudo de caso sobre o Sistema de Bolsas de Estudo do Governo Chinês

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Abstract: This article has the exploratory aim of answering some of the hugest doubts of undergraduate and graduate university students about living in China while attending higher education. In this sense, this paper will highlight important aspects concerning the Chinese education system, explaining how it works so that readers could understand some differences and similarities between Brazil and the People's Republic of China. Furthermore, the main reasons for pursuing a postgraduate degree in that country will be mentioned, taking into account the author's impressions of attending a master's degree and Ph.D. in that country. For this purpose, a case study on the Chinese Government Scholarship will be done, emphasizing the Chinese University Program category, a full scholarship for postgraduate students. Ultimately, the procedure for having a successful application will be detailed.

Keywords: Scholarship; Education; China; Postgraduate Studies.

Resumo: Esse artigo tem o objetivo exploratório de responder algumas das maiores dúvidas dos alunos universitários de graduação e pós-graduação a respeito de morar na China cursando o ensino superior. Nesse sentido, o trabalho dissertará sobre o sistema de educação chinês, expondo como o mesmo funciona para que os leitores compreendam algumas diferenças e similaridades entre o Brasil e a República Popular da China. Neste sentido, mencionaremos os principais motivos para se cursar uma pós-graduação, levando em consideração as impressões pessoais da autora que cursou mestrado e doutorado no país. Para essa finalidade, será utilizado um estudo de caso sobre *a Chinese Government*

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Scholarship na categoria *Chinese University Program*, que é uma bolsa de estudo integral voltada para alunos de pós-graduação, detalhando o procedimento para se ter uma candidatura bem-sucedida.

Palavras-chave: Bolsa de estudos; Educação; China; Pós-graduação

1. Introduction

China is a country that has closed itself off from the world for many years. That is why unreal stereotypes about this nation are common. Intending to promote cooperation, exchange, and mutual understanding, the Chinese government has shown considerable interest in educational cooperation with several countries, encouraging international students, teachers, and academics - preferably from developing nations - to conduct research at its universities.

Given the country's socioeconomic and educational opening, it was observed that, in recent years, the curiosity of international students to experience a new culture and quality higher education, combined with the financial incentive that the Chinese government offers, has increased the number of foreign students enrolled in the universities of this nation. However, compared to other nationalities, the number of Brazilians studying in the country is still low. Several reasons could explain this fact, such as mistaken thoughts concerning the communist regime and airline tickets' high cost. However, Chinese higher education is gaining more and more prestige. Some of the country's universities, such as Tsinghua and Fudan, are on the list of the best in the world. Also, according to data from the Programme for International Student Assessment (Pisa, 2018), which is one of the most relevant educational quality tests at the global level - conducted by the Organisation for Economic Co-operation and Development (OECD) -, aiming to measure the educational prestige of institutions in several countries, China ranked first in the world in terms of good development in the areas of reading, mathematics, and science.

In this sense, the article highlights the importance of the international educational cooperation that China has been developing, making a case study on the Chinese Government Scholarship program utilizing the Chinese University Program category as an example. That is a specific modality of the scholarship program for foreigners who want to attend a postgraduate course, detailing the importance of this financial incentive for Brazilians who intend to study in the country. Thus, it is hoped that this article will

encourage more Brazilians to pursue postgraduate studies in China and clarify the main doubts of students regarding the scholarship.

For this purpose, in addition to the traditional methods of qualitative research, such as information from official Chinese government websites, reports, books, and scientific publications, the article will include information based on the author's experience in China, as a Chinese government fellowship student, for the achievement of her master's and doctorate degrees.

2. The Chinese Educational System

Education in China is a right for everyone and is very similar to Brazilian and Western countries in dividing educational cycles (primary, secondary and higher education).

Public schools and universities in the country are of the highest quality; however, due to increased competition and large population, places in the best government institutions are filled according to the grades obtained in the admission exams.

In order to enter high school, Chinese students need to take the *Zhong Kao*. This test checks students' skills to continue their studies at that stage and determine whether they will go to the most renowned schools or not. According to their percentages in the exam, they will be directed to different types of institutions. There are few private schools in the country, which are generally international schools, attended by privileged class citizens and international students, such as the children of diplomats. As in Brazil, the Chinese have twelve years of school education, according to the Compulsory Education Law of the People's Republic of China of 1986 (义务教育法 / 義務教育).

In Brazil, the most important laws that govern the educational system are the Federal Constitution and the Law of Guidelines and Bases for National Education (Law No. 9394/96). Unlike in China, Brazilian students who attend high school do not need a specific test to test their knowledge. In this sense, what determines the type of school the student will attend is only their socioeconomic condition.

The economic globalization and changes in the international system have made Chinese higher education to undergo reforms. The leader Deng Xiaoping was responsible for reorienting the People's Republic of China's educational policy and changed the university admission structure from an earlier recommendation-based approach to an exam driven process. Before this representative came to power, the higher education in

the country was very centralized. The government was the one that planned and managed this sector in addition to stipulating the students' curriculum, due to the money they invested in them, in addition to choosing even where recent graduates should work. With the advent of the 1978 economic reform, the new system has enabled graduate students to reach an agreement with prospective employers with reduced Chinese government intervention and more flexibility in the learning process.

In this sense, after the Open-Door Policy, Deng Xiaoping realized how fundamental and strategic education would be to achieve national ambitions such as modernization, economic development, and social progress. Before, education only served the political ideology and social stability of the socialist regime. The curriculum reform, methodological innovations, and the demand for national education assessment directly benefit all students. According to Yang (2005), this reform process, however, is not exempt from some problems, such as the uneven expansion in different teaching modalities, the increase of regional disparities in access and quality of higher education, and the relationship between the continuity of good traditions and change with the internationalization of academic education.

Currently, the Chinese have a test similar to a public assessment along the lines of the Brazilian National High School Exam (*Exame Nacional do Ensino Médio- ENEM*), called *Gaokao*, which is the National College Admission Exam (NCEE). Both exams cover general and specific knowledge. Among the various strategies adopted by the Chinese government to boost university study and increase the number of people at those establishments, the government subsidy stands out even for students to attend private entities. It is also observed that the country encourages higher education by subsidizing higher education through the sharing of costs between the government and students since even in public institutions, students are subject to paying university fees.

According to the Ministry of Education of The People's Republic of China (MOE, 2020), Chinese education authorities and universities have opened a hotline for financial aid to underprivileged university students to alleviate their families' concerns about university financial support. In Brazil, there are also several funding programs for higher education for students who attend a private university and have difficulties in paying for their studies, such as the University for All Program (*Programa Universidade para Todos- Prouni*), which, like in China, is linked to the Brazilian Ministry of Education and provides the full or partial scholarship. Therefore, low-income students can take a degree

and can be selected according to the grades obtained in the National High School Exam (ENEM).

It is worth mentioning that some students have more practical skills in China and do not have very promising school resourcefulness. Therefore, they opt for technical and professional courses and schools to enter the labor market without necessarily academic training, which lasts between 3 and 4 years. Secondary school students who have not attended the best public schools can also do the *Gaokao* exam and study at the superior vocational institution getting a Professional Higher Education. However, this fact is very unusual, and they opt for more practical jobs, which do not require university training.

There are also several technical schools and vocational courses in Brazil, which generally have as a prerequisite the student having completed high school. Technical schools offer apprentices a technical-level diploma that the Ministry of Education (MEC) recognizes and makes all the basic requirements of a higher education course, such as presenting a final course assignment. The vocational courses do not require MEC approval. Therefore, they do not demand stricter requirements as a mandatory internship, are more flexible in terms of duration (6-24 months), and do not require course completion work.

China has short-cycle colleges, which are a kind of higher technical education (专科学院校 / 专科学院校) and focused on the labor market. Besides, most traditional colleges and universities generally last up to four years, offering academic courses for bachelor, master, and doctoral degrees (Morche, 2013). In China, the academic year has two semesters, with twenty weeks of classes, and they start from September to January and after from February to June².

According to data from the China Educational and Research Network (CERNET, 2020), there are 3,005 higher education institutions across the country, of which 2,740 are regular colleges and universities (HEI's) - 1,258 of which are graduate colleges and 1,482 of higher vocational colleges - and 265 colleges for adults. In this list, the institutions of Hong Kong, Macau, and Taiwan are exempt.

² For more detailed information about the Chinese education system, access: Uwe, B; Jiani, Z. (2007, October). Higher Education in China in the light of massification and demographic change Lessons to be learned for Germany. Arbeitspapier Nr. 97. Retrieved from https://www.researchgate.net/publication/320267555_Higher_Education_in_China_in_the_light_of_massification_and_demographic_change_Lessons_to_be_learned_for_Germany_Higher_Education_in_China_in_the_light_of_massification_and_demographic_change_Lessons

As reported by the data from the Higher Education Census of INEP / MEC (2018), there are a total of 2,537 universities in Brazil, of which 299 (11.8%) are public institutions, whereas 2,238 (88.2%) are private. Table 1 shows a comparison between the educational system from China and Brazil

Table 01: Chinese and Brazilian Educational Systems

Educational Level	China	Brazil
Pre School	3 years (not obligatory)	Early childhood education: daycare (about 4 years) + Preschool (3 years)
Primary / Elementary School	9 years (compulsory) Primary School (6 years) + Junior Secondary School or Junior Secondary Vocational School (3 years))	9 years (compulsory)
High School	Senior Secondary School or Secondary Vocational School (3 years), entrance with <i>Zhong Kao</i>	3 years Does not need any entrance exam
Higher Education	Perform the <i>Gaokao</i> test Regular Higher Education Institution (HEI's) or Higher Vocational Institutions Graduation: 3-4 years Master: 2-3 years Doctorate: 3-5 years	Admission through entrance exam / ENEM depending on the course. Variable duration usually up to 4 years Technical courses (18-24 months)

Source: Author's Elaboration

Due to the high quality of Chinese education, studying abroad is not a priority of the government regime for the country's citizens. However, there is a political agenda of the Ministry of Education (MOE) of the People's Republic of China that encourages Chinese students to study abroad and then return to the country with the acquired knowledge³, which has been a successful strategy, especially for postgraduation students, since many Chinese seek the prestige of studying at the best universities in the world.

According to the MOE data (2019), the total budget for education spending in China was 5,017,500,000,000.00 RMB (USD 752,625,000,000.00), of which 1,346,400,000,000.00 RMB (USD 201,960,000,000.00) was invested in higher education. According to the Transparency Portal (*Portal da Transparência*, 2019), the Brazilian government had a budget for the education area of R\$ 118,400,000,000.00 (USD 22,496,000,000.00) and the total expenses incurred for the area was R\$ 94.470.000.000,00 (USD 17.949.300.000,00⁴).

³ 2. See more on Ministry of Education of The People's Republic of China. (2020). The Overall Situation of Studying Abroad. Retrieved from http://en.moe.gov.cn/cooperation_exchanges/201506/t20150626_191376.html.

⁴ For more information visit Ministry of Education of The People's Republic of China. (2019). China's education spending for 2019. Retrieved from http://en.moe.gov.cn/news/press_releases/

3. Why Attend a Postgraduate Course in China?

This section of the article was based on the author's experiences as a Chinese government scholarship holder for a master's and doctorate. Therefore, it will address issues regarding the experience in this nation during six-years. After all, what is the difference between a postgraduate degree in China and Brazil? For such a doubt to be resolved for readers, it is necessary to answer this question in the first instance.

The selection process for a master's and doctorate course in Brazil usually takes place as follows: written exams on general knowledge in the area of interest, an oral test, evaluation of proficiency in foreign languages, letters of recommendation, presentation of a research project, and in some cases, requirements for articles published in renowned scientific journals.

In China, on the other hand, the selection process for international students is relatively more straightforward. It does not require examination taking, just a good research project, letters of recommendation from recognized professionals in the desired area of study, and language proficiency tests in English or Chinese. Obviously, other documents are required, but these three elements are the most decisive for obtaining a scholarship and a successful application.

The selection process for admission of Chinese students to postgraduate courses is similar to that of Brazil. Still, it will depend a lot on the university and educational departments in which the student intends to study. Some universities will require a written admission test, a research project, and an oral interview. Others will choose only the interview and project combined with other necessary information needed for the application.

There is diplomatic assistance in publicizing the opportunities for Chinese scholarships by both China and Brazil. Applicants can apply for scholarships through government education agencies, designated institutions, or Chinese diplomatic missions in their home countries. Until 2018, the scholarship application procedure was carried out by the Educational Cooperation Division of the Ministry of Foreign Affairs (DCE / MRE). Still, currently, it is requested directly with the Chinese embassy in Brazil.

[202006/t20200622_467671.html#:~:text=In%202019%2C%20the%20total%20spending,%2C%20up%208.25%25%20from%202018](#)

As already mentioned at the beginning of the text, there are still unrealistic perceptions about the People's Republic of China, especially regarding the communist political regime. Therefore, the student who wishes to study in the country must have an open mind and willing to experience a different culture. One will find that many of the stereotypes in force about that nation are obviously unreal.

According to data from the Chinese Ministry of Education (MOE), the number of international students who graduated from higher education institutions in the country in June 2020 was equivalent to 172,571. In the coming spring semester, 333,072 foreign students have already been selected to study in China in 2021. The most recent statistical report on international students in China (MOE, 2018) points out that approximately 492,185 foreign students from 196 countries study in 1,004 Chinese institutions, excluding international students from Hong Kong, Macao, and Taiwan from this list. Students from the Asian continent account for 59.95% of international students in China, while Africans are in second place with 16.57%, Europeans in third with 14.96%, Americans in fourth with 7.26%, and finally, those in Oceania with only 1.27%. The number of Brazilian students is relatively low compared to other foreigners in the country due to cultural and language barriers. Data from the MOE (2018) also report that 258,122 international students were enrolled in undergraduate programs, 85,062 in postgraduate courses, of which 25,618 were pursuing doctorates while 59,444 were masters. Finally, 63,041 international students (12.81%) received scholarships from the Chinese government.

Higher education in China is of the highest quality, as shown in this article's first session. Chinese professors are highly respected and regarded professionals in society. Some professors in the field of International Relations, for example, are members of the Chinese Communist Party or have a doctorate at renowned world institutions such as Oxford, Harvard, and Science Po, for instance. Besides, some Chinese universities are in the ranking of the best institutions in the world, such as Tsinghua University (Beijing), Fudan University (Shanghai), and Peking University (Beijing). Tsinghua University is considered the best Chinese higher education institution. In 2017, it overtook the Massachusetts Institute of Technology (MIT) as the best university to study computer science, engineering, and chemistry (Paulk, 2017).

Concerning classes, it is noted that, generally, foreign graduate students who benefit from the Chinese University Program scholarship have classes with only other

foreigners taught in English, which is a great advantage, taking into account the complexity of Mandarin. Thus, Chinese professors teach Mandarin classes to foreigners who benefit from this scholarship to facilitate students' daily communication with the locals. On the other hand, bachelor students cannot be included in the Chinese University Program category since it is only aimed at master's and doctoral degree studies. They must study Mandarin and only take the course in Chinese since they usually learn with Chinese bachelor's students⁵.

It is possible to enter a Chinese university without a scholarship. However, in this case, the requirement is that students support themselves, which is practically unviable due to the high costs of housing, food, transportation, study materials, and school fees, all of which are funded by the Chinese government full scholarship. It is estimated that 429,144 (87.19%) of international students pay for their studies (MOE, 2018).

The Chinese Government Scholarship seeks to be very interdisciplinary with Brazilian students and grant scholarships for several knowledge areas. Therefore, in some universities like which the author studied, China Foreign Affairs University (外交学院) it is common to have a very diverse class and only one student representative from each country per classroom, but this is not a general rule.

The classwork, tests, and articles that international students have to write are submitted in English. In addition, class debates and presentations are a very enriching and transformative experience, as one learns a lot about China and the country of classmates, in addition to also providing a personal development when seeing the world with the perception of the other, learning to listen more and judge less, being a real opportunity for transformation.

Besides, being a foreigner in the country makes oneself a representative of the same in several events, offering students unique life opportunities. For instance, this author had the chance to be the Brazilian spokesperson for the UN China, giving two speeches at the 2018 International Youth Eco Movement on a Greener China, promoted by Chinese institutions and the United Nations Convention to Combat Desertification (UNCCD). Contacts with politicians, ambassadors, diplomats, intellectuals from different areas of knowledge, and students from other parts of the world open a great door of opportunities for students' personal and professional development.

⁵ Bachelor students can be beneficiaries of the Chinese Government Scholarship in several different modalities. However, the Chinese University Program is only for postgraduate students.

The scholarship students' routine is relatively intense, with classes in the morning, afternoon, evening, sometimes even on weekends. Holidays are not very common, as in Brazil, which has several festivities related to religious matters. There are only a few holidays, usually national and non-religious, and summer and winter vacations at the end of each semester. However, every end of the month, Chinese universities provide cultural activities free of charge for students to have the chance to visit the country's historical monuments, such as the Great Wall of China, the Summer Palace, the Temple of Heaven, the Forbidden City, which are world heritage sites classified by UNESCO, as well as opera and tea houses, kung fu, theaters, among other entertainments.

What do Universities expect from an international student? In order to maintain the scholarship, students will have to make an effort not to fail any subject and dedicate themselves to obtain good grades. If there is a lack of commitment on the part of the student, their full scholarship will be subject to being cut; foreign scholarship holders are periodically submitted to semiannual performance evaluations by the Chinese Scholarship Council. Therefore, the Chinese government scholarship is for serious students who aim for excellence and have a great research interest.

BRICS is also an important reason to study in China, as such multilateral cooperation is so beneficial for Brazil. China is the largest buyer of Brazilian commodities. It is very significant that Brazilian students research the BRICS, cooperate with the Chinese in the educational field, understand the country's reality, and overcome both nations' internal vulnerabilities in the technological, scientific, and commercial spheres.

Ultimately, the Chinese are very curious and thirsty for knowledge and exchange of ideas, so they finance research for students from different parts of the globe. To gain more respect and consideration from the natives, one must at least strive to learn to speak their language and be interested in the local culture. There is a lot to learn from the Chinese people's experience, who is very hardworking and committed to making the country progress.

4. The Chinese Scholarship Council (CSC)

The Chinese Scholarship Council (CSC) is the institution responsible for administering all Chinese government scholarship programs. This institution is also a

partner of the country's Ministry of Education. Currently, about 289 Chinese universities⁶, in partnership with the CSC, offer several enrollments in higher education courses for foreigners in different areas of knowledge and academic levels, such as international relations, law, medicine, history, engineering, fine arts, economics, literature, management, philosophy, education, science, agriculture, among others⁷.

The Chinese government offers a range of scholarship programs. However, the scholarship that will be focused on here will be the one that the author was a beneficiary of, that is interesting for outstanding students in their fields of study, who intend to follow a more academic area developing exclusive research lines for postgraduate students, that is the Chinese University Program, which will be discussed in the last section of this article.

Except for airline tickets, in Brazil's case - because depending on the country, the CSC grants round-trip transportation to China- this financing covers housing expenses on university facilities or a cost subsidy for students who want to live outside the university campus. Besides this, it also provides books and study materials, modest health insurance, monthly fees exemption, and a certain monthly amount for personal expenses - depending on what the student is studying. Undergraduate students receive around 2,500 RMB (USD 381), while the master's degree 3,000 RMB (USD 457) and the doctorate 3,500 RMB (USD 534)⁸.

Therefore, it is clear that the Chinese government has invested and provided substantial financial support to attract international students, fostering the exchange of knowledge and collaboration in the educational, academic, and scientific fields. In this sense, it is observed that China is putting into practice some principles of win-win cooperation, which would be a cooperation of mutual benefits, that is strategically important in its peaceful development policy through the dissemination of its culture with the world favoring principles of an international order based on multipolar values while maintaining socialism with Chinese characteristics⁹.

⁶ See detailed information about this institution and the types of scholarships offered by the Chinese government at the Chinese Scholarship Council. (2020). Introduction to Chinese Government Scholarships. Retrieved from https://www.campuschina.org/content/details3_74776.html.

⁷ Read more about universities and programs that accept international students with Chinese government scholarships at <http://www.csc.edu.cn/studyingchina> and <http://www.campuschina.org>.

⁸ According to the quotation of December 3, 2020, 1 RMB = 0.15 USD.

⁹ Read more about socialism with Chinese characteristics at Jiang, Z.M. (2002). On the Construction of a Fairly Well-off Society and the Creation of a New Situation in the Socialist Cause with Chinese Features. In a Report of the Central Committee to the 16th National Convention of the Representatives of Communist

5. The Chinese Government Scholarship Application Process in the Chinese University Program Category

After all, what does it take to pass the Chinese government scholarship selection process in the Chinese University Program category? In addition to the basic requirements set out in the selection procedure notice that can be found on the Chinese Embassy website in Brazil¹⁰ and on the CSC page (Campus China, 2020), it is necessary to have some criteria in mind.

Although the study of foreign languages, unfortunately, is not part of the reality of a significant portion of Brazilian society, and still a privilege of a few, this is a fundamental factor in the life of any student who wishes to apply for a scholarship abroad and obviously, opens paths and future opportunities. In that sense, the first prerequisite for getting a scholarship in China would be to be fluent in Chinese or English and take Chinese proficiency tests like HSK (*Hànyǔ Shuǐpíng Kǎoshì*) and English proficiency tests like IELTS Academic (International English Language Testing System), which is one of the most accepted and respected international exams, the TOEFL (Test of English as a Foreign Language) or the PTE Academic (Pearson Test of English Academic).

The Chinese government has a strong interest in awarding scholarships and funding research. Therefore, they seek outstanding students who end up becoming representatives of Brazil and specialists in their research area. Thus, the second most important advice and determining factor to pass in the scholarship selection process is the research project/study plan, since many Chinese universities do not require a motivational letter.

A good research project has to analyze the Chinese scenario, verifying whether the theme of international cooperation between Brazil and China in the proposed item would benefit the financing country in a bilateral or multilateral scope. Besides, a successful project must bring the element of innovation. Writing on frequently repeated or heavily studied topics is not the best option, as recruiters will generally not be

Party of China. Retrieved from https://www.fmprc.gov.cn/mfa_eng/topics_665678/3698_665962/t18872.shtml

¹⁰ On the website of the Embassy of the People's Republic of China in Brazil, it is possible to find the notice with all guidelines and information for Brazilian students to apply for scholarships offered by the Chinese Scholarship Council in the Chinese Government Scholarship category. See more at: Embaixada da República Popular da China no Brasil. (2020). Chinese Government Scholarship Program for the 2019/2020 Academic Year. Retrieved from <http://br.china-embassy.org/por/whjy/t1627589.htm>.

interested in funding research that already has several things written about. Therefore, candidates must analyze the area of knowledge they wish to study and look for possible knowledge gaps. The project must show why your study should be chosen in addition to being plausible and clearly demonstrate why you, among many other candidates, deserve to be a Chinese government scholarship holder.

This author, for example, was contemplated by the Chinese Government Scholarship / Chinese University Program twice: in her master's degree, she analyzed the Brazilian engagement with the BRICS during the Lula government, and in her doctorate, she increased the scope of the research, observing how the party politics of Lula (PT), Rousseff (PT), Temer (MDB) and Bolsonaro (PSL) governments affected the Brazilian engagement with the BRICS. The BRICS is of great interest to China, and a Brazilian view on the subject is highly relevant to the country's government, fostering win-win cooperation.

Ultimately, a successful research project must be structured as follows: having an abstract, an introduction with objectives that can be general and specific, a justification for the research, a realistic methodology, a literature review that demonstrates the debate of the leading authors on the topic to be addressed, including criticisms and positive points on the subject, and a bibliography or bibliographic survey on the topic, which will give more strength to your project.

6. Final Remarks

Thus, it is observed that the educational cooperation between Brazil and China is still mild when compared to a large number of commercial investments between both countries. As explained previously, China has a strong interest in getting in-depth knowledge about the pedagogical and Brazilian idiosyncratic processes. However, there is also a lack of incentive from the Brazilian government to attract Chinese who wish to study at their universities so that this collaboration takes place more reciprocally - breaking stereotypes and cultural, conversational, and social barriers that, in a way, create resistance to Brazilian students and their families to choose China as a prominent destination to pursue a postgraduate degree abroad.

As observed when comparing the Chinese educational system with the Brazilian one, there are several similarities between them regarding schooling time, adding up to twelve years spent in elementary and high school. Nevertheless, China has some

differences, such as the requirement for a test to enter high school, *Zhong Kao*, and the existence of vocational schools since primary school. In China, the best schools are public, and they are highly competitive, whereas, in Brazil, private institutions from kindergarten through high school provide students with a better degree of knowledge.

Concerning higher education, a relevant aspect is that the ministries of education of China and Brazil help provide subsidies for the payment of university fees to low-income students, also encouraging education in private institutions. Besides, it is noted that China spends significantly more than Brazil on education expenses, as shown at the end of section 2.

Due to China's policy of opening up to the world and the financial incentives provided by Chinese government scholarships, students worldwide have sparked interest in studying in this country. Compared to Brazil, the selection and admission process for students in postgraduate courses is relatively more straightforward. Also, studying in China generates a range of opportunities for personal, professional, and academic development, in addition to the chance to learn a new idiom, such as Mandarin, which is the third most spoken language in the world, and therefore makes a big difference on a student's curriculum.

Therefore, this article encourages Brazilian students to consider China as an excellent opportunity to pursue a postgraduate course, considering all aspects mentioned in the body of the text regarding the prospects of available scholarships, such as the Chinese Government Scholarship in the postgraduate category of the Chinese University Program. The country has universities that are among the best globally; the professionals who teach are highly qualified and command the English language, facilitating communication with international students. Also, the learning environment is multicultural, and the student will leave postgraduate school with the feeling of being a global citizen.

Ultimately, the Chinese government's win-win educational cooperation model allows China to export its culture to the world and demystify stereotypes and offer the opportunity to share scientific and cultural knowledge between nations.

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Cambios estructurales en la economía brasileña: el factor China como motor de la desindustrialización nacional

Structural changes in the Brazilian economy: The China factor as a driver of national deindustrialization

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Resumen: La economía internacional ha estado marcada por la globalización económica desde la década de 1970. Este proceso tuvo lugar a través de la internacionalización productiva y financiera global, fenómenos estos que están relacionados con el inicio del traslado de la industria manufacturera a Asia. En otras palabras, están directamente relacionados con los cambios relevantes en la estructura productiva global; lo que llevó al fin las cadenas de valor locales y el surgimiento de las cadenas de valor globales (CGV), representando así, la nueva cara productiva de la globalización económica. En este contexto, la economía brasileña ha experimentado un cambio estructural significativo en las últimas tres décadas. En la década de 2000, las relaciones chino-brasileñas se intensificaron. Así, debido a los intereses chinos en Brasil, la hipótesis de este artículo, es que esta relación intensificará la desindustrialización nacional. Mediante revisión bibliográfica y análisis de datos, este estudio tiene como objetivo analizar cómo se inicia este proceso, la influencia de la economía china en este cambio y discutir brevemente cómo fue la formulación de la política exterior entre 2003 y 2015, que fue utilizada para empezar el cambio estructural en curso en Brasil. Al final del artículo se concluye que se tomaron medidas para estimular el sector industrial, sin embargo, dada la complejidad del fenómeno, el cambio estructural ha avanzado significativamente.

Palabras-clave: Desindustrialización; Política exterior, Brasil.

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Abstract: The international economy has been marked by economic globalization, since the 1970s. This process took place through global productive and financial internationalization. Such phenomena are linked to the beginning of the transfer of the manufacturing industry to Asia. In other words, they are directly related to the relevant changes in the global production structure; which led to the end of local value chains and the rise of global value chains (CGVs), thus representing the productive face of economic globalization. In this context, the Brazilian economy undergoes a significant structural change in the last three decades. In the 2000s, Sino-Brazilian relations intensified. Through bibliographic review and data analysis, this article aims to analyze how this process begins, the influence of the Chinese economy in this change and briefly discuss how the formulation of foreign policy between the years 2003 to 2015 was used to face the structural change underway in Brazil. It was found that measures were taken to stimulate the industrial sector, but given the complexity of the phenomenon, structural change has advanced.

Keywords: Deindustrialization; Foreign Policy; Brazil.

Resumo: A economia internacional vem sendo marcada pela globalização econômica desde a década de 1970. Este processo se deu pela internacionalização produtiva e financeira em termos globais. Tais fenômenos estão ligados ao início da transferência da indústria manufatureira para a Ásia. Ou seja, estão diretamente relacionados com as relevantes transformações na estrutura produtiva mundial; as quais levaram ao fim das cadeias locais de valores e o surgimento das cadeias globais de valores (CGVs), representando assim a face produtiva da globalização econômica. Neste contexto, a economia brasileira passou por uma significativa mudança estrutural nas últimas três décadas. Nos anos 2000, as relações sino-brasileiras se intensificaram. Assim, devido aos interesses chineses no Brasil, trabalha-se com a hipótese de que esta relação intensificará a desindustrialização nacional. Por meio da realização de revisão bibliográfica e análise de dados, este artigo tem como objetivo analisar como se inicia este processo, a influência da economia chinesa nesta mudança e discutir sumariamente de que modo a formulação da política externa entre os anos de 2003 a 2015 foi usada para enfrentar a mudança estrutural em curso no Brasil. Constatou-se que medidas foram adotadas para estimular o setor industrial, porém, dada a complexidade do fenômeno, a mudança estrutural avançou.

Palavras-chave: Desindustrialização; Política Externa; Brasil.

1. Introducción

La estructura productiva nacional brasileña ha experimentado cambios significativos desde la década de 1980, es decir, analizando el PIB nacional desde la perspectiva de la oferta, se observa una reducción en la participación de la industria. La expansión china también está en marcha en las últimas décadas. A partir de 2010, China amplió su relación con Brasil más allá de las relaciones comerciales y comenzó a invertir significativamente en la economía nacional a través de Inversión Extranjera Directa

(IED). Considerando que los principales intereses chinos, al realizar estas inversiones, son satisfacer su necesidad de *commodities* y tener acceso al mercado consumidor en América Latina, trabajamos con la hipótesis de que estas inversiones reforzarán el cambio estructural de la economía nacional.

Conjuntamente, este artículo tiene como objetivo investigar cómo la formulación de la política exterior brasileña en la década de 2000, por tanto, precisamente en los Gobiernos de Lula y Dilma, fue utilizada para abordar este relevante problema que afecta a la economía nacional. Con este fin, esta investigación consta de tres secciones además de esa Introducción. La segunda sección, presentará informaciones relacionadas con la expansión china, el proceso de desindustrialización y reconvención de la agenda exportadora de la economía brasileña. En la tercera sección, se hará una breve presentación sobre las causas identificadas en la literatura como promotoras de la desindustrialización brasileña. Finalmente, la cuarta sección analiza, brevemente, este fenómeno teniendo como base la formulación de la política externa brasileña del período. Finalmente, se presentan las consideraciones finales de este trabajo.

2. La Expansión china y el cambio en la estructura productiva nacional

China ha mostrado un crecimiento económico significativo en los últimos 46 años. De 1971 a 2016, el PIB chino creció a un promedio de 9%. Al inicio de este período, es decir, en 1970, el PIB chino correspondía al 1% del PIB mundial, en 1990 al 2%, en 2000 al 3,5% y finalmente, en 2016, el PIB chino representaba el 10% del PIB mundial (UNCTAD, 2017).

Actualmente, China es el mayor exportador del mundo y el segundo mayor importador y, además, ha tenido importantes superávits comerciales en los últimos veinte años. En 2016, China registró un superávit comercial de 509 mil millones de dólares y sus reservas internacionales alcanzaron la cifra de 3,1 billones de dólares (SAFE, 2018). El aumento de la participación china en las exportaciones mundiales es significativo. En 1980, representaron el 1%, subieron al 2% en 1990, al 4% en 2000 y al 10% en 2010 y finalmente alcanzaron el 13% en 2017. En 2007, por primera vez, las exportaciones chinas superaron las exportaciones norteamericanas que representaban 9% en el período (UNCTAD, 2017). Además, en 2009, China se convirtió en el mayor socio comercial de Brasil, superando a Estados Unidos.

En cuanto al flujo de IED, en 2016 China era el tercer país más grande como receptor. Como inversionista, China ocupa el segundo lugar. Analizando los flujos de IED, el coeficiente que vincula el IED realizado con el IED recibido, se verifica una variación de 52%, en 2008, para 94%, en 2015 y en 2016 ese índice alcanza 137%, lo que indica que China está invirtiendo más de lo que recibe. En cuanto al stock de IED, China es el tercer país en la posición de inversiones recibidas y el sexto en posición de inversiones realizadas (UNCTAD, 2017).

En lo que respecta al gasto militar, también hay un aumento de estas inversiones. China, en la década de los noventa, incrementó anualmente su gasto militar a un promedio de 7%, aumentando posteriormente este gasto en un 13% en la primera década de 2000 y, posteriormente, fijándolo en 8% entre los años 2011 a 2015 (SIPRI, 2017). Ante este aumento del gasto militar, Fiori (2008) señala que este país tiene ahora el segundo mayor presupuesto militar del mundo, con un 30% del gasto público destinado a defensa nacional. Además, este movimiento representa una declaración de poder en Asia Oriental y el Mar del Pacífico Sur (FIORI, 2014).

En este sentido, considerando el aumento del poder económico y político de China, Fiori (2008) defiende la gran posibilidad de que este país expanda su desempeño más allá de su entorno. Siendo así, se observa que China ha ampliado su presencia en África y América Latina con el fin de consolidar su papel de financiador de obras y, también combatir el déficit estructural que tienen los países del Sur. Entre 2005 y 2012, el financiamiento chino realizado por bancos estatales de desarrollo con destino a América Latina, fue de US \$ 86 millones, superando el préstamo otorgado por organismos internacionales como el Banco Mundial y el Banco Interamericano de Desarrollo. Vale destacar que los bancos chinos poseen mejores condiciones de pago y no requieren condicionalidades políticas para otorgar préstamos (GALLAGHER; IRWIN; KOLESKI, 2013).

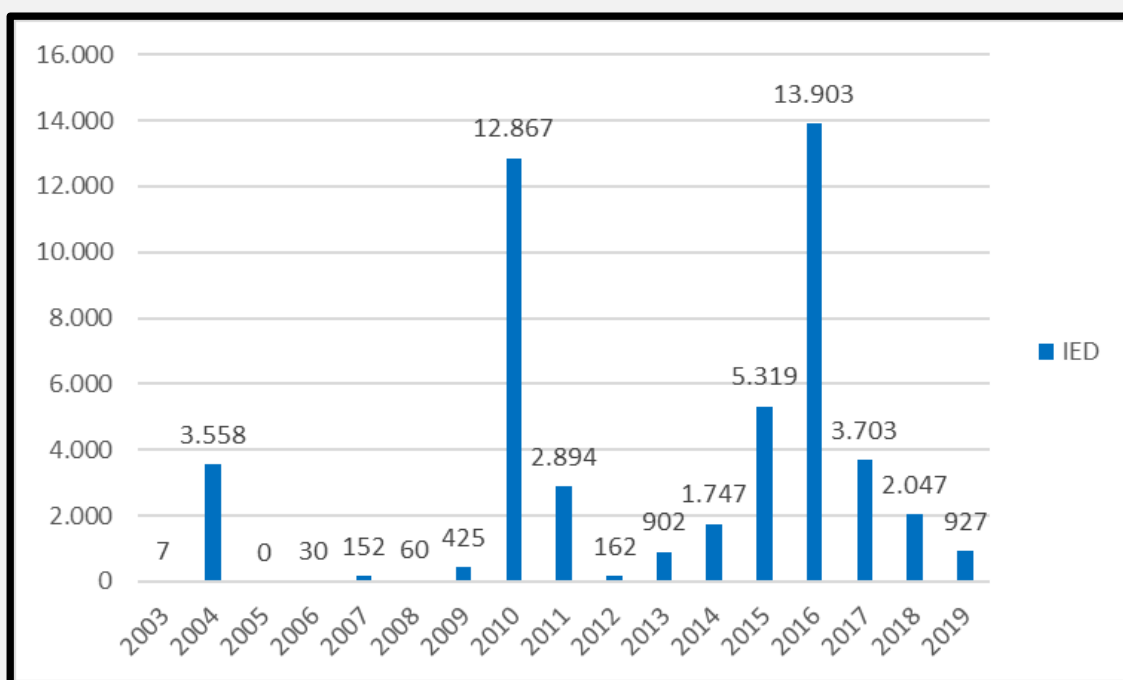
También, cabe señalar que el Banco de Desarrollo de China desempeñó un papel importante en el desarrollo de la infraestructura interna de China. Durante los últimos 15 años, guiado por la política de “*going out*” este Banco ha centrado su atención en apoyar a las empresas estatales chinas en el exterior (DOWNS, 2011). En otras palabras, este Banco es un instrumento de disputa para el poder global.

En 2007, China inauguró el Banco de Desarrollo China-África, que se convirtió en el mayor inversionista chino en el continente africano al permitir el desarrollo de

aproximadamente dos mil proyectos en ese continente (HINGA; JUN; YIGUAN, 2013). Posteriormente, en junio de 2014, en la VI Cumbre BRICS que fue realizada en Brasil, se formalizó la creación de un Banco de Desarrollo.

Este nuevo Banco tiene como objetivo alinear las políticas económicas de estos países estableciendo metas para un crecimiento significativo y duradero. También en 2014, se creó el fondo de reserva monetaria para atender a los países BRICS en crisis de corto plazo (Balanza de pagos). En octubre del mismo año, el gobierno chino creó el Banco Asiático de Inversión en Infraestructura (AIIB). Estas acciones patrocinadas por China son definidas por Haffner et al (2015, p. 9) como “una fuerte política de internacionalización del capital financiero y, al mismo tiempo, la intención de ocupar un lugar vacante en la economía internacional: el del financiamiento de infraestructura en los países en desarrollo”.

Gráfico 01: IED Chino Realizado en Brasil (US\$ millones)



Fuente: RED ALC-CHINA. Brasil: OFDI china a nivel de empresa (2000-2019).

En conjunto con este proceso de financiación de obras de infraestructura, como ya fue señalado anteriormente, china en 2016 era el mayor productor de IDE del mundo por flujo. En los últimos años, el IDE chino, con destino a Brasil ha aumentado, especialmente después del año 2010 lo que representa un cambio relevante en el comportamiento de las empresas chinas hacia Brasil. El gráfico 1 muestra estos datos.

El período de 2010 a 2019 se puede dividir en cuatro etapas en lo que se refiere a inversiones. El primero de ellos corresponde al año de 2010 y estuvo marcado principalmente por inversiones para la exportación de *commodities*. La segunda etapa abarca los años 2011 a 2013, que se caracterizó por inversiones en el área industrial con el objetivo de atender el mercado interno brasileño. La tercera etapa es el año 2013, que estuvo marcado por inversiones en el sector financiero. La última fase, es decir, desde 2014 hasta el momento actual, se caracteriza por aumentos significativos y sostenibles de la IED (CECB, 2017).

Primero, en 2010, China priorizó inversiones que abastecerían su lista de productos exportados por Brasil a China. Precisamente, los recursos se canalizaron hacia actividades relacionadas con los productos básicos. Un ejemplo de este proceso es la adquisición del 40% de Repsol por parte de la estatal china por un monto de US \$ 7.100 millones, lo que equivale al 39% del IED chino realizado en Brasil en 2010. Esta compra tuvo como objetivo satisfacer la demanda de crudo importado por China e integró el proceso de internacionalización de las empresas chinas, que han comprado varias empresas activas en el sector de recursos naturales (CECB, 2017).

En la segunda etapa (2011 a 2013), con el objetivo de aprovechar el mercado interno brasileño, las inversiones chinas fueron destinadas hacia áreas industriales, como los sectores de maquinaria y equipos, automóviles y dispositivos electrónicos (CECB, 2017).

Cabe señalar que, durante este período, nueve proyectos de inversión fueron del tipo *greenfield*, lo que equivale al 25% (US \$ 3.520 millones) de los US \$ 13.670 millones invertidos entre los años 2011 a 2013 (AEI, 2017). Un ejemplo de estos planes fueron las instalaciones de Sany (equipos de máquinas y dispositivos electrónicos) y Chery, pertenecientes al sector de la automóviles.

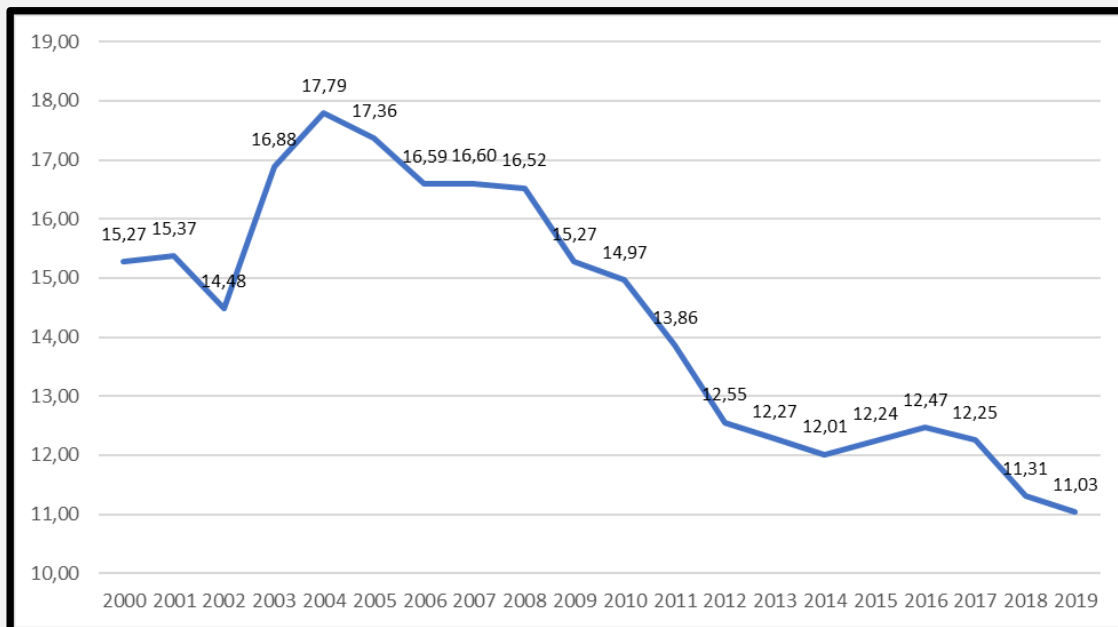
Esta iniciativa también marcó un cambio en la política comercial china luego de la crisis de 2008, ya que después de ese año, los mercados tradicionales formados por los países centrales (Estados Unidos y Europa) redujeron la demanda de exportaciones chinas, lo que llevó a este país a expandir su mercado de consumo, es decir, tuvo que recurrir al mercado interno de América Latina y específicamente Brasil (CUNHA et al, 2012).

La tercera etapa, que corresponde al año de 2013, está marcada por el establecimiento de bancos chinos en Brasil y la adquisición de bancos nacionales y

extranjeros. Este período está marcado por el deseo chino de internacionalizar su moneda, el Yuan, además de la llegada del Banco Industrial y Comercial de China.

Finalmente, la cuarta etapa está marcada por el aumento sostenible del IED, que se centró principalmente en la producción y transmisión de energía. De 2014 a 2016, el sector energético recibió el 79% de las inversiones chinas. El segundo sector más beneficiado fue el agropecuario, recibiendo el 5%. Durante este período, la mayoría de las inversiones fueron del tipo *brownfield* (fusiones y adquisiciones), ya que esta forma de inversión fue entendida como el medio de inserción más eficiente de las empresas chinas en Brasil, ya que permite la propiedad de activos ya consolidados en el Mercado brasileño (CECB, 2017).

Gráfico 02: Industria de transformación - % PIB



Fuente: IPEADATA (2020).

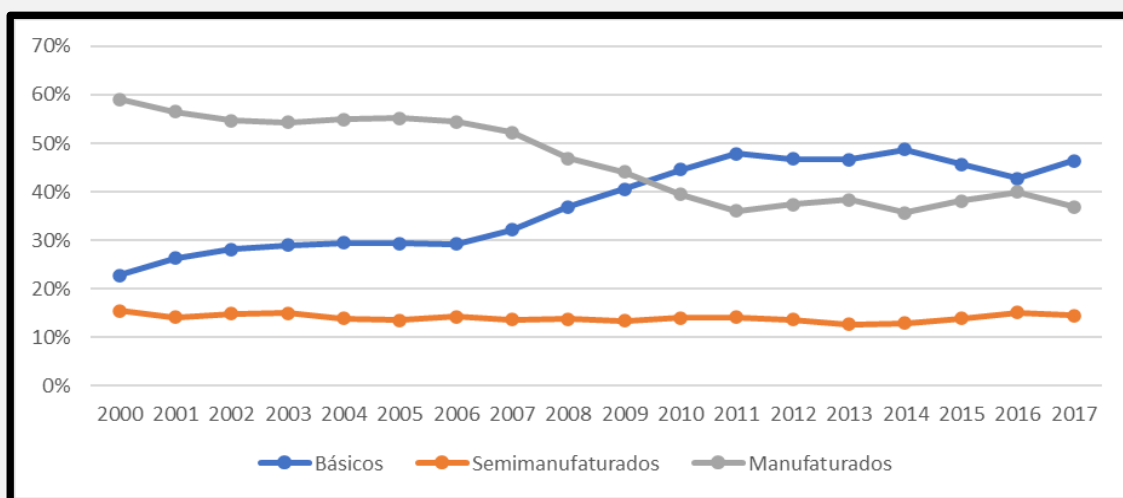
Tenemos que destacar, por su importancia estratégica, esta cuarta etapa, que corresponde al período de inversiones en el sector de infraestructura. Con la existencia de un gran déficit brasileño en este sector, las empresas chinas buscaron operar en este segmento. Evidentemente, estas gestiones buscaron facilitar el flujo de exportaciones brasileñas para China, como soja y mineral de hierro. Estas inversiones representan solo el 2% del total de esta etapa (AEI, 2017), sin embargo se espera que aumenten en los próximos años.

En general, lo que se observa es que el IED chino realizado en Brasil tiene como objetivo internacionalizar a las empresas chinas y, así, (I) darles acceso al gran mercado

interno brasileño y latinoamericano y (II) estimular la producción de productos que demanda China, es decir, básicamente *commodities*.

Al mismo tiempo que las inversiones chinas han venido para Brasil, se observa que la industria manufacturera brasileña ha ido reduciendo su participación en el PIB nacional. En el año 2000, este sector representó por el 15,27% del PIB, el mismo valor observado en 2009. Después del año 2010, se observa que la industria manufacturera ha ido reduciendo su participación anualmente hasta alcanzar el valor de 11,03% en 2019.

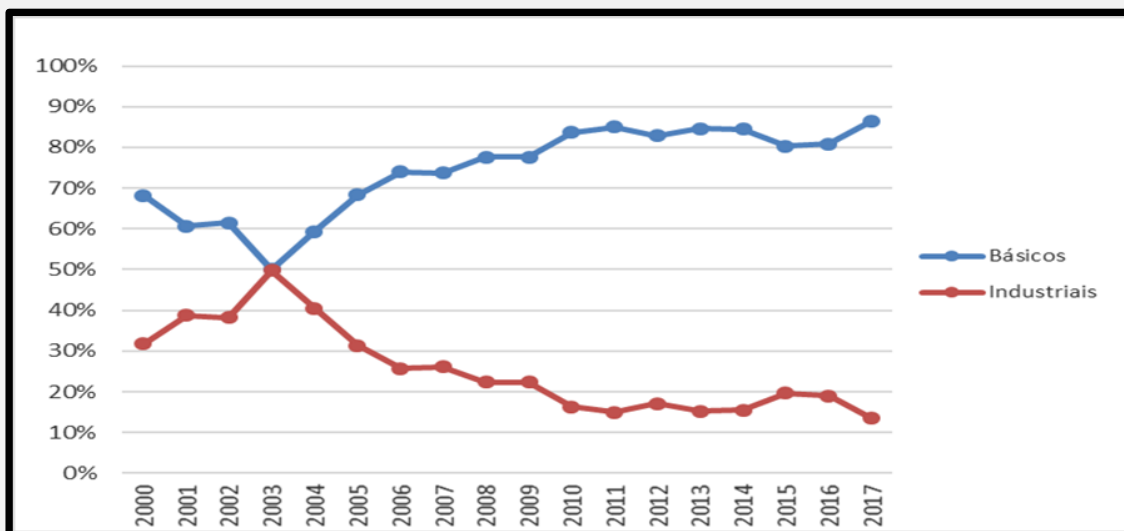
Gráfico 03: Participación de los bienes básicos, semi-manufacturados y facturados en las exportaciones brasileñas 2000-2017



Fuente: IPEADATA (2018).

En lo que atañe al comercio exterior, también hay un cambio gradual en la canasta exportadora brasileña, que viene revelando una baja en los productos manufacturados, acompañada de un aumento significativo en los productos básicos. En 2000, las exportaciones estaba compuestas por 59% de productos manufacturados y 23% de productos básicos. En 2010 esta relación se revirtió, es decir, los productos básicos superaron a las manufacturas. En 2017, las manufacturas representaron el 37%, mientras que los productos básicos representaron el 46% de la canasta exportadora brasileña, es decir, esta pauta se invirtió. Las informaciones sobre la participación de los bienes básicos, semi-manufacturados y facturados en las exportaciones brasileñas 2000-2017 pueden ser apreciadas en el grafico 03.

Gráfico 04: Participación de los bienes básicos e industriales en las exportaciones brasileñas para China 2000 - 2017



Fuente: Mdic (2018).

En el gráfico 04 se observan datos sobre la participación de los bienes básicos e industriales en las exportaciones brasileñas para China 2000 – 2017.

Al respecto, Fonseca *et al* (2017) enfatizan que la especialización en los sectores demandados por China tiende a reforzar el proceso de exportación de materias primas brasileñas. En cuanto a los impactos que el IED causa en las economías receptoras y sus exportaciones Lall (2000) y Mortimore *et al* (2001) señalan la gran relevancia de las inversiones extranjeras para la agenda exportadora de los países receptores de Asia³ y Países latinoamericanos⁴. Lacerda (2003, p. 63) también afirma que la “creciente influencia de estas empresas (multinacionales) en el patrón y la dinámica del comercio exterior de los países [se ha vuelto determinante en los últimos tiempos]”.

En un trabajo más reciente, Conti y Blikstad (2017) analizan el “efecto China” sobre la economía brasileña, centrándose en el comercio exterior y el IED. Para los autores, estos dos vectores reflejan los cambios en la estructura productiva nacional y un aumento de la vulnerabilidad externa brasileña. En cuanto al patrón del comercio exterior chino, Medeiros (2008) y Nogueira (2012) clasifican tres modelos con diferentes características: I) comercio con Japón y Corea del Sur, en el que China importa principalmente bienes de capital y productos de alta tecnología y exporta partes industriales intensivas en mano de obra; II) el comercio con Estados Unidos y Europa, en el que China exporta bienes de consumo duraderos de menor valor agregado y compra bienes de alta tecnología; III) en el sudeste asiático, China exporta bienes, bienes de

³ Singapur, Malasia, Tailandia e Indonesia.

⁴ México, Brasil y Chile.

consumo de capital y duraderos e importa insumos metalúrgicos, alimentos y materias primas. En lo que se refiere a los países periféricos, China exporta productos industriales, precisamente bienes de consumo y de capital, e importa alimentos, materias primas y energía. Esta dinámica comercial, sumada al IED de china, provocaría, por tanto, un cambio estructural y un aumento de la vulnerabilidad externa.

En esta parte del artículo, se examinó, la expansión china y su influencia en la economía nacional específicamente en su estructura productiva y su agenda exportadora. En la próxima sección se abordará la definición teórica de este fenómeno que está en curso en Brasil, es decir, la desindustrialización. Es importante resaltar que la hipótesis adoptada en este trabajo no atribuye a la relación chino-brasileña el peso de factor desencadenante del proceso de desindustrialización, sino que este país sería uno de los factores que habrían intensificado este fenómeno en la economía brasileña.

3. Desindustrialización en Brasil

A mediados de la década de 1980, la industria manufacturera nacional alcanzó el ápice en proporción al PIB, es decir, 35,88% en 1985. Desde entonces, la economía brasileña se ha caracterizado por tener una importante regresión industrial, de esta forma, la industria manufacturera ha decrecido su participación en el PIB de 26,25% en 1990 a 15,22% en 2000 para representar sólo 11,03% en 2019, como se muestra en el Gráfico 2 (IPEADATA, 2020).

Con todas las informaciones presentadas hasta aquí, entendemos, que el cambio en la estructura productiva de una economía se refiere a un cambio de largo plazo, sin embargo, este tema comenzó a ser tratado a nivel nacional solamente a partir de la década del 2000, como un problema coyuntural industrial, derivado de la carga tributaria vigente, del valor de la fuerza de trabajo, del déficit de infraestructura y apreciación del cambio (SILVESTRE, 2016).

Siendo así, la explicación de este fenómeno en la literatura es diversa. Bacha (2013) al estudiar el período 2005-2011, explica la contracción de la industria nacional como una combinación del aumento de los precios de las materias primas y una importante entrada de capital extranjero, asociado a una coyuntura de pleno empleo, que generó una demanda de bienes del sector de servicios. Este proceso habría desplazado la mano de obra al sector de servicios, lo que provocó la desindustrialización. Pastore *et al* (2013) buscan explicar las razones del no crecimiento de la industria a partir de 2010, es

decir, un período de tiempo relativamente corto ya que este trabajo fue publicado en 2013. La opinión de estos autores es que el estancamiento de la industria se entiende por el aumento de los salarios reales por encima de la productividad. Con el aumento de la demanda de bienes y especialmente de servicios, hubo un aumento de la demanda por mano de obra, presionando los salarios, lo que constituyó un aumento en los costos de producción. Este proceso, asociado a la crisis internacional, favoreció la paralización de la industria. Por tanto, estos artículos, atribuyen al pleno empleo y el consecuente incremento del precio de la fuerza de trabajo como preponderante en el proceso de desindustrialización, dejando el factor cambial en un segundo plano.

Bonelli y Pessoa (2010) entienden que a lo largo del modelo de sustitución de importaciones, se promovió una industrialización nacional excesiva, que tuvo como resultado una participación de la industria por encima de los niveles internacionales de las décadas de 1970 y 1980. Este fenómeno fue denominado por los autores de la "enfermedad soviética"⁵. Por tanto, con estas características, lo que se observa, a partir de 1985, fue solo un ajuste "natural" al tamaño de la industria, dado el exceso de industrialización en el país.

Otro grupo de autores, como Bresser-Pereira y Marconi (2008), Bresser-Pereira (2012), Oreiro y Feijó (2010) señalan que la tasa de cambio es uno de los factores más relevantes para la creación de una estructura productiva competitiva. Es decir, una tasa de cambio en equilibrio permitiría el desarrollo de una industria competitiva y al igual que sus exportaciones. Sin embargo, debido a que los países en desarrollo tienen recursos naturales, tales recursos brindan ventajas comparativas en la producción de estos productos básicos. Simultáneamente, ante la entrada de capitales y la implementación de políticas cambiarias populistas, que dejan los salarios reales artificialmente altos, se crea un entorno inhóspito para el desarrollo de industrias competitivas, que utilizan tecnología de punta. De esta forma, el cambio se valora alejándose del cambio en equilibrio y, en consecuencia, solo son viables las exportaciones de productos básicos. En definitiva, el tipo de cambio apreciado modificaría la estructura productiva y valorizaría las

⁵ Bonelli *et al.* (2013) estudiaron 170 países durante un período de 40 años, concluyen que Brasil padece la llamada "enfermedad soviética"; Situación en la que la industria de un país supera el estándar internacional dado su nivel de desarrollo, población, tecnología y dotación de recursos naturales. Dada esta patología (enfermedad soviética), la participación de la industria nacional en el PIB brasileño estaría en un nivel superior al de los países en desarrollo. Por ello, la disminución del PIB nacional, posterior a 1985, se interpreta como un fenómeno natural y no exactamente como un problema.

exportaciones de materias primas del país, caracterizando así la llamada “enfermedad holandesa”.

Los trabajos citados hasta ahora, señalan que las razones de la desindustrialización son factores macroeconómicos, es decir, un aumento en el precio de las materias primas combinado con la coyuntura del pleno empleo (BACHA, 2013) y un aumento de los salarios reales por encima de la productividad, lo que habría representado un aumento en los costos de producción (PASTORE *et al*, 2013) y el exceso de inversión durante el PSI habría provocado la “enfermedad soviética” (BONELLI y PESSOA, 2010). Por otro lado, la apreciación del cambio, que solo favorecería al sector con ventajas ricardianas, es decir, el sector productor de productos primarios, configuraría la “enfermedad holandesa” (BRESSER-PEREIRA y MARCONI, 2008, BRESSER-PEREIRA, 2012 y OREIRO y FEIJÓ, 2010). IEDI (2007) y Nassif (2008) piensan diferente en relación a este asunto, relacionan la desindustrialización con cuestiones microeconómicas. En el primer estudio (IEDI, 2017) se entiende que efectivamente hubo una deterioración en la relación entre el Valor Bruto de Transformación Industrial (VTI) y el Valor Bruto de Producción (VBP) en varios sectores industriales. No obstante hay estabilidad en la participación en muchos sectores debido a la intensidad tecnológica. En el mismo sentido, Nassif (2008), al analizar el período de 1991 a 2005, señala que de hecho hubo un cambio estructural caracterizado por un aumento de los sectores intensivos en recursos naturales en relación a los sectores intensivos en mano de obra. Aunque también indica el mantenimiento de sectores apoyados en la ciencia y en escala intensiva de producción. Por estas razones, el proceso de desindustrialización sería rechazado por los autores.

Rowthorn y Ramaswamy (1999), al estudiar los países desarrollados, argumentan que los determinantes de la desindustrialización incluyen un aumento en la productividad de la industria, lo que provoca una disminución del empleo en este sector. En otro estudio, Rowthorn (1999) indica que el empleo industrial se contrae a medida que aumenta el ingreso per cápita de los países. En la fase inicial de industrialización, el empleo agrícola encoge mientras que el empleo industrial absorbe mano de obra en actividades como la de las industrias manufactureras, minera y de construcción civil. Posteriormente, con el crecimiento económico, el sector de servicios también se expande y la agricultura tiende a declinar. Como resultado, el empleo industrial aumenta y, en los períodos siguientes se reduce, configurando así, el proceso de desindustrialización. Por tanto, cuando aumenta

el ingreso per cápita, como resultado del desarrollo, el empleo industrial disminuye debido al aumento de la productividad.

Este fenómeno, del aumento de la productividad, tiene dos efectos contradictorios. Por un lado, hay un descenso en los costos de producción, lo que se traduce en una caída en el precio de los productos y un aumento en la cantidad demandada. Por otro lado, el aumento de la productividad implica una menor necesidad del uso de mano de obra para producir cualquier producto. Rowthorn y Ramaswany (1999) demuestran empíricamente que la variación en la cantidad demandada de los productos es menor que la variación en el empleo de mano de obra. En otras palabras, el efecto de creación de demanda se ve compensado por el efecto de ahorro de mano de obra, que genera un efecto negativo en el empleo industrial, aunque este proceso puede incrementar el ingreso per cápita de la economía debido al aumento de la productividad de los factores trabajo y empleo en la industria.

Buscando explicar la desindustrialización nacional, Belluzzo (2018) defiende que la coyuntura de la década de 1980, marcada por la crisis de la deuda externa y la alta inflación, también contribuyó para acentuar este proceso y evitó que la industria brasileña accediese a sectores pertenecientes a la tercera revolución industrial que estaban en pauta en la época. Por lo tanto, en la década de 1990, la estructura industrial nacional no pudo mantenerse al día con los avances de la industria manufacturera mundial, lo que provocó una pérdida de competitividad. Para el autor, en la década de 2000, el cambio productivo nacional se vio acentuado por el aumento de la demanda china de productos básicos combinado con la expansión global del comercio de manufacturas.

Esta sección tuvo como objetivo, resumir las especificaciones que son dadas por diferentes autores para el proceso de desindustrialización que se viene dando en Brasil desde la década de 1980. Dada la complejidad y relevancia de este proceso para la economía brasileña en su conjunto, la siguiente sección buscará analizar las medidas tomadas en la esfera de la política externa nacional para enfrentar y tratar este fenómeno.

4. La política externa brasileña ante el cambio estructural

En las secciones anteriores fueron abordadas, en primero lugar, la expansión de china, que, entre otros factores, se manifiesta por la realización de IED en Brasil y en segundo, fue evaluada la influencia que estas inversiones ven causando en el cambio de la estructura productiva nacional y en el patrón del comercio exterior brasileño en los

últimos treinta años. Así, aunque estamos discutiendo sobre un fenómeno relativamente nuevo, dado que el IED chino en Brasil se ha intensificado desde 2010, trabajamos con la hipótesis de que la expansión china no se apaciguará y, por tanto, contribuirá para la intensificación del proceso de desindustrialización en curso en Brasil, lo que representa importantes consecuencias estructurales para la economía nacional, como el aumento de exportaciones de materias primas y las dificultades para generar empleo e ingresos.

Observando este proceso y considerando que la política externa puede entenderse como una serie de objetivos que un Estado quiere alcanzar cuando se relaciona con los demás actores del Sistema Internacional y también cómo se comporta este Estado en este Sistema por el poder relativo que tiene cada país en relación con los demás países, se pretende analizar cómo fue utilizada la política exterior brasileña para enfrentar este fenómeno. En este sentido, este enfoque se justifica por que el cambio actual en la estructura productiva nacional afecta significativamente la llamada fuente de poder tangible⁶ de un país, en este caso su capacidad industrial.

Según Putman (2010) la política externa depende de la distribución de poder y de las preferencias de los actores a nivel nacional e internacional, constituyendo así los “juegos de dos niveles”. Precisamente, la pregunta que surge es ¿en qué instancia se manifestaron los intereses de los grupos dominantes vinculados al sector industrial ante el cambio estructural de la economía brasileña, ya que este proceso implica la pérdida y aumento de poder de importantes grupos dominantes?

En este sentido, Berringer (2015) trabaja con el concepto de mecanismo de poder, desarrollado por Poulantzas (1977; 1978), situación en la que el Estado está comandado por la clase hegemónica de este aparato. Sin embargo, la idea de un aparato de poder no prevé la existencia de una sola clase con dominio de decisión, al contrario, existen varios grupos o clases, generalmente con intereses antagónicos. El Estado, entonces, trabaja con todos estos intereses e implementa políticas económicas, sociales y exteriores que priorizan al grupo dominante con mayor poder relativo. La principal divergencia de intereses surgiría de la burguesía, o de forma más contemporánea, de los sectores industrial, bancario y comercial. Así, continúa Berringer (2015), en el ámbito de las relaciones internacionales, los intereses de estos grupos pueden converger o divergir en relación a tres aspectos: 1) a políticas expansionistas o aislacionistas; 2) a la apertura o

⁶ Otras fuentes de poder tangibles de un país son su capacidad tecnológica, científica y educacional (FIGUEIRA, 2011).

protección del mercado interior; 3) a las alianzas y coaliciones prioritarias con otros estados. En relación a estos aspectos, se observa que, dado el cambio en la situación internacional desde la década de 1970⁷, Brasil abrió su mercado interno y, en este proceso, China ha ido ganando importancia tanto en el entorno comercial como en la relación al IED.

Analizando esta situación por el lado la teoría imperialista, Berringer (2015) señala que Poulantzas (1977) identifica, en las economías dependientes, la división de la clase dominante en tres grupos: la burguesía consumidora, nacional e interna. Esta clase dominante, dados sus intereses particulares, se comportará de manera diferente en relación al capital imperialista. La burguesía compradora está formada fundamentalmente por los grandes terratenientes, el sector financiero y el sector comercial. Como no tiene acumulación propia, sus intereses están ligados al capital imperialista. La burguesía nacional, como su nombre indica, es parte de la clase dominante del país. Tiene su propia base de acumulación, por eso se opone al capital imperialista. La burguesía interna, en cambio, es una mezcla de burguesía compradora y burguesía nacional, es decir, tiene su propia acumulación, pero mantiene una relación de dependencia con el capital extranjero, dada su actividad. Está compuesta por sectores de la industria de bienes de consumo (electrodomésticos, textil, mecánica, química y metalurgia) industria de construcción y servicios que trabajan en conjunto con industrias como la de transportes y distribución.

Desde esta perspectiva y considerando que: I) 2010 fue el período más intenso de recibimiento de IED desde china en Brasil (Gráfico 1) y que estas inversiones tenían el objetivo de estimular la producción de los productos de exportación demandados por China, es decir, básicamente *commodities*; II) que la canasta exportadora brasileña fue efectivamente dirigida para las materias primas (Gráficos 3 y 4) y la mayoría de las exportaciones fueron destinadas precisamente a China⁸, que es el principal socio comercial del país desde 2009 y evidentemente ha incrementado su participación en las exportaciones brasileñas, se puede deducir que, de alguna manera, la burguesía

⁷El desplazamiento de la estructura productiva mundial hacia Asia, especialmente hacia China, se suma a los factores internos señalados en el apartado anterior de este artículo, que también contribuyen a este proceso en Brasil. Está fuera del alcance de este estudio presentar las causas y razones de este proceso. Silvestre (2016) y Hiratuka; Sarti (20015) abordan estos cambios en la estructura productiva global.

⁸ En 2002, China compró el 5% de las exportaciones brasileñas, en 2017, este porcentaje aumentó al 23%. Además, la canasta exportadora brasileña para China está altamente concentrada, siendo que 80% está en tres productos: soja (53%), mineral de hierro (23%) y petróleo crudo (6%) (Valor Econômico, 2018).

compradora y la burguesía doméstica estuvieron mejor representadas y atendidas en la formulación de las políticas económica y exterior de Brasil en ese período.

Precisamente sobre este aspecto, Lessa (2017), al analizar la política externa brasileña desarrollada en el período 2003 a 2016, afirma que:

Debido al aumento de la importancia de las materias primas para su canasta exportadora, la economía brasileña también experimentó reveses, como consecuencia natural del aumento del peso de los productos primarios, con una desindustrialización natural. De hecho, esta reversión fue ampliamente criticada como uno de los efectos adversos del crecimiento de la importancia de China en Brasil y, en consecuencia, en la política exterior de los gobiernos del ciclo del PT (LESSA, 2017, p. 7. Traducción nuestra).

Además, el mismo autor señala que las relaciones chino-brasileñas se han "convertido repentinamente en una prioridad y el crecimiento de su perfil frente a Brasil ha causado perplejidad a los socios tradicionales" (Lessa, 2017, p. 21). Este proceso daría lugar a la visita del primer ministro chino, Li Keqiang, en 2015, con el fin de anunciar inversiones chinas del orden de los 53.000 millones de dólares, que se destinarían en su mayoría al sector energético y conformarían la cuarta etapa de las inversiones chinas en Brasil según el Centro de Negocios China-Brasil (CECB, 2017).

Barbosa y Mendes (2008) también adoptan una postura crítica sobre esta relación. Aunque este trabajo describe el principio de la década de 2000, los autores señalan que el acercamiento a China generaría impactos con cuatro características: 1) macroeconómicas, 2) comerciales; 3) desplazamiento de mercados externos y 4) atracción de inversiones extranjeras. En resumen, los tres primeros impactos se pueden resumir en el comercio desigual que practica Brasil con China (exportador de productos básicos e importador de manufacturas). Este proceso puede incluso perjudicar las exportaciones de manufacturas de Brasil con los países vecinos y así, naturalmente, acentuar el cambio en la estructura productiva nacional. En lo que se refiere al cuarto impacto (atracción de IED), a juicio de los autores, es positivo en la medida en que estas inversiones traerían "impactos positivos para los sectores productivos brasileños de media y alta tecnología que se han internacionalizado, estableciendo empresas en ese país" (BARBOSA y MENDES, 2008, pág.45). De hecho, los tres primeros impactos son fácilmente demostrables, precisamente, en lo que se refiere al cambio en la estructura productiva nacional y en la tendencia de vender *commodities*, aunque todo este proceso no puede atribuirse únicamente al "efecto China". El cuarto impacto, sin embargo, no está confirmado, ya que el IED chino que ha

sido realizado en Brasil después de 2010 hasta el presente momento, no se ha dirigido principalmente al sector industrial.

Sin embargo, a pesar de presentar una postura crítica sobre el acercamiento chino-brasileño, Barbosa y Mendes (2008) también señalan que esta iniciativa constituyó “la estrategia del actual gobierno brasileño de tener importantes países del Sur global como socios estratégicos” (BARBOSA y MENDES, 2008, pág.47). Por ello, se estimuló, de manera bilateral, el aumento de los flujos comerciales y la atracción de “inversiones chinas en sectores estratégicos para el país” (BARBOSA y MENDES, 2008, p. 47). Evidentemente, estos intereses estratégicos representaron el deseo de actores domésticos vinculados a los sectores exportadores de productos básicos. Así, la estrategia fue atender la demanda existente, es decir, China demanda productos básicos y Brasil los exporta como productor de estos productos.

Al mismo tiempo, con el fin de incentivar la participación de los grupos empresariales nacionales en la competitividad global, el gobierno de Lula impulsó la política de “campeones nacionales”, inspirada en el modelo de inserción internacional del Estado Logístico de Cervo (2008), modelo en el que el Estado no podría llevar a cabo las actividades demandadas, sino que crearía las condiciones para que la iniciativa privada atendiera esta demanda. Este proceso consistió en el apoyo público a la internacionalización de las empresas brasileñas a través del Banco Nacional de desarrollo (BNDES) que según Lessa (2017, p. 18) "representó resultados espectaculares en su política externa".

Silva (2018) señala que en los gobiernos de Lula y Dilma, Brasil trabajó con una matriz de política externa caracterizada por profundizar la integración regional, retomando la tradición multilateral, criticando las relaciones asimétricas entre Estados y “la búsqueda de alianzas estratégicas con los países en todos los continentes y un acercamiento con los países subdesarrollados, así como mantener relaciones con los países desarrollados” (SILVA, 2018, p. 11). De esta forma, se buscó, a través de esta matriz, estimular efectivamente las relaciones comerciales con los países del Mercosur e incitar la internacionalización de las empresas brasileñas. Estas iniciativas buscaban, en cierto modo, provocar al sector empresarial y, combatir, dentro de las posibilidades de la política externa, el cambio estructural en marcha en Brasil.

De ese modo, se entiende que a pesar del Gobierno brasileño haber puesto en práctica iniciativas que estaban a su alcance con respecto a la política de “campeones

nacionales” y de haber estimulado la integración regional, no había forma de dejar de ocupar el espacio existente y convertirse en uno de los principales proveedores de insumos básicos de China. En otras palabras, dada la complejidad que implicó el cambio estructural de la economía nacional, que se vio afectada por factores internos y externos, el Gobierno adoptó a través de la política externa, medidas para estimular tanto al sector primario como el industrial dentro de sus posibilidades. El resultado fue el avance de la desindustrialización y la tendencia acentuada a vender *commodities*, lo que indica ciertos encadenamientos entre la economía brasileña y la política económica y exterior de china.

5. Conclusión

A lo largo de este artículo, buscamos analizar los principales cambios que ha experimentado la economía brasileña desde el año 2000 y de que modo fue utilizada la política externa nacional con el objetivo de modificar o influir en el significativo proceso de desindustrialización que ha vivido la economía nacional en los últimos treinta años. Así, si bien este fenómeno tiene su origen en la década de los ochenta, es decir, se refiere a un problema estructural de la economía nacional, las causas que desencadenan este proceso, que son señaladas en la literatura, nos llevan a un problema coyuntural. Además de los factores anteriormente presentados en este artículo, como la apreciación del cambio, la enfermedad holandesa, la sobreinversión y el aumento de la productividad, también debe considerarse la expansión china en este nuevo movimiento de la economía internacional. La relación chino-brasileña se expandió en la década de 2000 y, a partir de 2010 se intensificó a través de la realización de IED a medida que aumentaba la demanda china de productos básicos. Por otro lado, China desde la crisis de 2008, buscaba diversificar su comercio más allá de Europa y Estados Unidos, lo que demuestra su interés en el mercado de consumo en América Latina.

Así considerando que la política exterior refleja o representa los intereses de los grupos internos ante las condicionalidades externas y dado que Brasil es un gran productor de los productos básicos que demanda China, era absolutamente razonable que el país aprovechara esta oportunidad. Evidentemente, esta iniciativa favoreció el ambiente interno para que las exportaciones nacionales empezaran a tener una composición más simple, haciendo que fueran, en gran medida, *commodities*. De esta forma, como la oportunidad existía, debería aprovecharse.

De cualquier forma, cabe señalar que la matriz de política exterior brasileña buscó, principalmente en el gobierno del Presidente Lula, intensificar la integración regional, en la que Brasil tuvo una agenda exportadora opuesta a la que se lleva a cabo con China, es decir, para los países vecinos se exportan productos manufacturados. También se hicieron esfuerzos para incentivar la internacionalización de las empresas brasileñas a través de la política de “campeones nacionales”. Estas iniciativas buscaban, en el ámbito de la política exterior, incentivar al sector industrial.

Finalmente, podemos afirmar que el cambio estructural en marcha en Brasil y en la mayoría de los países, representa un problema complejo y difícil de enfrentar. Siendo así, aunque la desindustrialización ha avanzado en Brasil, la formulación de la política externa del país entre los años 2003 y 2015, trató dentro de sus límites, incentivar al sector empresarial y fue hecho un gran esfuerzo para fortalecer los lazos con los países de la región.

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Oil, Gas and Public Policies in Brazil and Russia

Petróleo, Gás e Políticas Públicas no Brasil e na Rússia

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Abstract: This article aims to carry out a comparative analysis of oil and gas policies in Brazil and Russia in the last three decades. To this end, an analysis of public policies related to the sector in each country will be carried out, seeking to verify the efficacy of the outputs, as well as conduct a descriptive analysis of the process in the policy cycle. Results pointed out as relevant for the achievement of public policies in the sector: (1) a structure of representation of interests among the leaders of the fuel industry and as governing elites; (2) an urgency or not to explore new reserves to advance production; (3) nature of the strategic objectives in the sector of the sector; (4) the appropriate technological domain by national companies.

Keywords: Public Policies; Oil and Gas; Brazil; Russian Federation.

Resumo: Este artigo tem como objetivo realizar a análise comparativa das políticas de petróleo e gás de Brasil e Rússia nas últimas três décadas. Para tal serão realizadas avaliações de políticas públicas ligadas ao setor em cada país, buscando verificar a eficácia dos outputs, bem como realizar uma análise descritiva do processo em torno do ciclo das políticas. Resultados apontam como relevantes para a consecução de políticas públicas do setor: (1) a estrutura de representação de interesses entre lideranças da indústria de combustíveis e as elites governantes; (2) a urgência ou não de exploração de novas reservas para o avanço da produção; (3) a natureza dos objetivos estratégicos em torno do setor; (4) o domínio tecnológico adequado pelas empresas nacionais.

Palavras-chave: Políticas Públicas; Petróleo e Gás; Brasil; Federação Russa.

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1. Introduction

The Oil & Gas (O&G) sector holds strategic importance around the world because it is directly related to issues involving energy security, technological development and large capital flows, influencing geopolitical considerations of both net fuel importers and exporters. Seeking to understand the conditions for the efficient instrumentalization of the sector by the State, this article proposes to carry out a primary comparative assessment of public policies for O&G, based on Brazilian and Russian experiences.

Therefore, the present work is delimited between 1991 and 2016. The objective is to understand, on the Brazilian side, the liberalizing reforms of the 90s, not reaching the tipping point that follows the removal of Dilma Rousseff². On the Russian side, the transition period from Soviet socialism to the market economy is covered, failing to address in depth the upheavals arising from the twin crises of 2014 (abrupt fall in oil prices and sanctions from the West after Russian involvement in the Ukrainian conflict).

Methodology

It is proposed to carry out a comparative case study of $n = 2$, based on the Brazilian and Russian cases. Furthermore, the comparative analysis is subdivided, in each country, into a turning point that cuts across the two states at the turn of the century, with the exhaustion of the liberal government models of the 1990s. The approach will be both causal and descriptive.

Therefore, it is intended to follow the recommendation of Alexander George (1985), for a method of “structured and focused comparison”, which is based on the systematic collection of the same information (same variables) between carefully selected units, in this case, Brazil and Russia . However, the need to point out *a priori* differences between the contexts of the two countries is emphasized for greater methodological precision.

In the case of a comparative analysis of public policies (PP's), the causal relationship that we seek to verify is that between the regulatory frameworks implemented and the respective results derived from them. Therefore, the outputs of each case configure their respective independent variable (VI), and the outcomes their

² Since Temer took office, there has been a return to the liberally based P&G policy, aiming to maximize the shareholder value of Petrobras at the expense of the sector's strategic objectives. Measures during this period, including easing access to the pre-salt reserves, the process of divesting Petrobras and changing the price policy, should be analyzed in future studies.

dependent variable (DV). Aspects of agenda formation and implementation in each context will also be taken into account.

If, on the one hand, the units selected have similarities that allow for comparison, such as the role they started to assume in the post-Cold War International System and the importance of their oil industries, on the other, there are reservations to be made regarding a priori differences between the two selected cases and which impact the formulation of the public agenda. As a result, the legal frameworks to be compared provide for different objectives and, therefore, cannot be observed from the same indicators. The procedure, therefore, will be to evaluate each law and its implementation in each government based on the ability to achieve its objectives, correlating this success with its relevance, according to the relevance model for evaluating public policies (Vedung, 2013).

Data collection will be done by bibliographic analysis, composed mainly of primary sources. There is also the use of theoretical bibliography as a secondary source, useful in understanding elements of the implementation and agenda setting in each case. Therefore, after this introduction there will be two sections, one dealing with Brazil and one dealing with Russia, each subdivided into agenda setting (considering the context of each country), outputs (outlining the regulatory frameworks and their implementation) and outcomes. After, final considerations will be added, discussing the comparison between the Brazilian and Russian processes.

2. Brazil

2.1. Agenda Setting

The first element to be analyzed in shaping the Brazilian agenda is the purpose that the O&G sector has for the interests of the Latin American state. In 2017, the participation of oil and gas in the country's energy matrix is 49.4%, mainly concentrated in the transport sector, as the participation in the electrical matrix is only 13% (Empresa de Pesquisa Energética - EPE, 2019). Given the external dependence, Brazil's central strategic objective since the 1990s has been linked to self-sufficiency in fuel production.

Liberalizing pressures mark the 1990s from a macroeconomic and administrative point of view. With Collor and, later, with Fernando Henrique (FHC), the State is characterized by Cervo's "normal State paradigm" (2008), that is, based on the country's

adaptation to monetary, fiscal and administrative regimes, according to the understanding the Washington consensus, with a focus on sanitation of public accounts, reduction of bureaucracy and scope of the State and encouragement of foreign savings, through the deregulation of capital markets and the entry of Foreign Direct Investment (FDI).

In the midst of the crisis of the decade, and, to some extent, as a result of liberalizing policies, the FHC government had to deal with unstable fiscal and exchange rate situations and slow economic growth. To this is added the drop in the level of oil prices, which showed a downward trend, below 40 U \$ / barrel. The effect of this on Petrobrás is a reduction in revenues and difficulties in expanding oil exploration and production³. As a result of all these factors, the government then welcomed the opening of the O&G sector.

The agenda changes with the turn of the century. The 2000's bring with them an inflection point, in the domestic and international environment, in addition to the improvement in oil prices. The high prices benefited, at one time, the fiscal situation of the government and of Petrobras, which favors the position of the oil company in the leadership of the expansion of the national production base.

From a political point of view, there is an exhaustion of the liberal - "normal" paradigm, after a period of continuous slow growth. A new stance begins, which Cervo (2008) defines as a "logistical" paradigm, in the sense that the prerogatives of the former entrepreneur-State are transferred to society, but the State would still have the logistical role of supporting economic activity, having as its focus the interest of society. In this paradigm, Petrobrás would be used as an instrument of economic development, based on the project defined by the government. Finally, the most relevant event of the decade was the discovery, in 2007, of abundant hydrocarbon reserves, the pre-salt, with estimates that predicted up to 100 billion barrels (Sauer & Rodrigues, 2016).

2.2. Outputs

2.2.1. Output 1: The Petroleum Law

³ Petrobrás' investments, which in 84 reached almost R \$ 5 billion, fell to around R \$ 3 billion in the first half of the 90s (Souza, 2010).

Law 9.478 (1997) - Petroleum Law - repeals the 1953 law, breaking Petrobras' monopoly in the sector. Accordingly, the law establishes the regime of concession⁴ of oil reserves to companies incorporated under Brazilian law. Additionally, the National Energy Policy Council - CNPE and the National Petroleum Agency - ANP are also created. The first, chaired by the Minister of Mines and Energy (MME), would be responsible for advising the president in the formulation of policies for the energy sector. The agency, in turn, would be responsible for regulating, contracting and supervising economic activities related to the oil industry (Agência Nacional de Petróleo, Brasil, 1997).

The concession model allows companies to add reserves to their proven reserves, which is a factor that values companies (Trojbciz, 2014). In addition, the model allows them greater control over reserves, enabling greater gains, since all the realized profit belongs to them. As most of the world's reserves in the 1990s were already under the sharing regime, the option for the concession regime was viewed favorably by the private sector, despite the average volume of reserves.

The objectives of the law in its original version were 11, among which we highlight the following: (1) preserving the national interest; (2) promoting development; (3) protecting consumer interests; (4) guaranteeing the national supply of petroleum products; (5) increasing the use of natural gas; (6) promoting free competition; (7) attracting investments in energy production; (8) increasing the country's competitiveness in the international market (Brasil, 1997). Following the understanding already explained above, we also add that the country's main strategic objective in the O&G sector is self-sufficiency, so this element is particularly relevant to be observed in the context of the results of the regulatory frameworks.

It is relevant to note the different aspects of the implementation of sector policies in the government of FHC and Lula⁵. First, the two governments set up different hierarchies in the public policy framework for the sector. FHC asserted in the regulatory agencies the centrality of its performance, which in the O&G sector was exercised by

⁴ The concession regime is a form of bidding according to which the benefited company acquires all the risks of exploration and production and is given full ownership over the extracted hydrocarbons. In return, the State benefits, in addition to royalties and special participation, with a subscription bonus, a value offered by the companies competing for the bid, decisive in the choice of the consortium.

⁵ It is also possible to mention the particularities of the Collor government initiatives, through the National Privatization Program (PND). Within this scope, Petrobrás has been divesting its subsidiaries, maintaining only BR-Distribuidora and Braspetro (Center for Research and Documentation of Contemporary History of Brazil / Fundação Getúlio Vargas, 2019).

the ANP. This is illustrated by the fact that the CNPE is only instituted by Decree No. 3,520 in 2000, three years after the enactment of the oil law (Trojbciz, 2014).

Another important factor is the primacy given by the FHC government to foreign investment and productivity gains to the detriment of the strengthening of the national industry. In 1998, Decree 2,889 allowed, through temporary admission, the suspension of the Import Tax, IPI and ICMS that applied to goods entering the country for purposes of research or extraction of oil and gas, while similar Brazilian products carried a tax burden from 30% to 35% (Trojbciz, 2014).

Petrobrás Transporte SA (TRANSPETRO) arises during the FHC government, with the function of building and operating the transport infrastructure of the O&G sector. In the following year, the first stage of the Brazil-Bolivia gas pipeline was inaugurated, an important factor for national energy integration and the entry of natural gas into the Brazilian matrix. Finally, this same government carries out an administrative reform at Petrobrás.

Until then, the state-owned company was based on vertical integration and specialization. With the reform, the company's former superintendencies are replaced by business units, independent from the management point of view. Then, the company pulverizes its shares in the market, maintaining share control by the government. The change in administrative models marks a change in priorities in the company's management: the emphasis on production and self-sufficiency is replaced by the primacy of financial performance and results (Ribeiro & Novaes, 2014).

Among the changes in implementation since 2003, there was a strengthening of the CNPE to the detriment of the ANP, criticized, along with other regulatory agencies by the Workers' Party (PT) when it formed opposition (Trojbciz, 2014). While the autonomy of the ANP (and of the agencies in general) was restricted, at the same time the Energy Research Company (EPE) was founded and the CNPE assumed the strategic planning, relegating the ANP to operational actions. EPE also starts to assume prerogatives of the ANP, and the rise of CNPE allows a greater direction of the sector to the State project.

As a result of the implementation carried out in the FHC period, Petrobrás started to demand more from its suppliers in terms of quality and prices, which generated the adverse result of the reduction of national participation among the suppliers of the oil company. Since the first round of bidding for blocks in 1999, the

percentages of local participation offered by consortia were computed for scoring purposes, but this did not prevent these percentages from being excessively low. With the change of government, in the 5th and 6th rounds, minimum percentages started to be required, differentiated according to the type of block (Agência Nacional do Petróleo, n.d.).

The new government's intention was to promote the development of the national industry. Greater attention to local content has pressured Petrobras to adapt and develop sustainable strategies to adapt to new demands. From this new stance comes the Mobilization Program of the National Petroleum Industry (PROMINP), with the function of training local suppliers, ensuring their participation in the local value chain. In relation to the company's purchasing program, there was more direct government intervention, as it was pressing for state-owned companies to replace their purchases of imported goods and services with purchases of goods and services produced in Brazil. In addition, in 2006 Petrobrás reinstated Petroquisa, which had been privatized (Souza, 2010).

2.2.2. Output 2: The Pre-Salt Law

Law 12.351 (2010) arises from the need for a special legal framework to regulate economic activities linked to the huge reserves discovered in 2007 in the pre-salt polygon. With it, the production sharing regime is established in the pre-salt and in strategic areas, and the Social Fund (FS) is created, with the “purpose of constituting a source of resources for social and regional development, in the form of programs and projects in the areas of combating poverty and development” (Brasil, 2010).

The new regulatory framework is also composed of two more laws that accompany the aforementioned. Law 12.276 (2010) establishes the Transfer of Rights (or Onerous Transfer), that is, it gives Petrobras onerously the right to up to 5 billion barrels of oil in wells determined in the pre-salt polygon with low exploratory risk, exempt from taxes⁶. Finally, Law 12.304 / 2010, which creates the Brazilian oil and natural gas management company, Pré-Sal Petróleo SA (PPSA), whose duties are to manage, supervise and represent the Union in all sharing contracts signed, but not to

⁶ This law aimed to capitalize Petrobrás, since capital was needed to implement a pre-salt exploration business plan, with massive investments. In addition, there was a “convenience in increasing the company's capital, to raise the debt ceiling without prejudice to its rating in the risk agencies, which demanded a maximum of 35% of the shareholders' equity, since, in June 2007, the company's debt was U \$ 118 billion, equivalent to 34% of the equity ”(Trojbciz, 2014, p. 169).

explore. The creation of PPSA was necessary, since Petrobrás, being a mixed capital company, could not represent the interests of the Union.

The new model, based on the combination of the three laws above, was formulated in order to return control of national oil production to the State⁷. Under the original law, Petrobras was also required to be a mandatory participant and operator of all consortia that received a bid for exploration in the pre-salt polygon. This aspect in particular points to a consensus reached between Petrobrás and the government: while the state-owned company would directly benefit from the transfer of rights agreement, there was resistance regarding the obligation to operate all consortia, even more with a minimum percentage⁸.

Even without setting out objectives in its text, it is possible to list the goals of the law: (1) Preserve the national interest; (2) promoting social and regional development; (3) expand the appropriation of mineral income by the State; (4) Mitigate fluctuations in income and price; (5) promoting industrialization; (6) increase State control over reserves.

The implementation was marked by the use of Petrobras as a mechanism for controlling inflation through a price policy below international prices. This factor, added to massive investments and outside technical and managerial standards in the construction of refineries, led the state company to suffer too much pressure on its finances (Sauer & Rodrigues, 2016).

In a context of already large expenses with the infrastructure of the pre-salt reserves, this pressure would become one of the elements of the political crisis that ends up in the impeachment of ex-president Rousseff. Furthermore, it points to a growing corporatism involving the leaders of the oil company, which is equipped to follow the government's project.

⁷ Under the sharing regime, the ownership of the oil produced belongs to the Union. This oil, less the costs of investment in its production (oil-cost) is called oil-profit, which will be shared between the Union and the consortium or company. In this type of regime, the signature bonus is fixed and the auctioned block takes the company or consortium that presents more advantageous terms referring to the surplus oil portion of the State. No special fee is charged.

⁸ According to the testimony of Haroldo Lima, president of the ANP during the formulation of the pre-salt law, the president of the state company himself would have rejected the mandatory nature of the two attributions (Trojicz, 2014).

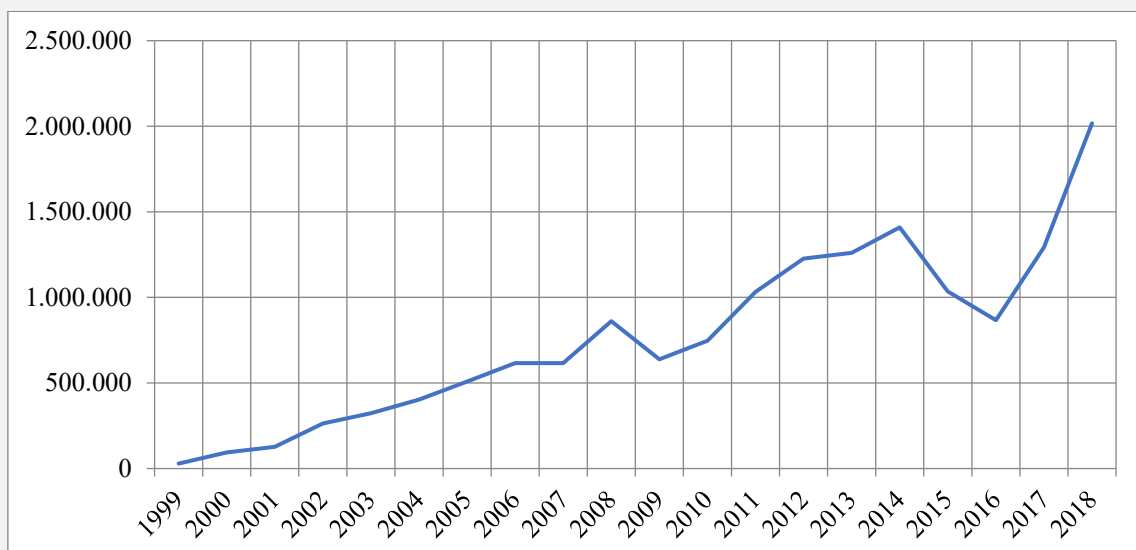
2.3. Evaluation

In general, the two outputs were successful, but a number of limitations were imposed on both. With the opening of the O&G sector and the change in priorities of Petrobrás, national suppliers hired by the state-owned company would face strong external competition, due to the fact that concessionaires operating in the country hire services and equipment in a highly competitive environment (Souza, 2010). The already mentioned exemptions that benefited external suppliers would aggravate the problem (Teixeira & Guerra, 2003).

The positive side was the increase in Petrobras' productivity amid the sector's liberalization. Being able to access international suppliers, productivity per well has doubled in 6 years, expanding the importance of the oil chain in the country. As an adverse result, the first 4 bidding rounds had a low percentage of local content.

However, with regard to Petrobras' performance itself, the opposition's fears that the company would lose space on the national scene due to the entry of foreigners were unfounded. Even with measures to balance competition in the sector, Petrobras' bias was maintained thanks to its experience not only operating in Brazil, but also its experience in offshore and the capacity of the company's technical personnel (Trojbiecz, 2014).

Figure 01: R&D Investment Obligations, (Thousand BRL) (1999-2008)



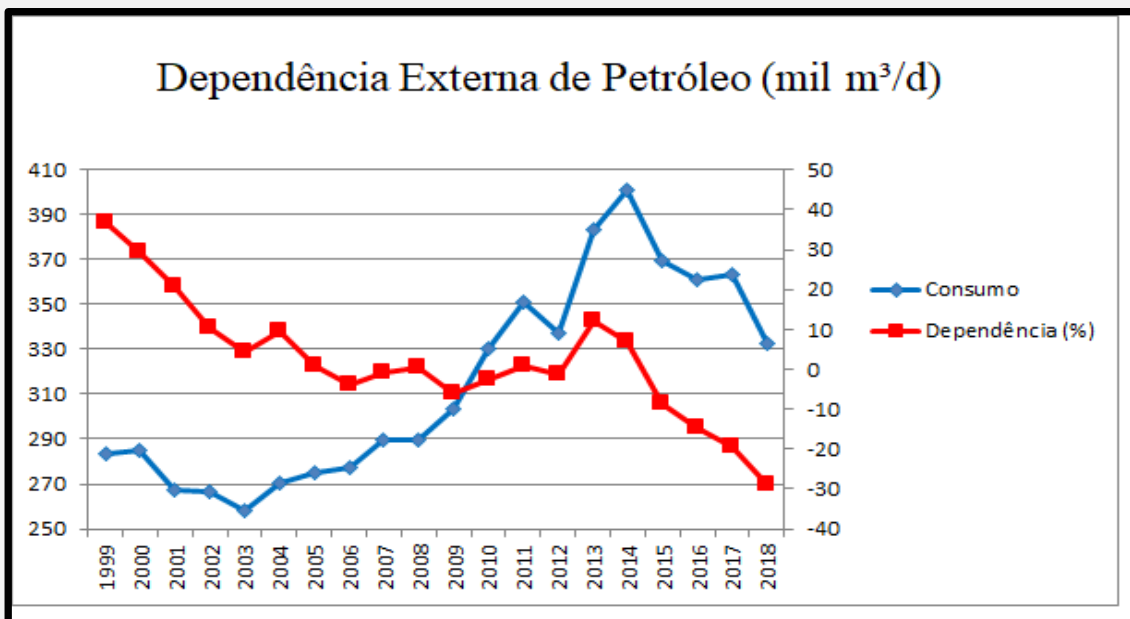
Source: Author's Elaboration based on ANP data.

The participation of traditional international oil companies (IOC's) was low, but the opening of the sector was an important source of FDI's, which already in the early 2000s had already grown strongly. The production of oil and natural gas, in addition to oil products, has increased steadily already under the FHC government, and has not changed significantly with the change of government in 2003.

There are also outcomes that vary across government periods. The implementation of PROMINP is the result of learning from the effects of the exposure of national suppliers to external competition, allowing a competitive alternative for pure protectionism. This program responds to the new government's local content requirements, so changes in implementation were essential for the qualification of the national O&G industry. The volume of the obligation to invest in Research and Development (R&D) per concessionaire had already been rising during the Fernando Henrique administration, following this trajectory and is more than tripled in 2014, compared to the level at the beginning of the Lula administration.

As Petrobras is the main operator, these efforts reinforce its position as an inducer of national development, since they empower the section of the national value chain. They also help to sustain Petrobras' dominant position, which is autonomous in production on national soil, thanks to the technological dominance in offshore and deep water operations.

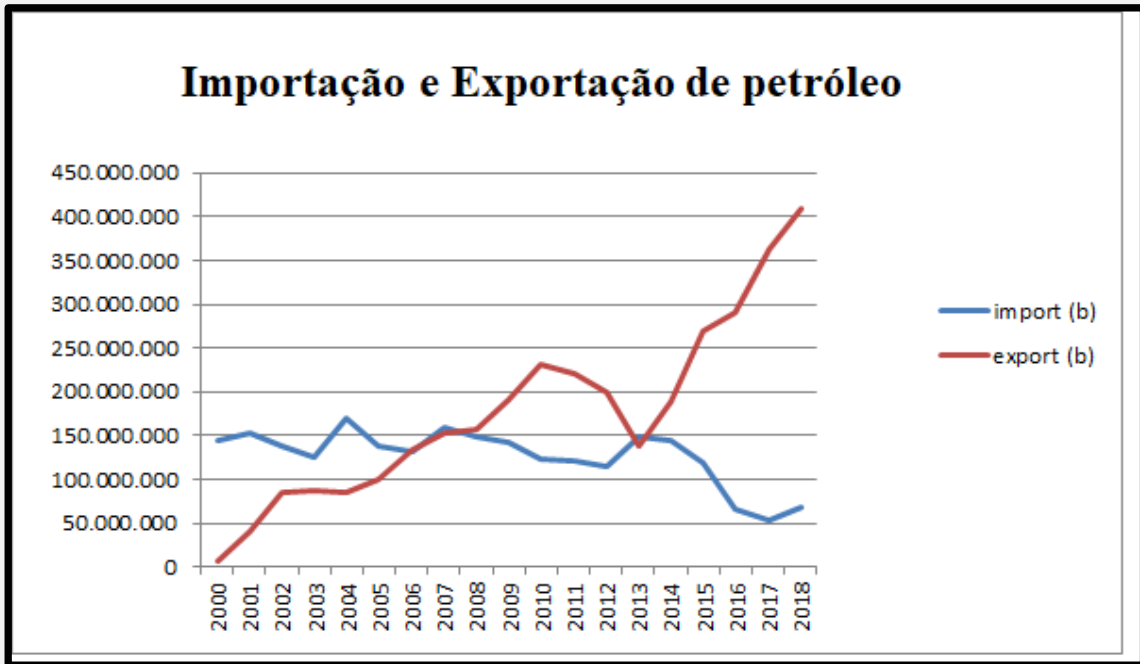
Figure 02: Brazil's Foreign Dependency on Oil (thousand m³/d) (1999-2018)



Source: Author's Elaboration based on ANP data.

With regard to its energy security, there is a statistical problem surrounding self-sufficiency in oil, the main strategic objective of any policy for the sector. In figure 2, we see that there is a reduction from the beginning of the external dependence on oil (which includes oil products), first accompanying the fall in consumption, but then remaining, despite the increase in consumption, reaching below 0 (which would mean that the country would theoretically be self-sufficient in oil) already in 2006.

Figure 03: Brazil's Oil Imports and Exports (barrels) (2000-2018)



Source: Author's Elaboration based on ANP data.

However, as we can see in figure 3, despite the accelerated increase in production and exports, the level of imports remains approximately the same. The cause of this may be in the nature of the oil produced mainly in the country until then: heavy oil. This type of oil is more difficult to refine, mainly because the Brazilian refineries were built in the 1990s, before the country's heavy oil reserves started to be explored. Therefore, since refineries are not adapted, a solution to this problem is the importation of light oil for joint refining (“If we are even”, n.d.).

The discovery of the pre-salt creates the prospect of solving this problem in the medium term, due to the high quality oil of its reserves. Higher quality and lower exploratory risk linked to new reserves also increased the size of both subscription bonuses and the sector's revenue in the economy. On the other hand, the local content used in these rounds is considered low, compared to the standard of the rounds per

concession⁹. In the 1st round, the most successful in this regard, the average local content was 50% (the subsequent rounds of sharing took place under the Temer government, and the demand for local content dropped to around 20% on the farm and 30 % in production in rounds 3, 4 and 5).

External dependency data continues to be statistically misleading in the following period. With the start of production in the pre-salt layer in 2013, there is a reduction in apparent dependence, and data from the ANP indicating that in 2018 Brazil becomes a net exporter of oil by 30%. However, as of 2010, imports of oil derivatives (which is the most strategic product for the country) increase, rising from 15 million cubic meters in 2009 to more than 27 million in the following year, remaining at high levels since then.

From this it appears that the country has not become self-sufficient in oil. It has, since before starting to explore the pre-salt, exporting increasing volumes of heavy crude oil and, in exchange, in the 2000s, imported light oil. From the exploration of the pre-salt, it started to substitute in the import tariff light oil for the already refined derivatives. From 2010 to 2014, the reason for the increase in the import of oil products is not due to the idleness of the national refineries, which then remained at a utilization rate above 90% (Mendes et al., 2018)¹⁰.

The cause of this phenomenon seems to be in the domestic price policy below international prices, which may have motivated the increase in consumption, generating the need for greater imports. With the change in the price policy and less use of national refineries under the Temer government, it is not possible to know whether, under price conditions at the same level as international ones and optimum use of refineries, the country would have achieved self-sufficiency.

Finally, among the side effects, perhaps the most politicized was the heavy indebtedness of Petrobras. The requirement to operate all the pre-salt wells requires extremely high investments, so that the increase in indebtedness is natural. High medium-term debt would be paid out of long-term profits. However, the company's

⁹ In the concession rounds, local content, after mandatory minimums at the beginning of the Lula government, was always between 70% and 90%, between rounds 5 and 12.

¹⁰ The reason for the strong import of oil products in this period differs, therefore, from the high level of imports from 2015 on, under the Temer administration. In this case, there has been a policy of idleness of national refineries, *pari passu* with the maintenance of domestic prices above international markets, leading the country to replace refined oil here with imported oil (Mendes et al., 2018).

financial situation was further hampered by the price policy below the international market, which limited its capacity to generate revenue.

It is also worth mentioning that the debt of the state-owned company, which reaches 392 billion in 2015 is not an immediate result of the deviations found in the scope of the car wash operation, which found that these, added together, would reach 42 billion (Albuquerque, 2018). In the midst of difficulties, the social fund, which could cushion the crisis, was not used (not even in the midst of the fall in prices in the 2014 crisis, which would constitute one of its uses provided for by law), since they were not created the Social Fund's Financial Management Committee, nor the Social Fund's Deliberative Council, as determined by law (Brasil, 2018).

Still, the nature of the applied public policies points to a preponderance of objectives linked to economic development over geopolitical objectives in the Brazilian case. With regard to the latter group, in addition to the difficulties already mentioned in self-sufficiency efforts, a relevant factor is the fact that the country is not a major fuel transport route, so there is no dependence on its fuels in the region. , which prevents the direct use of its O&G industry as an energy weapon.

Another mechanism for projecting possible power would be through Petrobras' strategic investments in the region, seeking to dominate the regional market and put pressure on individual countries. However, Brazil's cooperative stance with the nationalization of the company's refineries in Bolivia demonstrates that there was no provision in the country's foreign policy for the clear formation of an energy lever.

3. Russia

3.1. Agenda Setting

Analyzing the structure of the O&G sector in Russia and its political interfaces, it is clear that the strategic objectives around the area differ from Brazilian ones. While in Brazil these objectives revolve around self-sufficiency in oil and gas (and, particularly, in oil products), in Russia the situation is comfortable in this sense. The country's elites have historically given a prominent position to the O&G sector since it is at the core of its wider strategy for becoming a mechanism for projecting power thanks to its geopolitically relevant geographic location.

Regarding the use of its reserves, the Russian Federation is at the beginning of a transition process, as it approaches the exhaustion of its traditional reserves in western Siberia, so that expansion to other regions is now seen as necessary in the medium term. However, this expansion, especially in the Arctic, on the island of Sakhalin and in eastern Siberia, in addition to requiring large investments, requires a technological domain that makes the country dependent, to some extent, on Western companies.

From the point of view of governance, the country found itself in two absolutely opposite moments in the 1990s and in the subsequent period. The governments of Yeltsin (1991-1999) are marked by the fall in oil prices precisely in the already troubled period of dismantling of the USSR. The chaotic profile of those years is further intensified by the radical liberalization designed on the plan of the Minister of Finance, Yegor Gaidar. Much more sharply than Brazil in the 1990s, the Russian government sought to follow the recommendations of the Washington consensus.

As a result, oligarchs emerge. These are entrepreneurs who benefited from the unregulated privatization process, having acquired large slices of the financial, industrial and even communications market, which ended up granting them the ability to intervene in the country's politics (Segrillo, 2015). After the upheavals that impacted the country with the 1998 crisis, the government of Vladimir Putin begins, which coincides with the increase in oil prices caused by the increase in Chinese energy consumption. The new government seeks to establish a “vertical of power”, subjecting large financial, industrial and communication entities to government guidelines, in a corporatist structure (Gomes, 2018).

Putin composes his ministries with siloviki (veterans of the security services), who assist him in the task of legally neutralizing those oligarchs who do not fit the vertical of power. With them, it was possible to re-state the O&G sector, so that these same elements would occupy leadership positions within strategic companies for the Russian state. This creates a structure of total confluence between the State project and the economic elites, since the existence of both is correlated, in a two-way street.

3.2. Outputs

3.2.1. Output 1

Decree n° 1403, “On the peculiarities of privatization and transformation in public limited companies of state-owned companies, associations of production and research and production of oil, oil refining industry and oil products” (Russia, 1992, *translation by the author*¹¹), determines the basis for the redistribution of O&G sector assets. With it, the creation of Rosneft, a state-owned company (51%, for 3 years), which controls the others and would carry out the transition of assets, was established; Lukoil, Yukos and Surgut (45% state-owned), to have the other shares sold at auctions (foreigners could not have more than 15%); and Transneft, under similar conditions.

The main objective of this decree was to make the transition from ownership of the O&G sector to the private sector, in the same way that it was carried out in the economy as a whole. The subsidiary objectives were to guarantee the reliable supply of oil, gas and oil products in the Russian economy and to increase the efficiency of the country's oil complex.

The implementation of the legal framework is marked by the strengthening of the relationship between the government in the figure of Yeltsin and those who would become oligarchs. In the privatization of the sector, as well as others that were considered particularly strategic, the model of spreading shares through coupons and distribution in society, as in other sectors, was abandoned, and it was preferred to set up financial and industrial groups in Western molds (Radvanyi, 2007). Thus, the companies formed in the decree would later be privatized in auctions arranged for the benefit of the oligarchs (Gomes, 2018).

After the support of these entrepreneurs in Yeltsin's victory in his re-election, political elites came to depend on the economic elite to survive, which limited the government's ability to regulate the sector in order to contain the dramatic situation of the Russian economy. In this regard, mention should be made of the transfer pricing practice (deviation of rents owed to the State through subsidiaries) by companies¹².

3.2.2. Output 2

¹¹ Об особенностях приватизации и преобразования в акционерные общества государственных предприятий, производственных и научно-производственных объединений нефтяной, нефтеперерабатывающей промышленности и нефтепродуктообеспечения.

¹² In addition, oil companies benefited from tax exemption of 67% (Pucenkova, 2010).

In the new government, instruction No. 1234-p, “On Russia's energy strategy in the period up to 2020” (Russia, 2003, *translation by the author*¹³), is a general, unspecified document that sets out the country's strategy guidelines for the energy sector. It deals with three scenarios: (1) Optimistic scenario, favorable environment for trade, economy and foreign political cooperation, with the solution of traffic issues; (2) moderate scenario, with an unfavorable commercial environment and no solution to traffic issues; and (3) critical scenario, in which several unfavorable environments are combined, non-reproduction of the mineral base, with its production stagnating after 2 years, the economic infeasibility of exploring difficult-to-access reserves.

The law was formulated based on diagnoses of problems and challenges for the O&G sector in the country. Among them, it is worth mentioning: (1) an imperfect system for the use of the subsoil; (2) an economy of high energy intensity; (3) dependence of the economy in the O&G sector; (4) limited investments in the sector; (5) risks involved with the traffic issue; and (6) depletion of traditional reserves and the need to diversify the producing regions.

Based on these diagnoses, the document sets out as objectives: (1) to promote greater sector rationality; (2) expanding production to other regions; (3) improving the use of the subsoil; (4) increasing the production of oil, gas and petroleum products (refining); (5) reducing the economy's dependence on the sector; (6) resolve traffic issues; and (7) reducing the energy intensity of the Russian economy¹⁴.

Among the instruments for obtaining the results, the law mentions pricing policies, creation of stable laws, introduction of fees, tariffs and regulations, foreign policy assistance in the insertion of Russian companies in foreign markets and use of the status of land owner, among others. The implementation did in fact follow paths provided for by law.

In 2002, a year before formalization by law, Putin had introduced a mineral extraction fee (Nalog na Dobychu i Poleznie Ispokaemikh¹⁵), which allows government revenue to be guaranteed, without the possibility of companies' financial maneuvers, once which focuses on the volume extracted, and not on profits (Pucenkova, 2010). There is also a strengthening in the taxation on exporters, which varies according to the

¹³ Об Утверждении Энергетической стратегии России на Период до 2020 года.

¹⁴ Energy intensity, according to the Office of Energy Efficiency & Renewable Energy, it “is measured by the quantity of energy required per unit output or activity, so that using less energy to produce a product reduces the intensity.”(United States, 2019).

¹⁵ Налог на добычу полезных ископаемых.

price of oil, so that, taking into account the set of rates, the taxation on exporting companies, in a scenario of high prices may exceed 90 % (“Foreign Companies and Russian Petroleum”, nd). With these measures, the objective is to combat the Dutch disease and the excessive dependence of the Russian economy on the O&G sector.

When under the ownership of oligarchs, it was common for the logic that permeated the sector not to maximize production and development, but to increase private incomes (Schutte, 2011). The state's reappropriation of companies was a way of directing the sector to the rationality of the Russian strategic project. This does not mean, however, a nationalizing trend as an end in itself, since companies that followed the vertical of power were not absorbed.

Finally, Russian foreign policy has developed what can be called “pipeline diplomacy” (Pecequilo & Jaeger, 2019). There is a movement in the Slavic country in search of guaranteeing its primacy as a fuel supplier to Europe, seeking to make alternative routes that circumvent its territory unfeasible. It also seeks to diversify exports in order to reach the growing Asian market, with emphasis on China, in order to reduce dependence on Europe. Finally, the energy lever is used abroad, with the former republics coming from the USSR, in order to intensify the dependence of these countries on Russia, to subject them to political pressure when leaders opposed to Moscow appear and to hinder their adhesion to the European area of influence (Gomes, 2018).

3.3.Evaluation

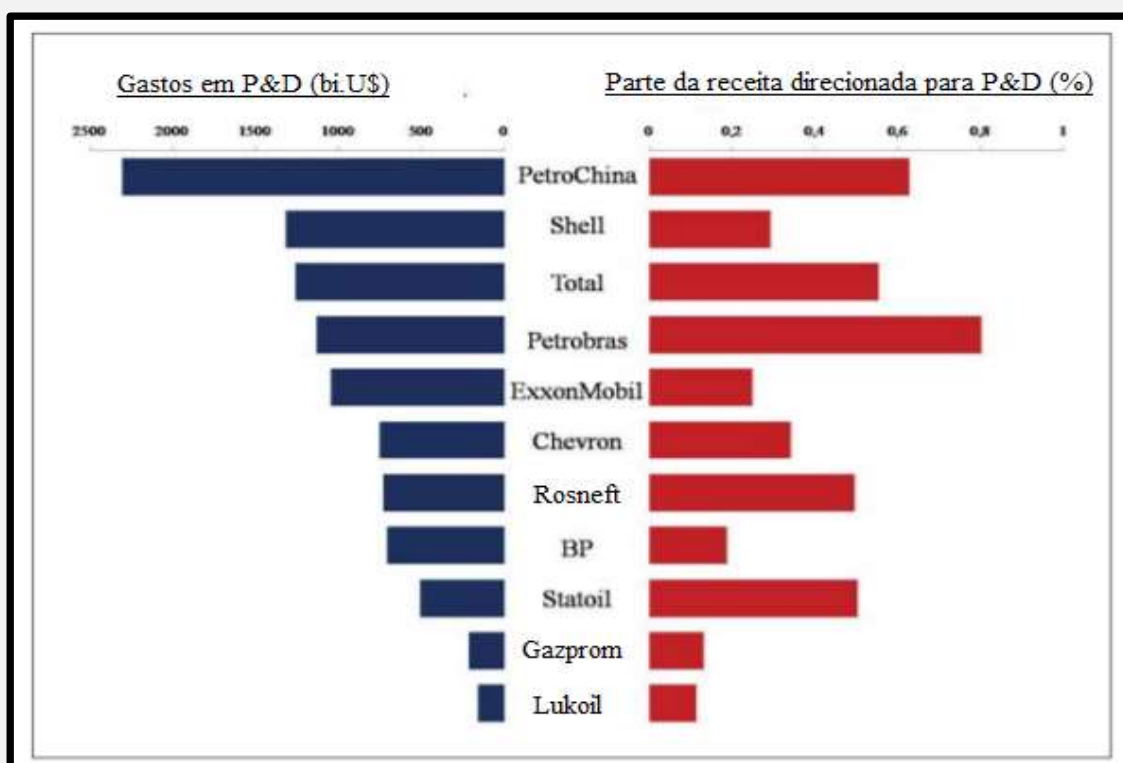
The radical liberalization strategy during the 1990's generated negative impacts on the main macroeconomic indicators and on the indicators of the O&G industry. Even so, its central objective was achieved: private participation in fixed funds was 10% in 1991 and increased to 70% in 2000 (Radvanyi, 2007). Through the auctions that benefited Yeltsin's supporters, he was able to effectively transfer the O&G sector to private hands.

However, due to the ineffective regulation of the State and its inability to correct these inefficiencies as a consequence of the dependence of government elites on the business elite, the O&G industry suffered from bad, rentier administrative practices. Added to this is the decline in oil prices, which has pressured corporate and government finances downwards.

These elements had the practical effect of stagnating exports and reducing production, as well as consumption, of oil, gas and oil products in the 1990s. This impacted the rest of the economy, which had only two years of growth in the entire decade. In addition, the inability to recover the sector's revenue contributed to the intensification of deficits, which were present in all the years of the Yeltsin governments.

With the entry of Putin and the administrative and tax reforms that follow, as well as with the favorable context of oil prices, it became possible to increase investments in all sectors of the industry (oil, gas, refining and processing), which keep growing continuously since the year 2000 (Novak, 2013). As a result, the performance of the oil industry in general, already in 2018, exceeds all production and processing targets projected in the optimistic scenario of output 2, set for 2020¹⁶.

Figure 04: R&D Investments in the Oil and Gás Industry (2013)



Source: Silkin (2014). Translated by the Author.

¹⁶ Production of oil (556 Mt), gas (741 bcm) and oil products (276 Mt) exceeded the goal of the optimistic scenario of 520 Mt, 730 bcm and 190-215 Mt, respectively (2019 Strategic Energy Yearbook, nd) .

The sector's recovery resulted in a strong increase in revenue and overcoming the constant deficits of the previous decade¹⁷ and with a strong GDP growth, which remained above 5% per year for most of the 2000s (Segrillo, 2015). Thanks to the greater capacity of the State to recover the income of this sector and to transfer it, its growth was accompanied by a diversification of sources of income and of export products, although the dependence on O&G remains high.

The goal of reducing energy intensity was also achieved¹⁸. On the other hand, the major strategic objective that wasn't was the diversification of production in the territory, with increased exploitation in Eastern Siberia, which continues to participate with a mere 9% of the total production of the Slavic country (Kamyshnikov & Kolparov, 2019). At the moment, the result for production in Eastern Siberia and Yakutia remains in the moderate scenario, since it had forecast production of 50 mln. Tons in 2020 (80 mln in the case of the optimistic scenario), and in 2018 production was 55 mln. tonnes ("Oil production in Eastern Siberia", 2019). The slowness in dispersing production is accompanied by low investment in R&D, which tends to increase the dependence on technology of Western companies to expand production in the future.

In terms of geopolitical considerations, considering the new administrative paradigm of its 2000s and pipeline policy, Europe continues to depend on the Slavic country to supply 40% of the gas and 32% of the oil it imports. Still, Ukraine, the main route of passage for the European market, was circumvented with the construction of the "nord stream" gas pipeline, which drastically reduces its maneuvering power, and the Chinese market continues to absorb more and more of Russian production (Gomes, 2018).

4. Final Remarks

The study points to the strong importance of the nature of the relationship between the leaders of the O&G sector and the governing elites of each country as an element that influences the process of forming and implementing public policies. Therefore, we consider it relevant to further investigate the existence of causal relations

¹⁷ To illustrate, in 1999 the fiscal deficit was 44 billion rubles, while in 2006 the surplus surpassed 2 trillion, at considerably lower inflation (Goskomstat, 2001).

¹⁸ Since energy intensity is a function of the energy used by the product obtained, we calculate it based on energy consumption in the Russian Federation each year divided by GDP, based on data provided by Enerdata and the World Bank.

between corporatist power structures and the good performance of policies for the sector.

An element that draws attention is the role of the government in the two case studies, which allowed the growth of the fuel sector to lead to economic, social and technological development in both countries. On the other hand, attention is also drawn to the pressure exerted on States and, particularly, on companies in the O&G sector due to the need to invest in contexts of expanding production to new reserves.

In Brazil, there is less identification of the O&G sector with economic elites. Despite its importance for the Brazilian economy, it does not depend on hydrocarbons in the same way as Russia. In addition, the fact that self-sufficiency is the country's major strategic objective leads to a liberalizing trend, as there is less need for nationalization and nationalization of production in order to achieve this objective. The country is not in a region as geopolitically strained as Russia is, it is not a transit route to other countries, nor is it willing to use its oil company as a pressure mechanism abroad. As a result, the use of the company to achieve extra-economic and geopolitical goals was limited.

In the Slavic country, in contrast to the Brazilian context, economic elites are historically linked to the oil sector, so that the changes that occurred in the 2000s concern not the hierarchy of economic sectors, but the system of representations of interests between the private sector. and State, for the benefit of the latter. As the sector in question is connected to strategic objectives that, in addition to self-sufficiency, relate to the projection of power, there is a tendency towards the centralization of the O&G industry around national capital and, particularly, the State. Russia effectively managed to achieve geopolitical goals by diversifying its consumer markets, putting pressure on the former Soviet republics into its area of influence and maintaining European dependence at high levels.

The Brazilian case still points to a deficiency of the country in refining, despite the statistical illusion that leads to believe in the country's self-sufficiency. This data reinforces the need for in-depth studies on the need to expand the refining park, as well as on proper practices concerning fuel price policies. The issue is made worse by the non-use of the social fund, which could mitigate the impacts of low oil price scenarios on the state-owned company. For Russia, the refining issue does not arise as a problem, since the country managed, based on the policies described in the text, to rationalize the

production of hydrocarbons, avoiding what would have been a collapse of its oil and gas production system.

With regard to the sustainability of the companies and the development models adopted in both cases, due to the size of the necessary investments, on the one hand it is natural that Petrobras is impacted by the exorbitant costs of pre-salt exploration, necessary to guarantee the benefits production in the future. The alternative to this would be for the state company to divide investments with IOCs, which, under the sharing regime, are obliged to pay fixed percentages to the Union. However, Petrobras, even in the context of liberalization, tends to maintain dominant position in the sector, thanks to its tradition of offshore technical capacity.

The Russian Federation, on the other hand, must deal with the results of concentrating production on traditional infrastructure and reserves. Unlike Brazil, the increase in Russian production does not immediately depend on massive investments in new reserves, which reduces the financial impact on its companies and allows it to fractionate the cost of expansion over the territory in the long term, without the need to make many concessions to IOC's with respect to the investment costs division. On the other hand, the technical difficulties of exploitation on the new frontiers of Russian production and the technological deficiencies of the country's companies may lead them to make such concessions to Western capital.

Table 01: Context and Evaluation of Each Case Study

País	Brasil	Rússia
Contexto	<p>Economia não dependente de P&G</p> <p>Autossuficiência é o principal objetivo estratégico</p> <p>Urgência de investimentos na infraestrutura produtiva</p> <p>Alta expertise tecnológica da Petrobrás</p> <p>Não é rota de transporte de hidrocarbonetos</p> <p>Região geopoliticamente calma</p>	<p>Economia dependente de P&G</p> <p>objetiva diversificar exportações e aumentar dependência de países vizinhos</p> <p>Folga para diversificar a infraestrutura produtiva</p> <p>Empresas sem expertise tecnológica e baixo investimento em P&D</p> <p>Principal rota de transporte dos recursos do Cáspio à Europa, China e CEI</p> <p>Região geopoliticamente tensionada</p>
Avaliação	<p>Aumentou a produção, mas ainda não é autossuficiente</p> <p>Petrobrás se tornou instrumento de indução tecnológica da cadeia de valor</p> <p>Tendência mais liberalizante das PP's do setor de P&G</p> <p>Está desenvolvendo a infraestrutura produtiva, mas a grande custo para a Petrobrás</p> <p>Petrobrás não é utilizada como instrumento geopolítico</p>	<p>Aumentou a produção e a renda do setor de P&G.</p> <p>Setor petrolífero se tornou um instrumento de desenvolvimento econômico pelo seu transbordamento</p> <p>Tendência centralizadora das PP's do setor</p> <p>Não está conseguindo dispersar a infraestrutura produtiva, e poderá depender de altos investimentos e tecnologia estrangeira no futuro</p> <p>Companhias nacionais funcionam como instrumento geopolítico</p>

Fonte: Author's Elaboration.

The Brazilian case can, therefore, serve as an apprenticeship for the Russian O&G sector, which will face, in the future (more gradually, it is true), the challenge that Brazil is currently going through, of expanding production to new reserves, that demand more investment and technological training. If the Slavic country remains at a slow pace of distribution of production in its territory, it is to be expected that the country's companies will, in the coming decades, go through the financial difficulties imposed on Petrobras now. It is also expected to reduce the rigidity of Russian corporatism, in view of the technological dependence on Western companies.

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Universalization of Basic Sanitation: the crisis of social rights and regulatory challenges in Brazil

Universalização do Saneamento Básico: os desafios regulatórios no Brasil

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Abstract: This article analyzes some points related to the economic incentive mechanisms of the new regulatory framework of basic sanitation in Brazil, which was approved by the Senate in June, 2020, and it is now awaiting the presidential sanction. Besides that, this work presents the real situation of millions of Brazilians who have their social rights mitigated by the failures of the current economic regulation, that do not meet basic demands of the population, and that endanger the constitutionally guaranteed social rights. The guiding question is: what are the main changes of the new regulatory framework of basic sanitation that promises greater efficiency in its universalization? To answer the guiding question, the research is based on data from IBGE, on the statistics from the National Sanitation Information System (SNIS), besides the economic and legal literature on aspects of regulation and social rights in Brazil and the regulatory frameworks of Basic Sanitation (Law 11.445/07 and PLC 3261/19). The comparative method is used. Therefore, the research presents some statistical data that illustrate the difficult reality of thousands of Brazilians who still do not have access to treated water or sewage treatment in their homes, despite all the constitutional guarantees of Brazil.

Keywords: Sanitation; Regulation; Social Rights.

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Resumo: Este artigo analisa alguns dos mecanismos de incentivo econômico do novo marco regulatório do saneamento básico no Brasil, já aprovado pelo Senado Federal em junho de 2020, e aguardando sanção presidencial. É apresentada a situação real de milhões de brasileiros que têm os seus direitos sociais mitigados pelas falhas da atual regulação econômica, não atendendo as demandas básicas da população, e colocando em risco direitos sociais garantidos constitucionalmente. A questão norteadora desta pesquisa é: quais as principais mudanças do novo marco regulatório do saneamento básico que promete maior eficiência na sua universalização? Para respondê-la são utilizados dados do IBGE, estatísticas do Sistema Nacional de Informações sobre Saneamento (SNIS), e a literatura econômica e jurídica acerca dos aspectos da regulação e dos direitos sociais no Brasil e dos marcos regulatórios do Saneamento Básico (Lei 11.445/07 e PLC 3261/19). O presente artigo compara as principais mudanças regulatórias advindas da nova legislação (PLC 3261/19) em relação ao marco regulatório atual (Lei 11.445/07). Finalmente, a pesquisa apresenta dados estatísticos que mostram a difícil realidade de milhares de brasileiros que ainda não têm acesso à água tratada e nem ao tratamento de esgoto em suas residências apesar de todas as garantias constitucionais que fundamentam a República Federativa do Brasil.

Palavras-chave: Saneamento Básico; Regulação; Direitos Sociais.

1. Introduction

Access to treated water and waste collection in municipalities are being included and about how basic sanitation is defined, and are associated to the fundamental right to health, in article 6 and 196 of the 1988 Federal Constitution. Ultimately, it is a right and not a benefit or charity. In Brazil, there is still a serious problem concerning the provision of such services to the population. According to SNIS data (2018a), almost 40 million Brazilians still do not have access to the treated water service, and more than 100 million Brazilians do not have access to sewage collection. These data are extremely worrisome, since providing quality basic sanitation is the least that a state can provide.

At the time when the study was written, the most recent regulatory framework on basic sanitation in Brazil had already been approved by the Senate, whose main objectives are to provide services related to basic sanitation also by the private sector, with the National Water Agency (ANA) (Federal Senate, 2019) as the agency responsible for this inspection. Within this context, the purpose of this work is to analyze the consequences of the basic sanitation regulatory framework, and the relationship between this issue and the responsibilities that should be coordinated by the public power.

The paper will consist of four sections, in addition to this introduction and the final considerations. In the first section, an analysis will be made of what would be the minimum existential responsibility of the State, considering the context of globalization

in which Brazil is included. It is valid to assume that access to goods that are not so essential - such as access to the Internet, for example - seems to be more readily available to a certain portion of the neediest population when compared to access to basic services such as treated water and sewage collection. According to data from PNAD Continuous (2017), 74.9% of households had access to the Internet in the year 2017.

The second section of the work explores the Brazilian reality regarding basic sanitation, seeking to characterize the current scenario experienced by the country, and presenting data that illustrate the current conditions of sewage collection and treated water availability. The third section takes up the theoretical issue of public utilities regulation, and places the new sanitation regulatory framework that, if approved in all spheres, will provide guidelines for the provision of such services also by the private sector, evidencing what is expected from the regulatory agency that will be in charge of the sector. Comparisons between the current regulatory framework and the proposed new framework will be presented in this topic, which consist of Law 11,445/07 and the House Bill 3261/19.

Finally, the discussion section will highlight the main changes in the regulation of basic sanitation services in Brazil, and what can be inferred from the discussion regarding the government's position in the role of provider of the existential minimum. It is expected to contribute to the issue of regulation in that sector, guiding the study in the theoretical framework of regulation of public utilities and infrastructure.

2. The Paradox between economic globalization and the guarantee of the minimum existential

The technological advances resulting from the process of economic globalization provide numerous advantages and benefits related to comfort and well-being from the point of view of the consumer society. However, despite all the inventiveness and technological disruption, many social problems cannot be solved by technology alone, something that can be observed in the functioning of the basic sanitation sector in Brazil.

It is possible to observe a true "complexity" of the problems, and the result is the necessary approximation of the disciplines. This, in health, is too strong, since there is a transdisciplinary or trans-sectoral reality: there is ethics, ecology, epidemiology, politics, law, strategy (Chaves, 2018).

The current debate about the private sector's performance in essential public services causes divergences in the political field, considering the inherent role of the State in promoting public policies and achieving social rights. In today's globalized world, the exchange of capital and the economic efficiency of markets become means to overcome the difficulties of the public sector. Moreover, it should be emphasized that technological innovation is one of the foundations of human development and overlaps with political narratives. In this sense, Acemoglu (2012) explains that technological innovation is one of the elements present in terms of economic and social advances, but clarifies that in this process some privileges are lost, both from an economic and political point of view.

The possibility of the private sector entering the bids related to basic sanitation invokes assumptions inherent to the technological innovation system. Moreover, the current situation of public services in Brazil requires technological support, whether public or private.

The private sector's performance in essential services is directly related to aspects that afflict the operation of Social Welfare States (Bauman, 2008). In addition, social changes coming from the consumer society are increasingly present with the diffusion of the need for more efficient regulatory mechanisms that increase the capacity to serve the entire population. However, Bauman (2010) ponders that the globalization process creates negative externalities transforming everything and everyone into merchandise. The very concession of an essential service (water) would be another characteristic of consumerism that guides the consumer society.

Bauman's criticism (2010) of the unbridled process of globalization is in the sense that not all individuals have access to the market or to technological advents. In this sense, it is ponderable that the implementation of public policies regarding social rights cannot be dogmatic, that is, that the unbridled faith in the private sector will solve all the ills and sanitary problems that the lack of sanitation brings to Brazilian human development.

As Leoneti, Prado and Oliveira (2011) point out, the increase in the dynamics of society's activities, and of the population itself, generates greater need in terms of drinking water for consumption and production, a need that to be met would require an equivalent increase in availability, which is not the case, since water is a scarce resource. Investment in basic sanitation, through water and sewage treatment, is a way to help preserve existing resources.

In this line of reasoning, it is pertinent to emphasize the evident need for State action in the economic and social order in the implementation of public policies that provide alternatives to fight social inequality, misery, violence and poverty. As well as in the access to basic social rights that are, for instance, listed in article 6 of the 1988 Federal Constitution, "Art. 6 Social rights are education, health, food, work, housing, transportation, leisure, security, social security, maternity and childhood protection, and assistance to the helpless, in the form of this Constitution" (Federal Constitution, 1988).

Although these rights are listed in the Law of major imposition of the Brazilian State, the economic reality and the basic assumptions of the economy (scarcity, supply and demand) cannot be changed, especially with regard to the guiding principle of scarcity. This means that resources are scarce and, therefore, their allocation must be efficient, providing what legal science calls an "existential minimum". The notion of existential minimum can be understood "as the whole set of material benefits indispensable to assure each person a decent life, in the sense of a healthy life" (Sarlet, 2012, p. 62).

This notion of "existential minimum" is enshrined in Article 25 of the 1948 UN Universal Declaration of Human Rights. An international legal device guided the 1988 Federal Constitution in guaranteeing human dignity for any citizen regardless of race, color, gender or religion. This is how Article 25 of the UDHR is handled:

Every human being has the right to a standard of living capable of ensuring health and well-being for himself and his family, including food, clothing, housing, medical care and indispensable social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other cases of loss of livelihood beyond his control (UN General Assembly, 1948).

Despite all the legal robustness that supports the effectiveness of social rights in Brazil, the reality that stands out is the lack of basic services for the population, in which nationally and internationally constructed rights are completely mitigated.

The paradox demonstrated so far is instigating. While access to and democratization of consumer goods have some facilities for the most vulnerable population - be it in the form of payment or contracting - the Public Power remains relatively inert in guaranteeing the minimum for the citizen. The universalization of basic sanitation in Brazil is one example of this. In over thirty years of democracy and rule of law, 46.8% of the population has no access to a sewer system (SNIS, 2018a).

In the most recent era of economic globalization, the role of the State in formulating public policies is highlighted. Pochmann (2017) analyzes the role of the State in carrying out public policies from the beginning of the New Republic⁵, and identifies three determinants for the government's actions in this period. The first of these is what the author calls a realignment to the old global center with a focus on national sovereignty, which consisted of a less passive position of Brazil in relation to the United States, and greater emphasis on the South-South relationship, which includes countries in Latin America and other developing countries.

The second determinant pointed out by Pochmann (2017) is greater alignment with the purposes of the Washington Consensus reform, in addition to the federation's responsibility regarding the debts of states and municipalities. Finally, there are aspects that have contributed to generate greater distance from the inclusive society, such as the percentage of the tax burden having increased more for the classes that earn less. In this sense, it is relevant to reflect on the impacts of globalization in relation to social rights.

Under the impact of globalization, the state is weakening as it loses control over the variables that influence its economy. It deteriorates its capacity to formulate and implement public policies, to regulate and supervise its internal market, and thus its power to guarantee the effectiveness of social rights (Sarmiento, 2001, p. 154).

The historical evolution of the Liberal State to the Social State is observed by the concern no longer with citizens' freedom, but also with their well-being (Sarmiento, 2001). It is in this regard that the Federal Constitution of 1988 laid its foundations in its first article when it mentioned the principle of the dignity of the human person as a foundation of the Republic. From a conceptual point of view, the principle of the dignity of the human person is an unchanging value that is posited in the Constitution as protection for any citizen.

It is a spiritual and moral value inherent to the person, which manifests itself singularly in the conscious and responsible self-determination of one's own life and brings with it the claim to respect by other people, constituting an invulnerable minimum that any legal status must ensure (Moraes, 2002, p. 50).

Although there are legal and moral predictions about the State's obligation to promote human dignity, when analyzing current data on water treatment and access to basic sanitation, it is possible to notice that the situation in Brazil is critical. The current

⁵ New Republic is the name given to the period that began after the end of the Military Regime.

sanitation regulatory framework seems to be outdated and not reaching the most elementary criteria such as universalization and efficiency.

The current framework is governed by Law 11.445/2007, also known as the Basic Sanitation Law. It lists some fundamental principles in its first article, such as universalization, economic efficiency and sustainability, and safety and quality of service. The problem arises in the issue of service ownership, since the Sanitation Law provides autonomy for all states and municipalities to create their respective regulation as long as a series of administrative requirements are met, which are set forth in Chapter II, of Law 11,445/2007.

This regulation⁶ must be based on a municipal plan that establishes the guidelines for the segment. The study of Lisboa, Heller and Silveira (2013) conduct a survey with managers of 15 municipalities in the Zona da Mata region in Minas Gerais, with the purpose of carrying out a survey on how municipal plans on basic sanitation services are prepared. It was raised that some managers do not give due importance to planning, which leads to more discretionary decisions, which may result in lower efficiency when compared to that generated under a policy focused on the sector, researching what the real needs of each municipality are.

This discretionary capacity of states and municipalities can end up hampering efficiency. However, it is not a characteristic of who exercises power, but of how it is planned. According to Motta (2007), the greatest importance should be given to the regulatory instruments that are used, which are responsible for providing a monopolized market with the incentives that would be present in a market with competitive characteristics.

Turolla and Ohira (2007) also explain the idea that the exercise of regulation by the state or municipal sphere does not interfere with the efficiency of policies, invalidating

⁶ The State with the concentration of production from the sources of law is a reality in deconstruction. We are facing the breakdown of legal regulation. Chevallier (2009) introduces the idea that legal regulation is no longer one, that is, it does not derive exclusively from the State and now gives rise to a number of other actors. We are faced with a plural and (re)ordered right, since “the relationship between these spaces [for creating the right] is no longer controlled by the principle of hierarchy”. The plural aspect is the (new) right, insofar as elements of legal extra-status, supra-status and infra-status are present. The first (extra-statality of law) is designed based on globalizing elements of international regulations (growth in the use of incoterms, forumshopping and notably the greater presence of *lex mercatoria* – in short, the preponderance of Private International Law); the second (supra-state of law) is based on the public regulation of international law (treaties, conventions and agreements); finally, the third possibility (infra-statality) present in the growth of private regulations of the law and in the appearance of responsibility of local actors in the legal production (Chevallier, 2009).

the argument that municipal regulation better meets the needs of each location, due to the divergences between state and municipal operators.

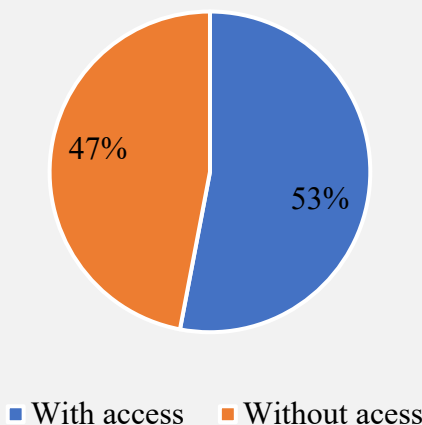
One of the main failures of the regulatory framework is to deal with the existence of natural monopolies of public companies in the market, which are held hostage to political decisions to the detriment of the true public interest of the population. In the case of the sanitation sector, market failures are present, such as externalities and the natural monopoly, which are the object of economic regulation. Planning the performance of more than one company in the same stretch presupposes a significant reduction in efficiency, and it is necessary to think that sanitation is a service that should reach the population as a whole, regardless of income conditions (Madeira, 2010).

In Brazil, most sanitation companies are public and, therefore, are at the mercy of the political idiosyncrasy that largely denies such economic considerations when making decisions on infrastructure investment and service universalization (Candido, 2013, p. 3).

3. Basic Sanitation

The Brazilian reality reveals that, although the globalization process is in evidence in the country, mainly with the technology applications that provide inventiveness, countless facilities for urban mobility and alternative income for countless economically active people, the implementation of public policies aimed at the quality of life and basic rights of citizens is absent in the daily lives of the population. Public policy instruments applied to the reality of each municipality are essential for better results in the provision of sanitation services (Capanema & Pimentel, 2018).

Graph 01: Brazilian population with access to Basic Sanitation in 2018



Source: SNIS (2018b).

The Brazilian reality presents worrying data considering the social and economic perspectives. Using the statistics available in the SNIS (2018), it can be observed that 100 million Brazilians (47% of the population) do not have access to the sanitary sewage system, and that 16% of the Brazilian population - that is, 16 million Brazilians do not have access to treated water (SNIS, 2018b).

One of the strategies to reverse this reality is the possibility of the private sector acting in the provision of public sanitation services as well as the elaboration of a plan of targets in the regulation approved in June 2020. The recent sanitation regulatory framework establishes an ambitious plan of targets, which aims to achieve practically the universality of services by 2033, with the marks of 99% of the population with access to drinking water and 90% of the population with access to treatment and sewage collection (Federal Senate, 2020).

The social relevance of the debate on the universalization of basic sanitation focuses on relevant economic criteria, especially with regard to public health at the global level. In this sense, it is estimated that for every dollar invested in water and sanitation, US\$ 4.3 is saved in global health (WHO, 2020).

Table 01: Basic Sanitation Indicators

Locality	Population without access to water (%)	Population without sewage collection (%)	Without coverage of household Solid Waste collection (%)	Drinking water made available not accounted for or lost in distribution (%)	% of generated sewage that was treated
Brazil	16,40	46,80	7,90	38,00	46,30
North	42,90	89,50	16,40	55,50	21,70
Northeast	25,80	72,00	13,90	46,00	36,20
Southeast	9,00	20,80	3,80	34,40	50,10
South	9,80	54,80	8,50	37,10	45,40
Center-West	11,00	47,10	7,10	35,70	53,90

Source: Sanitation Panel, SNIS (2018a).

According to SNIS data (2018a), in 2018 the percentage of the population in Northern Brazil does not have access to sewage collection and treatment, which estimates it will take more than forty years for the universalization of basic sanitation to be achieved, considering the current pace.

The data illustrate the Brazilian reality from the social point of view. The evident absence of public policies clashes with a paradox at least curious raised by IBGE (2017) in a recent study. On the other hand, in Brazil, in 92.3% of households there is at least

one resident who owns at least one smartphone, while in 66% of households there is not even sewage treatment (Costa, 2017).

The globalization process provides easy access to technological tools, but it does not solve eminently social problems, since new technologies do not exempt the State from promoting public policies aimed at the quality of life of citizens and the realization of positive constitutional rights.

4. Regulation of public utility services: the regulatory framework for basic sanitation

After the theoretical discussion on the issue of basic sanitation in the context of globalization, a comparison will be made between the current sanitation regulatory framework in Brazil, expressed through Law 11.445/07, the new regulatory framework proposed for the sector, which is set by PLC 3261/19. According to Fachin (2017), the comparative method may be used between series or facts of an analogous nature, so that in this survey the aforementioned Law 11.445/07 and PLC 3261/19 will be used, in order to identify similarities and differences between them.

The sources of information that will be used to illustrate the current panorama of the basic sanitation segment in Brazil are the Brazilian Institute of Geography and Statistics (IBGE), and the data from the National Sanitation Information System (SNIS), which is the agency responsible for gathering official information about the sector's operation. Furthermore, this study is based on the sector's legislation, as well as on the 1988 Federal Constitution, and other materials on social rights and their main characteristics.

This section is divided into two topics, in addition to this brief explanation of methodological procedures. The first of them presents a literature review, presenting the main authors that address the issue of economic regulation. In the second part, the discussion on the regulatory framework of basic sanitation in Brazil is deepened, applying the concepts previously mentioned.

4.1. Economic regulation: a review of recent literature

Public utilities can be understood as very relevant to the population, among them being the electric power supply, collective transportation, and basic sanitation. Perfect competition among companies is hardly observed in the real economy, but it should be

considered as a parameter to evaluate the degree of market power of companies. That is why there are agencies to defend competition.

Schymura (2014) takes up studies considered as a reference in the discussion on economic regulation, such as those of Posner (1974), Stigler (1971), and Peltzman (1976), to explain the need or not for regulation in public utilities. Schymura (2014) explains that it is important to understand that public utilities are often one of the major targets of regulatory capture theory, since their functioning is directly linked to the political conditions of the government in office.

Fiani (2016) explains that economic regulation can be interpreted as an institutional instrument, bringing to light characteristics of both the institution itself and the agents acting in it. Thus, by omitting the institutional aspects of regulation, the theory is limited because it is necessary to know which interests regulation seeks to serve in order to understand its objectives. It is also added that the understanding regarding institutions provides tools to evaluate the degree of autonomy of the regulator and, consequently, what determines its interests.

Regarding the market structure that is regulated, the basic sanitation sector fits into what is known as natural monopoly, for having as an economic characteristic lower costs when managing a single agent, compared to a situation with two or more companies responsible for providing the service, that is, competition is not something present in the sector, something common to many infrastructure sectors. This assumes that economic regulation for the sector needs to ensure that social objectives are pursued by those administering the monopoly (Candido, 2013).

Deepening the characteristics present in the regulation of the sanitation sector's market structure, the issue of technological transformation arises, which is mentioned by Fagundes, Pondé, and Possas (1998) as one of the factors that causes natural monopolies to disappear in some sectors, especially infrastructure sectors. The presence of sunk costs (sunk costs) in most infrastructure sectors is highlighted, which can be defined by costs that cannot be recovered to any degree after an investment has been made. This characteristic means that even if there were no other institutional barriers, potential entrants could not establish themselves, due to advantages gained by companies that are already part of the market, in terms of learning, negotiating power with suppliers, initial investment demanded, among others.

These notes lead to the well-known argument that regulation is necessary in an environment where there are market failures. Bregman (2006) mentions these market failures, such as natural monopoly and externalities, and relates them to government failures, showing that this concept is relevant for selecting the cases in which regulation is necessary.

The need for regulation in sectors that provide public utilities was questioned by Demsetz (1968), who illustrated with the practice of auctions a way for the market to coordinate itself without the need for intervention. The author showed that in the particularities of the process of selecting the companies that would be responsible for offering the services, the franchise system - as in the case of electric power - there would always be competition among the number of bidding companies, so that the service would be offered with the best possible quality and the lowest price. The author explained that auctions were a way to reduce state intervention in the operation of the sector.

Taking up Demsetz's Critique, the theory of contestable markets, and the question of regulatory capture, Basso e Silva (2000) observed that, in many cases, the deregulation of sectors is something that can be more advantageous to those who use the services, explaining that not even in cases of natural monopoly should companies be prevented from entering the market, mainly because it is very difficult to identify when the natural monopoly actually exists.

Coutinho (2017) emphasizes the importance that regulation serves social ambitions, functioning as something that brings greater equality from an economic point of view. The role of economic regulation as an instrument to improve income distribution and development policies in the case of developing countries is therefore highlighted, although the limitations of these interpretations of so-called "redistributive regulation" are also widely explored in the literature.

The study by Sampaio (2009), for example, discusses the Brazilian basic sanitation sector in light of the interpretation of regulation as a redistributive concept. It explains that the universalization of access to sanitation would be sought through redistributive tools, which is somewhat difficult to be achieved in Brazil, which is a country with large dimensions, and the sanitation service does not reach all localities, besides being unattractive investments in the sector from the private standpoint, due to elements such as high fixed costs and sunk costs.

Specifically for the basic sanitation sector, the regulation is made by the National Water Agency (ANA), as already mentioned, and the body responsible for gathering information about the sector's operation is the National Sanitation Information System (SNIS), which provides historical series about variables such as solid waste collection, water treatment and sewage, among others (MDR, 2020).

In view of what has been exposed so far, the next topic seeks to identify the aspects of public utility regulation in what has been proposed for the issue of basic sanitation in Brazil through the new regulatory framework.

4.2. The new regulatory framework for basic sanitation in Brazil

The new regulatory framework for basic sanitation in Brazil is listed in PLC 3261/2019 and has already been approved in the Federal Senate in the first half of 2020. The advances brought by PLC 3261/2019 are quite significant. From the regulatory point of view, the new regulation will transfer to the National Water Agency (ANA) the power of regulating and inspecting the basic sanitation in Brazil imposing more transparent guidelines in universal character. Currently, states and municipalities are in charge of regulating the basic sanitation service - which makes the regulation completely inefficient, since the rules change from city to city, and from state to state.

As Turolla and Ohira (2007) describe it, the conflict of municipal and state management competencies cannot guide nor guarantee the effectiveness of the service, since there are significant diversities in both local and regional operators. With the new regulatory framework, ANA will be able to establish universal dictates and greater transparency for market rules.

Another interesting point about PLC 3261/2019 is the need to open bidding in the competitive modality for private companies to compete and offer the best conditions of tariff and service. Currently, the sanitation service is rendered without bidding - which ends up focusing on regulatory capture and corruption to the detriment of public interest and the best service to the consumer.

The new regulatory framework for basic sanitation brings substantial changes compared to the current sanitation law. The inclusion of ANA as the main regulatory agency; the possibility of bidding in bidding modality for public service concessions, and issues related to governance promise to provide greater efficiency and transparency in the

provision and also in the universalization of public service. The main changes can be seen in Box 1:

Quadro 01: Comparação do Marco Regulatório Atual e do Novo Marco Regulatório do Saneamento Básico no Brasil

Changes	Current Regulatory Framework	New Regulatory Framework
Government entity responsible for regulation	Establishes that it is the responsibility of states and municipalities to regulate the service.	Transfers to the National Water Agency (ANA) the responsibility to regulate the service at the national level.
Public policies of governance	Does not have public policies of governance.	Creates the CISB (Intermunicipal Basic Sanitation Committee) that will promote public policies of governance in the sector, allowing the effective allocation of resources in other municipalities.
Concession modality	The concession is made as a rule by public companies without bidding.	Bidding in the bidding modality is mandatory, allowing private companies to provide public sanitation services.
Fine Forecast	There is no fine forecast for users who do not connect to the sewer network.	Fines are imposed on citizens who do not subscribe to the sewer network connection service.
Occurrence of water crisis or calamity situation	There is no responsibility of the Union in case of collapse or water crisis.	In case of water crisis or collapse, the Union is responsible for adopting the appropriate measures for the allocation and distribution in the water service.

Fonte: Author's Elaboration.

The new regulatory framework foresees greater participation of private companies in the execution of basic sanitation services in the country, to the detriment of the current modality of public consortia. The data mentioned in section 2 of this article show statistically that the execution of the sanitation service in this current model has failed, due to the huge number of people without access to even treated water. However, even though there is room for more participation by private companies, it is still incipient to assess whether it will be positive or not, since quali-quantitative research will be needed

to better measure the performance of the private sector and verify whether there has been a significant improvement in sanitation or not. Moreover, in the future there will be a discussion on access. Will the increased participation of the private sector actually promote accessibility to basic sanitation for the most vulnerable populations?

By allowing private companies to provide services, the regulatory framework tries to consolidate the guiding principle of Efficiency in Public Administration - listed in article 37, caput of the Federal Constitution. The imminent discussions in Congress on this specific point tend to cause a certain uproar by the ideological preferences of legislators, but it is considered that the discussion on the screen is not about political ideologies, but rather about the realization of human rights.

5. Discussion

Going back to the issue of changes in the sanitation regulatory framework in Brazil, it is necessary to take into account some consequences of this change. The transfer of inspection of a certain activity to a regulatory agency - in the case of sanitation, to ANA - may bring the risk of regulatory capture.

However, at first, it is necessary to consider if it seems better to delegate the task of regulating sanitation to an agency that already exists and keeps other related responsibilities, besides the one that would come with the control of the sanitation service, in relation to migrating to the proposal of creating a specific regulatory agency for the sanitation activity, not leaving aside the issue that the existence of many agencies increases even more the chances of capture. It must be taken into account that sanitation is extremely important to maintain minimum conditions of quality of life to the population, and significant attention to this segment is needed.

Furthermore, it is worth mentioning the issue of independence of regulatory agencies, even if there is a specific agency to take responsibility for the issue of basic sanitation in Brazil, since this characteristic contributes to reduce the risks of capturing the regulatory agency, the higher the degree of independence. This independence, however, should not be total, in order to avoid the agency's goal to distance itself from defending the interest it enjoys in the regulated services, and start dealing with the agency's own interest (Santos, 2013).

Forman (2016) also points out that the greater the risks and uncertainties present in a given government, the greater should be the independence of regulatory agencies. It

is also necessary to consider that the presence of a regulatory agency at the federal level could mitigate conflicts between the current spheres of control - state and municipal.

Regarding the segment's governance, the Interministerial Committee of Basic Sanitation (CISB) would have as main function the coordination of the National Plan of Basic Sanitation, which was already included in the National Sanitation Law of 2007, but has not yet been implemented. The core purpose of this plan would be to build a panorama of the basic sanitation situation in Brazil, mapping the population's main needs, and discussing how the measures that would improve the quality of life in this sense would be put into practice, seeking for a better allocation of available resources. The exercise of governance would be in liaison with other federal agencies, such as the relationship with the Ministry of Cities, to which the CISB would be linked, besides the sector's own regulatory agency, with emphasis on local needs.

By adhering to the practice of bidding for the provision of sanitation services, it is undoubtedly possible to verify a great advance in competitive terms. As explained in the discussion about the Demsetz Criticism (1968), the practice of auctions in public utility services allows the company that will provide the service to offer the best package, that is, the lowest price combined with the highest quality of service.

The presence of private companies in these auctions further fosters competition, allowing the quality of services to be higher. Moreover, it is possible that the need for regulation in the sector will diminish with the passing of time after adhering to this practice, since there is already a preliminary regulation when choosing the company that will be responsible for providing the sanitation service. With greater competition, the pressure for bidding companies to offer a better quality of service will certainly increase, which will result in benefits to users.

Regarding the imposition of fines for users who are not connected to the sewage and water treatment systems, there are already sanctions applied in some municipalities. A study by the Trata Brasil Institute (2015) conducted a survey with Brazilian municipalities, sending out questionnaires regarding the sanitation service, and obtaining answers from 490 of them. The sample was divided in two, with Sample 1 counting 47 municipalities among the 100 largest in the country, and Sample 2 counted the data from the other municipalities. The results indicated that in 44% of the municipalities in Sample 1 there were fines or some other form of sanction for residents who did not adhere to the system interconnecting to the sewage network. With this type of sanction being foreseen

in the new regulatory framework, there will certainly be a movement towards expanding coverage, and avoiding idleness, which is precisely the phenomenon conceptualized by residents who do not participate in the sanitation coverage network when services are available in their region.

Finally, on the issue of the occurrence of water crisis, in the new regulatory framework, the responsibility of the Union appears, which is something more than necessary, since there must be an agent to resort to in the case of a water crisis, which may be caused by climatic factors or also by poor management of available resources. In a situation like this, the population alone would not have the same effectiveness in reallocating the resources needed to solve the problem. Moreover, planning by the Union can prevent such crises from occurring, which further transfers responsibility for these aspects to an entity that has greater control over related factors, such as the influence on players such as industry, farmers, and more information on climate and phenomenological conditions.

Thus, it is possible to say that, in general, the new regulatory framework of basic sanitation in Brazil brings benefits to the society as a whole, because it allows for better and greater coverage of the service to the population, besides making room for clearer regulations by a single regulatory agency. There is also more encouragement to competition through the possibility of holding bids, which causes more incentives to increase the quality of service provision, as well as to better meet citizens' needs.

6. Final Considerations

The purpose of this work was to analyze some of the main changes in the new regulatory framework for the basic sanitation segment in Brazil (PLC 3261/19), compared to the current National Sanitation Law, which dates from 2007. The theoretical basis for such discussion resumes outstanding authors in the field of economic regulation, and the method employed consisted of collecting data from agencies such as IBGE and SNIS.

It was possible to find preliminary evidence that the framework would bring better benefits to the population, making the Union responsible for eventual water crises and their consequences, reducing conflicts between the spheres of inspection - states and municipalities - and concentrating regulation in a single agency, of federal control, the National Water Agency (ANA).

One of the greatest achievements contained in the new regulatory framework is the competitive incentive promoted by the practice of bidding, in which the company that wins the auction will be the one that offers the best package, that is, the lowest price with the highest quality. Furthermore, it has become possible for private companies to participate in the bids, so that they can also provide the basic sanitation service.

For future researches, the debate about the regulatory agency that should control the sanitation activity is pertinent: whether it should be ANA or whether a regulatory agency for basic sanitation should be created. Besides, an interesting question is what is the best way to carry out the transition to the new regulatory framework, since there are a number of regulatory agencies at municipal and state level, which have different planning for the sanitation segment - or no planning at all, as evidenced by the study in Lisboa, Heller and Silveira (2013).

Finally, it is necessary to consider that the core purpose of the discussion on the change in the sanitation regulatory framework is whether it brings substantial changes to the current panorama of coverage of this service in Brazil, since the country's situation is alarming in this regard, as highlighted by the data explained in this survey.

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Archangel Operation: an evaluation of the Law and Order Guarantee Operation in the Alemão and Penha communities in Rio de Janeiro

Operação Arcanjo: uma avaliação da Operação de Garantia da Lei e da Ordem nas comunidades do Alemão e da Penha no Rio de Janeiro

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Abstract: Guarantee of Law and Order Operations are legal instruments that enable the National Armed Forces to act in Public Security. One of the most prominent and nationally known of these operations was Archangel Operation, which began with a decree aimed at preserving public order in Complexo do Alemão and Complexo da Penha (Alemão's and Penha's communities), in Rio de Janeiro; also, one of its major objectives was to assist Public Security Forces in a pacification process for the implementation of Peacekeeping police unite known as 'UPP', which would improve Rio de Janeiro's image during mega-events that would take place in the city at the time. Thus, this article has as its main objective to analyze and evaluate the implementation of Archangel Operation, identify its stakeholders, understand if its real goals were achieved and the gaps that prevented this achievement. As methodologies, the literature review and the analysis and evaluation of public policies were applied, more specifically the evaluation of public policies by Evert Vedung, which resulted in the use of intervention theory, an illustration of stakeholders, and the model of achieving objectives and goals, in addition to other qualitative analyses. Finally, it was found that, in long terms, the operation was more in people's imagination than in real life's concrete facts.

Keywords: Archangel Operation. Armed Forces. Public Policy. Guarantee of Law and Order Operations.

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Resumo: As Operações de Garantia da Lei e da Ordem são instrumentos jurídicos que possibilitam a atuação das Forças Armadas Nacionais na Segurança Pública. Uma das Operações de maior proeminência e conhecimento nacional foi a Operação Arcaño, que se iniciou por um decreto que teve como objetivo a preservação da ordem pública nas comunidades do Complexo do Alemão e do Complexo da Penha, no Rio de Janeiro; além disso, tinha como um de seus grandes objetivos prestar auxílio às Forças de Segurança Pública em um processo de pacificação para implementação das Unidades de Polícia Pacificadora (UPPs), o que melhoraria a imagem do Rio de Janeiro durante os megaeventos que ocorreriam na cidade. Assim, este artigo, tem como objetivo principal analisar e avaliar a implementação da Operação Arcaño, identificando os grupos de interesse em sua realização, se os reais objetivos dessa operação foram alcançados, e as lacunas que impediram esse atingimento. Como metodologias, foram aplicadas a revisão bibliográfica e a análise e avaliação de políticas públicas, mais especificamente a avaliação de políticas públicas de Evert Vedung, que resultou na utilização da teoria da intervenção, ilustração de stakeholders e no modelo de consecução de objetivos e metas, além de outras análises qualitativas. Por fim, constatou-se que, em longo prazo, a operação ficou mais no imaginário popular do que em fatos concretos na vida real.

Palavras-chave: Operação Arcaño; Forças Armadas; Políticas Públicas; Garantia da Lei e da Ordem.

1. Introduction

The States' Armed Forces are traditionally used to contain external threats, either through actual violence or through deterrence. The Cold War (1945 - 1991) raised the level of distrust in the international system by indicating the exponential and possible use of nuclear weapons, which would put an end to humanity itself. Although this war was contextualized as a major bipolar conflict without confrontations between the two prominent powers - the United States of America and the former Union of Soviet Socialist Republics -, the Armed Forces of the other many countries did not cease to exist.

With the Cold War's ending, the characteristics involved in bipolarity, the use of nuclear weapons, and their arms race, no longer play an extremely important role in the definition of security. The emphasis on the State, on the study of the threat, use, and control of military force for the resolution of controversies, is no longer predominant (Waltz, 2002), but no less important. Thus, the theoretical field of security studies has suffered considerable disruptions. New theories and new analyzes appeared in international relations.

Under these circumstances, the expansion of the International Security Studies agenda has been studied by authors such as Buzan and Hansen (2012), who expand the

concept of security, reflecting growing concerns about new themes, in addition to those present in the “political-military agenda and the traditional positivist epistemology”.

In this sense, the concept of sovereignty has never enjoyed unanimity in terms of its significance, its practical validity, or political viability. With that, it has always been up to deconstructions. Altruistic interests and those most linked to hegemonic States are part of this process. One effort relates to the human security approach that:

It represents the effort to establish new international norms, based on humanitarianism, that transfer to the so-called international community the responsibility to safeguard the rights of the populations of those states that have failed in their task as a security provider. Thus, it is essential to protect individuals, the freedom they have to make choices, the access they have to social and market opportunities, as well as concern for the environment in which they live, that is, whether it is marked by conflict or by peace (United Nations Development Program, 1994, p.23).

These new approaches to security, which put the individual at the center of the debate by providing a certain deconstruction of State sovereignty with the securitization³ of the most varied themes related to individuals and world security, coincided with geopolitical ideas (mostly foreign) that sought to affect Defense Policy of peripheral States, under the auspices of an alleged American Pax. Thus, these States were more concerned with internal security and would exercise an almost exclusive police role in internal security, based on the Guarantee of Law and Order (GLO) (Violante, 2017).

However, a human security strategy would only make sense if all individuals, regardless of their location and State, were served with the same concern and urgency with which the most fragile states on the global power scale or those considered to have failed are treated, what does not occur in practice (Marroni, De Castro & Violante, 2018).

Mignon (2011) adds that terrorism, emigration, social and political issues, and other transnational illicit problems are examples of current or potential military problems that end up putting the classic sovereignty model into perspective and the state response to be considered, and may also be prone, including external interventions.

³ The securitization of a given theme takes place according to each states' reality. In high politics, it is where the themes that should be securitized are defined, in line with the perceptions of threats or vulnerabilities. Thus, each government explains what will be addressed, but which will not necessarily be resolved by the use of military means (Buzan et al, 1998).

Therefore, in the face of internal and external circumstances, from the 1990s onwards, the Brazilian State became concerned, in addition to its tasks of security and external defense, with the legal provision of the Guarantee of Law and Order, which indicates the national armed forces' mobilization within its borders.

Law and Order Guarantee Operations are part of the constitutional tasks of the Brazilian Armed Forces and can be seen occurring since the constitution of 1824. In fact, according to Mendes (2012), all Brazilian constitutions - except the one from 1937 -, legitimized the performance of the Armed Forces in exceptional situations and, by direct order of the President of the Republic, for the restoration of public order. Furthermore, from the last two decades of the twentieth century to the present day, urban violence in large Brazilian cities has become more sophisticated, with the appearance of more organized groups linked to drug trafficking.

However, the recurrent use of the Armed Forces in internal issues generates the phenomenon known as trivialization, that is, the Armed Forces are used in absentia by political agents, through military responses to problems of a general nature, such as confronting organized crime (police problem), involving large logistics (operations at major events) and in Voting and Counting Guarantee (GVA) operations.

The national Armed Forces have devoted themselves more to subsidiary actions than to the constitutional mission of State Defense, as defined in article 142 of the Federal Constitution. In this line of thought, Oliveira (2009), states that the National Defense Strategic (END) plan envisages the use of the Armed Forces in GLO operations as a strategic action, prioritizing the forces "inward", resulting in a lack of structure to combat external threats.

This article will analyze, therefore, a specific operation that became known as Archangel Operation and established, utilizing a Ministerial Decree, a Pacification Force (FPaz) that had the objective of preserving public order in the communities of Complexo do Alemão and Complexo da Penha, in Rio de Janeiro, in addition to assisting the Public Security Forces in a pacification process for the implementation of a Pacifying Police Unit (UPP), which would improve the image of Rio de Janeiro during the mega-events that would take place in the City.

As a methodology, exploratory and descriptive analyzes were used to understand the phenomenon of the use of the National Armed Forces in public security operations, such as Archangel Operation. The approach taken here was qualitative, as indicated by

Goldenberg (1997), seeking to understand the operation itself and not just its numerical expressions.

To support the knowledge, a documental analysis was made of academic authors who dealt with the topic, understanding the legal framework that regulates both Law and Order Guarantee Operations and the Ministerial Guideline that originated Archangel Operation more specifically, analysis of collected data through the system of the Public Security Institute (ISP), an autarchy linked to the State Government of Rio de Janeiro and the Institute of Economic and Applied Research (IPEA).

For a better understanding of the actors and interest groups involved in the elaboration of the operation that is the central object of this study, a survey was made of those responsible for the development of operation to guarantee the law and the order of any foundation, that is, those who can request of these operations according to the constitution, and the actors who would directly benefit from it when analyzing and evaluating the implementation of the Operation Archangel program

It can be said that the results of action can be seen immediately, in the medium or long term. These analyzes will also be based on the models of the public policy evaluation method of Evert Vedung (1997, 2017), in which it will be observed if their real objectives have been achieved, their stakeholders, and the gaps in achieving the objectives of this project.

2. Guarantee of Law and Order Operations

To better understand the legal framework that delimits the Armed Forces, it is necessary to understand what they are, who they are, and how the Brazilian Armed Forces (FA) operate. The FA is the military instrument responsible for the defense of Brazil and consists of the Brazilian Navy (MB), the Brazilian Army (EB), and the Brazilian Air Force (FAB), as constitutionally expressed.

The FAs are under the superior direction of the Ministry of Defense and their constitutional provisions are supported, especially, in the 1988 Federal Constitution (CF) art. 142, which states the following:

The Armed Forces, constituted by the Navy, the Army, and the Air Force, are permanent and regular national institutions, organized based on hierarchy and discipline, under the supreme authority of the Republic's President, and are intended for the Fatherland's defense, to guarantee of constitutional powers and, on the initiative of any of

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these, of law and order (Federal Constitution, 1988, art. 142, *emphasis added, our translation*).

The Guarantee of Law and Order Operations (Op. GLO) are part of the Brazilian Armed Forces' constitutional destinations, as demonstrated in Art. 142 of the Federal Constitution of 1988 (expressed above) and had their regulation under infra constitutional scope with the Complementary Law n° 97, of June 9, 1999, being part of the modern legal justifications for the Armed Forces' performance.

However, the 1988 CF is not the first one to address the issue. All previous constitutions, except the 1937s, refer to this subject, more specifically in the following articles: art. 148 of the 1824 constitution, art. 14 of 1891, art. 162 of 1934, art. 177 of 1946, art. 92 of 1967 and, finally, art. 142 of the current constitution.

Further, in history, the 1824 Constitution indicates, in its art. 148, that “The Executive Power is exclusively responsible for employing the Armed Forces of the Sea and Land, as it sees fit with Security, and defense of the Empire” (Constitution of Brazil, 1824, *our translation*); art. 14 of the 1891 Constitution: “The forces of land and sea are permanent national institutions, destined to the defense of the Fatherland abroad and the maintenance of laws in the interior” (Constitution of Brazil, 1891, *our translation*).

From the 1934 Constitution, it is possible to see the guarantee of law and order explicitly mentioned. Art. 162 of the 1934 Constitution states:

The armed forces are permanent national institutions, and, within the law, essentially obedient to their superiors. They are intended to defend the country and guarantee constitutional powers, and law and order (Constitution of Brazil, 1934, *emphasis added, our translation*).

The Constitution of the United States of Brazil, of September 18, 1946, indicates, in its art. 177 the performance of the Armed Forces, which “The armed forces are destined to defend the Fatherland and to guarantee the constitutional powers, the law and the order” (Constitution of Brazil, 1946, *our translation*). The same text is repeated in art. 92 of the Constitution of the Federative Republic of Brazil of 1967.

Therefore, since the foundation of the first national constitution, the FA has played a relevant role in the country, with so-called subsidiary obligations, although not so clearly to guarantee the Law and the Order.

Parallel to art. 142 of the Federal Legislation of 1988, some complementary laws and normative decrees were elaborated to give the proper guidelines for the FA's

activities. Complementary Law no. 97 of 1999 (LC 97/99) is part of the arsenal that regulates the FA's performance within the constitutional scope and seeks to define the rules for the organization, preparation, and use of the Armed Forces (Succi Junior, 2018). The Law will deal with Republic's President powers in decisions over the FA's employment; the operating conditions, that is, the need to exhaust the instruments shown in art. 144 of the 1988 CF; and the recognition, by the Heads of Executive and State Power, as "unavailable, nonexistent or insufficient to the regular performance of their constitutional mission" (Complementary Law n° 97 of 1999, *our translation*).

Op. GLO's regulation effectively came with the approval of Decree No. 3,897 of August 24, 2001, which sets the guidelines for the employment of the Armed Forces in the Guarantee of Law and Order and brings, in its art. 5, a little talked about the fact: operations involving official and public events with the participation of State authorities. Art. 5 is also relevant in indicating a supposed determination of time, although not very explicit, of "the shortest possible time". This type of approach leaves room for long operations not to take place.

Sérgio Arruda (2007) is quite categorical in saying that Decree no. 3,897/01 and previous legislation goes by the obvious, by basically indicating what is already expressed in the Constitution, without further explanation:

[...] Furthermore, the decree goes through the obvious, repeating the terms of the Constitution and the Complementary Law. Sow more doubt than certainty. It even makes the employment of the Military Police dependent on the consent of the State Governor, under the operational⁴ control of the federal military command (Arruda, 2007, p. 98).

The 2001 decree sets the guidelines for the Armed Forces' use, but as inferred by Arruda (2007), it brings more doubts than answers, while it gives the Army, and the other forces, police power in order to inhibit or curb individual actions, in the name of an alleged common good, whereas the decree itself does not clearly explain which order is intended for GLO Operations, being the responsibility of each operation separately. Another uncertainty is the possibility, then, that the FA may develop actions of ostensive police, which is constitutionally the competence of the Military Police. In

⁴ According to the FA glossary, operational (or operative) control means: "power assigned to a commander to employ and control forces, in specific and limited missions or tasks, in order to enable him to carry out his mission. It excludes the authority to separately employ the components of these forces as well as to carry out their logistical or administrative control and assigns authority to control other forces that, although they are not subordinate to them, operate or transit within their area of responsibility.

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other words, the operational control of operations is in the hands of a superior authority that is not competent and does not act in such functions in a daily basis.

It is also worth noting that the 2001 decree facilitated the use of Law and Order Guarantee Operations, so that there would no longer be a need for a declaration of insufficiency by the governors, since only the operational control of the troops would be assigned to the command of the Armed Forces, reducing the imaginary-political damage of local governors.

However, it is important to realize that Decree nº 3.897/01 calls attention to the need for information from the Ministry of Foreign Affairs (MRE) on operations, to avoid possible negative impacts internationally, in a possible international distrust. Further on, there is complementary Law no. 117 of 2004 (LC 117/04) and Complementary Law no. 136 of 2010 (LC 136/2010) that amend LC No. 97/99 and deepen the debate on what is defined as the exhaustion of public security mechanisms, deals with the operational control of public security bodies.

Also, Complementary Law no. 117 sets three precedents for Op. GLO's run, which directly implies how operations should be thought and enacted:

employment hypothesis under the conditions provided for in §3 of this article, after a message from the Republic's President, the Armed Forces' operation organs will be activated, which will carry out, in an episodic manner, in a previously established area and for a limited time, preventive and repressive measures necessary to ensure the result of operations in guaranteeing law and order (Federal Constitution, 1988, *emphasis added, our translation*).

It is necessary to understand that Op. GLO must happen in an episodic way; in a previously defined area, and cannot extend over a long territory; and lastly, with a determined period of activity, which makes the situation a little complex, as there is no limitation in this determination, which can reach a month or even 100 years.

In this understanding, De Almeida, Franchi & França (2019) understand that Armed Forces work in Op. GLO is not limited to related cases, only to acts of a strike by public security institutions, but also involves the holding of States' events, collaborating for the maintenance of a safe and stable environment, collaborating for the achievement of States' political-strategic objectives.

Another important part of this analysis is to identify the historical milestones in the regulation of Law and Order Guarantee Operations. Legislative Decree no. 373 of 2013 approved the update of the National Defense Strategy and the creation of the

National Defense Policy and the White Paper on National Defense, which deals with the activities of the FA.

Besides, two other documents are of paramount importance for understanding the theme: Ordinance n° 62 of 2005 from the army, which creates the Law and Order Guarantee Instructions Center, which was subordinate to the 11th Light Infantry Brigade, in Campinas in the state of São Paulo; and the Ministry of Defense Ordinance no. 3,461 of 2013 that creates the document ‘Law and Order Guarantee’ (MD 33-M-10), which establishes guidelines for planning and executing Law and Order Guarantee Operations. In this sense, it is of relevance for the understanding of FA’s activities they are entitled to do, especially in the case of GLO Operations that have been occurring more frequently, as will be seen below.

According to the Ministry of Defense (2014), the FA’s role for the Guarantee of Law and Order is considered a specific “non-war” action because it does not have the purpose of combat itself, even though it allows the use of force when necessary. Thus, Op. GLO are a type of military operation carried out by the FA on a non-recurring basis and with specific limitations.

Figure 01: Summary table - GLO’s legislation in Brazil

Marcos legais das Operações de Garantia da Lei e da Ordem no Brasil		
☐ (CF) Art 148 1824;	☐ (DE) 3.897/2001;	☐ (DE) 8.903/2016.
☐ (CF) Art 14 1891;	☐ (LC) 117/2004;	
☐ (CF) Art 162 1934;	☐ Portaria 062/2005;	
☐ (CF) Art 177 1946;	☐ (DE) 6.703/2008;	
☐ (CF) Art 92 1967;	☐ (LC) 136/2010;	
☐ (CF) Art 142 1988;	☐ (DE) 7.496/2011;	
☐ (LC) 9.299/1996;	☐ (DL) 373/2013;	
☐ (LC) 97/1999;	☐ Portaria 3.461/2013; e	

Source: Prepared by the Autors.

Before going on to historical performances, it is important to understand the basic principles for the FA’s performance (the so-called Rules of Engagement), which according to MD 33-M-10 (2014) are these: Proportionality, Reasonability, and Legality. Thereafter, the FA’s actions must follow guidelines that move in this

direction. A normative summary table of the GLO's legislation in Brazil is presented in figure 01:

3. The archangel operation - implementation analysis

The Archangel Operation is the most common name for the Law and Order Guarantee Operation that took place in the Alemão and Penha complexes, in the north of Rio de Janeiro, between 2010 and 2012.

The aforementioned Complexes were known for the high degree of violence and the constant confrontations between rival factions (Mendonça, 2017), which in itself already indicates the need for a public policy aimed at the region, which has very specific characteristics and somewhat different from the rest of the city of Rio de Janeiro.

In an unprecedented request, in November 2010, the Governor of Rio de Janeiro, Sérgio Cabral, asked for support from national forces to restore order in communities in the city, a request promptly answered and accepted by the then Minister of Defense, Nelson Jobim. An operation was initiated that, together with public security agencies, such as the Battalion of Special Police Operations (BOPE) managed to occupy the Vila Cruzeiro region. The momentary success of the operation has made it possible to extend the operation viable and precise, which will extend and, to a certain extent, allow the occupation of a Pacifying Police Unit (UPP). Thus, the relationship of the Armed Forces in GLO operations with the so-called "war on trafficking", headed by the UPPs' logistics, is evident.

As indicated by Cabeleira (2013), the first Pacifying Police Unit (UPP) was installed in Morro Santa Bárbara in Botafogo, and the project aimed to expand this policy to other locations sensitive to the organization of mega-events, such as the Soccer World Cup 2014, the 2016 Olympics, as well as increasing the attractiveness of tourism and civil construction to the area.

This objective is quite evident when analyzing the locations where the UPPs were installed. Most of them were implemented in the South, Center, and North Zone of the city of Rio de Janeiro places very visited by tourists and with a large flow of people who wish to take cultural tours. In this sense, Mendonça (2017) draws attention to the sites of Complexes do Alemão and Penha, very close to the Red Line and the international airport of Galeão, a welcome place for tourists.

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It is quite evident that the interests in a Law and Order Guarantee Operation, with the name of pacification, have objectives beyond the merely “pacification” of the local and eventual, since it corresponds to tourist and companies interested in this specialty, that benefit from the image of a pacified and safe Rio de Janeiro.

With these points covered, it is possible to proceed with the explanation of the so-called Pacification Force (FPaz)’s consolidation, which was officially determined by the Ministerial Guideline No. 15/2010 of the Defense’s Ministry, based on the specific legislation of Law and Order Guarantee Operations, such as Complementary Law (LC) No. 97/1999 and Decree 3,897/2001.

Thus, there was a request from the State of Rio de Janeiro’s governor to “continue the integrated process of pacification of the State of Rio de Janeiro, between the Union and the State”, authorizing the “temporary employment of military personnel from the Armed Forces... for the preservation of public order in the communities of Alemão and Penha Complexes”(Ministerial Guideline No. 14 of 2010, our translation).

Also, the Ministerial Guideline indicates some functions that would be performed by FPaz, namely: patrolling, searching and forecasting, and flagrant. It is also explained that the FPaz organization would be under the Army Commander’s responsibility, in the presence of Commander Enzo Peri, who would continue the work carried out under Ministerial Directive N° 14/2010.

Archangel Operation took place, therefore, between November 2010 and July 2012, having as main players the Brazilian Navy and the Brazilian Army. The Operation had an average of 1,500.00 military personnel circulating quarterly and an approximate cost of R \$ 135,458,800.00, and just for comparing complexity, it was a less costly operation, when compared to the military contingent and the expenses of the Operation of the Military Games that also took place in Rio de Janeiro (Defense Ministry, 2020). Looking at Figure 02 it’s possible to understand the relation between costs and military personnel from some GLO operations.

Although, at first glance, it seems an unfounded comparison, as it deals with different contexts, it is worth mentioning the understanding of the comparative use of funds in Law and Order Guarantee operations, calling attention to the non-predominance of operations against combating drug trafficking.

The figure 02, bellow, shows, when making a small cut from 2010 to 2012, that both the question of human resources and the budget allocation of GLO Operations

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were not entirely aimed at fighting crime, as opened with the Archangel operation. The comparison with the most expensive operation so far, which of the V Military World Games, explains this breakthrough, especially when taking into account the duration vs the cost.

Figure 02: GLO costs and personnel Source: Brazilian Defense Ministry, 2020

SEQ	SOME	DATA	OBJETIVO	EFETIVO	CUSTO
1	IV Cúpula dos Chefes de Estado e de Governos do IBAS e II Cúpula dos Chefes de Estado e de Governos do BRIC.	13 a 18 de abril de 2010	Prover segurança ao evento realizado em Brasília-DF.	570	R\$ 634.639,37
2	Reunido de Cúpula Brasil-CARICOM.	22 a 30 de abril de 2010	Prover segurança à Reunião, realizada em Brasília-DF.	19	R\$ 615.184,63
3	III Fórum da Aliança das Civilizações	25 a 31 de maio de 2010	Prover segurança ao evento, realizado em Brasília-DF.	29	R\$ 1.698.316,94
4	Operação Eleições - 2010	02 a 4 de out e de 30 out a 1 nov de 2010	Garantia da lei e da ordem (GLO) durante a votação e a apuração em todo o Brasil.	13.053	R\$ 40.811.374,28
5	Operação Ananjo	28 de nov de 2010 a 30 de jun 2012	Emprego das Forças Armadas como Força de Pacificação no Rio de Janeiro	1.500 em média por contingente	R\$ 135.458.800,00
6	XL Reunião de Cúpula de Presidentes dos Estados do MERCOSUL e Associados	13 a 18 de dez de 2010	Efetivar as ações de segurança relacionadas com a Reunião, realizado em Brasília-DF.	1.434	R\$ 1.036.237,62
7	Visita do Presidente dos Estados Unidos da América	17 a 22 de mar de 2011	Emprego das Forças Armadas na segurança do evento, realizado em Brasília-DF.	2.412	R\$ 2.458.703,68
8	Operação Sinop	25 de mai a 31 de ago de 2011	Empregar as Forças Armadas, em garantia da lei e da ordem, na promoção de ações relativas a delitos ambientais praticados em municípios da região norte do Estado do Mato Grosso.	406	R\$ 31.055.897,33
9	V Jogos Mundiais Militares	08 a 28 de jul de 2011	Emprego das FA na segurança do evento, realizado no Rio de Janeiro.	6.405	R\$ 386.472.018,00
10	Encontro Iberoamericano de Alto Nível em Conmemoração ao Ano Internacional dos Afrodescendentes	17 a 21 de nov de 2011	Coordenar as ações de segurança para o evento, realizado em Brasília-DF.	130	R\$ 115.000,00
11	Operação Maranhão	24 de nov a 3 dez de 2011	Emprego das FA no Maranhão devido à paralisação da PM.	1.777	R\$ 2.022.885,91
12	Plebiscito para a Criação dos Estados de Ceará e Tapajós.	05 a 12 de dez de 2011	Garantia da ordem pública durante o plebiscito, realizado no Pará.	1.638	R\$ 5.842.150,64
13	Operação Rondônia	08 a 12 de dez de 2011	Emprego das FA em RO devido à paralisação da PM.	582	R\$ 1.005.224,46
14	Operação Ceará	31 dez 2011 a 4 jan 2012	Emprego das FA em CE devido à paralisação da PM.	698	R\$ 7.128.152,00
15	Operação Bahia	02 a 11 de fev de 2012	Restabelecer as condições de normalidade devido à greve da PM-BA.	4.645	R\$ 14.365.904,20
16	Conferência das Nações Unidas sobre Desenvolvimento Sustentável (Rio + 20)	06 a 29 de jun de 2012	Implementar medidas de segurança para a Conferência, realizado na cidade do Rio de Janeiro.	24.833	R\$ 157.110.000,00

Fonte: Brazilian Defense Ministry (2020).

4. Intervention Theory

For Vedung (1997, 2017), the intervention theory is an analysis of the decision-making problems that investigates the determinants of a problematic condition (the implementation gaps of Archangel Operation in Rio de Janeiro) that the program action undertaken by political and decided by the actors and policymakers can modify as state policy. The objective is to extract an action logic, a structure of assumptions about activities performed by the actors that cause effects, measuring the effectiveness of a decision, based on the intervention results.

It is a fact that, in the evaluation of Public Policies, what matters are causes, consequences, and their mediation connections. Pittol Trevisan and Van Bellen (2008) add that the design of a public program can be synthesized in a sequence of definitions corresponding to successive degrees of objective aggregation. Therefore, figure 03 exemplifies the synthesis of the objective sequences of Operation Archangel, based on the analysis of the previous sections.

Figure 03: Intervention Theory of Operation Archangel



Source: Adapted from Vedung, 1997, p.225.

In reality, the Inputs that stimulate the creation of the policy are a) exogenous - the political-strategic scenario of Brazil and, more particularly, the regional and local reality of the State and the city of Rio de Janeiro; and b) endogenous - the national strategic awareness and a favorable political interest for the maintenance of a power project and greater regional and international insertion, given the international events that Brazil would hold, highlighting Brazilian soft power to the world.

The conversion takes place within the government, absorbing externalities in the search for a viable solution capable of responding to the wishes of political power, the perception of a large part of the Brazilian population, and the needs imposed on the country to fulfill the commitments assumed with the International Federation of Association Football (FIFA), the International Olympic Committee (IOC) and other national and international actors. Here, the President of the Republic, the Governor of RJ, the Mayor of the city of Rio de Janeiro, the Ministry of Foreign Affairs (MRE), the Ministry of Defense (MD), the Brazilian Army (EB), the Brazilian Navy (MB) elaborate the program per se, aiming at political objectives.

The main intervention was Archangel Operation, which made other adjustments and operations possible in other areas, years later.

The outputs, such as the political decision to prioritize internal security, with the use of the FFAA in public security in focal and important areas for tourism and its

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transit corridors in the city of Rio de Janeiro, to answer the factors that led to its creation (the inputs).

The outcomes derived from the outputs, portraying those immediately desired, such as more actions, activities, projects, resources for the FA, cooperation between the FA and the Auxiliary Forces. As the desired intermediate or medium-term outcomes, the promotion of cooperation in all areas of public security stands out, with greater investment in resources and personnel in public security.

The final desired outcomes were aimed at establishing programs and projects to meet the needs of the intervention, which was partially accomplished. The results were partial, temporary, and limited in specific predetermined areas. The prevalence of more immediate results, which were not based on the resolution of long-term insurance problems, contributed to the failure to achieve these outcomes.

4.1. Stakeholders

Any action, state-owned or not, has a group with its interests to make this activity happen. Often these groups are not reported explicitly and that is why the analysis narrative becomes more difficult. In this part of the article, we will try to explain in a didactic way which interest groups (stakeholders) that permeate Archangel Operation.

Within the public sphere, it is possible to indicate the groups most interested in the occurrence of the aforementioned Operation, namely the Governor of the State of Rio de Janeiro, at the time, Sérgio Cabral (PMDB) and the Mayor of the City of Rio de Janeiro, at Eduardo Paes (PMDB). Also, even within the sphere of the State, with the consent of the President of the Republic, it is possible to affirm that then-President Luís Inácio Lula da Silva (PT) is also an interested party, as well as President Dilma Rousseff (PT) who determined the extension of the actions.

Still, concerning public stakeholders, the range of interested ministries can be quite wide, since even the budget allocation changes. That is, it is very evident that the Ministry of Defense when representing the Armed Forces, is the most interested in Law and Order Guarantee Operations to take place, and more specifically Archangel Operation had the media explicitly agreed by the two ministers who were in charge of the portfolio at the time, Jobim (2003-10) and Amorim (2011-14).

Besides, it is possible to indicate that the auxiliary forces, when responding to the State Governor and being an active part of the conflicts involving public security, are key players as interest groups for the actions of the Armed Forces in Alemão and Penha's Complexes.

The legislation referring to Law and Order Guarantee Operations indicates that these may be required by the governments of the States, by the President of the Republic and by the President of any of the powers, therefore both the National Congress and the Supreme Federal Court can also be counted as interest group participants for Law and Order Guarantee Operations.

When considering the initial idea that Archangel Operation happened not only to help state forces in the implementation of the UPPs but also to improve the image of Rio de Janeiro given the large number of tourists who frequent the city, a possible interest group with quite prominent are tourism-related companies in the region, since crime and high levels of violence directly affect the city's image and economy.

A study carried out in 2011 by the research group of the Universidade Federal Fluminense (UFF) entitled "Tourism, Urban Environment, and Social Inclusion" demonstrated that one of the main factors in destinations choice elimination is the fear of violence (Olerj, 2019). Still, in 2011, Duék revealed to BBC Brasil⁵ that the concern for violence affects national tourists more tangentially, but even so, foreign tourists place the violence rates of the city of Rio de Janeiro as the main problem of the city.

Later, in 2017, an estimate from the National Confederation of Trade in Goods, Services and Tourism (CNC)⁶ indicated that within the eight months of the same year, tourism in the city had already lost R\$657 million due to urban violence, demonstrating, once again, that tourism-related companies are concerned with the violence in the city of Rio de Janeiro and take a position on the dealings with this problem.

Just as tourism-related companies were interested in crime-fighting operations in Rio de Janeiro, so are armaments companies, whether private or not, that directly relate to the Brazilian Armed Forces.

⁵ Interview available in: < <https://www.bbc.com/portuguese/brasil-41977919>>. Access in 01 Aug 2020

⁶ Available in: < <http://agenciabrasil.ebc.com.br/economia/noticia/2017-10/rio-perdeu-r-657-milhoes-em-turismo-por-cao-da-violencia-diz-cnc>>. Access in 01 aug 2020.

A very evident example that demonstrates this argument is the participation of companies such as the Brazilian Military Material Industry (IMBEL), which is publicly linked to the Ministry of Defense and which is responsible for the production of various weapons, from pistols and rifles to communication equipment, as described on the website of the company in question.

IMBEL is supplying the Brazilian Army, as a result of the Brazilian Combatant Project (COBRA), IA2 assault rifles (lighter and used both in peace operations and in Law and Order Guarantee Operations), pistols, and knives to operationally train Brazilian combatants for future activities.

Table 01: Participation of arms and ammunition among selected companies (2003-2011)

Participação das armas e munições entre as empresas selecionadas (2003-2011)									
	2003	2004	2005	2006	2007	2008	2009	2010	2011
Total de empresas	16	15	15	16	16	16	17	16	16
Fabricação de explosivos	2	2	2	2	2	2	2	1	1
Fabricação de equipamento bélico pesado, armas de fogo e munições	7	7	7	9	10	9	9	10	9
Percentual do total	56%	60%	60%	69%	75%	69%	69%	69%	63%

Source: IPEA, 2016, adapted from de Rais/ MTE.

Tabela 02: Frequency of respondent companies' production according to sub-segments

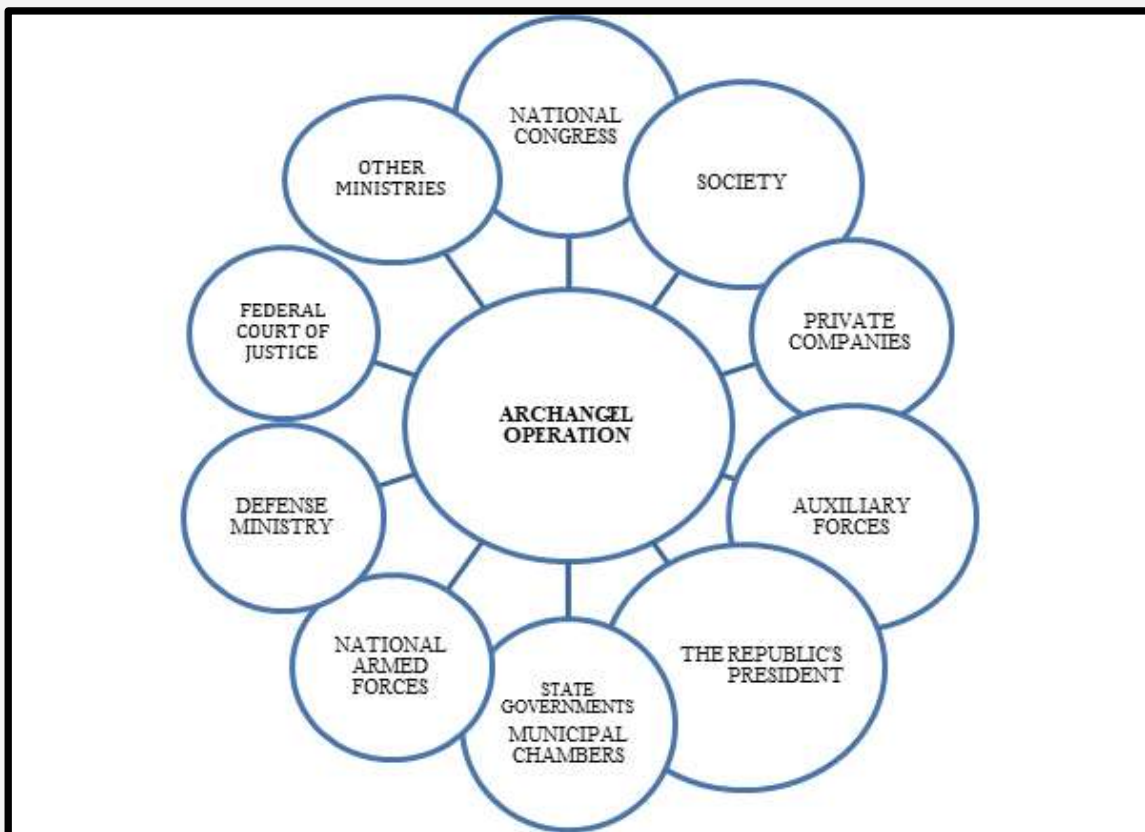
Frequência da produção das empresas respondentes de acordo com subsegmentos	
Subsegmentos	Frequência
Explosivos industrial e militar.	5
Mísseis	3
Munições pesadas	3
Munições leves	2
Foguetes	2
Carabinas	2
Fuzis	1
Morteiros	1
Pistolas	1
Canhões e obuseiros	1
Revólveres	0
Metralhadoras	0

Source: IPEA, 2016.

In addition to IMBEL, many other defense companies are present when analyzing the procurement of arms purchases for the Armed Forces present on the Federal Government's Transparency Portal, such as Helibras (belonging to the European

group EADS and manufacturer of helicopters), Forjas Taurus (armaments manufacturer), IVECO (tanks manufacturer), construction company Andrade Gutierrez, which created a joint venture with the French company Thales (camera manufacturers) and Companhia Brasileira de Cartuchos (manufacturer of military ammunition and public security). Another company worth mentioning is Condor Technologies, which, on its website, shows its participation in the sale of equipment exclusively for Law and Order Guarantee Operations for the Brazilian Armed Forces.

Figure 04: Stakeholder Evaluation Model



Source: Authors' Elaboration. Adaptado de Vedung, 1997, 2017.

In a study by the Institute of Applied Economic Research (IPEA) from 2016, about the Brazilian Defense Industrial Base, within a sample of 19⁷ companies, only 14% of them offered light weapons such as carbines, rifles and pistols and the vast majority, about 63%, provided heavy military equipment, as we will see in the tables below. In this way, it is possible to understand the role played by national war material companies in the recurring or not use of GLO Operations, since this indicates the extent

⁷ The study presented by IPEA does not specify which are the 19 companies selected

to which the company benefits from the possibility of a larger market and in the sale of necessary products for light combat.

Vedung (1997, 2017) comments that there are different assessment models, such as comprehensive, economic, customer-oriented, and stakeholder assessment. Therefore, the stakeholder assessment model, presented below, maps the above analyzes, for the groups of actors involved or who have some interest in the execution and results of the program to be evaluated, considering all those interested in government intervention, as shown in figure 04.

5. Objectives and Results

Any public action must have very clear objectives so that its event is not disputed or even invalidated and, more latently, so that it is possible to measure whether such an attitude was successful or not and how to improve it for the future or, if necessary, for extinguish it.

The actions related to defense and security, public or national, are also no different. While the Ministry of Defense, the body responsible for the top management of the Armed Forces, had a budget forecast of R\$ 74.6 billion in 2019, accountability must be shown effectively.

The decree that embodied Operation Arcanjo aims to preserve public order in the communities of Alemão and Penha Complexes, in Rio de Janeiro and, also, to assist the Public Security Forces in a process of pacification for the UPP's implementation, which would improve the image of Rio de Janeiro during the mega-events that would take place in the city.

It can be said that the results of action can be seen immediately, in the medium or long term. Thus, it will be analyzed whether the objectives established for the Pacification Force, and mentioned above, developed within this scope and the reasons for this.

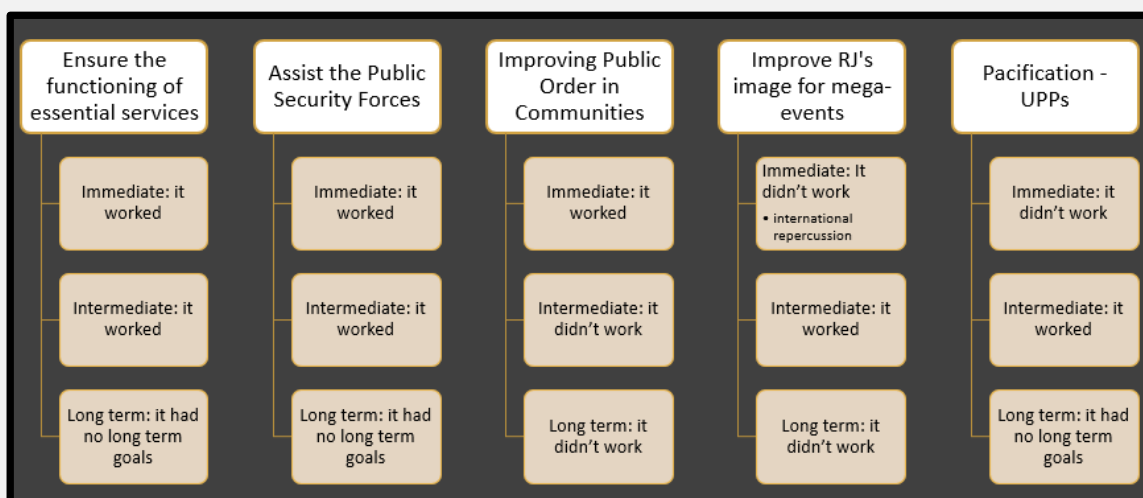
One of the functions of the Armed Forces, although not so explicitly, was to ensure the social services⁸ function provided to those communities and, immediately, it

⁸ To learn more about providing services to the community during Operation Archangel read: Schmitt, M. F., Schmitt, V. G. H., & Neto, L. M. (2017). CONFLITOS CULTURAIS NO PROCESSO DE PACIFICAÇÃO NO COMPLEXO DO ALEMÃO/RIO DE JANEIRO-RJ. *Revista da Escola Superior de Guerra*, 32 (63), 13-35.

is very evident that this happens since the garbage collection system and even public transport were resumed. While the Pacification Force stayed in place for almost 18 full months, it can be said that in the medium term the service was also guaranteed.

The same situation is repeated in the aid to the Public Security forces, in the short and medium terms the aid happens and the operations are carried out in a more or less integrated manner, but, like any Law and Order Guarantee Operation, there are no objectives in the long run and therefore, it can be said that the maintenance of social services and assistance to auxiliary forces was not effective in the long run.

Figure 05: Objectives Achievement Model



Source: Authors' Elaboration.

As previously explained, the improvement of Rio de Janeiro' image because of the mega-events that would happen soon in the city and the pacification process of the communities of the city with the implementation of the Pacifying Police Units were factors that proved to be very important objectives for the operation, but, in the end, they also did not have such effective results.

Did the implementation move towards the desired results? It is subject to external control, as shown in the Model for achieving objectives, in Figure 05.

As a result, national media reports were hopeful and treated the operation as a historic day in the fight against violence in Rio de Janeiro, as can be seen by doing a thorough analysis of the news and coverage given by the press during that day, but when analyzing the international media a few years later, during major events, it is evident that criticisms of mega-operation and its effects are present.

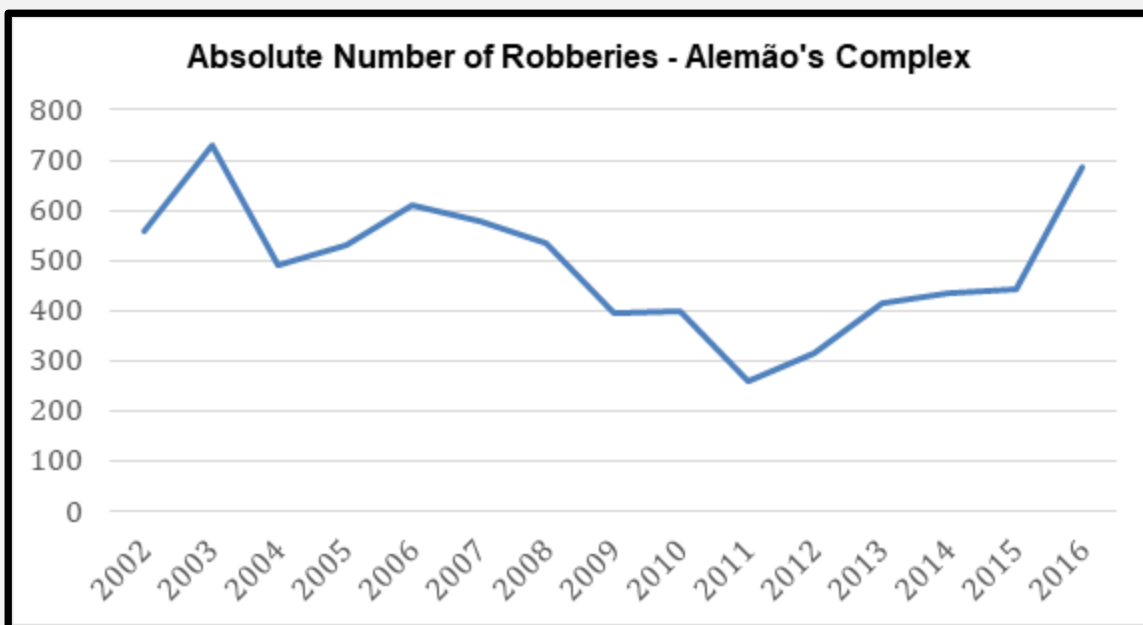
Melo, Violante. Archangel Operation

The presenter of the Globo TV Jornal Nacional, William Bonner, told Folha de São Paulo⁹ that Rio de Janeiro would be “united in a historic moment” and that was also the speech present during the broadcast of the RJTV newscast from the same broadcaster and the Jornal Nacional on 11/28/2010, the start of operations at Alemão’s complex.

The media euphoria did indeed result in television, but it fell short of the crime rates. This can be inferred by considering that both Jornal Nacional and RJTV that covered the operation from start to finish on 11/25/2010 when the operation started in Vila Cruzeiro, broke audience records for that year. The same happened with Rede Record, which transmitted information about the operation the following day, 26, with the program Fala Brasil

However, despite the presenter Ana Paula Araújo, during the RJTV program on the same day, saying that they are “decisive days for security in Rio de Janeiro”, this has not been shown in the coming years in the communities, especially when considering the violence rates from such locations. In an interview with the Los Angeles Times, journalist Rene Silva pointed out that "Violence today is worse than before pacification because we do not know when there will be shooting".

Figure 06: Absolute Number of Robberies, Alemão’s Complex (2002-2016)



Source: Adapted from G1 News Portal, 2017.

⁹ Interview Available in: < <https://www1.folha.uol.com.br/ilustrada/837415-william-bonner-volta-ao-rio-em-meio-a-operacoes-policiais.shtml>>. Access in: 01 ago 2020.

The Fogo Cruzado application, an initiative by International Amnesty that registers the locations where there is shooting in the city of Rio de Janeiro and the metropolitan region, showed that, between July 2016 and July 2017 (4 years after the departure of FPaz), the Alemão's Complex was the neighborhood with the highest number of occurrences, registering 225 foci of shots and 38 dead. The second neighborhood with the highest incidence of shots was Penha, also a target of FPaz, with 200 notifications and 25 dead.

The G1 news portal condensed data taken from the Public Security Institute and the Brazilian Institute of Geography and Statistics (IBGE) into a very didactic infographic and from these data it is possible to perceive more clearly the momentality of the drop in crime in Alemão's Complex, which will be analyzed through figure 06:

The data above have as reference the month of October (immediately before the start of FPaz's activities) and analyzing the historical series it is evident that the theft rates in the region were in constant decline, but from 2012, right after the end of the Operation, it increases again, indicating, once again, the momentary characteristic of the Armed Forces' performance in the Operation in question and reinforcing the argument that, in the long run, there were no improvements.

In addition, these data presented serve as a panorama for understanding that the UPPs' policies did not succeed in that region and, therefore, Archangel Operation itself did not represent real gains for the city, only the immediate results that have already been addressed that made possible the implementation of the Pacifying Police Unit in that region. However, it should be noted that the article proposed here is not prepared to explain the characteristics and objectives of the UPPs, but rather, their relationship with the Archangel operation and the use of the Armed Forces.

6. Side Effects

Allied to the results, it is necessary to understand the phenomenon of the side effects of adopting public policies, which often may not be directly associated with the idealized scenario itself, but with the adversities of the reality that is taking shape.

The operation that took place in Alemão and Penha Complexes, as well as any other operation, had positive and negative side effects, which will be more precisely identified from this point on. Firstly, all the positive points are analyzed, then the negative ones, and finally, a general assessment of the presented analyzes is made.

Melo, Violante. *Archangel Operation*

The first point that can be highlighted is the budgetary relief that the operation generates for the forces since a large amount of values is abruptly invested, with Archangel Operation receiving approximately R\$135,458,800.00, which was used in the most diverse ways. forms, from the purchase of equipment to the expenses with ranch and personnel.

A second aspect that must be considered is the momentary drop-in crime rates in the region, where forces were employed, which enabled the implementation of the Pacifying Police Unit in the respective neighborhoods. However, as previously explored, this is a momentary decline, while long-term State actions are not included in military actions.

Considering the negative side effects, the first point of extreme relevance to be considered is the exposure of the military that are in action to the most diverse environments and niches. The military is exposed to the crime environment, to the rigor of the media, and even to society in general, both the military individual and the acting force.

The adequacy of the Armed Forces doctrine is a crucial element of analysis, as it overflows the operation itself and affects all GLO operations and, ultimately, the National Defense and constitutional powers. The institutionalization of the Manual of Guarantee of Law and Order (MD33-M-10), for example, only happened in 2014, in view of the need to characterize the GLO operations that were increasingly occurring.

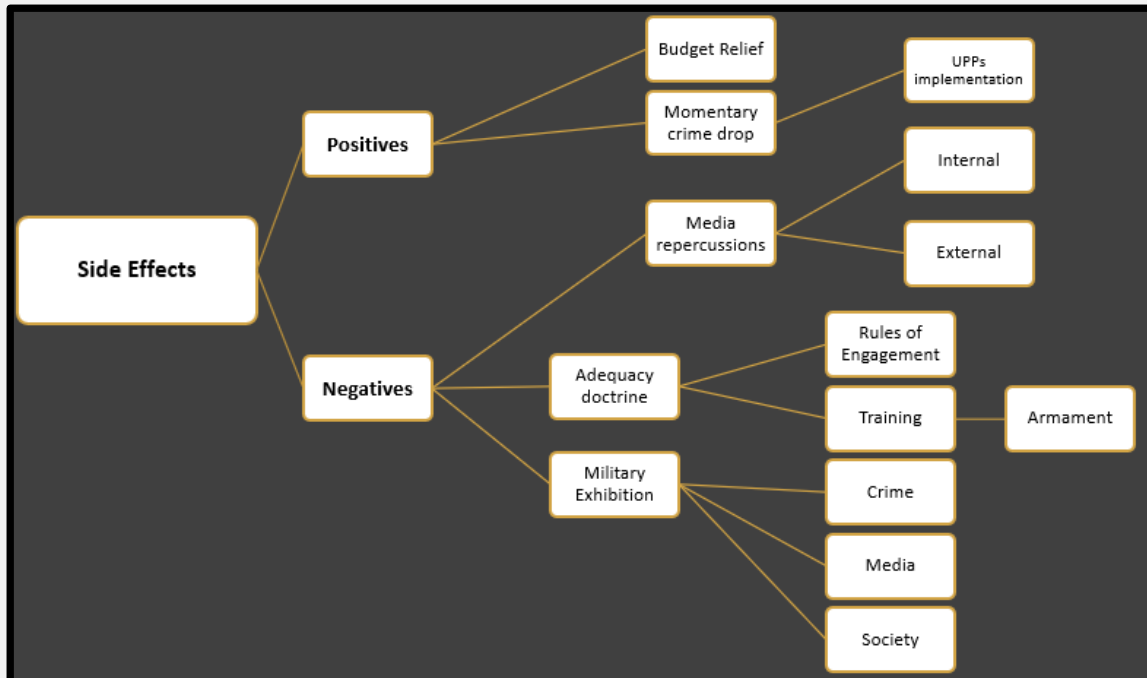
As part of the armed forces' doctrine adequacy, they are subject to the Rules of Engagement, or employment rules, of each operation, which are characterized as a document that delimits the proportional use of force (Nexo, 219). This document is very volatile and changes constantly, not only between different operations but also between interoperational phases.

The volatility of the rules of engagement requires that the Brazilian military is always in constant updating of their training methods since they must be ready to act at any time. In this scope, the question of military armaments that need to correspond to the current reality of the troops on the ground is also involved, that is, if the terrain is urban, it is logical that the armament used is suitable for that purpose.

It is emphasized that the side effects of a military operation can be several and, as initially indicated, are not necessarily directly linked to the operation, but often with the individual capacities of individuals or even with the environment. The success of an

operation, however, should not be measured solely through its side effects, but they must be taken into account when operations are designed at a higher political-strategic level. Figure 07 summarizes the side effects of the Transaction.

Figure 07: Side Effects: Archangel Operation



Source: Authors' Elaboration.

7. Final Remarks

The work that was done here aimed to analyze Archangel Operation in an exploratory way to understand what phenomena occurred during the participation of the Brazilian Armed Forces in such a particular context of public security in Rio de Janeiro, as was the implementation of the Pacifying Police Unit in the Alemão's Complex, in 2010, what became known as the Pacification Force.

Right away, it is necessary to understand that the creation of a Pacification force to retake public order, although that order is not very well placed in the Ministerial Decree that creates it, at the request of the then-governor of State, Sérgio Cabral, responded to exposed truths at that time and fulfilled the role of the federal entity in helping to design and implement the Pacifying Police Unit for the region of Alemão and Penha's Complexes.

It is quite evident throughout the work that there are groups that are very interested in the occurrence or not of Law and Order Guarantee operations, especially

those that take place in an area as mediatic as Rio de Janeiro. While these interest groups are projected socially not only as groups but through individuals, public or not, it is increasingly difficult to establish which ties permeate these relationships.

Allied to the interest groups that are projected before the implementation of Archangel Operation and the establishment of the Pacification Force, we have to analyze its effectiveness during and after its end. During the analysis, the argument that FPaz did not reach its previously determined objectives in the fight against crime in the medium and long term was always present. This argument was confirmed by the models of analysis and evaluation of public policies used.

However, it should be noted that this was not the objective of the Pacification Force and, therefore, it is reasonable that it has not been achieved. The criticism that is constructed here, when identifying the decrease in crime as a parallel objective, is the political use of this demand, since it is a socially and politically placed demand for the military engaged in Law and Order Guarantee operations, but not necessarily the reality pointed out in the different legislations on the subject.

Besides, the side effects that such an implementation obtained were also analyzed, identifying more negative than positive results. Because more than seven years have passed since Archangel Operation, it can be said that its effects are no longer as sparse, and it is possible to indicate, with a certain level of clarity, what its consequences are in Rio de Janeiro and, more specifically, in Alemão and Penha's Complexes.

The work does not intend to analyze the budgetary theme and therefore it is limited to presenting companies that act as influencers and participants in decision-making, requiring a more in-depth analysis in this area to understand in more detail the relationship of forces established consonance and achievement of a Law and Order Guarantee operation.

Thus, the work complies with its proposal to analyze Archangel Operation in its objectives, allied to the interest groups that permeate these goals, the achievement of its objectives in a staggered way, and what are its side effects to the troops and society in general. It is evident that other operations took place in that region after the dismantling of FPaz, but this was not the subject of this work.

As soon as it is necessary to understand that the mission of pacification of a certain area, whether inside or outside national borders, should not be directed solely

and exclusively to military forces, as was the case with Archangel Operation. Public authorities and the society that resides in that region, need to act together through the elaboration of decent public policies aimed at ensuring that military power is not an end in itself and, thus, fleeing the vicious cycle of Armed Forces' use in demand of a so called not-present public order that is not taught, passed on or at least presented.

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Recent Developments on Urban Mobility: An Integrative Review

Desdobramentos Recentes sobre Mobilidade Urbana: Uma Revisão Integrativa

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Abstract: The theme urban mobility has been approached with relevance in Brazil, where the National Urban Mobility Policy (PNMU) was enacted in 2012 — Law n° 12,587/2012 —, a public effort for its improvement. Faced with the problems of urban mobility, it seems to be of great interest to observe how the issue is being addressed after the PNMU. Therefore, the research questions that guide these works are: What is the situation of the debates about urban mobility in Brazil, after the implementation of PNMU — Law n° 12,587/2012? On urban mobility in Brazil, what issues still need to be addressed? To answer these questions, an integrative review of articles published in the SPELL platform (Scientific Periodicals Electronic Library) was carried out from the year 2012. The integrative review categorized urban mobility into dimensions — public, private and social — and themes — accessibility, market, new habits, planning, safety and sustainability. The results demonstrated that the debates are advancing in the country, but there are still specific issues that need to be better addressed, such as the need for cultural change — required for the adoption of new modes, such as bicycling and pedestrianism.

Keywords: Urban Mobility; Integrative Review Method (MRI); National Urban Mobility Policy (PNMU); Modes of Transport; Automobility.

Resumo: O tema mobilidade urbana tem sido abarcado com relevância no Brasil, onde foi promulgada, em 2012, a Política Nacional de Mobilidade Urbana (PNMU) — Lei n°. 12.587/2012 —, um esforço público para sua melhoria. Frente aos problemas de

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mobilidade urbana, parece ser de grande interesse observar como a questão está sendo tratada após a PNMU. Portanto, as questões de pesquisa que norteiam este trabalho são: Qual a situação dos debates acerca de mobilidade urbana no Brasil, após a implantação da PNMU — Lei nº 12.587/2012? Acerca de mobilidade urbana no Brasil, quais assuntos ainda precisam ser melhor abordados? Para responder às questões, foi feita uma revisão integrativa dos artigos publicados na plataforma SPELL (*Scientific Periodicals Eletronic Library*) a partir do ano de 2012. A revisão integrativa categorizou a mobilidade urbana em dimensões — pública, privada e social — e temas — acessibilidade, mercado, novos hábitos, planejamento, segurança e sustentabilidade. Os resultados demonstraram que os debates estão avançando no País, porém restam assuntos específicos que precisam ser melhor abordados, como a necessidade de mudança cultural — exigida para a adoção de novos modos, como a bicicleta e o pedestrianismo.

Palavras-chave: Mobilidade Urbana; Método de Revisão Integrativa (MRI); Plano Nacional de Mobilidade Urbana (PNMU); Modos de Transporte; Automobilidade.

1. Introduction

In general, urban mobility can be understood as the displacement of people and objects in cities. And, in contemporaneity, it plays a fundamental role in promoting a more egalitarian public space (Brazil, 2012). However, problems of urban mobility are common all over the world — in Brazil it is not different. Precarious infrastructure, difficulties in access to mobility, high concentration in a single mode of transportation and excessive congestion are just some of the characteristics observed in the country. There seems to be a consensus that automobility, i.e., the concentration of urban displacements in a single mode of transportation — the automobile — is the main responsible for these problems (Sheller & Urry, 2000; Furness, 2013).

The term automobility, according to Urry (2008), points to the fact that cities have been planned and governed to meet the demands of those who own automobiles — and, by extension, underlying the automotive industry. This gave rise to a self-organized and non-linear system, which assumes and calls attention to the existence of a set composed of automobiles, drivers, roads, supplies, new technologies, as well as cultures and public policies directed to it — the system (Urry, 2008).

Thus, Sheller and Urry (2000) explain that automobility provides car owners with higher status and associates them with diverse comprehensions such as speed, home, family, security, sexual desire, career success, freedom, masculinity, even affecting the judicial system by generating considerable crime rates — theft and robbery, excessive speeding, dangerous and/or alcoholic driving —, building a powerful political economy made up of technical and social interconnections of cars themselves with other industries

such as parts and accessories, fuels, road construction and maintenance, suburban housing and urban planning, subordinating other forms of mobility, such as hiking, public transport or bicycling.

The automobile, besides spending high amounts of natural resources to sustain itself, is the "iron cage" of modernity — motorized, moving and privatized (Urry, 2008). While favouring individual domains as freedom and flexibility, cars also restrict them to living compressed lives to their limits of space and time, reorganizing the way people negotiate opportunities and restrictions on work, family life, leisure and pleasure, for example.

According to Furness (2013), the perception of automobility as the only solution to daily journeys is dependent on the perpetuation of the belief and reproduction of unlimited technological progress, as well as on the rooted colonialist and militaristic practices and principles of the technocultural project. More critically, the invasion of automobiles and the pressure of the automobile lobby make of them a pilot object, of parking an obsession, of circulation a priority objective — an association that destroys social and urban life (Lefebvre, 1999).

Regardless of more forceful positions, it is undeniable that the number of cars is growing more and more. In fact, the metropolis no longer supports such demand and several bottlenecks have begun to appear — which is still present in the Brazilian reality, in which automobility contributes to foster the problems of urban mobility. According to Rodrigues (2016), the maintenance of the "highway" model seems to indicate the inexorable strength of the automobile industry, with actions and projects in the field of urban mobility guided by strange logics, and not by the prioritization of the real needs of population displacement. The urban mobility crisis is a reality, persisting with serious urban transport problems, with direct effect on both the environment⁵ and individual well-being.

Nonetheless, this is a reality that demands reflection. In addition to the high risk of accidents and the existence of ever — increasing traffic jams — due to concentration in a single mode of transportation — private motor vehicles are extremely polluting when compared to other means, such as subway and train, or even hybrid buses — not to

⁵ Here, one must understand "environment" — the unfolding of this word — as being composed of biotic elements - flora and fauna — and abiotic elements — water, air and soil — thus excluding mankind (Valença, Sobral, Ramos & Cavalcanti, 2010, our translation).

mention social exclusion, the priority of mobility of the public space destined for a single private mode, and the individual's distance from the environment one lives in, taking into account that, through using a car, one loses direct contact with the neighborhood and the city where lives (Sheller & Urry, 2000; Urry, 2008; Neumann, 2011; Barczak & Duarte, 2012).

However, in recent years in Brazil, there have been public efforts to improve urban mobility. In 2012, for example, the National Policy for Urban Mobility (PNMU) — Law no. 12.587/2012 — was enacted and its objective is to:

[...] contribute to universal access to the city, the promotion and execution of conditions that contribute to the implementation of the principles, objectives and guidelines of urban development policy, through the planning and democratic management of the National Urban Mobility System (Brazil, 2012, our translation).

Since then, the country has had the necessary guidelines to direct public policies that encourage and promote a better way for their displacement. Specifically, Law n° 12.587/2012 determines to the municipalities the task of planning and execution of actions that prioritize the non-motorized mode of transportation and public transportation services (Brazil, 2012). Too much emphasis given to automobility over the years has made legal interventions necessary for the emergence of improvements in mobility through other modes of transport.

According to Seabra, Taco and Dominguez (2013, p. 103, our translation), "at different scales of complexity levels, urban mobility management represents a potential to produce actions and reflexes towards new development models." Thus, PNMU offers support for the implementation of new public policies for urban mobility. Public policies in this area must be designed to meet the needs of all the actors that make up the broad and complex urban system.

In view of the still existing problems of urban mobility in Brazil, it seems of relevance to observe how the issue is being dealt with after the PNMU — in other words, from the year 2012 onwards. For this, one can, for instance, resort to the most relevant academic papers on the subject, as they have the potential to offer subsidies to answer research questions, such as:

- A. What is the situation of the debates about urban mobility in Brazil, after the implementation of PNMU — Law n° 12,587 / 2012?
- B. On urban mobility in Brazil, what issues still need to be addressed?

Such questionings can help clarify how urban mobility is being addressed in Brazil after the country generated political mechanisms that provide a guarantee for new urban mobility to emerge.

2. The integrative review method

For the systematic analysis of data and information, the "Integrative Review (IR)" method was used. This, in consonance with Botelho, Cunha and Macedo (2011), summarizes the past of empirical and/or theoretical literature, in order to provide a more comprehensive understanding of a given phenomenon. The purpose is to produce an analysis of the knowledge resulting from previous studies and research on the subject. It is possible, therefore, to elaborate a synthesis of the knowledge in question and, consequently, to produce a new and more advanced one.

The term "Integrative" represents the integration of opinions, ideas and concepts from previous studies and researches, mentioned above. For Whitemore and Knafelz (2005), IR evidences knowledge within limits — temporal and/or spatial, for example. This is not a search for the state of the art — it is more ambitious and, at present, perhaps, unfeasible, in countless fields of knowledge — but rather for a knowledge, in a way, punctual, that contributes to the development of theories and sciences.

The Integrative Review Method (MRI) allows for the inclusion of studies and research that adopt various methodologies — for example, experimental and/or theoretical. According to Souza, Silva e Carvalho (2010, p. 103, our translation), an IR can combine "also data from theoretical and empirical literature, and incorporate a wide range of purposes: definition of concepts, review of theories and evidence, and analysis of methodological problems of a particular topic."

Although there are numerous studies located in the health field, IR is an interdisciplinary method and has already been used, for example, in research related to organizational studies (Botelho *et al.*, 2011) and, more specifically, in work related to moral harassment (Cahú, Rosenstock, Cahú, Costa & Gomes, 2011) and organizational learning (Macedo, Botelho and Gerhmann, 2012).

As claimed by Mendes, Silveira and Galvão (2008), in order to elaborate an IR it is indispensable that certain procedural stages are rigorously followed, which are well presented in the literature affecting the method. It is a process composed of six stages: 1) identification of theme; 2) establishment of selection criteria; 3) selection of studies; 4)

categorization of selected studies; 5) analysis and interpretation of results; and 6) synthesis of knowledge.

To better visualize the overview, Figure 1, exposed below, summarizes the MRI steps.

Figure 1: *Systematization of steps to the Integrative Review Method*⁶



Source: Botelho *et al.* (2011).

By exposing the systematization of MRI, this study will then follow to the procedures applied to this research.

⁶ Translation of Figure 1 - *Systematization of steps to the Integrative Review Method*.

First step: **Identification of the theme and the selection of the research question.** Definition of the problem; formulation of a search; delineation of the search strategy; definition of the descriptors; definition of the databases

Second step: **Establishment of inclusion and exclusion criteria.** Use of databases; search of studies based on inclusion and exclusion criteria.

Third step: **Identification of pre-selected and selected studies.** Reading of abstract, keywords and title of publications; organization of pre-selected studies; Identification of selected studies.

Fourth step: **Categorization of selected studies.** Elaboration and use of the synthesis matrix; categorization and analysis of information; formation of an individual library; critical analysis of selected studies.

Fifth step: **Analysis and interpretation of results.** Discussion of the results.

Sixth step: **Presentation of the knowledge review/synthesis.** Creation of a document describing the review in detail; proposals for future studies.

3. Methodological procedures

It is reiterated that the IR must follow a series of six well defined steps (Botelho *et al.*, 2011; Mendes *et al.*, 2008), exposed through Figure 1. Thus, the actions linked to each of these stages will be briefly described below.

3.1. Identification of theme and selection of research question

To guide RI, the following research questions were formulated:

- A. What is the situation of the debates about urban mobility in Brazil, after the implementation of PNMU — Law n° 12,587 / 2012?
- B. On urban mobility in Brazil, what issues still need to be addressed?

3.2. Establishment of inclusion and exclusion criteria

After the choice of theme and the selection of research questions, it was defined: (i) the SPELL — Scientific Periodicals Eletronic Library platform — as the place of search; (ii) the key word(s): "urban mobility"; and (iii) the publication period — from the year 2012 onwards.

Initially, thirty-four articles related to the theme were located. All were pre-selected.

3.3. Identification of pre-selected and selected studies

For the selection of articles, a careful reading of titles, abstracts and keywords of all pre-selected was executed. This time, the pre-selected articles were selected based on the following criteria:

- a. Referring to “urban mobility” in Brazil; and
- b. Referring — as of “urban mobility” — to what the PNMU defines as “displacement of people and objects in the city”.

Based on the criteria, then, twenty articles were selected, with dates from 2013 to 2018 (see table 1).

Table 1: *Selected articles for the Integrative Review*

N.	Título	Citação
1	Sobre cidades, bicicletas e turismo: evidências na propaganda imobiliária em São Paulo.	Allis (2015)
2	Para onde nos leva a principal política de mobilidade urbana na Região Metropolitana do Recife? Do modelo tradicional às novas percepções sobre desenvolvimento.	Béhar & Dourado (2017)
3	Entre a casa e a escola: articulações discursivas em torno do transporte escolar privado.	Cordeiro & Mello (2017)
4	Perspectivas de mobilidade urbana sustentável e a adesão ao modo cicloviário.	Diógenes <i>et al.</i> (2017)
5	Mobilidade urbana: motivações intrínsecas à utilização do automóvel nos centros urbanos de São Paulo e Rio de Janeiro.	Dubeux <i>et al.</i> (2017)
6	Mobilidade e turismo em favelas cariocas.	Fagerland (2015)
7	Das carroças de cinco sous para a comodidade dos burgueses: Paris, São Paulo e o desafio histórico da mobilidade urbana.	Guimarães e Cruz (2013)
8	Difusão da política cicloviária no município de São Paulo: resistências, apoios e o papel da mídia.	Leite <i>et al.</i> (2018)
9	Qualidade das calçadas na cidade de Camboriú/SC: em busca da acessibilidade e mobilidade sustentável para área turística.	Vieira e Morastoni (2013)
10	Plano de mobilidade urbana do município de Campina Grande-PB: uma análise à luz da sustentabilidade urbana.	Martins <i>et al.</i> (2017)
11	Políticas organizacionais para incentivar bicicletas na mobilidade urbana em Porto Alegre, Rio Grande do Sul.	Matzembacher e Nascimento (2016)
12	Estudo da mobilidade urbana no contexto brasileiro.	Netto e Ramos (2017)
13	O uso da mensuração de desempenho para a comparação dos sistemas de transportes urbanos públicos.	Neuenfeldt Jr. <i>et al.</i> (2015)
14	Acessibilidade como critério de qualidade do espaço turístico: estudo de caso da área central de Balneário Camboriú-SC.	Oliveira <i>et al.</i> (2016)
15	Mobilidade urbana e desigualdade social: um estudo sociológico dos deslocamentos no sentido bairro centro da cidade de Santarém-PA.	Oliveira <i>et al.</i> (2013)
16	Dia de bicicleta ao trabalho: uma potencial ferramenta para planejamento e promoção da mobilidade sustentável.	Patrício e Kruszielski (2016)
17	Diagnóstico, perspectivas de uso e expansão dos serviços de trens metropolitanos no Brasil.	Santos e Sobral (2014)
18	Mobilidade urbana e políticas públicas.	Silva <i>et al.</i> (2015)

19	Mobilidade e turismo: hospitalidade no transporte coletivo em Caxias do Sul/RS.	Simon <i>et al.</i> (2014)
20	Mobilidade urbana sustentável: fatores determinantes da escolha pelo transporte alternativo na percepção dos usuários que fazem a rota Campina Grande-PB/Alagoa Nova-PB.	Soares <i>et al.</i> (2017)

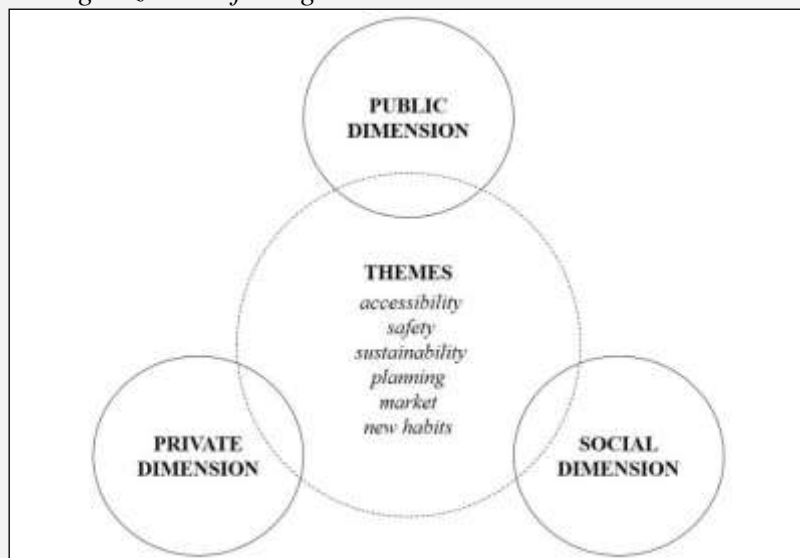
Source: Elaborated by the authors.

3.4. Categorization of selected studies

At this stage, the synthesis matrix was elaborated, from which two levels of categories emerged, referring to:

- I. the private, public e social dimensions; and
- II. the themes of accessibility, security, sustainability, urban planning, market and new habits.

Figure 2: Categorization of Integrative Revision in dimensions and themes/topics



Source: Elaborated by the authors.

Note: "Themes" are contained in "dimensions"; and "dimensions" may contain up to all "themes".

Level I — with its three "dimensions" — was used in previous IR works, such as Cahú *et al.* (2011); Level II — with its 6 "themes" —, in turn, synthesized from those of greatest occurrence in selected articles.

3.5. Analysis and interpretation of results

Here, summaries and excerpts of the articles selected for the construction of the final text were prepared. The following are examples of applications of procedures at this stage:

- "*Camboriú's low Index of Walkability (sic) reveals the need for qualification of sidewalks, elements of tourism infrastructure that would increase accessibility to the attractice, ensuring its permanence*" (Vieira & Morastoni, 2016, p. 256, our translation) refers, simultaneously, to the theme *accessibility* and *public* dimension.
- "*the real estate market is gradually taking advantage of these transformations [...], this may indicate the emergence of the theme in urban life – although this does not necessarily has the capacity of damage the consolidation of urban bicycle paths*" (Allis, 2015, p. 404, our translation) reveals the relationship between the theme *market* — real estate — and the urban transformations arising from mobility, pointing to potentialities in the *private* dimension.
- "*The population shows that it has a desire for change and this has created conditions for several recent advances, such as the approval of several laws and implementation of public policies in large cities that make urban mobility more sustainable*" (Netto & Ramos, 2007, p. 70, our translation) show how *sustainability* is a preponderant factor in discussions about mobility, thus referring to the *social* dimension.

Finally, there will be a stage, after the analysis and interpretation of data and information, in which the presentation of results will occur, in the following sections — "Results" and "Conclusion".

4. Results

In order to implement the Integrative Review, twenty articles were analyzed, which met previously established inclusion criteria. The results of the analysis will be presented below.

The research revealed that, after the Law n° 12.587/2012, a range of modes of transportation started to be explored by researchers, which were now categorized into (I) "dimensions" — public, private and social — and (II) "themes" — accessibility, security, sustainability, urban planning, market and new habits.

In other terms, from the categories, results were produced in consonance to the "themes" contained in "dimensions" — reiterating that these three could contain up to all six.

4.1. Mobility in the light of public dimension

There we contexts that, as a result of the study, intertwined mobility and the public dimension. The focus was on the evaluation of the actions — or the absence of them — of governments in their public mobility policies. Here, the themes that stood out the most were accessibility and planning.

Something that is well tied to urban mobility is accessibility. Some authors have made a clear evaluation of actions by public authorities on the subject (Vieira & Morastoni, 2013; Oliveira, Franzen & Valleri, 2016). To make urban space accessible is to provide more equality to all users, especially those with reduced mobility, who gain autonomy from it (Oliveira *et al.*, 2016). Moreover, it is, for example, a matter of touristic interest, since the quality of accessibility is an attractive factor for tourists and, therefore, key to decision makers (Allis, 2015; Fagerlande, 2015; Vieira & Morastoni, 2013).

Another theme that proved relevant was the planning of mobility, necessary because of the significant population growth in the metropolis, which also implies a significant growth in the number of cars (Dubeux, Amatucci & Esteves, 2017; Silva, Carillo, Rocha & Prados, 2015; Guimarães & Cruz, 2013). Hence, alternative ways to daily commuting are pressing, making it extremely interesting to consider new possibilities of collective public transportation (Neuenfeldt Jr., Siluk, Soliman & Machado, 2015; Simon, Gastal & Santos, 2014; Santos & Sobral, 2014), as well as new active forms of movement of individuals (Diógenes, Araujo, Tassigny & Bizarria, 2017; Patrício & Kruszielski, 2016).

Nevertheless, regarding the lack of mobility planning, Béhar and Dourado (2017) attested that the problem seems to be aggravated by the traditional development model — oriented by the economic bias —, primarily promoted by the State, which assures new projects aimed at progress through the resolution of critical mobility problems, limiting, as a result, the developmental understanding — reducing it to economic growth. Sociocultural and environmental issues, for example, have secondary status. In line with the sustainability theme, according to Martins, Vasconcelos & Salles (2017), there are municipal urban mobility plans — required by the 2012 PNMU — which, strictly speaking, are not urbanistically sustainable.

4.2. Mobility in the light of private dimension

In the private dimension, the relationship between mobility and private organizations was the focus of some of the works evaluated (Allis, 2015; Fagerlande, 2015; Vieira & Morastoni, 2013; Oliveira *et al.*, 2016). Here, the most prominent themes were market, new habits and security.

On the theme of market, mobility has also become attractive to the economy. The mobility discourse can be assimilated by the real estate market in search of better performance, even if there is no real concern on the part of the beneficiaries (Allis, 2015). In addition, alternative forms of mobility arise to supply the inefficiency of the State in terms of mobility demands (Cordeiro & Mello, 2017; and Soares, Andrade, Medeiros Jr. & Queiroz, 2017).

With a tourism bias, it is pointed out that an entire economy is composed around the implementation of a new mode of transport (Fagerlande, 2015) and even mobility itself as an attractive tourist factor (Vieira & Morastoni, 2013; Oliveira *et al.*, 2016). It is clear, however, that urban mobility has been linked to the *market* and not to the transformation that it can provide to the city.

In contrast, different organizations have used mobility issues to strengthen business. For example, they have taken advantage of incentives for active mobility for their employees, in an attempt to create new habits linked to their sustainability plans, with a view to improving their organizational image in society (Matzembacher & Nascimento, 2016). Others, according to their interests (Leite, Cruz & Rosin, 2018), have played their part in strengthening or weakening the mobility policies implemented.

Finally, some use the issue of security in transportation — or the insecurity generated by alternative means — as a decisive argument to promote private transportation, although this is not supported in practice (Cordeiro & Mello, 2017).

4.3. Mobility in the light of social dimension

As for the social dimension, the relationship between the above-mentioned themes and society was examined.

Regarding urban planning, it is important to warn that mobility should be a topic treated along with different sectors of society and not be restricted only to infrastructure for mobility (Netto & Ramos, 2017). The construction of physical meshes, such as bicycle paths, therefore, does not necessarily guarantee the improvement of mobility. Individuals

need to identify the bicycle as a vehicle — and not only as a leisure object — to use it on bicycle paths (Diógenes *et al.*, 2017).

In another perspective, some unusual modes of transportation — such as cable cars, elevators and motor-taxis — promote accessibility to practically inhospitable places — either because access is restricted to pedestrians, or because the route is considered unsafe, as in the case of Rio's *favelas* (Fagerlande, 2015). This promotion represents a social gain for mobility.

“Insecurity” is a much discussed subject when dealing with urban mobility. It is indicated as one of the reasons for not sticking to the use of the bicycle as a means of transportation (Diógenes *et al.*, 2017). So, in order to avoid unsafety, on one hand, and to guarantee safety to students — especially children — on the home-school-home route, on the other, parents hire school transportation. The relationship between safety and school transportation, however, is paradoxical. Most vehicles that transport children on the home-school-home route are clandestine, and the public policies that regulate the activity exacerbate insecurity by dispensing with mandatory preventive equipment, which is required for private cars. Despite the clear caveats, this form of mobility is legitimized (Lamb & Mello, 2018). Security also emerges as one of the factors disregarded in the choice of clandestine modes of transportation in their displacement to the rest of the population (Soares *et al.*, 2017) — that is, it does not seem to be important for parents of students or the population in general.

On the subject of sustainability, the use of the bicycle as a means of transportation is related to “Sustainable Urban Mobility” and adds value to the awareness about environmental aspects linked to the economicity of locomotion with a non-polluting profile (Diógenes *et al.*, 2017; Matzembacher & Nascimento, 2016; Allis, 2015). In some municipalities such as São Paulo (Allis, 2015) and Fortaleza (Diógenes *et al.*, 2017), there is a growing bicycle culture, even if still with little representation, which even arouses curiosity to experiment with tourism in other municipalities, thus giving rise to a new market (Allis, 2015).

Despite the growth of bicycle use — a new habit — as a means of transportation, a cultural obstacle to greater representativeness of the practice is noticeable (Diógenes *et al.*, 2017; Dubeux *et al.*, 2017). The Brazilian — considering income limitations (Oliveira, Tobias & Oliveira, 2013) — gives preference to the use of individual motorized transportation (Béhar & Dourado, 2017; Guimarães & Cruz, 2013). This fact is associated

with the "way of life" — which values convenience, speed and status, for example —, the favoring of urban policies, linked to individual transportation by automobile (Béhar & Dourado, 2017) and the precariousness of the country's collective transportation system (Guimarães & Cruz, 2013).

5. Conclusions and findings

Based on the "Integrative Review of Urban Mobility", it was possible to achieve results according to "themes" contained in "dimensions", such as those presented in the previous sections. The intention of categorizing the revision into themes and dimensions was to obtain a better clarification of Urban Mobility in order to answer the research questions "A" and "B". From these questions, considerations regarding Brazilian urban mobility were woven and listed as follows.

A. What is the situation of the debates about urban mobility in Brazil, after the implantation of PNMU — Law n° 12.587/2012?

The debates about urban mobility are progressing in the country, in respect to the public, private and social dimensions.

The public dimension has involved the issue of accessibility, admitting that the improvement of this one implies in improvement for tourism, providing equality to those with reduced mobility. It was understood that mobility planning and incentives for innovation applied to collective and active modes of public transportation were pressing. However, it was identified that the actions of the State are mainly directed to economic growth, therefore not benefiting the socio-cultural and environmental pillars of development.

In the private dimension, urban mobility became attractive to the real estate market — projecting the sale of real estate associated with benefits in urban mobility, through bicycle lanes — and to the tourism sector — through modes of transportation, until then, unusual, such as cable cars and panoramic elevators. Some companies improved their images by encouraging the use of active modes — considered sustainable — and others appealed to *security*, with the argument of defense to the use of private transport.

In the social dimension — certainly the most discussed —, the use of some modes of transport has led to accessibility at inhospitable places. It was observed that safety is well discussed, but, in this case, in fact, not very relevant to society, especially

when it comes to the use of alternative transportation — even when the users are children. Insecurity and culture display reasons for not using active modes of transportation, like the bicycle — despite understanding its productive relationship with the concept of sustainability. The experience of using new modes of transportation, however, generates, as a result, new possibilities for the tourism market. And, little by little, a culture of bicycle use begins in some cities of Brazil, although the Brazilian still prefers individual motorized transport.

B. About urban mobility in Brazil, what subjects still need to be better addressed?

Although the debate on urban mobility is progressing in Brazil, it is noticeable that some specific issues still need to be better addressed, in particular regarding the priority of non-motorized transport, one of the central determinations of Law n° 12.587/2012 to encourage and promote an improvement in urban mobility.

The mode of transport most explored by the academy's studies and research is the bicycle — a notorious non-motorized mode of transport. In a way, this vehicle has become synonymous with improving urban mobility. It is clear that the bicycle improves urban mobility, notably because the space occupied by one on public roads is less than that occupied by a car with only one person, for example.

However, in fact, the improvement of urban mobility in a global way is not derived from only one mode of transport. It comes from a set of planned actions — improving public transportation infrastructure, integrating modes of transportation (where the different options complement each other in an integrated and efficient transportation network), decentralizing the urban context, exploiting unusual modes of transportation — such as waterways, where possible, and others, such as trekking — the latter being poorly exploited or perhaps disregarded.

In particular, pedestrianism is associated with a concept of proximity in the city. The tasks of people — of citizens, more properly speaking — should take place on a human scale. And almost nothing is debated about the fact that, after using the car, daily distances have become greater.

Thus, the improvement of urban mobility is also associated with cultural change. Such perception occurs in a similar way in the academia, although little explored in depth. Strictly speaking, no studies and research were found concerned with the subjective characteristics of the culture of resistance to active modes of transportation.

Another interesting perception is the emphasis on active modes of transportation, always treated with objectivity — linked to environmental sustainability and improvement of physical health, for example. There is no debate, however, about the subjectivities related to similar modes — how significant it is to walk or cycle around the city, and see it in a different space-time condition, recognizing that the speed of automotive transport alters the view of spaces. The world is perceived through the senses — sight, hearing, smell and touch — which are also altered by the way one perceives and experiences the city.

It should be emphasized that urban mobility should gain more notoriety regarding new modes of transportation — specifically, pedestrianism — as well as the subjectivities related to it. Thus, it will contribute to the development of knowledge and, consequently, to the elaboration of policies for its improvement.

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Las Trayectorias Modernizadoras de la Administración Pública: Brasil y España

As Trajetórias Modernizadoras da Administração Pública: Brasil e Espanha

The Modernizing Trajectories of the Public Administration: Brazil and Spain

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Resumen: El objetivo de este trabajo es el análisis comparado de las líneas de reformas en la administración pública de Brasil y España durante el último tercio del siglo XX hasta la actualidad. Las principales tendencias de la modernización estudiadas en esta investigación son la *New Public Management*, la gobernanza y la e-administración. La metodología combina el análisis histórico, el método comparado y el acopio documental y empírico de los datos extraídos de ambas administraciones. Entre las conclusiones se destacan semejanzas y singularidades de cada caso. En ambos países, la modernización se inició como respuesta adaptativa a los cambios sociales y las reformas se centraron en la concesión, privatización y externalización de contratos con organizaciones privadas como prestatarias de los servicios públicos. Entre las diferencias se identifican que en Brasil las reformas se concentraron en un período muy breve mientras que en España fueron graduales y en sintonía con la Unión Europea.

Palabras clave: Reforma administrativa; Burocracia; New Public Management, Gobernanza, E-administración.

Resumo: O objetivo deste trabalho é a análise comparativa das linhas de reformas na administração pública do Brasil e da Espanha durante o último terço do século XX até o presente. As principais tendências de modernização estudadas nesta pesquisa são Nova Gestão Pública, governança e administração eletrônica. A metodologia combina a análise histórica, o método comparativo e a coleta documental e empírica dos dados extraídos de

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ambas as administrações. Entre as conclusões estão as semelhanças e singularidades de cada caso. Nos dois países, a modernização começou como uma resposta adaptativa às mudanças e reformas sociais focadas na concessão, privatização e terceirização de contratos com organizações privadas como prestadoras de serviços públicos. Entre as diferenças, identifica-se que no Brasil as reformas se concentraram em um período muito curto, enquanto na Espanha se desenvolveram gradualmente e em sintonia com a União Europeia.

Palavras chave: Reforma administrativa; Burocracia; Nova Gestão Pública; Governança; E-administração.

Abstract: The objective of this work is the comparative analysis of public administration reforms in Brazil and Spain during the last third of the twentieth century to the present. The main trends of modernization studied in this research are New Public Management, governance and e-administration. The methodology combines the historical analysis, the comparative method and the documentary and empirical collection of the data extracted from both administrations. Among the conclusions are similarities and singularities of each case. In both countries, modernization began as an adaptive response to social changes and reforms focused on the granting, privatization and outsourcing of contracts with private organizations as providers of public services. Among the differences are identified that in Brazil the reforms were concentrated in a very short period while in Spain they were gradual and in tune with the European Union.

Keywords: Administrative Reform; Bureaucracy; New Public Management; Governance; E-Administration.

1. Introducción

La acción política necesita un instrumento eficaz para conectarse con la sociedad y ese instrumento es lo que conocemos como Administración Pública, que garantiza la estabilidad del sistema político, el bienestar colectivo y la cohesión social. De esta manera, la actividad administrativa no puede abordarse de manera separada de los objetivos políticos que la fundamentan.

Actualmente, nos hallamos ante un panorama político-administrativo global muy complejo y, en las últimas décadas, se han producido transformaciones profundas que han afectado a la organización, al funcionamiento y a la misma legitimidad de las Administraciones Públicas. Cualquier transformación de la sociedad se refleja en las Administraciones Públicas hasta el punto que se puede afirmar que son las instituciones de las democracias las que más cambios han experimentado en las últimas décadas.

Los cambios sociales, económicos y culturales de las últimas décadas de siglo XX han conducido a un proceso de modernización de las funciones y estructuras de

nuestras organizaciones públicas sin precedentes. En este punto resulta fundamental distinguir la modernización de la reforma administrativa. Cuando hablamos de modernización nos referimos a un proceso de mejora de la actividad pública en términos de eficacia, eficiencia y efectividad, con la finalidad de mejorar la burocracia, los canales de comunicación, la participación e información ciudadana e incrementar la transparencia institucional. La modernización de las Administraciones Públicas tiene como gran objetivo el cumplimiento de los fines que tiene encomendados el aparato estatal para servir a la sociedad y prestar mejores servicios públicos. El fundamento último es la convicción de que no puede haber una buena sociedad sostenible sin una buena administración. Por tanto, la modernización administrativa abarca un proceso complejo y dilatado en el tiempo en el que las Administraciones Públicas deben adaptarse al entorno y reaccionar ante profundos cambios económicos, sociales, tecnológicos y culturales que impactan en el sistema político (Dahrendorf, 1990; García Pelayo, 1991; Moore, 1998; Giddens, 1999; Barzelay, 2002; Stiglitz, 2003; Aguilar Villanueva, 2006). Por otro lado, la reforma administrativa hace referencia a un cambio del diseño institucional de las Administraciones Públicas con modificaciones normativas, procedimentales y presupuestarias en diferente grado.

El Estado contemporáneo es el artífice de la acción estructuradora de la sociedad y, a la vez, su regulador constante en un entorno extremadamente complejo e interdependiente. Esta complejidad no solo afecta a la sociedad, sino también a la misma arquitectura estatal con un aumento de sus estructuras, funciones, órganos, agentes y procesos. Todos los elementos del sistema político administrativo se están transformando constantemente y con ellos se transforma también la sociedad (Abellán-López, 2019).

El modelo contemporáneo de Administración Pública se ha inspirado de cuatro fuentes doctrinales: a) el modelo clásico weberiano burocrático; b) el modelo neo-burocrático que recoge los procesos de decisión racional; c) el modelo institucionalista que destaca la importancia del behaviorismo; y, d) el modelo de elección pública del que hace uso la economía política (Denhardt, 2003).

En el último tercio del siglo XX se han llevado a cabo varias reformas en la Administración Pública en países iberoamericanos y en España, como el correlato necesario de la modernización política interconectada a los procesos de cambios globales. Los Estados se enfrentan a importantes problemas financieros que repercuten en un cuestionamiento de la gestión pública. En medio de este debate han surgido diferentes

líneas de pensamiento político administrativo que defienden un enfoque menos burocrático. En consecuencia, la gestión pública comienza a vincularse a fenómenos como la reducción del déficit fiscal, la calidad de los servicios públicos, la descentralización funcional, la orientación al ciudadano-cliente, los rediseños de procesos, el gerencialismo, la supresión del formalismo y la externalización de servicios. De todo ello, surge una ola reformista en la teoría y en la práctica real de la Administración Pública (Pollit, Van Thiel y Homburg, 2007).

Modernizar la gestión pública se vincula con eliminar la burocracia, dotarla de flexibilidad, calcular los costes económicos reales de las transacciones públicas y aumentar la receptividad hacia el ciudadano (OCDE, 1987; Osborne y Gaebler, 1994). El paradigma postburocrático administrativo emerge en torno al proceso modernizador, como una superación del modelo weberiano de pensar y de actuar en las cuestiones públicas.

En este trabajo se abordarán cuatro de las corrientes administrativas que más impacto han producido en la modernización de las Administraciones Públicas brasileña y española: la nueva gestión pública (NPM en inglés), la gobernanza, la e-administración (también conocida como administración 2.0) y el nuevo servicio público.

El objetivo de este trabajo es un análisis comparado y sistematizado de las principales líneas de modernización implementadas en la Administración Pública de Brasil y España. Los procesos democratizadores de ambos países, coincidiendo con la tercera ola democratizadora (Huntington, 1991), implicaron una modernización político administrativa en profundidad para adecuar sus estructuras a las instituciones democráticas constitucionales. O dicho de otra forma, la modernización administrativa comenzó en ambos sistemas políticos con la adaptación de sus estructuras al nuevo régimen democrático y a una redefinición del papel estatal. De este modo, la presente investigación realiza un recorrido por las trayectorias modernizadoras de las administraciones públicas de Brasil y España, lo que contribuye a ampliar el conocimiento administrativo comparado de los casos seleccionados.

La disposición de este trabajo es la siguiente. Tras esta introducción y la metodología, se ofrece el marco del contexto histórico político de Brasil y España que permitirán captar de manera más afinada la impronta de la modernización administrativa. Seguidamente, el estudio analiza el proceso de la modernización administrativa en Brasil y España, la burocratización de las estructuras públicas y las reformas de la NPM. A

continuación, se identifican las principales innovaciones y reformas que acompañaron la transformación digital en las Administraciones Públicas contemporáneas. Finalmente, se formulan algunos retos para las Administraciones Públicas de Brasil y España en el actual contexto global y digital.

2. Metodología

La presente investigación utiliza el método histórico para hacer un recorrido hasta el presente y el método comparado aplicado a Brasil y España. La estrategia de investigación que se ha seguido es la comparación binaria que se refiere a dos casos: España y Brasil, en la que se destacan las principales semejanzas y diferencias (Morlino, 2010).

La metodología está basada en la revisión bibliográfica sistemática, la sistematización de las experiencias reformistas, el estudio de las instituciones formales y sus rendimientos normativos y procedimentales, así como el análisis documental y empírico de las administraciones brasileñas y españolas (Corbetta, 2010; Marconi y Lakatos, 2010). Se ha estudiado legislación, informes, bases de datos, planes modernizadores sobre gestión pública, boletines oficiales, diversos manuales, normativa de fiscalización y agendas digitales de diversas instituciones nacionales e internacionales. La investigación documental facilita el estudio y aporta información relevante sobre los acontecimientos del pasado y permite el seguimiento y secuenciación cronológica hasta la actualidad. Respecto a la bibliografía, se ha revisitado la literatura sobre reforma y modernización de las administraciones públicas, de las políticas públicas, de la nueva gestión pública, de la gobernanza y la e-administración. Este estudio comparativo de Brasil y España ofrece un gran valor interpretativo y contribuye a un mayor conocimiento de sus trayectorias modernizadoras.

3. Contextualización político administrativa de España y Brasil

Antes de introducirnos de lleno en las principales trayectorias de la modernización político administrativa, parece necesario realizar una contextualización.

La singularidad y la pertinencia de los casos comparados de Brasil y España residen en la coincidencia del inicio de sus procesos de modernización con los cambios políticos derivados del paso del autoritarismo a la democracia. Los procesos transicionales buscaron democratizar las estructuras administrativas para acomodarlas al nuevo sistema político y conseguir la necesaria legitimidad.

A continuación, se ofrece una sumaria visión histórica de España y Brasil que permita captar la recepción de las reformas que se implementaron en ambos sistemas políticos.

En el caso español, cabe destacar que han pasado más de cuarenta años desde el inicio de la transición democrática y el proceso de descentralización política administrativa. Parece conveniente señalar que este tránsito no se trataba de una crisis de régimen sino de un cambio integral del sistema político, social y económico. La crisis de legitimidad del franquismo fue acompañada por un desmantelamiento total de sus instituciones en la que intervinieron un sector de la clase política del mismo franquismo (Linz, 1992; Tezanos, Cotarelo y De Blas, 1993).

El crecimiento económico del tardofranquismo (1962-1975) derivado del Plan de Estabilización de 1959, produjo un desarrollismo tecnocrático y una expansión económica sin precedentes. Así, en la última década franquista se acometieron reformas en la función pública y en la liberalización económica; y se crearon grandes estructuras como la Seguridad Social o el Instituto Nacional de Industria. Este crecimiento de lo público y los cambios sociales condicionaron los ulteriores procesos políticos que coadyuvaron a la transición democrática.

El primer paso consistió en legitimarse tanto de origen como de ejercicio. La legitimidad de origen llegó a través de un consenso político que garantizó una salida democrática y desembocó en la Constitución Española de 1978. La legitimidad de ejercicio implicó que las instituciones del Estado orientasen su actividad administrativa a los fines constitucionales del Estado social y democrático de derecho.

En esta primera fase modernizadora, los esfuerzos se concentraron en la democratización de los aparatos públicos, la descentralización política administrativa y la construcción del Estado de bienestar.

En resumen, las reformas administrativas durante los años ochenta y principios de los noventa fueron poco ambiciosas y con una clara vocación de solucionar aspectos concretos o puntuales. La dimensión del sector público y su racionalización burocrático-administrativa devino en el andamiaje estructural que posibilitó la transición a la democracia cambiando estructuras e instituciones pero sin romper la legalidad formal.

Respecto a Brasil, parece conveniente retroceder un poco más en el tiempo para captar de manera más afinada el papel de la reforma administrativa. De hecho, la modernización administrativa empieza con la ampliación y consolidación del modelo

burocrático en el gobierno federal, en 1936, con la intención de disminuir o neutralizar el patrimonialismo heredado de la monarquía absolutista brasileña (Paludo, 2013). El cambio conducido por Getúlio Vargas (llamado de Revolución de 1930) puso en marcha una transformación que, en términos de cambio administrativo, fue el inicio de un proceso de estandarización de la Administración Pública en aspectos fundamentales de gestión de personas, materiales y financieros (Lima Junior, 1998). Algunos de los aspectos principales de esta época que merecen destacarse son: a) el intento de implantar estructuras gerenciales y de coordinación; b) la aspiración a implantar un proceso de racionalización en la administración; c) el surgimiento de las primeras carreras burocráticas; d) el propósito de adoptar el concurso como forma de acceso al servicio público; e) los cambios en la forma de gestionar los recursos humanos y presupuestarios; f) la implantación de mecanismos de control en la burocracia para romper con el clientelismo y con el patrimonialismo.

En 1937, con la creación del Departamento de Administración del Servicio Público (DASP), que se había previsto en la Constitución de 1937, se pone en marcha uno de los elementos fundamentales de la modernización administrativa brasileña. El DASP será el responsable de la implementación burocrática del país, cuya misión principal era definir y ejecutar la política encargada de la gestión de personal que incluía concursos públicos y la formación técnica necesaria para la utilización de métodos de racionalización en el servicio público y el desarrollo de presupuestos (Lustosa, 2008).

Así, pues, se realizó un primer esfuerzo institucional por combatir el patrimonialismo y aplicar los principios de eficiencia y eficacia en la Administración Pública. No obstante, si bien se impulsaron iniciativas de reforma administrativa, lo cierto es que tuvieron un carácter inacabado. Los posteriores cambios políticos, que combinaban ciclos democráticos y autocráticos (dictadura militar de 1964 hasta 1985), no permitieron la realización de muchos cambios (Rezende, 2004). Aunque en estos años, más en concreto en 1967, se realizaron algunas reformas de descentralización: dentro de los cuadros de la administración federal; de la administración gubernamental para la órbita privada; y de la Unión para los gobiernos locales. Además de la descentralización de la gestión de recursos (personal, material, finanzas).

De manera reciente, ya en la década de los 90, Brasil retomó con la vuelta de la democracia su agenda de reformas administrativas.

Tras esta sumaria contextualización histórica, podemos convenir que el proceso de modernización español y brasileño comenzó con la democratización de todas sus estructuras políticas-administrativas y la subsiguiente redistribución del poder. En el caso de España se acompañó de un proceso de descentralización política con la creación de las comunidades autónomas y la institucionalización de un Estado de bienestar garantista. En el caso de Brasil, supuso la primera tentativa de implementar y consolidar el modelo burocrático en la Administración Pública Federal.

En los siguientes epígrafes profundizaremos sobre los cambios modernizadores experimentados en ambas administraciones públicas.

4. Las trayectorias de modernización y reforma de las administraciones públicas como respuesta adaptativa

4.1. Cambios estructurales iniciales

En esta primera etapa, los esfuerzos políticos de España se dirigen a adaptar cambios en las estructuras administrativas que en el caso español consistieron en arreglos institucionales para el advenimiento del nuevo régimen democrático y la descentralización política que se inician en 1978. La prioridad se centraba en dar soluciones rápidas a los problemas políticos en España y no tanto en la búsqueda de efectividad administrativa. Estos procesos reformistas implicaron una redefinición del papel del Estado, una nueva reubicación organizativa con tres niveles territoriales diferenciados: el central, el autonómico y el local. Las reformas administrativas durante estos años fueron poco ambiciosas y con una clara vocación de solucionar aspectos concretos o puntuales porque el principal problema era el cambio político. La reforma de la función pública fue un paso esencial porque hasta 1984 no se elaboró legislación constitucional en esta materia. La Ley 30/1984, de 2 de agosto, de Medidas para la reforma de la Función Pública fue un avance fundamental porque incorporó instrumentos de gestión para mejorar la eficacia y la transparencia en la ordenación de los empleos públicos. Esta ley consiguió reducir el número de cuerpos, aumentar la movilidad horizontal, introducir el puesto de trabajo como elementos de planificación y racionalización de las estructuras administrativas y cambiar el sistema retributivo vinculándolo al puesto desempeñado y a la productividad. Hasta la llegada de la democracia, los cuerpos superiores tenían predominio en el conjunto del Estado y en el

reparto de poder. El pluralismo político, los partidos políticos, los sindicatos y el auge de la sociedad civil disminuyeron en cierta forma el poder de la alta función pública.

Por lo que se refiere a Brasil, la entrada en vigor del Decreto-ley n. 200, en el año 1967, impulsó un amplio programa de cambios organizacionales con el objetivo de consolidar el modelo de Administración Pública desarrollista. Este modelo introducía una combinación del modelo burocrático weberiano con ideas de racionalización basadas en Taylor y Fayol, adaptado a las condiciones políticas del Brasil en pleno régimen dictatorial (Lustosa, 2008). Más allá de los cambios organizacionales es posible identificar cinco principios que articulan la reforma propuesta en el Decreto-ley n. 200: a) planificación, descentralización, delegación de autoridad, coordinación y control; b) expansión de empresas estatales, organismos independientes (fundaciones) y semiindependientes (municipios); c) fortalecimiento y ampliación del sistema de méritos; d) desarrollo de directrices generales para un nuevo plan de clasificación de puestos de trabajo; e) reagrupación de departamentos, divisiones y servicios en 16 ministerios (Warlich, 2013).

La reforma de 1967 obtuvo avances relevantes aunque no eliminó la distancia entre la Administración Directa e Indirecta. En resumen, estamos en una etapa de búsqueda de legitimidad y de institucionalización de las estructuras políticas administrativas. La necesidad de dotar a su administración pública de flexibilidad y eficiencia es la razón por la que Brasil inicia un proceso reformista profundo.

4.2. El auge de la nueva gestión pública en la era de la globalización

Como ya se ha mencionado anteriormente, la gestión pública fue objeto de crítica por su carácter formal burocrático iniciándose un debate a nivel global que postulaba superar el paradigma clásico weberiano. El nuevo paradigma postburocrático, conocido como nueva gestión pública, aboga por la flexibilidad, el efficientismo, la orientación al ciudadano como consumidor de servicios públicos (OCDE, 1999, 2003, 2014; Kooiman, 1993, 2003; Metcalfe & Richards, 1993; Al Gore, 1994; Osborne y Gaebler, 1994; Barzelay, 2001; Bouckaert, 2003).

Su punto de partida es la existencia del *homo economicus*, de individuos racionales, informados y calculadores, que intentan maximizar la utilidad de sus elecciones, según el análisis coste-beneficio (Buchanan y Tullock, 2014).

El paradigma burocrático y postburocrático enfrenta dos visiones: la primera, más jurídica y garantista es la propia del Derecho público y la segunda, orientada a los resultados y a la eficiencia, que apuesta por un modelo neoempresarial. Del cruce de estas dos visiones de entender la Administración Pública surgen las siguientes trayectorias modernizadoras para los casos de España y Brasil.

En el abordaje de las trayectorias se han establecido las principales líneas reformistas de las estructuras administrativas que no constituyen un catálogo cerrado sino una herramienta que facilita su tratamiento analítico. En el caso español, el inicio de las reformas coincide con la transición a la democracia en 1978. Para Brasil, el desarrollo de las reformas se inicia en los años sesenta del siglo XX durante la dictadura.

Si en una primera etapa, de lo que se trataba era de democratizar las estructuras políticas administrativas, en la segunda etapa se aspiraba a reformarlas para mejorar su eficiencia y resultados. La NPM había irrumpido con fuerza en la mayoría de democracias occidentales, gracias a la difusión de obras como *La reinención del Gobierno* (Osborne y Gaebler, 1994), *Crear una Administración Pública que funcione mejor y cueste menos* (Al Gore, 1994) y los conocidos documentos de la O.C.D.E. *La transformación de la gestión pública* (1999). Tanto en España como en Brasil, los procesos de reforma inspirados en la NPM tuvieron un espectacular desarrollo. En el caso de España, un acontecimiento de primera magnitud fue su ingreso en la Comunidad Europea, actual Unión Europea (UE), que ha sido determinante para la europeización y modernización de las estructuras públicas españolas.

En España el impulso político permitió adoptar un conjunto de medidas a partir del documento *Reflexiones para la modernización del Estado* que fue elaborado por el Ministerio de Administraciones Públicas en 1990. Además, la necesidad de cumplir los requisitos de Maastricht, la insatisfacción ciudadana con los servicios públicos, las experiencias de modernización que tenían lugar en países de nuestro entorno y la incorporación de las nuevas tecnologías de la información impulsaron las diferentes iniciativas reformistas. Se trata de una década de reformas administrativas consistentes en el rediseño de procesos y la reducción de los circuitos administrativos, la implantación de planes estratégicos y de calidad (ISO 9000, modelo EFQM, TQM), la modernización de la función pública (cuadro de control de mandos, RPT), reforma del plan contable marco y de la gestión presupuestaria para todas las administraciones públicas españolas, *benchmarking*, las auditorías de la gestión pública, la desregulación y la introducción de

elementos cuasi competitivos como la contratación externa o *outsourcing*, las concesiones de infraestructuras y el auge de las privatizaciones.

De este período se recuerda la entrada en vigor de una importante ley que modificó sustancialmente la administración española y los derechos administrativos de la ciudadanía: la Ley 30/1992 de 26 de noviembre de Régimen Jurídico de las Administraciones Públicas y del Procedimiento Administrativo Común (LRJPAC). Su cometido principal fue simplificar las estructuras administrativas, reforzar las garantías del ciudadano y reconocer el procedimiento administrativo como una pieza básica en el proceso de modernización de la sociedad y de su administración. Unos años antes se había implementado la Ley 30/1984, de 2 de agosto, de Medidas para la reforma de la Función Pública que introdujo una reordenación de los recursos humanos que, si bien no modificó su diseño burocrático, sí que inició una reflexión sobre las características del servicio público que conducían al mal funcionamiento de la Administración.

Respecto a Brasil, la década de 1990 trae vientos democráticos que favorecen algunas medidas estelares. Asistimos a un contexto de estabilidad de la economía, con el éxito de la implementación del Plan Real, que impulsó una nueva política monetaria y fiscal acompañada de un control de la inflación nacional. La convocatoria electoral de 1994 supuso el liderazgo de Fernando Henrique Cardoso y del Plan Real en cuya agenda gubernamental estaba la Reforma Administrativa. El artífice del desarrollo de esta iniciativa fue el profesor Luis Carlos Bresser Pereira, como Ministro de la Administración y de la Reforma del Estado de 1995 hasta 1998.

Él fue el responsable de la elaboración del Plan Director de la Reforma del Aparato del Estado (PDRAE, 1995) que presentaba un diagnóstico de la situación y señalaba objetivos, acciones y metas para el cambio de la Administración Pública en términos de eficacia, eficiencia y efectividad. Este marco reformista fue la base para la formulación y aprobación de leyes que cambiarían las prácticas en la Administración Pública, como la Enmienda Constitucional nº 19/1998. Bresser-Pereira (1996) se inspiró tanto en las reformas implementadas en el Reino Unido y Estados Unidos como en la recepción de cierta influencia europea. Este movimiento de reforma del Estado se conoció en Brasil como Reforma Gerencial. Su primer diagnóstico fue apuntar la existencia de cuatro potestades dentro de la estructura estatal: a) el núcleo estratégico del Estado; b) las actividades exclusivas del Estado; c) los servicios no-exclusivos o competitivos; d) la

producción de los bienes y servicios para el mercado (Bresser-Pereira, 1996; Brasil, 1995).

El núcleo estratégico está formado, a nivel federal, por el Presidente de la República, por los ministros de Estado y la cúpula de los ministerios, responsables de la definición de las políticas públicas; el Congreso Nacional (cámara de diputados y senado), responsables de la formulación de las leyes; y los tribunales nacionales y el ministerio público, responsables del cumplimiento de las leyes.

Las actividades exclusivas de titularidad estatal son aquellas que sólo pueden ser llevadas a cabo por representantes y/o funcionarios del Estado, es decir, no se pueden delegar. Incluye a la policía, las fuerzas armadas, los organismos de supervisión y regulación, y los organismos responsables de las transferencias de recursos, como el Sistema Unificado de Salud, el sistema de ayuda al desempleo, etc.

Los servicios no exclusivos o competitivos del Estado son aquellos que, aunque impliquen titularidad estatal, la gestión del servicio puede externalizarse a terceros (*outsourcing*). Recordemos que la incorporación de mecanismos flexibles de contratación y externalización de servicios públicos era una apuesta de la NPM. Por esta razón, se fomentó una visión socio-céntrica de mayor descentralización de la actuación del Estado, donde organizaciones privadas pudieran llevar a cabo servicios de interés público, y así se estableció en las Leyes nº 8.637/1998 y nº 9.790/1999, que crearon la posibilidad de la calificación de las personas jurídicas de derecho privado y sin ánimo de lucro, como las Organizaciones Sociales (OS) y las Organizaciones de la Sociedad Civil de Interés Público (OSCIP) y el Decreto nº 3.100, de 30 de junio de 1999 que se regula la Ley nº 9.790/1999.

Finalmente, la producción de bienes y servicios para el mercado es llevada a cabo por el Estado, a través de empresas de economía mixta, que operan en sectores de servicio público y/o en sectores considerados estratégicos. En su mayoría, tales empresas fueron privatizadas o funcionaban en régimen de concesión para ser explotadas en el mercado mediante un Plan de Desestatización. Un apoyo a estas medidas fue la iniciativa de creación de "organismos autónomos", acuñados con la denominación de agencias de regulación que serían reguladores de las actividades privatizadas.

Según su principal formulador, Bresser-Pereira (1996), la Reforma Gerencial fue una la promoción de cambios en búsqueda de la eficacia, la eficiencia y la efectividad de los servicios públicos a la sociedad. De lo expuesto hasta el momento, podemos afirmar

que hubo luces y sombras, éxitos y fracasos en estas ambiciosas reformas. Según Ramos (1989) y Salm y Menegasso (2009), el principal problema del modelo de la NPM es la usurpación de la esfera privada, ya que es el mercado y no la sociedad políticamente articulada la principal referencia para la Administración Pública.

Otras limitaciones señaladas por Paes de Paula (2005) son: a) la constitución de una nueva elite burocrática; b) la centralización del poder en las instancias ejecutivas; c) la inadecuación de la aplicación de las técnicas y prácticas provenientes del sector privado en el sector público; d) la dificultad para tratar con la complejidad de los sistemas administrativos y la dimensión sociopolítica de la gestión y; e) la incompatibilidad entre la lógica gerencialista y el interés público. Tales limitaciones alimentaron una crítica creciente al modelo, abriendo el camino para nuevas propuestas para la producción de los servicios públicos.

Las expectativas depositadas en la NPM no solo no se cumplieron sino que defraudaron, produciéndose un cuestionamiento de sus postulados. De esta manera, surgieron dos corrientes críticas complementarias. La primera se denomina el nuevo servicio público (NSP) y la segunda se conoce como neoweberianismo. El NSP critica la asimilación del ciudadano como cliente consumidor y defiende la ciudadanía democrática como valor superior sobre una visión meramente empresarial. Su principal aportación es la defensa de un nuevo enfoque de gestión pública, abierta a los valores democráticos, del interés general y la incorporación de la ciudadanía en la deliberación y la participación en todas las etapas de las políticas públicas pero sin renunciar a la idea de crear una administración eficiente (Denhardt y Denhardt, 2001, 2003; 2007). Por su parte, el enfoque neoweberiano reafirma el valor del servicio público como valor *per se* para evitar la demolición de las estructuras públicas, salvaguardar la seguridad jurídica, reafirmar lo público frente al mercado y empoderar el status de ciudadanía (Pollit & Bouckaert, 2004; Pollitt, van Thiel & Homburg, 2007; Aguilar Villanueva, 2006, 2013).

4.3. E-administración, participación ciudadana y neoweberianismo

En la primera década del siglo XXI, las dos grandes preocupaciones consisten en adaptar la Administración a las nuevas tecnologías de la información y la comunicación (TIC) y orientarse a la satisfacción de los ciudadanos

La pertenencia de España a la Unión Europea favorece la implantación de la *e-Administración*, de la mano de Internet y la telefonía móvil. La UE se proponía promover el desarrollo y la difusión de las TIC entre todos los ciudadanos de los Estados miembros.

Para ello, las instituciones comunitarias se fijaron un objetivo estratégico preparar el paso a una economía y sociedad del conocimiento, basada en la sociedad de la información y de I+D, acelerando la competitividad y la innovación, con vistas a alcanzar el pleno empleo y reforzar la cohesión en la UE. Tales iniciativas se plasmarían en el Plan de Acción *eEurope* (Consejo Europeo de Lisboa, 23 y 24 de marzo de 2000). Pensemos que la Comisión Europea sostenía que las TIC eran la esencia misma de toda la administración moderna. En el desarrollo de este escenario digital, las administraciones españolas promocionaron la administración electrónica mediante diferentes directivas europeas. El *Libro Blanco para la mejora de los servicios públicos* (2000) se planteó como una reflexión ante las exigencias de adaptación de *e-Administración* y del *Plan de Calidad para la Administración General del Estado*, donde se enmarcan iniciativas como las cartas de servicios, la evaluación, la calidad en los servicios públicos, la formación de los empleados y directivos públicos, la receptividad, la flexibilización de las formas de gestión y la racionalización administrativa.

Este período es muy productivo puesto que coincidiendo con la victoria electoral de los socialistas en 2004, en un contexto de bonanza y prosperidad, las tendencias anteriores se van consolidando. La implantación de las nuevas tecnologías crece exponencialmente, se generaliza la firma digital, los trámites electrónicos y la expansión de oficinas virtuales. La administración electrónica o *e-Administración* puede definirse como la “utilización de las tecnologías de la información y la comunicación, y en particular internet, con el objetivo de mejorar la gestión de los asuntos públicos” (OCDE, 2003). Las referencias utilizadas para referirse a la administración electrónica admiten varias etiquetas como *e-Administración*, *e-Government*, *democracia 2.0*, *Gobierno Abierto* y *Open Data*. Estas dos últimas denominaciones han obtenido un notable éxito en la literatura político administrativa⁴.

⁴ El Gobierno Abierto se fundamenta en la transparencia, la participación y la colaboración en la gobernanza (Lathrop & Ruma, 2010). El gran objetivo del Gobierno Abierto es un cambio cultural y de valores en lo público. Una de las iniciativas pioneras del Gobierno Abierto fue la impulsada por el presidente de los EE.UU., Barack Obama. Por su lado, el concepto de Open Data se refiere a la apertura de datos en formatos abiertos y la inter-colaboración entre las administraciones públicas.

En este período, el gobierno de España articuló diferentes planes reformistas que pretendían implantar la e-administración como el Plan Avanza que permitió gestionar la e-Administración entre 2005 a 2012. El objetivo consistía en transitar de un modelo “Islas” a un modelo basado en la *interoperatividad* y en la colaboración entre las administraciones multinivel. A partir de 2013 se implementó la conocida *Agenda Digital* reconvertida en la actualidad como *Agenda España Digital 2025*, cuyos objetivos son el despliegue del 5G, la ciberseguridad, la Inteligencia Artificial y los derechos digitales de la ciudadanía.

A la vez que se implementaba la e-administración, el contexto social demandaba cada vez más medidas de gobernanza, de transparencia y de buen gobierno. En consecuencia, las exigencias de transparencia informativa, de reutilización de los datos públicos y las políticas públicas participativas contribuyeron a la generalización de la administración digital.

En el caso de Brasil, fue la creación del Comité Ejecutivo de Gobierno Electrónico (Grupo de Trabajo Interministerial), que se constituyó para proponer políticas, directrices y normas relacionadas con las nuevas formas electrónicas de interacción en el Estado (Dias, Sano y Medeiros, 2019). Así, en el año 2001, se puso en marcha la Política de Gobierno Electrónico en Brasil para desarrollar la política digital brasileña y con el Decreto N° 5.234 de 7 de julio de 2004 se creó el Departamento de Gobierno Electrónico. Esta estructura se encargaría de la articulación y coordinación de las acciones gubernamentales electrónicas, como la prestación de servicios públicos en entorno electrónico y la normalización de las acciones y la difusión de información gubernamental electrónica en la Administración Pública Federal.

El compromiso de Brasil con la e-Administración llegó hasta tal punto que la ONU en 2001 consideró las buenas prácticas de gobierno electrónico brasileño entre las veinte primeras del mundo. No obstante, siete años después, pasó del puesto 18 al 45 (Prado, 2009) en el ranking de buenas prácticas.

Aun así, se pueden destacar prácticas exitosas implementadas como: la declaración anual del Impuesto sobre la Renta, el Sistema de Contratación Pública Electrónica, los Sistemas Electorales Electrónicos que utilizan urnas electrónicas y el lanzamiento del Portal del Pacto en 2008 y la aprobación de la Estrategia General de TI de los órganos del Sistema de Administración de Recursos Tecnológicos de la Información (SISP) (Dias, Sano y Medeiros, 2019).

Es importante señalar que en este periodo las reformas administrativas idealizadas en la PDRAE (Brasil, 1995) fueron llevadas a cabo por la Administración Pública Federal y ejercieron una enorme influencia en la implementación de la administración electrónica, de cambios legales y de gestión de personas para promoción de la economía y la mejora de la cartera de servicios públicos a la ciudadanía.

A continuación, el cuadro 1 sintetiza las trayectorias reformistas de Brasil y España.

Cuadro 1: Principales trayectorias reformistas para Brasil y España

Corrientes político administrativas	Principales resultados	
	España	Brasil
Burocracia weberiana Institucionalismo	Democratización estructuras políticas administrativas Descentralización y desconcentración Búsqueda de legitimidad y pluralismo Seguridad jurídica	Creación del Departamento de Administración del Servicio Público (DASP), que promovió los principales fundamentos de la modernización administrativa burocrática brasileña.
Nueva gestión pública (NPM)	Europeización Calidad (ISO 9000; EFQM) Cartas de servicio Rediseño de procesos Gestión RRHH Privatización de servicios públicos Diferenciación entre titularidad y gestión.	Plan Director de la Reforma del Aparato del Estado (PDRAE, 1995) como conductor de los cambios institucional (estructura y leyes), cultural y gestión (instrumentos administrativos de las organizaciones privadas) - Rediseño de las estructuras de oferta de políticas públicas; - Adopción de procesos e instrumentos de la gestión privada; - Privatización e concesiones públicas
e-Administración Gobernanza Nuevo servicio público	Digitalización integral Interoperatividad Enfoque de igualdad y género en políticas públicas Gobernanza territorial multinivel (reformas de Estatutos de las CCAA, implementación de conferencias sectoriales)	Política de Gobierno Electrónico en Brasil en 2001. Decreto No 5.234 de 7 de julio de 2004 que creó el Departamento de Gobierno Electrónico
Neoweberianismo e-Administración	Estabilidad Presupuestaria Transparencia y buen gobierno <i>Open government</i> Agenda digital	<i>Open government</i> (Miembro Fundador de la <i>Open government Partnership</i> y Ley nº12.527/2011, conocida como la Ley de Acceso a la Información) Estabilidad en los límites de gasto del presupuesto público (Enmienda Constitucional nº 95)

Fuente: Elaboración propia.

5. Los nuevos caminos y los retos para la Administración Pública: una discusión

La NPM fue un paradigma de inspiración empresarial que introdujo numerosos cambios en el sector público. Sus reformas, que se presentaban tan ambiciosas, fueron insuficientes para responder a los cambios globales que demandaban innovaciones más profundas en la gestión pública. No obstante, hay que señalar que fue una de las trayectorias modernizadoras con gran impacto tanto en Brasil como en España. En ambos países, los principales puntos convergen en la implementación de acciones para simplificar la estructura administrativa, la racionalización de las políticas públicas y la agilización de la burocracia. Asimismo, en los dos casos se operó con una visión centrada en la concesión, privatización y externalización de contratos con organizaciones privadas como prestatarias de los servicios públicos.

Una de las innovaciones más significativas fue el avance en el gobierno electrónico, e-administración, que aligeró los tiempos y las cargas burocráticas (eliminando una parte del “papeleo”) y simplificando los trámites, gracias a las TIC’s y a internet (*internet of the things*).

Según Osborne (2006), la nueva gestión pública fue una fase de transición para la nueva gobernanza pública. En ella, se amplía el marco de intervención estatal y se fortalece la interacción con la sociedad. Esta nueva trayectoria modernizadora incorpora avances significativos de las instituciones participativas adoptando diferentes configuraciones como conferencias, consejos, etc., que tienen en común la promoción de espacios para incluir el proceso deliberativo, creando mediaciones entre el Estado y la sociedad (Avritzer, 2011). Entre los principales retos se encuentran aspectos relacionados con la estabilidad económica, el desarrollo sostenible (Agenda Objetivo del Desarrollo Sostenible 2030 de la ONU) y la transformación digital en el servicio público con la superación cualitativa y cuantitativa de la brecha digital.

Seguidamente se presentan algunas de las medidas legislativas más significativas de esta última década en el cuadro 2. Este período (2009-2019) describe una de las mayores crisis económicas mundiales, de la que aún perduran sus efectos en muchos países y sectores de actividad. Los paquetes legislativos privilegiaron la reducción del gasto público, la deuda pública y la consolidación fiscal.

Así, es posible detectar que los cambios de la modernización administrativa en Brasil y España guardan cierto paralelismo. Los dos países fueron influidos por las corrientes modernizadoras que se extendían a nivel mundial. Sin embargo, en Brasil los

cambios ocurrieron en un corto espacio de tiempo y la Gobernanza Pública no está presente de manera tan relevante como en España

Las reformas influidas por la NPM impactaron en Brasil y España a través del rediseño de la oferta de servicios públicos (privatizaciones y concesiones de servicios). Si bien Brasil se ha visto afectada por la estabilidad económica, España (perjudicada por la crisis de deuda pública) se ha beneficiado de la gobernanza por su pertenencia a la UE.

Cuadro 2: Principales acciones reformistas en la última década en Brasil y España

España	Brasil
<p>La Ley 2/2011, de 4 de marzo, de Economía Sostenible</p> <p>Ley 27/2013, de 27 de diciembre, de racionalización y sostenibilidad de la Administración Local.</p>	<p>Decreto nº 7.746/2012 que establece criterios y prácticas para promover el desarrollo nacional sostenible en los contratos llevados a cabo por la administración pública federal directa, local y fundaciones y por las empresas estatales.</p> <p>Instrucción Normativa nº 10 que establece las reglas para la preparación de Planes Logísticos Sostenibles en la Administración Pública Federal</p>
<p>Modificación del art. 135 de la CE para consagrar la Estabilidad presupuestaria.</p> <p>Ley Orgánica 2/2012, de 27 de abril, de Estabilidad Presupuestaria y Sostenibilidad Financiera, establece objetivos concretos de gasto y endeudamiento para todas las AAPP, y les obliga a cumplir con los objetivos de déficit.</p>	<p>Enmienda Constitucional nº 95, que impone límites al gasto público en la Administración Pública Federal</p>
<p>El 26 de octubre de 2012 el Consejo de Ministros aprobó un Acuerdo por el que se crea una Comisión para la reforma de las Administraciones Públicas (CORA).</p> <p>Ley 15/2014, de 16 de septiembre, de racionalización del Sector Público y otras medidas de reforma administrativa</p> <p>Informe de la OCDE sobre Gobernanza pública en España: de la reforma administrativa a la reforma continua.</p>	<p>Ley nº 12.618/2012, que cambia el Sistema de Seguridad Social de los funcionarios público con la creación de la Seguridad Complementaria</p> <p>Ley nº 13.019/2014, Marco Reglamentario de las Organizaciones de la Sociedad Civil que incluye los procedimientos que deben observarse en las fases de los enlaces entre la Administración Pública y las organizaciones de la sociedad civil.</p>
<p>Ley 19/2013, de 9 de diciembre, de transparencia, acceso a la información pública y buen gobierno.</p> <p>Ley 25/2013, de 27 de diciembre, de impulso de la factura electrónica y creación del registro contable de facturas en el Sector Público.</p> <p>La Agenda Digital para España.</p>	<p>Instrucción Normativa nº 04 de la Secretaría de Logística y Tecnologías de la Información (SLTI) en 2010 y el Plan Nacional de Banda Larga, Ley nº 7.175/2010, en que las tecnologías de innovación y comunicación y la información en la administración pública se ocupan de la adquisición de soluciones de TI; en 2011 la creación del Sistema Unificado de Registro de Proveedores (Sicaf) y la Guía de</p>

	Gestión de Procesos gubernamentales, integrando iniciativas e-PING y Gespublic del Gobierno (métodos de mejoras de prácticas en gobiernos). Ley nº12.527/2011, conocida como la Ley de Acceso a la Información (LAI) que regula la disponibilidad de datos para la sociedad.
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Fuente: Elaboración propia.

6. Conclusiones

Llegados a este punto cabe plantearse que los retos de las administraciones públicas estudiadas son numerosos y queda mucho camino por recorrer. A lo largo del artículo se ha visto que Brasil y España se adhirieron a los principios de nueva gestión pública pero con un balance desigual. Si bien tanto el caso brasileño como español se sumaron a la ola modernizadora mundial de la nueva gestión pública, los cambios en Brasil se produjeron en un período de tiempo muy reducido mientras que en España tuvo un marco temporal más dilatado y, además, se benefició de su pertenencia a la Unión Europea. Por otro lado, la gobernanza, tanto en España como en la Unión Europea, ha tenido un fuerte impacto siendo más leve en Brasil.

Pensamos que las claves de futuro pasan por la búsqueda de más eficiencia en la prestación de servicios públicos, la reducción de la brecha digital para que toda la ciudadanía pueda acceder a la cartera de servicios sin discriminación (que como se ha visto la crisis sanitaria de la Covid-19 ha puesto de manifiesto), abordar un análisis sobre los agentes que se han beneficiado en términos económicos de las concesiones y privatizaciones que eran monopolio u oligopolio natural (telecomunicaciones, electricidad, industrias sectoriales, sistema bancario) y la implementación de más controles y evaluaciones operativas. Todo ello debe enmarcarse dentro de un contexto de crecimiento de las desigualdades sociales que no puede pasarse por alto.

Entre las futuras líneas de investigación debe plantearse quiénes han sido los beneficiarios de la modernización administrativa: ¿la ciudadanía, los gobernantes o los agentes económicos privados?

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Análisis y Diagnóstico del Sistema Penitenciario Sergipano: Propuesta de Mejoras mediante Políticas Públicas

*Análise e Diagnóstico do Sistema Prisional Sergipano:
Proposta de Melhorias através de Políticas Públicas*

*Analysis and Diagnosis of the Sergipan Prison System:
Proposal for Improvements through Public Policies*

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Resumen: El presente estudio tiene por objeto realizar un diagnóstico pormenorizado del sistema penitenciario de Sergipe y proponer políticas públicas que contribuyan a las mejoras del sistema. El Estado de Sergipe constituye una población carcelaria creciente y unidades penitenciarias abarrotadas. El estudio se caracterizó como cualitativo, cuantitativo, exploratorio y descriptivo, contando con fuentes primarias y secundarias, corpus documental y observación in loco. Dentro de los principales resultados están: la identificación de la elevada tasa de ocupación en las unidades carceleras de Sergipe, ocasionada por el déficit de vacantes, establecimientos correccionales en condiciones de precariedad; el elevado porcentaje de reclusos sin proceso de juicio además de la constatación del desequilibrio en la aplicación financiera de los recursos. Finalmente, se proponen políticas públicas para la mitigación de los problemas identificados, tanto en el aspecto de la disminución de las prisiones, así como para el favorecimiento a la economía, a la eficacia, a la eficiencia y a la efectividad del sistema carcelario.

Palabras claves: Sistema Penitenciario; Políticas Públicas Carcelarias; Seguridad Pública.

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Resumo: O presente estudo objetivou realizar um diagnóstico pormenorizado do sistema penitenciário de Sergipe e propor políticas públicas que contribuam para melhoria do sistema. O Estado de Sergipe, encontra-se, com uma população carcerária crescente e unidades prisionais superlotadas. O estudo caracterizou-se como qualitativo, quantitativo, exploratório e descritivo, contando com fontes primárias e secundárias, corpus documental e observação in loco. Dentre os principais resultados estão a identificação de elevada taxa de ocupação nas unidades prisionais de Sergipe, ocasionada pelo déficit de vagas, estabelecimentos prisionais em condições de precariedade, o elevado percentual de presos sem julgamento além da constatação de desequilíbrio na aplicação financeira dos recursos. Por fim, propõe-se políticas públicas, para mitigação dos problemas identificados, tanto no aspecto da diminuição do encarceramento quanto para o favorecimento da economicidade, eficácia, eficiência e efetividade do sistema prisional.

Palavras-chave: Sistema Penitenciário; Políticas Públicas Carcerárias; Segurança Pública.

Abstract: This study aimed to make a detailed diagnosis of the penitentiary system in Sergipe and propose public policies that contribute to the improvement of the system. The State of Sergipe has a growing prison population and overcrowded prison units. The study was characterized as qualitative, quantitative, exploratory and descriptive, with primary and secondary sources, documentary corpus and on-site observation. Among the main results are the identification of a high occupancy rate in the prison units in Sergipe, caused by the deficit of vacancies, prison establishments in precarious conditions, the high percentage of prisoners without trial in addition to the finding of imbalance in the financial application of resources. Finally, public policies are proposed to mitigate the problems identified, both in terms of reducing incarceration and favoring the economy, efficacy, efficiency and effectiveness of the prison system.

Keywords: Penitentiary System; Public Prison Policies; Public Security.

1. Introducción

El sistema penitenciario brasileño es un problema público que exige una apremiante solución, ante la crisis en él instalada, divulgada ampliamente por los medios de comunicación y percibida en la sociedad. Se constata la falencia y decadencia en el sistema, tanto en el aspecto estructural como en su capacitación humana para gerenciarlo, revelándose un violento escenario de violaciones a la dignidad de la persona humana (Costa & Santos, 2015).

El Departamento Penitenciario Nacional (DEPEN) es el órgano ejecutivo que acompaña y controla la aplicación de la Ley de Ejecución Penal y las directrices de la Política Penitenciaria Nacional, emanadas, principalmente, del Consejo Nacional de Política Criminal y Penitenciaria – CNPCP. Este departamento consolidó datos a través

del Levantamiento Nacional de Informaciones Penitenciarias (Informe INFOPEN/2017), reflejando que hasta el mes de diciembre de 2016 había 726.354 personas reclusas en Brasil, para un número de 423.242 vacantes y estimándose un déficit de 303.112.

El crecimiento exorbitante de la población carcelaria brasileña, que casi se ha duplicado en los últimos diez años, adquiere mayor nitidez cuando se compara al crecimiento de la población carcelaria de otros países. De acuerdo con las informaciones divulgadas en el Informe INFOPEN (2016) referente a los datos de 2014, Brasil ocupaba el puesto de la 4ª mayor población carcelaria del mundo en números absolutos, considerando una relación de los veinte países con el mayor número de reclusos, perdiendo ante Estados Unidos (1er lugar, con una población carcelaria de 2.228.424 presos), China (2º lugar, con una población carcelaria de 1.657.812 presos) y Rusia (3er lugar, con una población carcelaria de 673.818 presos).

Otro indicador utilizado para evaluar la capacidad operacional de los establecimientos carcelarios es la tasa de ocupación penitenciaria. Ese indicador señala "la razón entre el número total de personas privadas de libertad y la cantidad de vacantes existentes en el sistema carcelario" (Brasil, 2017, p. 27). El INFOPEN informa que la tasa de ocupación penitenciaria brasileña era del 171,62% hasta junio de 2017.

Aplicándose ese indicador a los sistemas penitenciarios estatales individualmente, se verifica que todos los Estados presentan tasas de ocupación por sobre el 100%. Rio Grande do Norte y Santa Catarina presentaron las menores tasas de ocupación, con un 135% y un 108% respectivamente; y Paraná ocupa el primer lugar del ranking con una tasa de ocupación del 267%. Sergipe ocupa la décima novena posición con una tasa de ocupación del 164% (INFOPEN). El Estado de Sergipe sigue en la misma perspectiva de sobrepoblación y precariedad del sistema penitenciario, tal cual en el ámbito nacional. Su población carcelaria, en enero de 2017, supera las 5.000 personas alojadas en 2.218 vacantes, presentando déficit superior al doble de las vacantes existentes, conforme los datos obtenidos a través de la Secretaría de Estado de la Justicia y de Defensa al Consumidor (SEJUC), órgano responsable por la gestión del sistema penitenciario sergipano.

En 2014, el Estado de Sergipe encabezaba la lista de unidades de la federación que más poseía reclusos sin condenación, presentando el altísimo índice del 70% de la población carcelaria presa en carácter provisional, conforme datos del Consejo Nacional de Justicia (CNJ). Actualmente, Sergipe aparece como el quinto estado en este sentido,

con un porcentaje del 56,63% de su población carcelaria sin sentencia, siendo superado por los estados de Alagoas (56,72%), Bahía (62,84%), Piauí (63,20%), Amazonas (65,84%). Cabe señalar que el porcentaje más bajo de presos sin sentencia es del Estado de Rondônia, que representa el 18,8% (CNJ, 2017).

En este contexto, el presente estudio pretende brindar auxilio práctico a los gestores del sistema penitenciario sergipano para enfrentar la deficiente estructura y las altas tasas de ocupación en los presidios del Estado de Sergipe, a través de un diagnóstico detallado del sistema reclusorio.

2. Referencial

Ley N ° 7.210, del 11 de julio de 1984 - Ley de Ejecuciones Penales (LEP) - actualmente vigente, fue promulgada de conformidad con la Convención Americana sobre Derechos Humanos, el Pacto de San José de Costa Rica, firmado el 22 de noviembre de 1969, que señala el propósito de la privación de la libertad con el objetivo de reformar y rehabilitar socialmente a los condenados, respetando los principios de la dignidad humana (Mirabete, 2007).

La LEP tiene como objetivo hacer cumplir las disposiciones de la sentencia o decisión penal, que impuso, o no, la pena privativa de libertad, una medida de seguridad, restricciones cautelares de libertad, o cualquier otra medida restrictiva divergente a la prisión. Marcão (2010) sostiene que la legislación brasileña adoptó la teoría mixta o ecléctica, apuntando al carácter retributivo de la pena, la prevención y la humanización del recluso.

La disposición de los establecimientos penales está en consonancia con el artículo 5, XLVIII de la Constitución Federal (CF), que determina la ejecución de la pena en los diferentes establecimientos, acorde a la naturaleza del delito, la edad y el sexo del condenado. Marcão (2010) explica que la separación de los presos por categoría cumple con las normas internacionales, especialmente con las disposiciones del primer congreso de las Naciones Unidas sobre prevención del crimen y tratamiento de los delincuentes de 1995. Mirabete (2007) enseña que la individualización es fundamental para que cada recluso tenga el tratamiento penitenciario adecuado y específico.

De acuerdo con las enseñanzas del artículo 88 de la LEP, el reo será alojado en una celda individual que contendrá un lecho, aparato sanitario y lavabo, salvaguardando la salubridad del ambiente con la debida competencia de factores de aireación, insolación

y acondicionamiento térmico propios de la existencia humana. La ley establece que el área mínima de la celda debe ser de 6,00 m².

Es una disposición legal (artículos 10 y 11) la asistencia a los presos y arrestados con el objetivo de prevenir el delito y orientar el regreso a la vida en sociedad y cuya asistencia debe prolongarse hasta su egreso. Esta asistencia, en relación con los privados de libertad, consiste en la provisión de alimentos, vestuario e instalaciones higiénicas (asistencia material).

En cuanto a la atención de la salud, el detenido está a merced del Estado para auxiliarlo en cualquier problema de salud, pues no es libre de buscar este tipo de asistencia por sí mismo. Por lo que la LEP (art. 14) la prevé. Se respetan las normas mínimas de las Naciones Unidas - ONU, firmadas en el primer congreso de las Naciones Unidas para la prevención del delito y el trato a los infractores (Marcão, 2010; Mirabete, 2007).

La asistencia jurídica está destinada a los presos que no tienen la capacidad económica para nombrar un abogado; la asistencia educativa, siendo la educación secundaria obligatoria, materializa la exigencia del art. 26 de la Declaración Universal de Derechos Humanos que establece el derecho de todo hombre a la educación gratuita, al menos, en los grados elementales y fundamentales, según las lecciones de Marcão (2010).

La asistencia social y religiosa también tiene como objetivo cooperar para la protección de la persona privada de libertad para que no vuelva a cometer actos ilícitos. En cuanto a la asistencia al egresado tiene como objetivo apoyar a la persona que cumplió condena y se encuentra estigmatizada por haberse integrado al sistema penitenciario fallido y colmado de deficiencias, para evitar la reincidencia (Marcão, 2010).

Con relación a los factores sociales, “la segregación de una persona de su entorno social provoca un desajuste tan profundo que resulta difícil lograr la reinserción social del delincuente, especialmente en la condena superior a dos años” (Rico apud Bitencourt, 2004, p. 159), destacando que el aislamiento combinado con el chantaje de los compañeros de celda permite la incorporación definitiva al mundo delictivo (Bitencourt, 2004).

Para dar fundamento al diagnóstico del sistema penitenciario de Sergipe, es necesario abordar la cuestión desde el propósito de la sentencia. En este punto, Greco (2016) dice que la resocialización es un punto crítico en el sistema penitenciario en Brasil, en la medida en que las tasas de reincidencia demuestran que las estrategias de resocialización no funcionan en la mayoría de los Estados.

Cabe recalcar que el actual referencial teórico del estudio tiene la capacidad de hilvanar conceptos y aclaraciones sobre las cuestiones en pauta a partir del análisis de resultados. Así, a partir de ahora se tratarán disposiciones específicas de la LEP, inherentes exclusivamente a los temas analizados posteriormente en el sistema penitenciario del Estado de Sergipe.

3. Metodología

El análisis de la gestión administrativa del Sistema Penitenciario del Estado de Sergipe involucra múltiples factores, como el número de centros penitenciarios, la oferta de vacantes, el número de presos procesados y condenados, tasas de reincidencia, el monto de recursos públicos invertidos, entre otros aspectos.

Para esta investigación se adoptaron los siguientes procedimientos metodológicos: en cuanto al abordaje, la investigación es del tipo mixto (quali-quantitativo) porque se trató de descubrir y clasificar las correlaciones entre las variables importantes para explicar el problema además de intentar comprender y clasificar los procesos vividos y comprender las particularidades del comportamiento humano ante el fenómeno elegido (Richardson, 1999).

El acceso a la información contenida en este trabajo fue posible gracias a uno de los autores, quien es un servidor público efectivo de la carrera penitenciaria del Estado de Sergipe, lo que le permite acceder a la base de datos y agregar percepciones a la investigación, protegiéndose debidamente de los puntos de vista tendenciosos.

Las fuentes de las evidencias documentadas utilizadas favorecen a la estabilidad de la investigación, pues los datos pueden ser revisados a cualquier momento, tienen la característica de veracidad puesto que contienen referencias y detalles exactos de un evento y gozan de amplia cobertura, abarcando largo lapso de tiempo, muchos eventos y muchos ambientes diferentes (Yin, 2001).

La investigación se construyó a partir de la información disponible a través de documentos públicos, informes y datos del sistema de la SEJUC, el órgano rector del Sistema Penitenciario de Sergipe, además de otras fuentes de datos oficiales. Por tanto, se utilizan fuentes primarias, mediante consultas en documentos, informes y archivos de instituciones públicas, cuyos datos fueron sometidos a tratamiento y análisis. También se utilizaron fuentes secundarias, a través de referencias que proporcionaron datos elaborados y sistematizados, como puede observarse en el Cuadro 1.

Cuadro 1: Fuentes de evidencias

Datos recolectados	Fuente	Periodo/año
Aspectos de la población penitenciaria brasileña, número de vacantes, número de reclusos preventivos y condenados, en comparación con otros países, datos de gestión en relación con la subcontratación.	- Encuesta Nacional de Información Penitenciaria - INFOPEN, 2014, producido por el Departamento Nacional Penitenciario - DEPEN, del Ministerio de Justicia y Seguridad Pública - MJSP; e - Informe mensual del Registro Nacional de Inspecciones Penales - CNIEP, vinculado al Consejo Nacional de Justicia.	2014 y 2017
Aspectos generales del órgano gestor del sistema penitenciario del Estado de Sergipe.	Fuente secundaria: - Legislación del Estado de Sergipe	1995
	Fuente primaria: - Informe de actividades de la SEJUC.	2016
Características del sistema penitenciario en términos de tamaño; tipo de prisión, régimen y género al que está destinado; estado operativo y condiciones generales.	Fuentes primarias: - Sitio institucional del CNJ sobre el tamaño del sistema penitenciario; - Decisiones judiciales del TJSE.	2017 2013 a 2016
	Fuentes secundarias: - INFOPEN; - Sitio institucional CNJ; - Anuarios de seguridad pública - FNSP.	2016 2017 2007 a 2016
Evolución histórica cuantitativa de la población carcelaria del Estado de Sergipe.	Fuentes primarias: - Recopilación de datos de la ASPLAN; - Investigación en el Sistema de Administración Penitenciaria - SAP, de la SEJUC. - Atlas de la violencia del Instituto de Investigaciones Económicas Aplicadas - IPEA	2017 2016
	Fuentes primarias: - Consulta al SAP de la SEJUC; - INFOPEN; - Sitio web del CNJ; - Decisiones judiciales del TJSE.	2017 2016 2017 2013 a 2016
Administración de las unidades penitenciarias.	Fuentes primarias: - Contratos administrativos firmados por la SEJUC y cartas emitidas por la agencia; - Opiniones de la Procuraduría General de la República - PGE; - Decisiones judiciales del TJSE y Justicia Laboral; y - Decisión del Tribunal de Cuentas del Estado de Sergipe - TCE / SE.	2009 a 2017 2009 a 2016 2012 a 2016 2016
Acciones estatales para: alternativas a la prisión; cooperación con el Poder Judicial; y prestación de asistencia laboral y educación al recluso.	Fuentes primarias: - Datos del CNJ; - Informes de actividad de la SEJUC; - Contrato administrativo firmado por la SEJUC; y - Portal de acuerdos del Gobierno Federal.	2016 2016 2015 2017
Incidencia de fugas y recurrencia de personas que acceden a las unidades penitenciarias.	Fuentes primarias: - Consulta al SAP de la SEJUC;	2017
Recursos públicos presupuestarios relacionados con la financiación y el Fondo Penitenciario Nacional, destinados a la SEJUC.	Fuentes primarias: - Leyes de presupuesto anual; - Informes y oficio de la SEJUC; - Decisión del Tribunal Supremo Federal (STF); y - Ordenanza del Ministerio de Justicia.	2006 a 2016 2017 2016 2016

Fuente: Elaborado por los autores, 2017.

En este contexto, la elaboración de generalizaciones, a priori relacionadas con el objeto de estudio podría asumirse que es de carácter especulativo, provocando el debilitamiento de las bases metodológicas de la investigación. Siendo así, se decidió por dar prestigio a un abordaje inductivo (Gil, 2008), buscando primero conocer y comprender el Sistema Penitenciario del Estado de Sergipe, luego de presentar consideraciones sobre el fenómeno estudiado.

En cuanto al propósito de la investigación, el presente estudio es una investigación aplicada, que tiene como objetivo generar conocimiento para su aplicación práctica en el área objeto de estudio (Gunther, 2006). Así, aunque el tema abordado por esta investigación (funcionamiento del sistema penitenciario) no tiene un carácter inédito en la comunidad científica (Cabral & Lazzarini, 2010), lo que excluiría inicialmente el carácter exploratorio del estudio, se cree que el tratamiento científico dado a los datos recopilados, inaugura nuevas visiones relacionadas con los desafíos enfrentados en la gestión del Sistema Penitenciario del Estado de Sergipe, lo que lo acredita como estudio exploratorio.

Esta investigación utiliza el estudio de caso. Basado en las lecciones de Yin (2010), el estudio de caso se presenta como una estrategia de investigación que lo engloba todo con la lógica de planificación, incorporando enfoques específicos para la recolección y análisis de datos, constituyéndose una estrategia de investigación abarcante.

4. Presentación de los resultados

4.1. En cuanto a la clasificación por tamaño; tipo de prisión, régimen y género a los que se destinan; estado operativo y condiciones generales.

Según la encuesta de datos realizada con la SEJUC, existen 10 (diez) unidades penitenciarias que están subordinadas al cuerpo y que conforman el sistema penitenciario.

Mediante inspecciones en establecimientos penitenciarios, el CNJ pone a disposición en su sitio web institucional, un recibo de registros de inspección que contienen información variada de cada establecimiento inspeccionado, incluyendo la clasificación de sus condiciones estructurales y operativas, valorando si son excelentes, buenas, regulares o pésimas y que se resumen en la Tabla 2.

Cuadro 2: *Resumen de las unidades penitenciarias*

	Tipo de Prisión	Régimen	Género	Status de funcionamiento	Condición - Clasificación del CNJ
Presidio Juiz Manoel Barbosa Souza (PREMABAS)	Definitiva	Cerrado	Masculino	En funcionamiento	Pésimo
Presidio Estadual Senador Leite Neto (PRESLEN)	Definitiva	Cerrado	Masculino	En funcionamiento, pero en interdicción judicial para recibir nuevos presos.	Pésimo
Centro Estadual de Reintegración Social de Areia Branca (CERSAB)	Definitiva	Semiabierto	Masculino	Sin funcionamiento, por fuerza de interdicción judicial desde 2013	Pésimo
Cárcel Pública Territorial de Estância Tabelaio Filadelfo Luiz Costa (CP - ESTÂNCIA)	Provisoria	Cerrado	Masculino	En funcionamiento	No hubo evaluación. Inaugurado en diciembre del 2016
Cárcel Pública Territorial de Areia Branca	Provisoria	Cerrado	Masculino	Edificio construido, sin embargo, no se abrió hasta la conclusión del estudio.	No hubo evaluación
Cárcel de Socorro	Provisoria	Cerrado	Masculino	En funcionamiento, pero en interdicción judicial para recibir nuevos presos desde noviembre de 2016	Pésimo
Complejo Penitenciario Advogado Jacinto Filho (COMPAJAF)	Provisoria	Cerrado	Masculino	Em funcionamiento	Regular
Complejo Penitenciario Manoel Carvalho Neto (COMPEMCAN)	Provisoria	Cerrado	Masculino	En funcionamiento, habiendo sufrido ya interdicción judicial para recibir nuevos presos	Pésimo
Presidio Femenino (PREFEN)	Provisoria y definitiva	Cerrado	Femenino	En funcionamiento	Regular
Hospital de Custodia y Tratamiento Psiquiátrico (HCTP)	Medida de seguridad	Medida de seguridad	Masculino y Femenino	En funcionamiento	Pésimo

Fuente: SEJUC, 2017.

Del Cuadro 2 se puede inferir que, de las diez unidades penitenciarias existentes, ocho están en funcionamiento, de las cuales cuatro están prohibidas o ya han sufrido interdicción judicial. Las sentencias de interdicción son documentos importantes que retratan las condiciones de las unidades penitenciarias y corroboran el contenido de los informes de la CNJ.

El PRESLEN, ubicado en el municipio de Nossa Senhora da Glória, se encuentra sujeto a un proceso de interdicción desde 2012, tramitado en el Juzgado 7º Penal de Aracaju (Juzgado de Ejecuciones Penales). El 25 de agosto de 2016 se declaró la sentencia de interdicción, con base en una inspección realizada por el magistrado que la labró. El juez afirma que en las celdas que albergan a cuatro presos se amontonan hasta diez personas, destacando que las celdas de aislamiento disciplinario con capacidad para un preso albergan hasta seis personas. El documento judicial señala que solo hay 5 empleados penitenciarios por turno en el establecimiento para mantener la custodia de más de 400 hombres, lo que hace comunes las rebeliones que son difíciles de contener y ya han resultado en lesiones y muerte de funcionarios.

La única prisión semiabierta de Sergipe, CERSAB, destinada a presos varones se cerró en 2013 debido a la extrema precariedad estructural. La decisión judicial que la prohíbe establece que el edificio se encuentra en ruinas, desprovisto de las condiciones sanitarias mínimas para la acogida de seres humanos y allá, a los internos se les deniega la debida asistencia material, sanitaria, educativa y social.

Es oportuno señalar que el Estado de Sergipe no cuenta con una estructura criminal para el régimen abierto. Así, las personas con progresión de grado o condenadas a tal norma, quedan en total libertad en la medida en que la figura de la casa del albergado que serviría de custodia y vigilancia de este régimen, no existe en el Sistema Penitenciario de sergipano, como lo evidencia la información proporcionada por la SEJUC (2017).

La prisión nombrada como Cadeião de Socorro, ubicada en el municipio de Nossa Senhora do Socorro, en la región metropolitana de Aracaju, capital del estado, también está sujeta a interdicción judicial. El magistrado, al fundamentar la prohibición, afirma que en las celdas en que deben caber 15 personas se encuentran detenidas hasta 40, indicando que el establecimiento penal alberga más de tres veces su capacidad estructural.

Un cuadro similar se encuentra en el COPEMCAN, el establecimiento penitenciario con mayor número de vacantes en el Estado de Sergipe. La decisión de interdicción establece que la unidad penitenciaria alberga hasta tres veces más presos que

su capacidad. En las celdas que albergan a 8 presos, hasta 20 personas se apiñan. Las celdas de aislamiento disciplinario con capacidad para 1 recluso son hasta 7 personas. En las habitaciones para hacer una visita íntima, las cuales cuentan con una sola cama, también alojan hasta 8 personas.

En cuanto a la custodia de las mujeres, solo existe una unidad femenina, destinada a regímenes cerrados y semiabiertos, sin embargo, efectivamente, solo existe la custodia de las reclusas en el régimen cerrado, aplicándose el mismo argumento mencionado anteriormente sobre la interdicción del semiabierto masculino en relación al salto en el régimen penal provocado por la ausencia de una unidad compatible.

Cabe señalar que, de los 8 centros penitenciarios en funcionamiento, el CNJ califica 6 de “pésimo” y 2 de “regular”, hecho corroborado por los fundamentos de las interdicciones judiciales cuyas justificativas fueron descritas. La Tabla 3 resume el número de establecimientos penales existentes en funcionamiento, en interdicción y sin custodia de presos, e interceptados para recibir nuevos presos.

Cuadro 3: *Resumen de la situación de los establecimientos penitenciarios*

Cantidad Total	Construida sin inauguración	Sin funcionamiento por interdicción judicial	En funcionamiento sin interdicción	Con interdicción para recibir nuevos presos
10	1	1	5	3

Fuente: SEJUC, 2017.

De acuerdo con las condiciones de funcionamiento y la evaluación de la CNJ, en relación a las unidades penitenciarias del Estado de Sergipe, se estima que el 80% de las unidades penitenciarias existentes están activas, de las cuales, el 37,5% tienen prohibido recibir nuevos presos, el 71% actúan en pésimas condiciones y el 29% de los establecimientos penitenciarios funcionan en condiciones regulares.

4.2. En relación a la ocupación por establecimiento penitenciario en Sergipe

En este elemento de análisis se realiza un estudio sobre la ocupación efectiva de las unidades penitenciarias en el estado de Sergipe, esculcando la capacidad proyectada de cada una de ellas, su déficit, la tasa de ocupación y el tipo de recluso que las habita (si provisional o definitivo). El Cuadro 4 contiene los números y criterios puestos bajo análisis.

Cuadro 4: *Ocupación efectiva de los establecimientos penitenciarios de Sergipe*

Unidades Penitenciarias	Capacidad de vacantes proyectadas	Cantidad total de presos	Déficit	Déficit porcentual	Tasa de ocupación	Tipo de Prisión	Régimen
PREMABAS	340	438	98	-29%	129%	Condenado	Cerrado
CP ESTÂNCIA	196	198	2	-1%	101%	Provisional	Cerrado
PRESLEN	177	321	-144	-81%	181%	Condenado	Cerrado
CADEIÃO DE SOCORRO	160	424	264	-165%	265%	Provisional	Cerrado
PREFEN	175	230	55	-31%	131%	Condenado y Provisional	Cerrado
HCTP	75	85	10	-13%	113%	Medida de seguridad	Cerrado
COMPAJAF	476	694	218	-46%	146%	Provisional	Cerrado
COPEMCAN	800	2703	1903	-238%	338%	Provisional	Cerrado
TOTAL	2399	5093	2694	112%			

Fuente: SEJUC, 2017.

En lo concerniente a las vacantes disponibles, se constata que el COPEMCAN es la unidad que tiene el mayor número (800), lo que corresponde al 33% de todas las vacantes en el sistema penitenciario de Sergipe. Le sigue el COMPAJAF con una capacidad proyectada para 476 presos, el 20% de las vacantes existentes. La unidad con menor número de vacantes es el HCTP, destinado para cumplir con las medidas de seguridad, tiene una capacidad para 75 personas, equivalente al 3% de la oferta total.

Alrededor del 8% de las vacantes son para mujeres en el PREFEN, 175 vacantes en números absolutos. Es la única unidad femenina, custodiando reclusas en régimen cerrado, condenadas y provisionales. En cuanto a la distribución por tipo de prisión (provisional o definitiva), se puede decir que al menos el 68% de las vacantes en el sistema penitenciario del Estado de Sergipe están destinadas a presos temporales, distribuidas entre el COPEMCAN (33%), el COMPAJAF (20%), el CP ESTÂNCIA (8%) y el Cadeião de Socorro (7%). Menos del 32% de las vacantes son para presos permanentes.

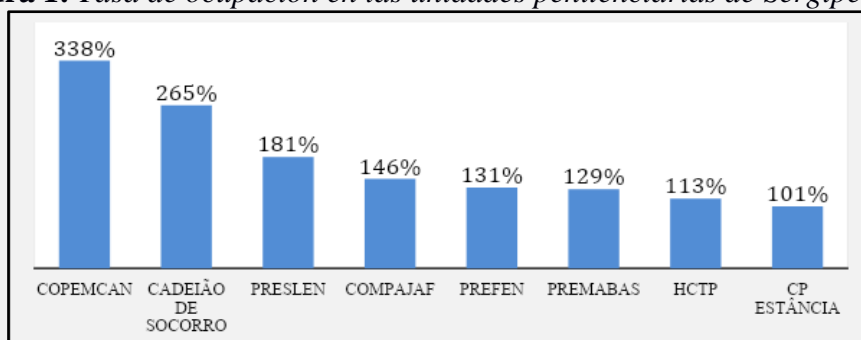
Cabe señalar que, en consulta con el SAP se constató que incluso en las cárceles para detenidos preventivos hay registro de custodia de detenidos permanentes, específicamente, en el COMPAJAF y el COPEMCAN. Y aún señala que no existía una fuente confiable de datos para cuantificar el número de presos provisionales y permanentes, con especificación, en cada unidad penitenciaria. Sin embargo, el

INFOPEN (2016) indica que en junio de 2014 el Estado de Sergipe lideró el porcentaje de detenidos preventivos en todo el país, con el 73% de la población carcelaria sin sentencia, seguido sucesivamente por Maranhão (66%), Bahía (65%) y Piauí (64%). El porcentaje más bajo de detenidos preventivos se encontró en el estado de Rondônia (16%). Datos más actuales puestos a disposición por el CNJ (2017) muestran que en 2017 Sergipe fue el 4º Estado que poseía más presos sin sentencia definitiva, incluyendo el Distrito Federal, siendo superado por los Estados de Bahía (61,76%), Piauí (62,83%) y Amazonas (65,84%).

Con respecto al número de presos, el COPEMCAN es la unidad que alberga a mayor número de detenidos (2.703), lo que equivale a afirmar que el 53% de toda la población carcelaria del Estado de Sergipe se encuentra en custodia en este penal, evidenciando una extrema concentración de presos en el establecimiento. El 47% restante de la población penitenciaria está repartida en las 7 unidades penitenciarias restantes en funcionamiento. La segunda unidad con mayor población carcelaria es el COMPAJAF, que alberga a 694 detenidos, lo equivalente al 14% de todos los presos del sistema penitenciario de Sergipe, seguida del PREMABAS (9%), el Cadeião de Socorro (8%), el PRESLEN (6%). Y el CP ESTÂNCIA (4%), aproximadamente. Aproximadamente el 4% de la población penitenciaria está compuesta por mujeres, lo que equivale a 230 detenidas. El HCTP, establecimiento dedicado a la medida de seguridad, mantiene el menor número de presos (85), correspondiente al 2% de la población carcelaria total.

Todos los establecimientos penitenciarios del Estado de Sergipe tienen una población carcelaria por encima de su capacidad proyectada, algunos presentando niveles de déficit de vacantes y tasas de ocupación más elevadas que el de la media general de todo el sistema penitenciario sergipano y de la media nacional, que ya son consideradas elevadas. la Figura 1 expone la tasa de ocupación de todas las unidades del Estado.

Figura 1: Tasa de ocupación en las unidades penitenciarias de Sergipe, 2017



Fuente: SEJUC, 2017.

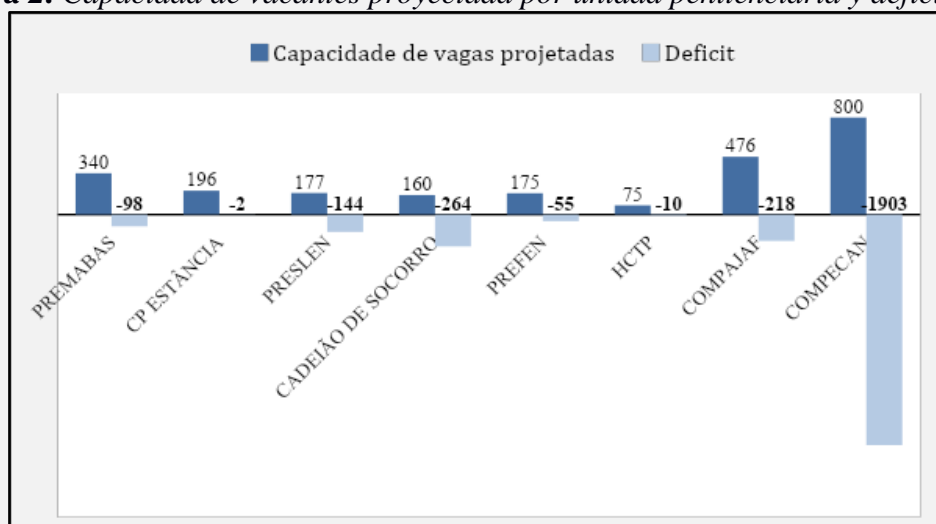
En cuanto a la tasa de ocupación, se observa que tres establecimientos penitenciarios tuvieron tasas superiores a la media nacional, del 163% en 2017: COPEMCAN (338%), Cadeião de Socorro (265%) y PRESLEN (181%). Cabe resaltar que la tasa de ocupación de todo el sistema penitenciario de Sergipe es del 212%, también por encima de la tasa nacional.

En el COPEMCAN hay 1.903 presos más allá de su capacidad, que en términos porcentuales se calcula un déficit del 238%, y una tasa de ocupación del 338%, lo que equivale a afirmar que en el lugar destinado a 10 personas hay casi 34 presos, configurando sobrepoblación.

El Cadeião de Socorro, con una tasa de ocupación del 265%, albergando cerca de 27 personas donde cabrían 10, sigue con interdicción judicial para recibir a nuevos detenidos. Del mismo modo, el PRESLEN con una tasa del 181% de ocupación fue blanco de proceso por interdicción, debido a, entre otros aspectos, la sobrepoblación carcelaria, restando solamente el PREMABAS para custodiar a los nuevos presos permanentes.

La Figura 2 expone el gráfico comparativo de las vacantes en cada unidad penitenciaria y sus respectivos déficits actualizados, con la finalidad de que se tenga exacta comprensión de la ocupación del sistema penitenciario sergipano.

Figura 2: *Capacidad de vacantes proyectada por unidad penitenciaria y déficit, 2017*



Fuente: SEJUC, 2017.

4.3. En relación a la administración de las unidades penitenciarias.

El presente elemento de análisis trata de los detalles de los aspectos de la administración de las unidades penitenciarias de Sergipe, definiendo cuántas y cuáles son administradas directamente por el poder público y las que son administradas por la iniciativa privada mediante un contrato de subcontratación. Objetiva, además, comparar la edad de los edificios, el coste, el número de reclusos y el número de funcionarios empleado entre las gestiones directas y de subcontratación.

En Sergipe, de los ocho establecimientos delictivos en funcionamiento dos son administrados integralmente por una empresa particular a través de contrato de subcontratación, con una pequeña participación de agentes públicos, y seis son gestionados directamente por el Estado, con la subcontratación únicamente de servicios específicos a ejemplo del suministro de alimentación para la población carcelaria y funcionarios públicos.

Las unidades sometidas a subcontratación son el COMPAJAF y el CP ESTÂNCIA, ambas gestionadas por la empresa Reviver - Administração Prisional Privada LTDA. Según la información contenida en los contratos firmados entre la empresa privada y el Estado de Sergipe a través de la SEJUC, la Reviver proporciona alimentos, uniformes, equipos de higiene personal, equipos deportivos y recreativos y asistencia médica, social y legal a las personas detenidas. Provee todas las necesidades logísticas y de mantenimiento, como la disponibilidad de vehículos, combustible, electricidad, agua, teléfono y comunicación por internet, así como la infraestructura de seguridad electrónica a ejemplo del circuito cerrado de televisión.

Es objeto de tercerización la contratación de agentes de seguridad y la atribución de servicios de registros, la identificación y el desplazamiento de reclusos, incluyendo el registro y control de las informaciones y las comunicaciones penitenciarias. Este tipo de contrato fue denominado como cogestión, plantea una actuación conjunta y compartida entre agentes públicos, de tal forma que, la dirección y vice dirección, coordinadores de seguridad e inspectores del establecimiento penal, bajo este régimen administrativo, son cargos ocupados por agentes públicos del Estado. La cantidad de funcionarios públicos y privados empleados en la gestión de esas unidades serán analizados en los párrafos posteriores, aún sobre este tópico.

Por otra parte, se observa que las unidades penitenciarias gestionadas directa y exclusivamente por agentes públicos, algunas de ellas tienen casi 40 años. El

PREMABAS, el PRESLEN y el HCTP fueron inauguradas a principios de la década los 80, todos en condiciones consideradas pésimas, como se expuso en temas anteriores, aunque los dos primeros han pasado por reformas en 2014 y 2015, respectivamente. El COPEMCAN se inauguró en 2001, pasando por ampliaciones que se completaron en el 2007. El Cadeião de Socorro y el PREFEN, fueron construidos en el 2009 y el 2010, respectivamente.

Con relación a los costos de operación mediante subcontratación, se infiere que hubo, durante la relación contractual, un aumento en el costo pagado por persona detenida. En 2009, al inicio del contrato de subcontratación, el monto pagado por persona detenida era de R \$ 2.197,25, y desde 2012 hasta mediados de 2014 hubo una reducción de precios, pagando R \$ 2.180,01 por detenido. A partir de julio de 2014, se produjeron sucesivos incrementos en el monto pagado por recluso, culminando en el monto de R \$ 3.698,09 en el COMPAJAF y R\$ 4.791,79 en el CP ESTÂNCIA en 2017.

Por tal motivo, con la finalidad de obtener una estimativa del coste mensual por recluso en las unidades gestionadas directamente por el Estado, se decidió contabilizar solo los gastos con inversiones, como la construcción de presidios, adquisición de vehículos, entre otros gastos que caracterizan inversiones.

De la Tabla 1 se deduce que la SEJUC tiene un costo mensual estimado de gastos corrientes (o de costos) de R\$6.632.561,34, excluyendo los gastos con personal activo y las tasas de cargas sociales, acorde a los datos obtenidos de una fuente primaria a través de la investigación realizada sobre los documentos de la SEJUC, de este total, R \$ 3.858.803,50 se destinan al cumplimiento mensual de los contratos de subcontratación del COMPAJAF y del CP ESTÂNCIA, el resto del monto sirve para cubrir todos y cada uno de los gastos de costeo del órgano.

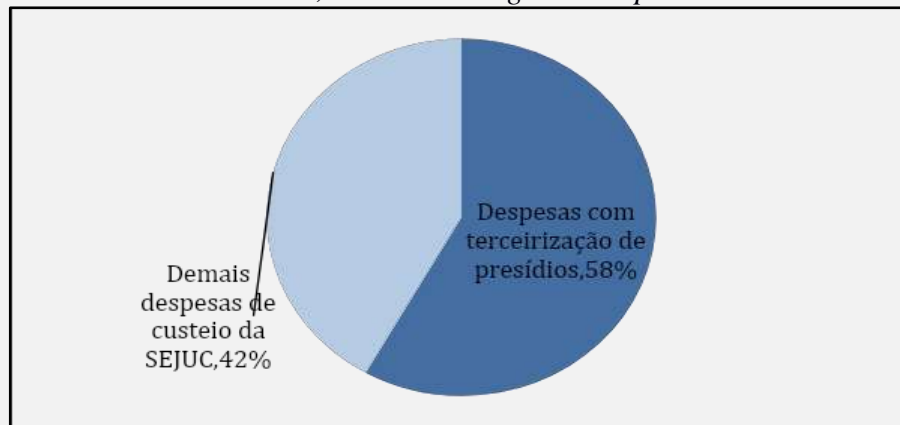
Tabla 1: *Diferença entre o total estimado das despesas de custeio e o valor dos contratos de terceirização de presídios em 2017*

		Anual	Mensual
A	Valor de todos los gastos de costeo contratados para 2017, incluidos los contratos de subcontratación penitenciaria y excluidos los gastos con personal activo, incluyendo sus cargas sociales.	R\$ 79.590.736,08	R\$ 6.632.561,34
B	Valor total estimado de los contratos de subcontratación, obtenido del promedio entre las unidades COMPAJAF y CP ESTÂNCIA.	R\$ 46.305.642,38	R\$ 3.858.803,50
	Diferencia (A-B)	R\$ 33.285.093,70	R\$ 2.773.757,80

Fuente: SEJUC, 2017.

En la Figura 3, se concluye que los contratos con la empresa Reviver absorben un estimado 58% del total de gastos de costeo contratados por la SEJUC en 2017, dejando 42% para cubrir otros gastos, esto, excluyendo el cálculo de gastos con personal activo y cargas sociales.

Figura 3: *Desglose de gastos entre contratos de subcontratación y otros gastos de costeo de la SEJUC, excluidos los gastos de personal*



Fuente: SEJUC, 2017.

Con miras al objetivo de obtener un costo mensual estimado por cada preso en custodia en establecimientos no privatizados, se observa en la Tabla 2 que sumando los montos que cubren todos los gastos de costos con los gastos con personal efectivo y comisionado de la SEJUC, incluyendo sus cargas sociales, se obtiene un monto mensual estimado del gasto en un total de R\$7.357.091,17, es con base en este monto, dividido por el número de internos en cárceles administradas directamente por el Estado, que se fijó el costo mensual por recluso en unidades no subcontratadas.

Tabla 2: *Cálculo del monto estimado de los gastos de costeo, excluidos los gastos con unidades subcontratadas e incluyéndose los gastos con el personal efectivo y comisionado, y cargas sociales em 2017*

		Anual	Mensual
C	Monto disponible para todos los gastos de costos de la SEJUC, excluidos los contratos de subcontratación de prisiones (A - B en la Tabla 1)	R\$ 33.285.094,08	R\$ 2.773.757,84
D	Valor de gastos con personal efectivo y comisionado de la SEJUC, más cargas sociales	R\$ 55.000.000,00	R\$ 4.583.333,33
	Suma (C + D): valor estimado de los gastos con costos, incluyendo personal y cargas sociales, excluyendo costos con unidades subcontratadas.	R\$ 88.285.094,08	R\$ 7.357.091,17

Fuente: SEJUC, 2017.

La tabla 3 muestra que el costo mensual estimado por recluso en unidades no subcontratadas, exclusivamente con gastos de costos, fue de R \$ 1.784,83, para 2017. El costo se obtuvo por la relación entre la suma de los gastos de costeo mensuales estimados, excluidos los contratos de subcontratación penitenciaria, y el número de detenidos en dependencias gestionadas directamente por el Estado.

Tabla 3: *Cálculo del costo estimado mensual por tipo de administración (directa y de tercerización) en 2017*

		Anual	Mensual	Nº de presos, basado en la población carcelaria en enero/2017 (5093 personas)	Costo mensual por preso
E	Contratos de subcontratación COMPAJAF	R\$ 32.217.780,38	R\$ 2.684.815,00	726	R\$3.698,09
F	Contrato de subcontratación CP ESTÂNCIA	R\$ 14.087.862,00	R\$ 1.173.988,50	245	R\$4.791,79
G	Valor de todos los gastos de costeo de la SEJUC, excluidos los contratos de subcontratación de unidades añadidos al valor de los gastos de personal y sus cargas sociales (C + D en la tabla 2)	R\$ 88.285.094,08	R\$ 7.357.091,17	4122*	R\$1.784,83 **
* Población carcelaria abarrotada en todos los presidios sin subcontratación.					
** Costo estimado mensual por preso en custodia en las unidades sin subcontratación, obtenido por la relación entre el valor mensual de la "línea G" y el número de presos de la misma línea.					

Fuente: SEJUC, 2017.

De los valores obtenidos se percibe que los precios cobrados por mes, por cada recluso, en el COMPAJAF son aproximadamente un 52% superiores a los precios cobrados en los centros penitenciarios no subcontratados. En el CP ESTÂNCIA, el precio mensual por preso es un 63% superior al coste de las unidades no subcontratadas.

Por otro lado, los costos de inversión con la construcción de la unidad penitenciaria administrada por la entidad privada son absolutamente pagados por el gobierno y, ciertamente, son superiores a los valores utilizados en el mobiliario y otros equipos necesarios para el funcionamiento de la prisión, dichos costos también no se incluyeron en los cálculos, ya que la propuesta es medir gastos de costes. De esta manera, buscamos cancelar la interferencia de los valores de inversión, aunque no evidenciados

por la entidad privada, y usamos en relación a los costes de los presos, como base de comparación, solo los valores de costo tanto en las unidades administradas directamente por la SEJUC, así como los administrados por Reviver.

En este sentido, se comprende que la COMPAJAF y la CP ESTÂNCIA concentran el 18% de la población penitenciaria y cuestan el equivalente al 34% del total de los gastos de costeo de la SEJUC, mientras que el resto de las unidades penitenciarias en conjunto representan el 82% de la población penitenciaria y su gasto corresponde al 66% del total asignado al órgano de gestión penitenciaria.

Es oportuno explicar que existen servicios relacionados con unidades subcontratadas en las acciones de custodia de reclusos que son realizadas directamente por la SEJUC y no forman parte de los gastos de la entidad privada, tales como: mano de obra de servidores públicos en unidades subcontratadas, desplazamiento de presos a las audiencias y traslados internos con escolta. Sobre este tema, se hará un análisis más amplio en estudios posteriores, como ya se sugirió.

Vale la pena destacar la correlación entre las tasas de ocupación utilizadas como indicadores de los niveles de hacinamiento en las cárceles subcontratadas y no subcontratadas. Debido a este sesgo, parece que la CP ESTÂNCIA tiene una tasa de ocupación del 101%, la más baja entre todas las unidades de Sergipe, el COMPAJAF a su vez presenta el 146%, un nivel muy inferior a unidades como el COPEMCAN (338%), el Cadeião de Socorro (265%) y el PRESLEN (181%), que son administrados directamente por el Estado.

5. Propuestas de políticas públicas

Además de ampliar el número de vacantes mediante la construcción de nuevos establecimientos penitenciarios, algo necesario en el Estado de Sergipe, especialmente en lo que se refiere a la construcción de una unidad para el régimen semiabierto cuya disponibilidad no existe, los autores presentan propuestas de mejora para la crisis carcelaria a partir de cuatro aspectos:

a) La primera propuesta de política pública para reducir el encarcelamiento es hacer efectivo el monitoreo electrónico de acusados y condenados. Actualmente, como se muestra en el análisis de resultados, el Estado no ha superado la cantidad de 156 presos puestos bajo este tipo de custodia que, cabe señalar, es significativamente más barata y menos dañina que el encarcelamiento en prisiones. Por lo tanto, existe una necesidad

urgente de interacción entre el Poder Ejecutivo y el Poder Judicial para aplicar de manera mucho más amplia y efectiva el monitoreo electrónico, especialmente en los casos en que el delito no se comete con violencia o amenaza grave, o no haya tenido el resultado doloso de la muerte de la víctima. Se anuncia que Sergipe tiene un alto porcentaje de presos sin juicio, lo que requiere una evaluación cuidadosa de la necesidad efectiva de mantenerlos en prisión, en lugar de utilizar la medida de control, cuando sea necesario. La medida de seguimiento puede aplicarse ligada a otras medidas distintas de la prisión, a ejemplo de la asistencia a cursos profesionales, conferencias educativas y la prestación de servicios comunitarios. Para ello, se sugiere la estructuración de un centro de monitoreo con profesionales multidisciplinarios con el fin de trascender la custodia virtual del monitoreado, saliendo al campo de manera periódica y programada con el fin de brindar apoyo psicosocial entre otros, además de para obtener una percepción in loco en el terreno comportamental y el progreso del individuo con la familia y la comunidad, impidiéndole volver a delinquir, asegurándose de que no habrá escape al monitoreo. Este centro debe estar estructurado, entre otros elementos, con vehículos, equipos de protección personal, personal especializado integrado por agentes penitenciarios, psicólogos y trabajadores sociales;

b) Se propone que núcleos regionales sean creados por el Poder Judicial con el fin de llegar a todos los municipios con audiencia de custodia, de forma agrupada regionalmente;

c) La tercera propuesta se refiere a la creación y financiamiento de una entidad de administración indirecta (una fundación) o la apertura de convocatorias públicas para la selección y financiamiento de una entidad no gubernamental de amparo a la víctima de delitos y a sus familiares, al detenido y a sus familiares, así como al egresado (favoreciendo el trato post carcelario). La política de amparo a las personas mencionadas, realizada de manera autónoma por el organismo que ejerce la custodia, con base en el enfoque y la especialidad de la gestión, tiene como objetivo principal brindar a la víctima el amparo necesario para recuperarse de los daños emocionales y materiales que esta sufra debido al crimen. En relación con el preso, sus familiares y egresados, su objetivo es inhibir las circunstancias agravantes derivadas del encarcelamiento de un familiar (ya sea afectivo, económico o moral), evitando la reincidencia en un nuevo delito. Se dispondrá de apoyo a través de asistencia psicosocial, cultural y laboral, ofreciendo nuevos paradigmas que los desvíen del mundo del crimen.

d) Con el fin de favorecer la economía, la eficacia, la eficiencia y la efectividad del sistema penitenciario, esta propuesta es la aplicación de la tercerización exclusivamente para las actividades medianas de la custodia de los presos, excluyendo de este tipo de contratación las actividades de guardia y vigilancia, provistas de poder policial estatal. Actualmente en Sergipe, dos unidades están sujetas a la administración indirecta, lo que evidentemente consume buena parte del presupuesto del órgano de administración, además de tener su legalidad cuestionada por los órganos judiciales y de control. Se evidencia que tal medida no debe adoptarse de forma aislada sino acompañada de participación pública, entre otras acciones, como se verá a continuación.

6. Consideraciones finales

La prisión, per se, es severa y resistente, constituyendo un campo complejo y exigente de soluciones. En Brasil, que tiene la cuarta población carcelaria más grande del mundo, es una agenda de suma relevancia para el poder público en vista de los marcados problemas que evidencia. La pena de prisión no cumple su función en la medida en que se aplica sin respetar las normas que le impone el ordenamiento jurídico. De esta manera, el Estado pune la práctica de los delitos haciendo uso, por omisión, de prácticas y medidas ilegales e inhumanas.

Como consecuencia de las condiciones infrahumanas en que se encuentran las cárceles, los paradigmas de la violencia se potencian, lo que conduce constantemente a la práctica de los horrores y la falta de respeto a la vida, así como el hacinamiento en todos los casos estudiados.

En Sergipe, la encuesta constató una alta tasa de ocupación (212%), lo que muestra que, en promedio, el espacio adecuado para 10 presos es de 21 personas. En el COPEMCAN, unidad que alberga al 53% de la población carcelaria del estado, hay alrededor de 34 en el espacio destinado a 10 presos, creando un cuadro de hacinamiento carcelario. Estos hechos desencadenaron demandas hacia la interdicción de varios establecimientos delictivos sergipanos.

Aunque se han construido unidades penitenciarias en los últimos años, las vacantes generadas no fueron suficientes para hacer frente al elevado aumento del número de presos. Con énfasis en la cuestión del régimen semiabierto, cuya unidad estaba estrictamente vedada, exigiendo la construcción de otro establecimiento, aún no iniciada.

Para el CNJ, el 75% de las cárceles de Sergipe se consideran pésimas y el 25% regulares. En estos establecimientos no existen unidades básicas de salud ni oferta significativa de actividad laboral. Las acciones positivas encaminadas a mejorar las condiciones penitenciarias, aun con disponibilidad de recursos para su ocurrencia, adolecen de la falta de inmediato profesionalismo en la gestión.

El número de presos sin juicio es extremadamente elevado. En 2014 Sergipe llegó a encabezar la lista de Unidades de la Federación con más presos provisionales (73%), actualmente en el cuarto lugar con el 56,74% de personas reclusas en cárceles sin juicio. Este hecho demuestra la necesidad de un protagonismo interactivo entre el Poder Judicial y el Ejecutivo, en el sentido de aplicar de manera efectiva y considerable medidas cautelares distintas al penitenciario, a modo de ejemplo, la custodia domiciliar por monitoreo electrónico.

El controversial y polémico modelo de gestión subcontratada en 2 cárceles estatales correspondió al 34% de todos los gastos estimados para el órgano de administración en 2017, sin embargo, solo es responsable por el 18% de toda la población carcelaria. Infiriéndose que el 82% de la población carcelaria compromete el 64% de los gastos de la agencia, situación que representa un desequilibrio al financiamiento del sistema penitenciario. Además, existen dictámenes jurídicos, demandas judiciales y posiciones de la entidad de la clase que apuntan, abundantemente, al ejercicio de la actividad privada del poder público por parte del sector privado a través de la tercerización. Tales observaciones conducen a la posibilidad de una pseudoconclusión de que la gestión privada de las cárceles es una solución adecuada al sistema penitenciario.

En el sistema penitenciario de Sergipe, la demanda de políticas públicas que resuelvan los problemas existentes se percibe recurrente, especialmente en relación con el hacinamiento carcelario. Se observa que cuando se produce la apertura de unidades penitenciarias, con el objetivo de resolver el déficit de vacantes, pronto vuelven a ser deficientes ante el crecimiento de la delincuencia que supera la capacidad del Estado en abrir nuevas vacantes. Hay, de tal forma, una necesidad de implementar políticas públicas que sean monitoreadas y evaluadas, con el fin de darle resolución al problema de la superpoblación carcelaria. Tal condición se traduce en graves agravios para la recuperación del condenado.

Basado en el diagnóstico realizado, el estudio señala propuestas de políticas públicas en términos de reducción de encarcelamientos y favorecimiento a la economía,

a la eficacia, a la eficiencia y a la efectividad del sistema penitenciario. Además, el diagnóstico se presenta como una herramienta de gestión, que se propone servir de lastre decisorio para enfrentar los problemas revelados, contribuyendo a su solución y cuya repercusión se da en mejores condiciones de encarcelamiento y reducción de la violencia.

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A Pathway to the Rapprochement between the IR and Political Science: Dialog between Foreign Policy Analysis and Public Policy Analysis

*Um Caminho para a Aproximação entre as RI e a Ciência Política:
Diálogo entre a Análise de Política Externa e a Análise de Políticas Públicas*

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Abstract: Starting from the synergies between Foreign Policy Analysis (FPA) and Public Policy Analysis (PPA), it is intended in this research to present pathways of rapprochement between the Political Science (PS) and the International Relations (IR), focusing on Multiple Streams Model for studying the ProSAVANA insertion into the Brazilian delivered Cooperation agenda. The first section is dedicated to the presentation of the FPA and PPA and the second to the rapprochement between the two, applied the ProSAVANA program insertion into the Brazilian Foreign Policy agenda. The case study was based on bibliographic and document review and, besides Multiple Streams, for analyzing the domestic context, were used Lancaster (2007) factors: ideas, interests, institutions and foreign aid organization. As results, it was possible to identify the streams that contributed to ProSAVANAS's "opportunity window", being the period differential the 2007/2008 food crisis, categorized in the problem stream.

Keywords: Foreign Policy; Public Policy; Cooperation; Prosavana.

Resumo: A partir das sinergias entre a Análise de Política Externa (APE) e a Análise de Políticas Públicas (APP), pretende-se neste trabalho apresentar caminhos de reaproximação entre a Ciência Política e as Relações Internacionais, com foco na utilização do Modelo dos Fluxos Múltiplos para o estudo da inserção do ProSAVANA na agenda da Cooperação prestada pelo Brasil. A primeira seção é dedicada à apresentação da APE e da APP e a segunda à aproximação entre as duas, aplicada a adoção do programa ProSAVANA na agenda da Política Externa Brasileira. O estudo de caso é baseado em revisão bibliográfica e documental e, além dos Fluxos Múltiplos, para

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a análise do contexto doméstico, utiliza-se os fatores de Lancaster (2007): ideias, interesses, instituições e organização da ajuda. Como resultado, foi possível identificar os fluxos que contribuíram com a “janela de oportunidades” do ProSAVANA, sendo o diferencial do período a crise alimentar de 2007/2008, categorizada no fluxo dos problemas.

Palavras-chave: Política Externa; Políticas Públicas; Cooperação; Prosavana.

1. Introduction

According to Lima (2000), International Relations (IR) asserted itself as a discipline through the separation between domestic and international politics, thus differentiating itself from Political Science (PS). In this context, foreign policy was affirmed as State policy, removed from the process of building domestic public policies, with the idea that it would respond to national interests and systemic factors.

In a different way, the Foreign Policy Analysis (FPA) rescues foreign policy as a public policy, in permanent construction, from domestic and external influences (systemic and from other States and actors). In this way, it seeks to perform a multilevel and multi-causal analysis of its object. In turn, the Public Policy Analysis (PPA) emerges after World War II, as an instrument for studying State decisions and their relationship with society. From that period, several tools that have been developed in the field are applied to the analysis of public policies, among them the Multiple Streams Model, by John Kingdon (2014).

The two fields have similarities and differences that can contribute to advances and reinforce the multidisciplinary character of IR. However, there is a gap in the exposure of these similarities and the use of common tools, especially in IR.

One of the consequences of the distance between the PS and the IRs is the neglect of domestic factors in the analysis of International Development Cooperation (IDC). For example, for realists, aid is a pragmatic tool of diplomacy. In the Marxist perspective, it is an instrument of countries' control and exploitation (of markets and resources) of the center on the periphery. In the liberal view, the IDC is a consequence of the trend towards cooperation generated by globalization and interdependence. Finally, for constructivists, aid is an expression of the norm that the richest countries should help the poorest. In other words, the IDC appears as the result of factors external to countries (Lancaster, 2007).

The IDC is part of the foreign policy strategies of the States and gained prominence in Brazilian foreign policy during the beginning of the 21st century. The

agenda of this type of cooperation of a State is formed from the formulation and modification of its foreign policy, a public policy (Milani, 2015). Therefore, it is believed that the tools of FPA and PPA can be useful to examine the construction of this agenda, being the very concept of "agenda", originating from the PPA.

Given the above, the objective of the present work is to present paths of rapprochement between the PS and the IR, through the approximation between the FPA and the PPA, with a focus on the use of the Multiple Streams Models for the study of agenda formation in the IDC provided by Brazil. Two assumptions are made: foreign policy as a public policy and IDC as part of foreign policy.

In order to achieve the objective, a bibliographic review of the central authors is used to understand the subfield of the FPA in its history and central premises and the literature that addresses the central premises and objectives of the PP field. In addition, it uses authors who sought to bring these two areas together.

To illustrate this approach, a case study is presented, the analysis of ProSAVANA's entry in the cooperation agenda provided by Brazil. Here, it is believed that the single case study allows a detailed analysis of a complex phenomenon, which mixes with its own context. It uses several sources of evidence, with bibliographic review and analysis of open documents about the program. In order to analyze the strength of Brazilian domestic context in the formation of this agenda, four factors were analyzed, listed by Lancaster (2007), as relevant for the allocation of international aid: interests, ideas, institutions and aid organization.

Among the sources, memoranda of understanding, official websites, disclosed project parts, data (quantitative and qualitative) and government documents about ProSAVANA and cooperation between Brazil, Japan and Mozambique were used, focusing on the cooperation policy provided by Brazil in this regard period. For the bibliographic review, Google's academic search tool was used with keywords, such as "Prosavana", "triangular cooperation", "Brazil-Mozambique Relations", "Brazil-Japan Relations", "Relations Japan-Mozambique" and review of references. Both data collection and analysis were based on the Multiple Streams Model, by John Kingdon (2014) and Lancaster (2007). For the analysis of the domestic context, a mixed method was also used, based on studies already carried out on interests, ideas, institutions and aid organization in BFP, in BFP for Africa and in Brazilian international cooperation, in addition to data on these factors, collected in official channels. It is important to note that

this study has an exploratory character, with the objective of exploring ways of approximation between FPA and PPA tools.

From the study it was possible to identify the problem, alternative and policy streams, as described in Kingdon (2014). In the stream of problems is the increase in food insecurity with the food crisis of 2007/2008, ProSAVANA appears as an alternative within the agro-industrial model, along the lines of PRODECER and, finally, in the stream of policy, the Corporate Food Regime and the rise of Triangular Cooperation (TC), within the Brazilian domestic context. Japan is perceived as the policy entrepreneur.

In the first section, the FPA subfield, its main premises and foreign policy as public policy will be presented. Subsequently, the PPA field, its trajectory and, in particular, the Multiple Streams model, used in the case study to analyze the formation of the IDC agenda, will be presented. In the second section, connection points between the two areas will be pointed out, as well as the case study of the insertion of ProSAVANA in the agenda.

2. Foreign Policy Analysis and Public Policy Analysis as analysis tools

2.1. Foreign Policy Analysis: connection between domestic and international and foreign policy as public policy.

The main theories of IR that were consolidated throughout the 20th century prioritized the systemic analysis and the impact of external or systemic factors in the relations between countries and their foreign policy, from the view of the State as a unitary actor. The challenge to this perspective emerged in the 1970s, but gained strength in the post-Cold War, with the rise of new actors and themes on the IR² agenda (Cortinhas, 2006; Hudson & Vore, 1995). From this context, some authors go on to state that “the behavior of the State does not respond to the international system, it constitutes the system” (Moravcsik, 1993 as quoted in Cortinhas, 2006, p.75).

In this scenario, FPA emerged as an alternative that can fill one of the gaps left by mainstream theories. By proposing an analysis that sheds light on the role of domestic policy while recognizing the influence of factors in international policy and the system in the formulation of foreign policy.

² In Milner (1997), one can find a rescue of some of the authors and approaches that turned their attention to domestic politics even during the Cold War.

FPA is considered a subfield of IR. It appeared after the end of the Second World War and its studies went through a cooling period in the 1970s due to the emergence of International Political Economy, Constructivism, Postmodernism and theories that renewed traditional ones, such as Neorealism and Neoclassical Realism. With the end of the Cold War, as a consequence of the lack of capacity of IR theories to predict this phenomenon, the FPA has taken a breath (Hudson & Vore, 1995; Hill, 2003). In this period, FPA assumptions such as the centrality of the individual and the focus on the processes instead of the results, came to occupy a central place in the IR (Freire & Da Vinha, 2011).

For Hudson and Vore (1995), the core of FPA's premises is composed of: 1) Focus on the individuals and units that make up the State; 2) View of the national interest as the interest of several actors; 3) Premise that the actors do not necessarily act rationally because the action also depends on interpretation, “hidden agendas” (such as the search for consensus) and emotional and ideological motivations.

According to Hudson (2005), the FPA emphasizes the processes and results of human decisions and its objective is to move towards a more satisfactory explanation of state behavior. In the same sense, in Pinheiro (2009), the FPA is characterized as a subarea focused on the investigation of who formulates foreign policy, how it does it and how this process impacts its content.

Due to the investigated themes and their premises, the FPA is seen by Hudson and Vore (1995, p.228) as “bridging field” between the theories of IR, Comparative Politics (of Political Science) and the community decision makers. Hudson (2005) reinforces this idea when talking about FPA again as a field that observes multiple factors and levels of analysis and provides a multidisciplinary and theoretical interaction. FPA's view as a “bridge field” seems to be related, above all, to its multilevel analysis. In this perspective, domestic and foreign policy have boundaries that are fluid, which also has analytical consequences (Lentner, 2006; Hudson & Vore, 1995).

Mesquita (2002) states that a country's international relations are an aspect of domestic politics, as it is from politics and domestic institutions that leaders (and not states) make decisions about foreign policy. In this sense, Rosenau, one of the precursors of the FPA, was one of the first to relate the internal and external dimensions of States in their work (Putnam, 1988). According to Rosenau (1997, p. xiii,) “if domestic and foreign affairs are increasingly part and parcel of each other, the analyst has little choice but to

probe both the internal and external dynamics of societal life and the intricate connections between them”.

In turn, Christopher Hill (2003) sought to bring the external and domestic worlds closer together, stating that domestic and external sources overlap in the construction of external actions, with foreign policy being an articulator between domestic policy and international relations. Thus, foreign policy is a place of political action and choice based on interpretation, the product of a society.

In the “two-level game”, by Robert Putnam (1988), linked to the theory of rational choice, domestic politics and international relations are intertwined, through the combination of pressures from the two spheres in simultaneous interactions. In the same sense, for Helen Milner (1997), international cooperation is the continuation of domestic politics by other means. In her work, she points out that the relationship between the domestic and the external is underdeveloped theoretically, which needs more attention, since they are inextricably interrelated.

Finally, Lancaster (2007), in her work, analyzes the domestic context and the purposes of international aid, emphasizing the role of mutual influence of domestic policy and external events in the purposes of foreign assistance from these countries. For her, the allocation of a country's aid depends on political conditions and the budget at the domestic level and external events. In his view, domestic factors have been neglected in the analysis, but they are important, as aid generates significant public spending; it is the target of debate and criticism from internal groups; and due to the capacity / need of governments to create support coalitions for their own political agenda in this area. In this sense, domestic policy serves as a mediator of the external context and is, at the same time, independent of it.

It is important to note that the FPA seeks to integrate the levels, not leaving aside the structural pressures of the international system. In this way, aspects already pointed out by the literature as influential in the foreign policy of States are not discarded, such as their position on the international scene and the international regimes that are built, as in Milner (1997), for example.

Understanding the relevance of domestic policy as well as international policy to understand foreign policy, it is recognized by several authors as a public policy, similar to other domestic public policies. In peripheral countries, this was inserted in contexts of political liberalization and economic opening, in which institutional reforms were seen,

which leads to a greater interest by society in foreign policy. This politicization is a consequence of two factors: greater exposure to the external and greater distributional impacts of foreign policy on the domestic environment (Lima, 2000; Milani, 2015). In Brazil, the relevant role of the FPA literature is perceived in terms of the perspective of foreign policy as public policy.

According to Maria Regina S. de Lima (2000) treating state and government as synonyms made it difficult to dialogue between international politics and the PS. This is because, being one, the State would not depend on the government to build its national interest, which would be given by its position in the system or empirically (through what the government says). However, FPA recognizes that foreign policy belongs to the field of politics, since its formulation and implementation are part of the “dynamics of government choices”, the result of coalitions, bargains, disputes and agreements between different interests (Milani & Pinheiro, 2013, p.24). Therefore, for Milani (2015) foreign policy is also in the realm of policy, of action, since “[the] government has options, although some of them are strongly limited by the very nature of the state (capitalist and democratic) and the system international (anarchic and asymmetric)” (Milani, 2015, p.70). These premises allow us to pave the way for a dialogue with the PS.

In this sense, thinking about foreign policy as public policy implies thinking about government as an institution of the State (and not as a synonym for the State). Still for Milani and Pinheiro (2013, p. 22), “studying foreign policy as public policy implies theoretically and methodologically, therefore, trying to understand how and why governments choose certain actions”. This objective is similar to the PPA's objective of analyzing how and why governments make their decisions, but incorporating external / international factors and analyzing a specific type of policy: external.

Therefore, the FPA has as its object the formulation and modification of foreign policy, giving relevance to multi-causal and multilevel studies and the public policy character of its object of analysis, since it is the result of political decisions and not of a pure “State interest”. It is these characteristics of the subfield that make it, par excellence, an important link with the PS, as will be discussed in the second section, after the presentation of the PPA field.

2.2. Public Policy Analysis and Kingdon's multiple-stream model

In PS, decision-making processes have privileged status as an object of study. In 1950 public policies were defined as a unit of analysis and the process of building policies became the subject of discipline, giving rise to PPA. This field is characterized by Heidenheimer (1990 as quoted in Asensio, 2010) for the study of how, why and for which governments act or fail to act. It emerged in the post-World War II context, with the aim of making public policies more successful and efficient and, having public action as its object of study, it was affirmed “as the discipline that allows to open the 'black box' of the political system” (Araújo & Rodrigues, 2017, p. 12).

According to Nascimento, Moreira, Hardt and Schusel (2015), there is no single or better definition of public policy. One of them is that of Dallari Bucci (as quoted in Nascimento et al., 2015, p.849), which are “government action programs aimed at coordinating the means at the disposal of the State and private activities for the achievement of social goals relevant and politically determined”.

For Araújo and Rodrigues (2017, p. 12), public policies are “complex and multidimensional processes that develop at multiple levels of action and decision - local, regional, national and transnational”. In addition, they involve different actors, whose purposes are the resolution of public problems, the distribution of power and resources. Thus, in the perspective of the PPA authors, the government is a place of conflicts of interest, ideas and preferences that give rise to its actions. For this reason, individuals, institutions and the interaction of government entities with other actors are fundamental elements of analysis (Nascimento et al., 2015).

From this, Araújo and Rodrigues (2017) point out three characteristics of the PPA: 1) orientation for solving public problems, considering their contexts; 2) multidisciplinary in theoretical and practical approaches, with a view to a comprehensive analysis of political problems and 3) orientation towards values, with emphasis on democracy and human dignity. Therefore, like the FPA, the PPA is a multi / multidisciplinary area, for which individuals, institutions, interactions, ideology and interests influence policies (Souza, 2006).

Models are a feature of the PPA. They are constituted as representations of explanatory concatenations that guide empirical research, an abstraction, made in order to understand what is relevant in the formulation or change of a public policy (Nascimento et al, 2015). The Multiple Streams Model, by John Kingdon (2014) is one of these.

Kingdon is the authority on setting the agenda and political streams within the PPA. His work was launched in 1984 and is the result of empirical research in the United States on the health and transportation agendas over a period of thirty years. According to the author, the agenda is a list of problems or issues that government officials and those outside the government associated with these officials are paying more attention to at any given time.

The Multiple Streams Model is so called because, in Kingdon's perspective (2014), for a topic to rise to the agenda, the confluence of three streams is necessary: problems (problems), policies (policy) and politics (politics). These three processes are independent, but they are related to each other and, when they converge, form a “window of opportunity” for certain themes, with a high probability of being included in the agenda. For this to happen, it is necessary that available alternatives serve a certain problem (need for change) and that there is a favorable political context, in which a policy entrepreneur invests in a certain problem or alternative and decision makers are inclined to accept inclusion of this problem or alternative on the agenda. It is usually a combination of factors that makes a given topic gain prominence on the agenda; that is, when an idea arises, it needs fertile soil to bear fruit (Kingdon, 2014).

Streams can serve as an impulse or as a constraint on certain topics. In the stream of problems is the pressure of the problems or themes that must be dealt with. It includes crises, knowledge or changes in indicators, among other factors, that make a topic recognized as something that needs government action.

In the stream of policies, the alternatives revolve. Here, ideas, values, knowledge generated by specialists circulate and the way in which alternatives to problems gain prominence. The dissemination of ideas, ideology, national culture and causal beliefs and the way that problems and alternatives are interpreted by the participants gain relevance.

Finally, the stream of politics includes aspects of national politics: electoral rules, organized political forces, national humor, changes in government and parliament. Those in government, political elites and other organized political forces are highlighted. In politics, the role of ideas gives space to the role of diffusion and persuasion through bargaining and concessions.

The Multiple Streams Model is considered to be of a non-linear character. It considers the process of formulating and modifying public policies as less structured and deterministic. In this model, the formulation and choice of public policies is not a rational

and orderly process, but "organized anarchy". This is characterized by the absence of direct cause-and-effect relationships, but a congruence of factors. This represents a criticism of the Public Policy Cycle.

3. Connecting Political Science and International Relations

Traditionally, there is a separation between the study of public policy, foreign policy and international politics, derived, as already mentioned, from the attempt at independence of the IRs as a discipline. Contrary to this, authors such as Sousa (2014) and Lentner (2006), point to the potential for greater integration and cross-fertilization between these studies.

For Lentner (2006) FPA presents itself as an approximation arena with PPA because both tend to resort to methods and insights from other Social Sciences, that is, they are multidisciplinary. Thus, it seems relevant to remember that IR and CP share the same theoretical bases, although they have followed different institutional trajectories (Lima, 2000).

A portrait of this are the various PPA terms / concepts appropriate and used in the IRs (especially in the FPA), such as the idea of "setting the agenda". It is interesting to note, for example, that Salomón and Pinheiro (2013) claim that the FPA encompasses aspects (influences, contexts and social practices) that affect all phases of foreign policy: agenda formation, design and implementation, phases traditionally attributed to the study of public policies. It can even be speculated that this use contributes to the fact that the postgraduate courses in IR in Brazil are quite new and few in number, generating a search for alternatives by internationalists in postgraduate courses in PS, generating researchers familiar with both conceptual and theoretical frameworks.

In addition to the study of elements of domestic politics, multidisciplinary and concepts, the object of both is closely related. Both FPA and PPA pay attention to the processes of building public policies, although the focus of the FPA is on foreign policy, which has its specificities. This focus on processes contributes to the similarity of objects and, consequently, some of the factors analyzed are also the same. Both are political, involve several actors and are influenced by several factors, requiring a multi-causal explanation.

Recognizing the role of domestic policy dynamics in the construction of foreign policy contributes to cooperation between the fields. It allows us to observe several

similarities between foreign policy and other public policies, as in the perspective of Lima (2000), for whom, if there is no ontological distinction between them, the decision-making process should not be considered as distinct. Thus, the processes and actors of political formulation are similar (Lentner, 2006), some of the factors affect choices in both spheres (Hudson & Vore, 1995) and many categories, concepts and theories applied to domestic policy can also be applied to politics exterior (Tomassini, 1989 as quoted in Cortinhas, 2006; Hudson & Vore, 1995). Furthermore, at the highest levels many of the same agents participate in domestic and foreign policies, some of the same constituencies are affected by both policies and there is social pressure to participate in both (Lentner, 2006).

As for the factors, it is interesting to note that there is a combination of factors in common, regarding the formulation of the agenda. They are the interests (of the actors), the institutions and the ideas that permeate the analyzed processes. The so-called “three I’s”, from PS, are also used in IR, as clearly observed in Milner (1997) and Lancaster (2007), however, they have more explored and well developed tools in the mother discipline of IR.

When comparing traditional IR theories with PPA's premises, Sousa (2014, page) notes that the second proposes “more concrete, specific and empirically testable perspectives”. In this way, using methods, techniques and data from public policies are, for the author, tools for approximating the two fields. Following the approach, for Sousa there will be good results, with more comprehensive analyzes, which consider domestic and external factors, giving them greater strength.

Here, the Multiple Streams Model is perceived as an example of an PPA analysis tool that can be used for agenda studies in foreign policy. This is not only due to the similarities between the object of the PPA and the FPA, but also due to the lack of studies on agenda definition in the IR (Rosati, 2001 as mentioned in Freire & Da Vinha, 2011; Wood & Peake, 1998).

In addition to the defense made by Lentner (2006) and Livingston (1992) of the use of the Multiple Streams Model as an approximation channel between PPA and FPA, connection points with the Model can be found in the literature. Livingston himself emphasizes the relevance of access points, which would function in a similar way to Kingdon's “windows of opportunity”, where the problem definition, alternatives and global salience of the theme converge. Milani (2015), for example, considers factors

influencing issues that enter the foreign policy agenda: problems, solutions and politics, the same Streams as Kingdon. Rosendorff and Milner (1997), on the other hand, pay attention to the role of “endorsers”, similar to the “policy entrepreneurs” of multiple Streams. Finally, the definition of the agenda they use is also similar.

Therefore, Kingdon's model is important for the definition of what constitutes the agenda and resembles the perspective of authors who work with the agenda of international or foreign policy.

3.1. Contribution of the Multiple Streams Model to the study of the CID: the case of ProSAVANA

Assuming that IDC actions are part of the foreign policy of States, the FPA and PPA can be used to understand the process of building and modifying the IDC. Within this process is the investigation of how the cooperation agenda of certain States is formed.

The IDC, part of the so-called International Aid, arises after the Second World War, in order to contribute to the development of developing countries. Over the decades, it has changed and so has its agenda, that is, priorities and what is defended as “good” for development.

The IDC's global agenda includes several other agendas, among which we can consider those that belong to the bi-or trilateral cooperation agendas between specific countries and the agendas of each state. These respond to the foreign policy objectives and preferences of these States. Therefore, here, the case study of the insertion of ProSAVANA in the cooperation agenda provided by Brazil is exposed, using the Kingdon Model (2014). In addition to this, Lancaster (2007) was used to observe how the Brazilian domestic environment contributed to the adoption of ProSAVANA on the agenda, considering ideas, institutions, interests and aid organization as relevant factors.

The Triangular Cooperation Program for Agricultural Development in the tropical Savannah in Mozambique (ProSAVANA) is a program developed between Brazil, Japan and Mozambique, originating in 2009, with the aim of increasing agricultural production and productivity in the northern region of Mozambique (Japanese International Cooperation Agency [JICA] & Brazilian Cooperation Agency [BCA], 2009). It occupied a prominent place on the TC agenda of its promoters, due to its magnitude, the revolution it intended to put into practice in Mozambique and the debates that arose around it.

Through ProSAVANA, the complete agricultural chain in the region would be developed in order to make Mozambican production competitive, sustainable and market oriented (ProSAVANA, 2015, sn). Many debates have arisen around the idea. NGOs and local producers in Mozambique point out the lack of consultation with the population and transparency as problems that mirrored the failure to consider social issues. Furthermore, the intended model was based on another undertaking, the Japanese-Brazilian Cooperation Program for the development of the Cerrados (PRODECER), adopted by Japan and Brazil in the 1970s, to transform the Brazilian Cerrado into productive land. PRODECER received several criticisms in its time, as it caused social and environmental damage to the region, permanently modifying the territorial dynamics of that space (Inocencio, 2010).

From an economic point of view, PRODECER is considered a success in Japanese-Brazilian cooperation, since, after it, the Cerrado became a major producer of commodities and allowed Brazil to rise as a major world producer. It is due to this success that the model was sought by ProSAVANA partners, to solve contemporary problems, now applied in Mozambique. Thus, the Program appears as Kingdon's alternative (2014).

And what are these problems, which would correspond to the second stream of the Model? Japan is very concerned about food security, considering that it imports a large part of its food. Similarly, Mozambique also suffers from food insecurity. It is generated by the country's low agricultural productivity, combined with climate issues, which leads the country to seek alternatives to reduce food imports (Toenniessen, Adesina & Devries, 2008)

Between 2007 and 2008 a global food crisis reinforced the difficulties of Japan and Mozambique and highlighted the need to increase agricultural productivity (in Mozambique) and guarantee new food suppliers (in the Japanese case) (Clements, 2015). The global concern with food security was expressed in multilateral forums and generated a “political moment” for initiatives in agriculture (ICTSD, 2009).

In this scenario, ProSAVANA, based on the Mozambican insertion in the global food chains and expansion of the development of agro-industrial agriculture, was aligned with the production model defended globally, the so-called “Corporate Food Regime”, which was reinforced with the increasing financialization of food. In this process, there is a global integration of agri-food production, which is now dominated by large global

corporations (McMichael, 2014). Thus, the food crisis can be seen as a driver of the stream of problems.

Another process that contributed to ProSAVANA's "political moment" was the changes in the international aid paradigm, with the prominence of South-South Cooperation and Triangular Cooperation. This had the contribution of Japan and Brazil, as entrepreneurs, especially in the face of the multilateral forums of IDC.

In the context of changes in the aid paradigm, there is a search for greater effectiveness, driven by criticisms of traditional aid, its failure to achieve the MDGs and the scarcity of resources in the context of the 2008 financial crisis (Pino, 2013). Based on these factors, traditional donors and several international organizations started to defend a greater dialogue between traditional and emerging donors. This was also allowed by the economic rise of part of the emerging countries, with emphasis on the BRICS.

Japan was the first traditional donor to engage in the TC, still in the 1970s and one of the defenders of its use, in forums such as UNDP. In turn, Brazil has shown a great growth in the participation of TC in its IDC provided during the ProSAVANA negotiation period. One of the factors for this may be the recognition of their "good practices" and their role as leaders of developing countries, which would facilitate the approximation of developed countries and the search of developing countries for these solutions. Therefore, the prominence of TC in the aid system, especially in the Brazil-Japan relationship, can be seen as a contribution to the adoption of ProSAVANA on the agenda (Mochizuki, 2009; Iglesias Puente, 2010; Pino, 2013). In this sense, Pino (2013), also points out that, since 2008, the TC's efforts were focused on resolving the global food, energy, climate and financial crises, uniting the TC to the ProSAVANA food cooperation proposal.

In terms of bilateral relations between the countries involved in ProSAVANA, there is also a context that facilitated trilateral cooperation: Japan and Brazil are historic partners. The Japanese immigration to Brazil, from the beginning of the 20th century, created the largest Japanese community outside Japan and provided several opportunities for bilateral cooperation (like PRODECER) (Uehara, 2013). Over the decades, relations were consolidated, until the establishment of the Japan-Brazil Partnership Program (JBPP), in 2000, which recognizes Brazil's role as an international aid provider and aims at strengthening the TC between Brazil and Japan. milestone that ProSAVANA is inserted (Jica & ABC, 2009; Sakaguchi, 2012).

On the other hand, both Brazil and Japan were looking for closer ties with African countries in the early 2000s. For Brazil, during the Workers' Party, Africa was seen as a key continent for Brazilian leadership in developing countries, especially with the PALOP, with whom it shares its history as a former colony of Portugal (Vigevani & Cepaluni, 2007; Saraiva, 2012). For Japan, on the other hand, the continent represents a locus of competition with China. In addition, both Brazil and Japan showed interest in a permanent seat on the UN Security Council, an organ in which the votes of African countries represent a large share (Seabra, 2011; Stolte, 2014).

Putting these interests in perspective, Mozambique appears as an opportunity, due to its good growth results in the “New African Renaissance” phenomenon, in addition to the historical and linguistic approach to Brazil (Saraiva, 2012). In turn, Mozambique was hit by the food crisis, in a context of low agricultural productivity and high dependence on foreign aid³, which leads it to take advantage of all opportunities for external resources. In this way, the growing relevance of the TC and the strengthening of relations between partner countries, provide fertile ground for ProSAVANA, contributing to the stream of policy.

Finally, in the Brazilian domestic context, aspects listed by Lancaster (2007) were analyzed as relevant to understand the allocation of international aid. These are aspects: ideas (worldviews, norms and causal beliefs), institutions (rules, procedures, participation mechanisms, which regulate who decides, who has access to the decision-making process and who vetoes), organization of aid (what voice to help) within the government and how it is structured) and interests.

Among the ideas relevant to ProSAVANA, we highlight those related to Brazil's African policy, especially during the Lula governments, and to the IDC provided by Brazil. Here, ideas such as: Brazil's aspiration for power (Saraiva, 2010), the relevance of leadership in Africa (Saraiva & Valença, 2011) and that cooperation with countries with common interests was important for the country's projection in the world (Saraiva, 2010). Furthermore, during the Lula governments, the paradigms of the Logistic State (Cervo, 2003) and Autonomy for Diversification (Vigevani & Cepaluni, 2007), shed light on the South-South partnerships and the role of the State as a promoter of Brazilian business abroad. Thus, Brazil adopted the so-called Pragmatic Atlantism (Saraiva, 2012), when

³ According to a document published by the Ministry of Planning and Development of Mozambique (MPD) (2013), in 2008 the share of the state budget financed by external resources reached 56%.

approaching African countries, placing itself as a model, especially in Portuguese-speaking African Countries (PALOP).

Still as part of the ideas, we can mention the causal beliefs related to the IDC itself. According to Pinto and Mesquita (2012), the IDC of the period was the result of Brazil's identity as a developing country and its aspiration for a prominent place on the international stage. To this end, it was used mainly of structuring projects, based on the belief that they would generate a more sustainable development in the partners, differently from one-off projects (Pino, 2013).

Regarding the institutions and the organization of aid, the MRE is appointed as an actor who coordinates the entire decision-making process, in particular the definition of the agenda, the formulation and the decision in foreign policy (Silva, Spécie & Vitale, 2010). In addition to it, the Brazilian Cooperation Agency (ABC) created in 1987, coordinates all international cooperation in Brazil and acted as a central player in the ProSAVANA negotiation. During the period of insertion of the Program on the agenda, ABC was subordinate to the MRE, having increased its budget, number of projects and countries benefited during the first decade of the 2000s (ABC, 2017), acquiring greater relevance in the core of BFP. Finally, EMBRAPA is also an actor worth mentioning. Created from PRODECER, the institution was at the center of the implementation of ProSAVANA, being involved since the first conversations between the Brazilian and Japanese government. Furthermore, it was central to the agricultural cooperation provided by Brazil during the Lula governments (Albuquerque, 2013).

As for the interests, there was a prominence of those expressed by the BFP, such as the diplomatic ones (of leadership of developing countries and rise in the international system) and of development through foreign policy. Here, the ideas that permeated the BFP during the Lula administration can be taken up, which put in perspective Brazil's identity with Africa and its role as a model, especially of the PALOP. In the private interests, the paradigm of the Logistic State is highlighted, in which Brazil would act as a broker of opportunities for its companies and investors abroad (Cervo, 2003). Thus, there is evidence that the government sought to open opportunities in Mozambique and to take its companies and investors. However, there is no clue that the interests of these actors have driven the adoption of ProSAVANA on the agenda, despite the opportunities it could generate in terms of opening up the market for agricultural land and inputs and for the agricultural machinery trade.

The fact that the research does not present such evidence contributes to the ProSAVANA literature, contradicting the idea that Brazilian agribusiness has expressed interests for the country to put the program into practice. This does not mean, however, that national investors have not expressed contentment or support for the initiative or that the government has not considered opportunities for the private sector.

Given the previous ideas, it is concluded that several domestic and external factors contributed as a backdrop to the opening of a “window of opportunity” that allowed the inclusion of ProSAVANA in the triangular cooperation agenda provided by Brazil. Using the Multiple Streams model it was possible to identify elements that contributed to this rise and that can be categorized among the streams. Food insecurity (in Mozambique and also in Japan) would be the problem and be solved, as it was aggravated by the food crisis between 2007 and 2008. The agro-industrial model, with Mozambique's insertion in global chains, characterized as an “update” of the PRODECER would be the alternative chosen, amid the ideas of agricultural development model disseminated in the Corporate Food Regime. Finally, the policy stream would include the Corporate Food Regime itself, the rise of Triangular Cooperation in the aid system and the Brazilian domestic context as a whole, as these aspects concern the domestic and international political game of aid. Finally, Japan is characterized as the “policy entrepreneur” of ProSAVANA, since, through the analysis of the documents and facts that surrounded its agreement, the country appears as the protagonist of the initiative and the one who undertakes for it to materialize, including in terms of financial contribution.

4. Conclusion

Due to its characteristics, such as the multilevel analysis and the recognition that foreign policy is a public policy, built from diverse interests and the domestic political game, the FPA allows the opening for a greater dialogue between the IR and the PS. In this sense, PPA is one of the fertile fields for this greater integration, as foreign policy and other public policies have some of the same actors and processes in their construction, both of which are under social pressure, there are common factors that affect them and theories and concepts common to both approaches. Despite this, the objects of study of the PPA and the FPA remain different, since the FPA focuses specifically on foreign policy, including, in addition to domestic policy, external factors and context.

The similarities between the fields and the common theoretical basis between the IR and the PS enabled the FPA to appropriate PPA concepts and tools. In relation to the formation studies of the agenda, the tools and methods of the PPA are better developed and can be used for the analysis of the foreign policy agendas of the countries and of the international policy, scarce studies in the FPA.

In order to exemplify this use, we sought in this work to present the results of the case study of the rise of ProSAVANA in the BFP agenda in 2009. Using Kingdon, existing streams were identified, which enabled the rise of the theme. The increase in food insecurity with the 2007/2008 food crisis represents the problem, PRODECER as a model of ProSAVANA, of an agro-industrial character, was the alternative found for it and, finally, the Corporate Food Regime and the highlight of Triangular Cooperation, together the Brazilian domestic context, in which institutions, interests, ideas and aid organization (factors relevant to the cooperation agenda, according to Lancaster) were analyzed as a context for the stream of policy. Japan is perceived as a relevant actor for the proposal, being seen as the policy entrepreneur described by Kingdon. Based on this framework, it is believed that it is possible to think of a fertile rapprochement between Political Science and International Relations through PPA and FPA tools. As it was possible to identify elements that opened a “window of opportunity” for ProSAVANA. In this sense, it is observed that the food crisis and the rise of the TC were new elements, which emerged during the program's rise period and, thus, one can think that, without them, your opportunity might not have opened.

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Global Climate Governance: Subnational Contributions from Mato Grosso to Brazilian Participation in the Paris Agreement¹

Governança Climática Global: Contribuições Subnacionais do Mato Grosso à Participação Brasileira no Acordo de Paris

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Abstract: How is it possible for subnational actors to participate in complying with Brazil's Nationally Determined Contribution (NDC)? The purpose of this article is to discuss such possibilities based on the concept of multilevel governance on the climate change agenda. The example of the state of Mato Grosso – which, at COP-21, presented an innovative proposal bringing together civil society actors with a focus on reducing greenhouse gas emissions in a strategy called “Produce, conserve and include” (PCI) – is the starting point for exploring the role of the units of the Brazilian federation in the national articulation for the management of policies for compliance with the NDC. In addition to the PCI strategy, the state draws attention to its geography, composed of three different biomes (Amazon, Cerrado and Pantanal), and its economic character as a significant exporter of commodities. Based on the theoretical frameworks of orchestration in the climate change regime and the interaction between public and private actors, the expected result is to determinate aspects that characterize the performance of subnational actors in climate change policy in light of international commitments.

Keywords: Paris Agreement; Multilevel Governance; Subnational Actors; Brazilian Foreign Policy; Mato Grosso.

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Resumo: Como é possível a participação de atores subnacionais no cumprimento da Contribuição Nacionalmente Determinada (NDC) do Brasil? O objetivo desse artigo é discutir tais possibilidades usando como base o conceito da governança multinível na agenda da mudança do clima. O exemplo do estado do Mato Grosso - que, na COP-21, apresentou uma proposta inovadora agregando atores da sociedade civil como foco na de diminuição das emissões de gases de efeito estufa em um uma estratégia denominada “Produzir, conservar e incluir” (PCI) – é o ponto de partida da exploração do papel das unidades da federação brasileira na articulação nacional para a gestão de políticas para o cumprimento da NDC. Para além da estratégia do PCI, o estado chama a atenção por sua geografia, composta por três biomas diferentes (Amazônia, Cerrado e Pantanal), e seu caráter econômico de expressivo exportador de *commodities*. A partir dos referenciais teóricos da orquestração no regime de mudança do clima e a interação entre atores públicos e privados, espera-se como o resultado determinar aspectos que caracterizem a atuação de atores subnacionais na política de mudança do clima à luz dos compromissos internacionais.

Palavras-chave: Acordo de Paris; Governança Multinível; Atores Subnacionais; Política Externa Brasileira; Mato Grosso.

1. Introduction

De acordo com Viola e Basso (2016), os desafios impostos pelas instabilidades ambientais foram minimamente incorporados pela disciplina de Relações internacionais. According to Viola and Basso (2016), the challenges imposed by environmental instabilities were minimally incorporated by the International Relations discipline. The authors use two references from the natural sciences to demonstrate the importance of integrating these challenges into the cognitive matrix of internationalists. The Anthropocene is the first reference illustrating a new geological era that started in the period of the Industrial Revolution, in which human actions have become the greatest vectors of global environmental changes, with consequences that can be harmful and even catastrophic for the planet (Rockström et al., 2009). The planetary boundaries constitute the second reference presented by Viola and Basso (2016). According to the authors of the concept of planetary boundaries, the Earth's subsystems can react in a non-linear, abrupt, and particularly sensitive way when they are placed close to their threshold levels.

Among the nine limits identified by the authors, climate change, biodiversity loss and the interferences in the nitrogen cycle have already had their barriers overcome. However, there is a significant uncertainty of how long it will take for disastrous environmental changes to happen or to the triggering of other processes that would drastically reduce the ability of the Earth's system to return to safe levels. In addition, Nash, Cvitanovic, Fulton and Halpern (2017) demonstrate that the concept of planetary

boundaries has the potential to shape future environmental policies and technological innovations due to the significant increase in research on the topic and its integration in multilateral debates, such as the Sustainable Development Goals. Viola and Basso (2016) argue that it is necessary to place the mitigation of environmental instability, including the struggle against climate change, in the category of the global common good, which would require greater international consultation in favor of more effective global governance.

With regard to global climate governance, there is a change in the actors comprising its landscape, which are no longer exclusively States acting in an intergovernmental sphere. As pointed out by Widerberg and Pattberg (2016), there is a strong tendency of increasing and consolidation of transnational climate initiatives that can support mitigation and adaptation actions to climate change. Therefore, the mention of the role of non-state and subnational actions, or even those actors gathered in arrangements such as transnational climate initiatives, as non-Party Stakeholders in the decision of the Conference of the Parties (COP) 21 in Paris is presented by the literature as the institutionalization of a new governance model (Chan; Brandi & Bauer, 2016; Falkner, 2016; Hale, 2016). The institutionalization of the role of non-Party stakeholders in the intergovernmental sphere could be seen as the recognition of the support offered by these actors to States in fulfilling their targets established through their Nationally Determined Contributions (NDC) (Chan et al. in press).

Considering this, this article's main question is: how can subnational actors contribute to the fulfillment of NDCs? This article's goal is to introduce the debate on the contribution of non-Party stakeholders to the achievement of goals established by states in the intergovernmental sphere. For this purpose, we use the example of the Mato Grosso state in COP-21, when it presented a strategy called "Produce, Conserve and Include". The case of the state of Mato Grosso is relevant because of its place as a strategic subnational unit in Brazilian environmental policies due to its geographical condition comprising three biomes, Amazon, Cerrado, and Pantanal, and the economic characteristics of a significant exporter of commodities. In addition, it is a member of different transnational climate initiatives.

This article is divided into three parts. First, we conduct a literature review on global climate governance and multilevel governance. Subsequently, we present an empirical analysis of the case of Mato Grosso, and its voluntary contribution to

greenhouse gas reduction (GHG) targets through subnational transnational initiatives will be presented. Finally, we discuss how federative entities can contribute to the fulfillment of the Brazilian NDC.

2. Multilevel Governance and Climate Change

2.1. The international climate change regime: hybrid multilateralism

As a landmark for the inclusion of environmental issues on the international agenda, it is possible to point out to the United Nations Conference on the Human Environment, which took place in 1972 in Stockholm. Twenty years later, after a gradual increase in debates on the topic, the United Nations Conference on Environment and Development (UNCED), known as Earth Summit, took place in Rio de Janeiro. So far, this is the most important intergovernmental environmental meeting, in view of its results and repercussions, such as the United Nations Convention on Biological Diversity, the Convention to Combat Desertification, the Declaration of Principles on Forests, the Agenda 21 and, the treaty more pertinent to our article, the United Nations Framework Convention on Climate Change (UNFCCC).

Widerberg and Pattberg (2017) highlight that, since the adoption of the UNFCCC at Earth Summit, we can observe three paradigm shifts in global climate governance. The first is described as a “Cambrian explosion” of institutions around the UNFCCC such as bilateral initiatives and other international regimes. The second change is the proliferation of transnational climate actions by non-state actors and subnational authorities. Finally, the third shift corresponds to the alignment of this transnational regime with the UNFCCC as a way of addressing climate change.

International Relations literature has developed a vast theoretical framework to explain this evolution of global climate governance. It is noteworthy to highlight the most famous concept of a regime complex for climate change defined by Keohane and Victor (2011) in which the UNFCCC exercises the role of an umbrella organization for the different actors of the regime. Abbott (2012) proposes a new term called the transnational regime complex for climate change emphasizing the emergence and consolidation of non-state actors. There is also a concept advanced by Betsill, Dubash, Paterson and Van Asselt (2015) called the global climate governance landscape in which the UNFCCC would act as a point of coordination in a landscape composed of different intergovernmental and transnational initiatives. Finally, there is the concept of hybrid multilateralism proposed

by Bäckstrand, Kuyper, Linner, and Lövbrand (2017) also in order to explain how intergovernmental and transnational spheres interact in global climate governance.

For Bäckstrand et al. (2017), the involvement of non-state actors is a particular feature of global climate governance developed in recent decades, given that UNFCCC climate diplomacy has been a pioneer in continuously facilitating access and inclusion of non-state actors in negotiation processes. A complementary analysis to this is presented by Hale (2016), when stating that both the increase in the climate actions of non-state and subnational actors and the failure of Copenhagen to negotiate a successor to the Kyoto Protocol allowed a greater prominence of these transnational initiatives and its potential to contribute to fight against climate change. The author points out that this dynamic of transnational initiatives was perceived by United Nations officials not as being a competition, or even an alternative to the UNFCCC; but as a way of encouraging member states in their efforts to achieve their goals.

In this sense, Bäckstrand et al. (2017) advances the concept of hybrid multilateralism to describe the growing trend in global climate governance of approximation between the domains of multilateral diplomacy and transnational climate actions. For the authors, hybrid multilateralism is defined as follows:

[...] hybrid multilateralism denotes a bottom-up climate policy architecture that combines voluntary pledging by states with an international transparency framework for periodic review and ratcheting-up of ambition, in which non-state actors play important roles as implementers, experts and watchdogs. Second, hybrid multilateralism refers to an increasingly dynamic interplay between multilateral and transnational climate action, where the UNFCCC Secretariat has taken a role as facilitator, or orchestrator, of a multitude of non-state climate initiatives and actions. (Bäckstrand et al., 2017, p. 573).

According to Bäckstrand et al. (2017), the Paris Agreement institutionalizes the concept of hybrid multilateralism. Regarding the participation of non-state and subnational actors in the climate regime after the adoption of the Paris Agreement, it is worth mentioning the use of the term non-Party Stakeholders in the COP-21 Decision.

Agreeing to uphold and promote regional and international cooperation in order to mobilize stronger and more ambitious climate action by all Parties and non-Party stakeholders, including civil society, the private sector, financial institutions, cities, and other subnational authorities, local communities, and indigenous peoples. (United Nations, 2015, p. 2).

The term non-Party Stakeholders is used eleven times throughout the text of the COP-21 Decision to notably refer to the efforts of actors in this category that are scaled-up in climate action and to support UNFCCC Parties in strengthening their actions mitigation and adaptation. The participation of non-Party Stakeholders is subsequently integrated into the functions of the UNFCCC Secretariat with the decision of COP-22 establishing the Marrakech Partnership for Global Climate Action with a mandate until 2020.

2.2. Orchestration as a mode of governance

Bearing in mind the concept of hybrid multilateralism, this paper seeks to understand how international organizations act, or even react, to this scenario with a stronger presence of non-state actors. This article converges with the assumption that the UNFCCC plays the role of orchestrating climate actions implemented by non-state actors (Abbott, 2017; Bäckstrand et Al., 2017; Dryzcek, 2017; Falkner, 2016). For Falkner (2016), the Paris Agreement can become an “orchestrator” of climate action beyond the domain of traditional international governance. Such a theoretical approach is also shared by Bäckstrand and Kuyper (2017) when they stated that international organizations have increasingly used orchestration as a way of governance to solve problems of collective action and to manage global governance.

It is understood that international organizations employ orchestration when they engage intermediate actors on a voluntary basis, providing them with ideational and/or material support, to address target actors in the search to achieve the objectives of international organizations in order to guarantee certain effectiveness (Abbott; Green & Keohane 2015).

Orchestration is a governance mode that relies on soft inducements rather than mandatory controls. It is widely used in transnational settings where ‘governors’ possess limited authority. An orchestrator with sufficient legitimacy, focality, and resources can enlist likeminded actors and organizations, deploying material support, reputational incentives, information and guidance, and mobilizing pressure and assistance from third parties, to catalyze, support, and steer the behavior of enlisted actors, enhancing their impact on their ultimate targets or beneficiaries. Orchestration is non-hierarchical: organizations respond because they share the orchestrator’s general policy goals, because the orchestrator deploys valuable material and ideational inducements, and

because other incentives – such as a desire for policy relevance – prompt cooperation. (Abbott, 2017, p. 739).

In this way, it is possible to differentiate the act of orchestrating from the traditional hierarchy of governance, or even from the practices of delegation, by two fundamental characteristics: being indirect and soft. In orchestration, organizations act through intermediaries, who can be civil society actors or even other international organizations, and without any control over them to reach targets, which can be the States or the private sector (Abbott et al., 2015). Despite still being little identified and studied, orchestration is a mode of governance widely used by international organizations in parallel to the traditional attributions conferred on them by international law (Abbott et al., 2015; Widerberg, 2017; Dryzek, 2017).

Bäckstrand and Kuyper (2017) list four arguments to affirm that the United Nations Framework Convention on Climate Change can be analyzed according to the theory of orchestration. The first comes from the UNFCCC's limited governance capacity in terms of budget and staff, especially when compared to other international organizations. The authors also pointed out that there is a great diversity of potential intermediary actors in climate governance: transnational initiatives, civil society actors, subnational entities, the academic community, and investors. Third, the authors point to the reaffirmation of the Convention's role as an organization that leads to global climate governance, and this role was reinforced after the adoption of the Paris Agreement. And, finally, there is a divergence of objectives between the parties when considering the asymmetric distribution of the negative impacts of climate change.

Throughout the Paris Agreement negotiation process, as Dryzek (2017) points out, the UNFCCC Secretariat used orchestration as a way of governance by establishing two platforms included in the Global Agenda for Climate Action: (i) the Lima-Paris Action Agenda (LPAA) and (ii) the Non-State Actor Zone for Climate Action (NAZCA). At the twentieth meeting of the UNFCCC Conference of the Parties (COP-20), the Lima-Paris Action Agenda initiative was launched with the aim of increasing and giving greater visibility to the climate actions of non-state actors and to encourage member states to adopt an Agreement at the Conference from Paris. At the same time, NAZCA was also launched, which aims to record the mobilization and actions that are supporting the countries to reach and exceed their national climate commitments.

2.3. The limits of the Paris Agreement and the decision of COP-21 as an instrument for multilevel climate governance

In retracing a history about the mention of the term non-Party Stakeholders, the article by Hale (2016) reports that the inclusion of these actors in the official texts was not an approach easily accepted by all UNFCCC member states. Hale (2016) states that the term non-Party Stakeholders was adopted after claims by subnational governments that the term non-state actors were not the most appropriate to represent them. Even though the mention of non-state actors and subnational authorities is not present in the Paris Agreement, but in the COP-21 Decision, Hale (2016) argues that these actors have become part of the center of the climate change regime. However, it is necessary to extrapolate this argument in order to analyze to what extent the Paris Agreement can be considered as a representative instrument of multilevel climate governance since for the author, not only the member states are at the center of the climate change regime.

According to Zürn (2013), multilevel governance has become the *conditio politica* of the 21st century. Although it is not delimited by a rigid institutional design, it is understood that multilevel governance connects domestic levels of governance with those beyond the nation-state; and, this configuration has a better capacity to provide more effective and legitimate policies in an era of globalization. The author presents two necessary conditions to affirm that global governance can be characterized as a multilevel governance system: the autonomy of the global level and the interaction between levels that have functional differentiations. In developing the hypothesis, the author contrasts two approaches to governance in the international system: the intergovernmental and the multilevel.

The intergovernmental approach is built on the concept of Westphalian sovereignty, which would imply defining the international system as anarchic. That is, States are not subject to compliance with laws without their prior consent. It appears that the international institutions established in the post-World War II period respond to the logic of this intergovernmental approach since they are institutions of authority delegated by the States. Ultimately, states would control both the administrative apparatus and the budget of these institutions.

However, the author argues that the growing increase in the number of international institutions, as well as the recognition of increasingly complex problems – such as environmental risks –, has made borders less significant for national transactions.

This, in turn, led to an increase in the political scope of the activities of these international institutions. There is a disaggregation of the governmental functions of the State and attribution of these functions to different levels of governance, including the global level. The author sheds light on the phenomenon of greater intrusion of these new international institutions in domestic policies, such as, for example, the increasing degree of interaction of these institutions with transnational actors on topics previously considered exclusive to the domestic plan. Nation-states, by consenting to the establishment of international institutions with a more sophisticated architecture in which the logic of delegated and controlled authority can no longer be applied, become subjects of a new dynamic.

Thus, the author argues that in some areas, as in the case of the environmental regime, the global level has reached a certain degree of autonomy. It is necessary to consider the fundamental caveat made by Zürn (2013) that the recent changes in the global order should not be understood as an indication of the death of the nation-state. For the author, overcoming problems, such as those related to global financial markets, are hardly conceivable without the participation of nation-states. Nation-states exercise governmental functions with a legitimate monopoly on the use of force and the ability to collect taxes that are crucial in seeking to resolve a range of problems of public interest.

These ideas can be applied in the Brazilian literature that discusses the relative autonomy of the international action of the federated subnational entities. Rodrigues (2008) and Vigevani (2006) point out that there is room for action by Brazilian subnational governments, as long as the limits of their constitutional powers are respected, which applies to the case of Mato Grosso. Prado (2018) adds to this view the problem of differentiating between high and low politics, arguing that the international insertion of federative units can be more fruitful in a theme that appears with less priority on the federal foreign policy agenda, which can also be the case of environmental issues in the Brazilian government's approach.

Considering the above mentioned elements, a scenario of multilevel governance corresponds to one that the nation-state will no longer be the indispensable political institution and also the only one with the capacity to perform all governance functions; legitimacy will not only be attributed to nation-states at the international level and national societies at the domestic level. Zürn (2013) considers that it is already possible to use the concept of multilevel global governance. When analyzing the argument advanced by Hale (2016) in the light of the theoretical framework of multilevel

governance proposed by Zürn (2013), it is clear that, despite the strong change in the composition of international institutions, it is still not possible to say that the global level holds a degree of autonomy vis-à-vis the nation-state. What we intend to defend when using the concept of hybrid multilateralism in this literature review is the capacity to reinvent the international Westphalian system in the face of growing challenges, including the aggregation of new actors.

New institutional arrangements were established with the participation of non-state actors as well as the increase in the complexity of the themes in the international arena. This undeniably generated a new dynamic of interaction between levels of governance beyond the nation-state. However, these changes were not enough to cancel the logic that international institutions operating with an authority delegated and controlled by States as in the intergovernmental model.

3. Transnational Climate Initiatives: Mato Grosso State engagement and climate actions

3.1. Non-party stakeholders and transnational climate initiatives

Regarding the need to achieve the Paris Agreement provisions of keeping a global temperature rise well below 2 degrees Celsius above pre-industrial levels or to pursue efforts to 1.5 degrees Celsius, the level of ambition advanced by the Parties through their NDCs is not enough to tackle climate change. Even considering that all contributions submitted by Parties are achieved, the temperature would still increase between 2.9 degrees Celsius and 3.4 degrees Celsius by the end of the century (UNEP, 2016). This represents temperatures much higher than that recommended by the Intergovernmental Panel on Climate Change (IPCC, in its acronym in English) a special report published in 2018 states that climate-related risks to human health, livelihoods, and security increase even further with global warming of 2°C in the comparison between the 2°C scenario. This difference between the trajectory of global emissions of greenhouse gases (GHG) that considers the actions and commitments assumed by countries and the trajectory necessary to achieve what is recommended by the IPCC is called an “emission gap”.

Since 2010, the United Nations Environment Program (UNEP) publishes annual reports regarding the emissions gap. The 2019 report points out that even with the full implementation of unconditional NDCs, in 2030 the emissions gap for a 2 ° C temperature rise scenario would be 15 gigatonnes of CO₂ higher than necessary. For the 1.5 ° C

trajectory, the emission gap is equivalent to approximately 32 gigatonnes. The challenge of reducing GHG emissions is quite considerable. One of the examples UNEP uses to illustrate is the fact that 1 gigaton of CO₂ corresponds approximately to all emissions generated by the transport sector, including aviation, throughout the European Union for one year.

The 217 UNEP report on the emission gap indicates that non-state actors, including the private sector and civil society organizations, can contribute to closing the gap, especially in sectors such as agriculture and transport. In other words, it is not only possible to observe the increased engagement of non-Party stakeholders on the international scene, but also a broader recognition of the role of these actors in solving collective problems such as the mitigation of GHG emissions. This interpretation is also advanced by Chan et al. (2015) when stating that by connecting the multilateral climate regime to the diversified field of non-state and subnational actors climate actions can maximize benefits. This can be further illustrated thanks to the findings of Hsu, Brandt, Widerberg, and Chan (2020) pointing out transnational initiatives with the greatest contribution potential to reduce the emission gap in thematics such as forest (Bonn Challenge, Governor's Climate and Forest Task Force, New York Declaration on Forests), local authorities (Under 2 Coalition) and companies (RE100 Initiative).

The elements of the COP-21 Decision constitute one of the most comprehensive frameworks on the engagement of non-state actors formulated in international regimes (Chan et al. 2016). However, the relationship between non-Party stakeholders and States regarding the implementation of NDCs remains briefly addressed in the literature. By proposing a debate on how to ensure that the promises of climate action by non-state actors, local governments, and transnational initiatives can be fulfilled, and thus complement the actions of the States, Chan et al. (2019) identify risks such as a geographic imbalance in the implementation of actions, lack of alignment with the priorities of the climate and sustainability agenda, potential political disputes, among others. The authors conclude by highlighting the need to offer incentives, to ensure that actions are based on the national and regional context, and the need to engage not only actors and initiatives categorized as the front-runners. Hsu et al. (2020) offer a complimentary analysis on the interaction between non-state and subnational actors and States by stressing the role of these actors in the implementation of NDCs, supporting the revision of national targets ambitions, promoting technical capacity, demonstrating the

feasibility of projects and building political support. However, the authors emphasize that this impact depends on how national strategies recognize these contributions.

3.2. The example of the Mato Grosso state in global climate governance

The Mato Grosso state is the third-largest in Brazil in terms of land area, and historically one of its main economic activities rely on agriculture and livestock. One critical feature of this state is the fact that it is the only Brazilian state with three biomes in its territory (Mato Grosso, 2020). Despite occupying only 7.2% of the state, the Pantanal biome portion in Mato Grosso gathers an elevated number of endemic fauna; the Cerrado occupies 32.29% of the territory, and the Amazon is present in approximately 50% of the state's territory. Also, Mato Grosso is one of the major exporters of commodities, such as soybeans, beef, and corn, among others. For instance, the state leads in the Brazilian scenario of beef exportations (IBGE, 2018) and it is also the largest producer of soybeans (Silva Júnior; Lima, 2018). In addition, Bustamante et al (2012) point out that the potential for reducing emissions offered by the beef industry is very high and may constitute one of the most important options for mitigating Brazilian emissions.

According to the National Institute for Space Research (INPE by its acronym in Portuguese), in 2019, the deforestation rate for the Brazilian Legal Amazon, which comprises nine states, places Mato Grosso in second place contributing to deforestation with 16.80%, behind Pará (INPE, 2020). However, historically, the state has already shown strong trends in reducing it. The good results obtained in the struggle against deforestation were presented by the state government in a document submitted to Under2 Coalition. It mentions that, in the past years, it was the Brazilian Amazonian state that has most contributed to reducing deforestation preventing the emission of 1.9 Gt CO₂.

On the one hand, Mato Grosso represents the Brazilian agricultural productive power. On the other hand, the state has increasingly sought to become one reference among local authorities regarding climate actions. In the run-up to COP-21, the state's engagement was demonstrated on two approaches.

The first approach refers to the adoption of local strategies and policies. For instance, the state adopted the Action Plan for Prevention and Control of Deforestation and Fires comprising targets until 2020. Between 2016 and 2020, the state aims to reduce deforestation by 80% (in average for the period) in relation to the baseline period (from

2001 to 2010). Furthermore, the Action Plan aims to eliminate illegal deforestation by 2020. At COP-21, the state also presented a strategy called “Produce, Conserve and Include” (Mato Grosso, 2016). With targets for 2030, the strategy presents goals such as: (1) replacing 6 million hectares of low-yielding pasture with high-yield crops, (2) conserving 60% of native vegetation cover, (3) reducing deforestation by 90% for the Amazon biome and 95% for the Cerrado, (4) recover 2.9 million hectares of riparian forest, (5) offer technical assistance for 100% of small products, among others. Stickler, Duchelle, Nepstad and Ardila (2018) highlight that the “Produce, Conserve and Include” (PCI) strategy is internationally recognized as one of the jurisdictional approach references. This because the Mato Grosso approach encompasses a local authority leading a multi-stakeholder platform gathering producers, civil society organizations, among others with quantitative targets. In addition, the implementation of the strategy has transparency criteria with the availability of public data for monitoring (PCI, 2020). Finally, in 2019, the state Decree 46 defines that the PCI strategy will be implemented by a private non-profit entity called “PCI Institute” allowing, among other functions, to coordinate and articulate the actions between multiple actors and to identify national and international fundraising opportunities for the implementation of the strategy (PCI MT, 2020).

The second approach, complementary to the first one, relates to the engagement of Mato Grosso on transnational climate initiatives that were part of LPAA and registered on NAZCA platforms. For example, during COP-21, the state of Mato Grosso signed the document to be part of the transnational climate initiative Under2 Coalition. The initiative gathers a group of ambitious state and regional governments committed to containing the global warming increase below 2°C. Currently, the coalition has more than 220 local authorities and represents 43% of the global economy.

The Mato Grosso state is also engaged in other initiatives, as mentioned below:

- R20: aims to accelerate investments in infrastructure for a green economy at the sub-national level.
- Governors' Climate and Forests Task Force (GCF): an initiative with 35 states and provinces in Brazil, Indonesia, Mexico, Nigeria, Peru, Ivory Coast, United States, and Spain. The initiative seeks to promote REDD + programs and other financing opportunities for performance projects. For example, in 2018, Mato Grosso was granted by the initiative financial resources to promote the training of professionals

regarding climate change debates, transparency, availability of environmental information to civil society, and support for local communities (Carvalho, 2018).

- 20X20 Initiative (part of the Bonn Challenge): the State of Mato Grosso is committed to restoring 2.9 million hectares.
- Tropical Forest Alliance 2020: The Tropical Forest Alliance 2020 (TFA 2020) is a global public-private partnership in which partners take voluntary actions, individually and jointly, to reduce tropical deforestation associated with the supply of commodities such as palm oil, soy, meat, pulp, and paper. At the present moment, the state of Mato Grosso is one of the sub-national authorities in this initiative that brings together the private sector, civil society, international organizations, and states.

Despite a proactive engagement, especially considering the adoption of local plans and strategies such as the PCI, it should be noted that all commitments taken by the Mato Grosso state as a member of transnational climate initiatives are volunteers. As previously mentioned, the greater approximation of the intergovernmental and transnational spheres does not invalidate the predominant rationale of the international system based on the nation-state. Having said this, it is essential to debate how local authorities can contribute to the elaboration, review, and achievement of the climate goals established by Brazil.

4. The contribution of federated entities to the achievement of the goals established in the Brazilian NDC

Previous International Relations literature showed the multilateral environment of international organizations (OI) as a legitimizer of the decisions taken within its scope. Such a legitimate feature is due to the wide participation that is allowed by multilateralism. This means that, at least theoretically, the various members of the organization have their participation guaranteed, despite their individual characteristics that may differentiate them, for example, in terms of power (Bouchard & Perterson, 2014; Hurrell, 2010; Morse & Keohane, 2014).

The United Nations is one of the most emblematic examples of a multilateral organization. Currently, it is the international organization (IO) that most aggregates state representations. In its General Assembly (UNGA), which takes place annually, 193 countries participate, in addition to observers such as Non-Governmental Organizations (NGOs).

Due to the characteristics of the IOs, States that would have a difficult individual representation in the mainstream of international decision-making have strong participation in this type of multilateral environment. For instance, both at AGNU and the UNFCCC votes have the same weight.

Since the League of Nations, Brazil has a historic engagement with multilateral organizations. In accordance with this trend, Brazil joined the UN in the organization's establishment. In addition to being responsible for the opening speech, and in compliance with the UN rules, Brazil also participates in debates and votes (Mello, 2014; Sardenberg, 2013). In this article, we argue that the international performance of a country constitutes one of its public policies; meaning that its engagement on the intergovernmental sphere is one of the actions carried out by the government when seeking its nation common good (Salomon & Pinheiro, 2013).

However, this view regarding the Brazilian foreign policy is relatively recent. Due to the specificities of the Brazilian diplomatic structure, for a long time, the predominant view regarding its foreign policy was one of isolation in relation to other governmental aspects. Thus, it was perceived as state policy rather than government policy. More recent studies and debates have shown that this idea of Brazilian foreign policy as a billiard ball, in other words, a massive, impenetrable, and isolated, is mistaken (Milani & Pinheiro, 2013; Milani, 2015).

Focusing on state political processes, as advanced by the Foreign Policy Analysis (FPA) field, it does not imply that only these processes are relevant to understanding the international scene. The FPA field is quite attentive to the interaction of governmental decision-making units as the field also captures the various actors inside and outside of a given State's borders that influence the conception and implementation of this public policy (Salomon & Pinheiro, 2013).

According to Putnam (1988), several international negotiations can be conceived at two different levels. At the domestic level, there are groups that pressure governments defending their interests which can be diverse and divergent. Political leaders seek to create coalitions among these groups. At the international level, governments aim to maximize their ability to meet domestic concerns while minimizing the consequences of external developments. On this account, the decision-maker is an articulator who circulates between these two levels and who cannot ignore any of them, creating his scope of satisfactory actions and seeking a balance.

As stated previously, this paper is aligned to the strands of the literature arguing that domestic and international interaction allows investigating foreign policy as a public policy. This has been discussed by a great number of authors in the literature (Milner, 1997; Lentner, 2006) stating that foreign policy is not insulated. This is due to the growing international regulation and the consolidation of democracy that engenders new domestic decision-making dynamics that are responsive to the international sphere.

Brazilian foreign policy, like most of the country's public policies, has the main objective of guaranteeing the maintenance of the potential of national economic development. In this sense, the country's participation in multilateral environments is part of its strategy to promote these interests (Mello, 2014).

As has been previously reported in the literature, there are three models for formulating public policies. The multiple-streams framework, developed by Kingdon (1984), states that when the government spots an opportunity for change, there are three main streams that lead to the government's agenda-setting: problems, policy, and politics. In contrast, the punctuated equilibrium theory, described by Baumgartner and Jones (1993), observes interruptions of long periods of stability in the elaboration of public policies (slow and linear pace) due to rapid and punctual changes. In other words, the theory seeks to explain how there is an alternation between moments of rapid change and stability and it builds on two analytical approaches: institutional structures and the agenda-setting process. Finally, there is also the model of advocacy coalition framework. This model, developed by Sabatier (1987), takes into account values, beliefs, and the role of political learning in the elaboration of public policies. Thus, an advocacy coalition would be composed of individuals of different positions who share certain beliefs that have a minimally relevant degree on actions over time.

Throughout the UNFCCC COPs, Brazilian diplomacy played a leading role in the discussions. The protagonism took place, above all, through a conciliatory behavior between groups of countries from the North and the South. In the conception of the Kyoto Protocol, Brazil defended two priorities in the negotiations: sovereignty over forests and the financial incentives for a sustainable development path for non-Annex I countries. In other words, the Brazilian position can be analyzed as one based on the defense of national development and the promotion of the sustainable development concept. Thus, it was aligned with a large group of other developing countries (Viola, 2002; Vieira, 2013). Since then, Brazilian diplomacy has been very focused on the Clean Development

Mechanism approach, a way of establishing a cooperation channel - the great Brazilian flagship in the treaty.

In 2009, Brazilian diplomacy announced the establishment of voluntary targets for reducing GHG emissions, becoming the first non-Annex I country to take this kind of action. This is part of a strategy adopted by Brazil as a response to a reformist proposal by a group of countries to preserve the status quo within the UNFCCC. The rationale guiding this shift was to find a middle ground, using a reformist position by the adoption of voluntary targets as well as a conservative one regarding the terms of the negotiation still built on a North-South division (Bailey, 2010; Viola, 2010).

The BASIC group, at that time comprising Brazil, South Africa, India, and China, specially established for the climate negotiations, is a strong indication of the new Brazilian position. In a way, the union of these countries shows a certain distance from other developing countries. Besides, the group's refusal to be identified with the developed countries and the emphasis on the emergence of the economy also distance them from Annex I countries (Vieira, 2013; Viola, 2013). Thus, in the first years of the 21st century, Brazil is at a crossroads in the international system, between the G77 and the emerging economies of the BASIC group (Gamba & Ribeiro, 2013). Although the diversity in its members, in the climate agenda, the G77 has a tendency to a defensive position in relation to the mandatory commitments for GHG reductions for its members arguing for the protection of their industrial developments. In this way, it is possible to understand this dilemma of Brazilian climate diplomacy as a search for participation in the process of changing norms, but without harming its interests - especially the economic ones.

In the preparation for the COP-21, the Brazilian government conducted an unprecedented survey in terms of foreign policy. To agree on the targets presented in the NDC, the Brazilian government led a public consultation with civil society, epistemic communities, and governmental agencies that would potentially be involved in the implementation of public policies to achieve the targets. The Brazilian NDC established that in relation to the 2005 level, the country would reduce its emissions by 37% by 2025 and 42% by 2030 (Brazil, 2015). In coordinating efforts to achieve the Brazilian NDC targets, the participation of non-Party stakeholders, including the federated entities - such as Mato Grosso - is extremely relevant as regional and local actions are added up to the national efforts of GHG emissions reduction.

The NDC model differs from the Kyoto Protocol mainly regarding the GHG reduction targets. On the one hand, the Kyoto Protocol model had emissions reduction targets established at the UN level on top-down models. On the other hand, the NDCs present voluntary targets representing each State contribution respecting their capacities and in a universal model which includes Annex I and non-Annex I countries (United Nations, 2015).

The Paris Agreement was ratified by the Brazilian Congress in 2016. At the moment, it was determined that the implementation of the NDC targets would be associated with the regulatory framework called the National Policy on Climate Change (PNMC by its acronym in Portuguese) dating back from 2009 (Brazil, 2016). This reveals that the proximity of climate actions established internationally is linked with public policies that are intrinsically determined at the domestic level. Therefore, it is possible to state that the foreign policy is a dependent variable of public policies which makes it possible to be investigated against its results, gaps, opportunities, and outputs.

5. Conclusion

The theoretical framework proposed by Zürn on multilevel governance contributes to shedding light on the debate about the changing composition of institutions in global climate governance. Regarding a more consistent engagement of sub-national actors with transnational initiatives and the consolidation of these initiatives with governance functions, this article argues that new theoretical approaches are necessary to understand this emerging social phenomenon. In this sense, the example of the Mato Grosso state can be considered as relevant. Mato Grosso sought to position itself by joining transnational climate initiatives and defining the PCI strategy for its participation in COP-21. Having said this, the concept of multilevel governance supports investigating the process of new actors implementing functions previously exercised exclusively by States and the process of reorganizing actors defending the maintenance and provision of global public goods. However, it is argued that the intergovernmental approach to global governance prevails over the approach to the global governance of a multilevel model. In sum, despite recent challenges to the domain of multilateral diplomacy, global governance cannot be understood as autonomous nor can international organizations be understood without the logic of delegated and controlled authority.

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Racismo y Antirracismo: Producción Académica y Activismo Negro en Brasil¹

Racismo y Antirracismo: Produção Acadêmica y Ativismo Negro em Brasil

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Resumen: El objetivo de este trabajo es contribuir a la comprensión de hitos importantes en el debate sobre el racismo en Brasil y su efecto sobre el activismo negro, enfatizando la última fase, que gira en torno a la violencia policial. La forma en que organizamos las ideas hace de este texto un material de introducción para aquellos que puedan estar interesados en el activismo negro en Brasil y/o solo quieren tener referencias sobre el debate racial, dentro de los límites de lo ya consolidado en Brasil y en su diálogo con las tesis brasilianistas. Además de revisar la literatura consolidada sobre el tema de las relaciones raciales en Brasil, pasamos por casos emblemáticos de la protesta negra contra la violencia racial.

Palabras claves: Racismo y Antirracismo; Movimiento Negro; Violencia Policial; Violencia Racial.

Resumo: O objetivo deste trabalho é contribuir para a compreensão de marcos importantes no debate sobre racismo no Brasil e seu efeito no ativismo negro, enfatizando a última fase, que trata de violência policial. A forma como organizamos as ideias faz

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deste texto um material introdutório para aquela(e)s que porventura estejam interessada(o)s no ativismo negro no Brasil e/ou pretendem apenas ter referências sobre o debate racial, nos limites do que já está consolidado no Brasil e no seu diálogo com as teses brasilianistas. Além de realizar a revisão da literatura consolidada no tema das relações raciais no Brasil, repassamos casos emblemáticos do protesto negro contra a violência racial.

Palavras-chave: Racismo e antirracismo; Movimento Negro; Violência Policial; Violência Racial.

1. Introdução

Poco después de la Abolición de la Esclavitud en 1888 y la Proclamación de la República en 1889, las teorías racialistas en pro del blanqueamiento y la antihibridación comenzaron a difundirse en Brasil. Esas teorías fueron la base del nuevo estado en desarrollo – estado que veía Brasil como un país blanco (Duarte, 1946, 6; apud 1999b, Maio) – y contribuyeran a la acción racista del Estado. Tal proceso contó con la importación de trabajadores europeos en lugar de políticas de integración para los afrodescendientes, ahora libres, al nuevo sistema de producción y a la sociedad en general. Según algunos autores, estas acciones demuestran de manera ostensible el estado de racismo vigente al inicio de la República (Silvério 2002; Guimarães 2012), que acabó determinando la posición que los afrodescendientes ocuparían en la estratificación social brasileña hasta el día de hoy.

El debate intelectual que acompañó este proceso en Brasil estuvo fuertemente influenciado por la obra seminal de Gilberto Freyre, *Casa Grande e Senzala* (1993). Antes de esta obra, el debate racial era librado por periodistas influyentes y miembros de instituciones científicas creadas recientemente en el país, como museos etnográficos, institutos históricos y geográficos y facultades de derecho y medicina, según plantea Lilia Moritz Schwarcz en *O espetáculo das raças: cientistas, instituições e questão racial no Brasil, 1870-1930* (1993). La mayoría de esas instituciones científicas defendía ideas en pro del blanqueamiento y veían las organizaciones negras de la época con desconfianza y miedo. Freyre revolucionó esas ideas con su tesis de que el mestizaje era el resultado y la base de una convivencia pacífica entre negros y blancos en Brasil, y que por ello debería ser incentivado. El trabajo de Freyre forjó el mito de la democracia racial – que ha servido hasta hoy como un escudo para el racismo, como veremos más adelante.

Estos debates intelectuales se dieron en paralelo con el desarrollo de organizaciones negras con diferentes propósitos. El activismo negro en Brasil pasó por

varias fases: una fase de creación de asociaciones de ayuda mutua, otra de valorización cultural de los afrodescendientes, una tercera fase que denunció radicalmente el racismo y la fase final y actual, más propositiva, en la cual los activistas ocupan espacios públicos para afirmar sus voces y comenzar a exigir políticas de reparación. Además, estas fases parecen haber sido acompañadas por debates similares llevados a cabo en la academia sobre racismo versus racialismo, democracia racial y, más tarde, la deconstrucción del mito de la democracia racial.

El último conjunto de estudios sobre la cuestión de la raza en Brasil ya no busca más probar la existencia del racismo (con raras excepciones). En cambio, estos estudios se centran en la relevancia de las políticas de acción afirmativa, el debate sobre políticas públicas universalistas *versus* particularistas o en evidenciar los esfuerzos del activismo negro para establecer una agenda de acción gubernamental. Algunos estudios se centran en esta fase más reciente del activismo negro, señalando una tendencia a denunciar la violencia, particularmente la violencia policial, utilizando el término "genocidio" para referirse al problema.

No pretendemos explorar la correlación directa entre los planteamientos del debate académico y el surgimiento de luchas específicas en la agenda de los activistas negros. Para tal tarea, variables intervinientes deben ser controladas, como hechos referentes al momento político e histórico en Brasil (abolición de la esclavitud y ausencia de políticas inclusivas, políticas para blanqueamiento de la población trabajadora, gobiernos autoritarios, el papel de la prensa y, especialmente, la incipiente pero importante prensa negra, desarrollada en varias instancias), así como a nivel internacional (Primera Guerra Mundial, ascenso del fascismo, Segunda Guerra Mundial, posguerra, Guerra Fría, desarrollo del activismo negro en los Estados Unidos y en todo el mundo, Conferencias de la ONU, etc.). En cambio, nos limitamos a observar que es posible notar la existencia de una relación entre el conocimiento producido en la academia y el desarrollo paralelo de ideas difundidas por el activismo negro en todas sus fases, con excepción de la última. Aquí argumentamos que la denuncia de un genocidio de la población negra mediante el homicidio de jóvenes negros parece haber surgido primero entre los militantes negros y después en las universidades.

Por consiguiente, el objetivo de este artículo es contribuir a la comprensión de los hitos del debate sobre racismo en Brasil y su efecto en el activismo negro, enfatizando la última fase referente a la violencia policial. La forma como organizamos las ideas

hacen de este texto un material introductorio para quienes puedan estar interesados(as) en el activismo negro en Brasil y/o tengan la intención de acercarse a las referencias sobre el debate racial, dentro de los límites de lo ya consolidado en Brasil y en su diálogo con las tesis brasilianistas. Sin embargo, hay que hacer una consideración.

Las recientes transformaciones puestas en marcha en el ámbito de la educación superior a partir de las políticas de acción afirmativa a nivel de pregrado y posgrado, garantizando el acceso a la universidad a los(as) estudiantes negros(as), hacen que la narrativa actual sobre las relaciones raciales en Brasil -construida, en general, por autores blancos- se vea afectada. De hecho, hay una tendencia reciente a incluir las contribuciones de autores(as) negros(as) que no siempre se incorporan a este abordaje. Autores(as) como Lélia Gonzáles, Abdias do Nascimento, Beatriz Nascimento, Guerreiro Ramos, Clovis Moura, entre otros y otras vienen siendo leídos(as) y paulatinamente incorporados(as) a los análisis sociales. Situación que ciertamente enriquece e impacta las interpretaciones sobre racismo y antirracismo en Brasil.

Se trata de un movimiento reciente y gradual, que se está fortaleciendo con el resurgimiento de obras clásicas, como la colección de textos de Gonzales (2020) de Flávia Rios y Márcia Lima y las revisiones críticas de autores como Clóvis Moura hecha por Márcio Farias (2020), e incluso la publicación de nuevas ediciones de autores como Abdias do Nascimento (Nascimento, 2015). Indudablemente la incorporación de estas lecturas conformará en el transcurso de algunos años el campo de investigación sobre relaciones raciales en Brasil.

2. Academia y estudios raciales en Brasil

El autor posiblemente más preocupado en reconstruir una historia sobre cómo la academia abordó los estudios raciales en Brasil es Guimarães (1999, 1999b, 2003, 2012). Trata la controversia sobre el uso del término "raza", explicando que entre el final del siglo XIX y el inicio del siglo XX el término fue usado para describir pueblos nativos de ciertos continentes, donde un fenotipo sería la marca registrada de estas personas. Ese concepto de raza, que relacionaba rasgos biológicos con supuestas características psicológicas, morales e intelectuales, sustentó una serie de doctrinas científicas que ayudaron a justificar acciones racistas y genocidas durante la primera mitad del siglo XX. Esas doctrinas fueron denominadas por Appiah (1997, 33; apud Guimarães, 1999b, 147) como racialismo, que fundamentó ideologías nacionalistas y la creación de estados-

nación, especialmente en Europa. Después de la tragedia de la Segunda Guerra Mundial, el término “raza” cayó en desuso tanto en la biología (que pasó a usar el término "población") como en las ciencias sociales (que dieron preferencia al término "etnia").

El lanzamiento de *Casa Grande & Senzala* en 1933, por Gilberto Freyre, tuvo el efecto interesante de desafiar esas doctrinas racialistas, ya que valorizaba el mestizaje y las relaciones interétnicas, exaltando – románticamente para algunos – las contribuciones de los africanos y sus descendientes a la cultura nacional brasileña. El libro también resaltó la convivencia armoniosa entre blancos, afrodescendientes y mestizos en Brasil, supuestamente resultado de una mayor tolerancia del catolicismo portugués en relación a otras manifestaciones religiosas y un modelo de esclavitud "más humanizado" que aquel observado en otros países esclavistas (Maio, 1999). Por consiguiente, Freyre (1993) y sus apoyadores desafiaron la creciente élite intelectual – particularmente de São Paulo y Río de Janeiro – que, aún fuertemente influenciada por las teorías racialistas, veía en la obra de Freyre una amenaza a la construcción de la nación que deseaban, predominantemente blanca y seguidora de los estándares culturales e intelectuales europeos.

El trabajo de Freyre tuvo un importante papel en desacreditar las doctrinas racialistas que gobernaban Brasil durante la Primera República (1889 - 1930), además de valorizar el patrimonio cultural africano. Sin embargo, su trabajo alentó la idea de que habría una especie de "paraíso racial" en Brasil, una rara y pacífica convivencia entre blancos y afrodescendientes, lo que podía ser comprobado por el alto grado de mestizaje. Más tarde, este abordaje sería objeto de fuertes críticas de investigadores(as) y activistas, que argumentaron que la tesis de Freyre sobre la democracia racial ignoraba y perpetuaba el racismo estructural e invisible heredado de la esclavitud y traducido en desigualdades raciales (Bastide & Fernandes (1955); Fernandes (1962); Nascimento (1978); Do Vale Silva (1978), Hasenbalg (1979), Hasenbalg & Do Vale Silva (1988)) Irónicamente las primeras y más agudas críticas vinieron de investigaciones desarrolladas dentro de un proyecto de la UNESCO, implementado en Brasil para explorar la supuesta paz racial difundida por las obras de Freyre.

2.1. El proyecto UNESCO

El contexto internacional a mediados de la década de 1940, fuertemente marcado por las consecuencias de la Segunda Guerra Mundial, exigió la creación de órganos transnacionales de mediación y resolución de conflictos. La Organización de las Naciones

Unidas (ONU) y su agencia líder, la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura (UNESCO), surgieran con el objetivo explícito de solucionar los problemas derivados del impacto del racismo que habrían conllevado al Holocausto. Motivada por el desastre del nazi-fascismo y la necesidad de probar que la coexistencia era posible, la UNESCO decidió financiar una gran investigación sobre las bases de la convivencia pacífica, un estudio de entornos donde personas diferentes podían vivir de manera no conflictiva. La organización veía Brasil como uno de los países que parecía equiparar mejor la coexistencia de diferentes grupos raciales. En la época era considerado un "gran laboratorio socio-antropológico", por ello fue seleccionado para la observación (Maio 1999; Praxedes 2012).

El proyecto de la UNESCO fue desarrollado entre 1950 y 1952 en los estados de Bahía, Pernambuco, São Paulo y Río de Janeiro. El Instituto Joaquim Nabuco, en Recife, que había sido creado recientemente por Gilberto Freyre, participó de la investigación, a pedido del propio Freyre, que empezaba a ver su tesis criticada en los nuevos cursos de ciencias sociales del país:

Gilberto Freyre vive una situación paradójica a inicios del decenio de 1950: si bien su interpretación de Brasil, como un país con lecciones de civilización que ofrecer a la humanidad, es una fuente inspiradora para la política antirracista de la UNESCO, se convierte en un discurso intelectual (Luso-tropicalismo) que legitima el imperio colonial portugués (cf. Thomas, 1996) (Maio, 1999b, 112/113).

Para sorpresa de la UNESCO, los cuatro informes elaborados en el ámbito del proyecto señalaron la existencia de una estructura social jerárquica que restringía la movilidad social de afrodescendientes y mestizos, reconociendo la existencia de prejuicios y discriminación racial (Praxedes 2012). No obstante, ese prejuicio no se traducían en acciones legales y las desigualdades no creaban un clima permanente de tensión.

El proyecto de la UNESCO tuvo un papel fundamental al iniciar una serie de investigaciones sistemáticas sobre las relaciones raciales en Brasil, un área de conocimiento anteriormente dominado por escritores, periodistas y ensayistas. Representó las primeras investigaciones sobre la temática con rigor metodológico y científico y deconstruyó la idea de que Brasil era un caso ejemplar de convivencia armoniosa entre razas. Desmitificó la democracia racial y cuestionó la visión romántica del mestizaje como supuesta prueba de la ausencia de segregación y discriminación en el

país. Según Praxedes (2012), un informe de Roger Bastide, responsable por el estudio en São Paulo al lado de Florestan Fernandes, resume la conclusión general de los investigadores que participaban en el proyecto:

Para Roger Bastide, la sociedad brasileña limita o impide la movilidad ascendente de afrodescendientes sin segregación institucional. Bastide considera que "los blancos defienden su posición dominante por medios indirectos, pero eficaces" (Bastide, 1955, 149). Al comparar Brasil con Estados Unidos en relación a las formas existentes de discriminación social, el autor concluye que una 'línea de colores' bien establecida en EUA facilitó la movilidad ascendente de los afrodescendientes en comparación con la sociedad brasileña que, aunque no apoye la segregación institucionalizada, vive, como vimos, con innumerables formas prácticas y encubiertas de discriminación y restricciones que impiden que los afrodescendientes asuman las posiciones de mayor prestigio y mejor remuneración (Praxedes, 2012, 211/212).

A pesar de la importancia del proyecto de la UNESCO para estudios de relaciones raciales en Brasil, la deconstrucción del mito de la democracia racial continuó siendo un reto para el campo académico. El mito aún estuvo presente en el sentido común durante todo el período posterior, correspondiente a la dictadura militar. Hablar de desigualdades raciales durante este período implicaba necesariamente "ser racista": como no eran permitidas diferencias entre afrodescendientes y blancos, estas solo podían ser expresadas bajo la forma de desigualdades entre clases sociales (Guimarães 1999b). La categoría "raza" era considerada una invención extranjera desconectada del contexto brasileño y su uso era caracterizado como "racismo". Así, la pretendida ideología antirracista estaba siendo forjada en Brasil, lo que paradójicamente significó la negación de la desigualdad racial como un fenómeno social. La aparente confusión entre antirracismo e antirracismo parece haber contribuido en la reproducción de las desigualdades sociales entre las razas y el continuo racismo en Brasil (Guimarães 1999b).

2.2. Raza y Desigualdades: los estudios de Nelson do Valle e Silva y Carlos Hasenbalg

A finales de la década de 1970, el mito de la democracia racial, todavía vigente tanto en la sociedad como en las estructuras estatales, pasa a incomodar significativamente a sectores del activismo negro. Algunos eventos específicos, que serán abordados en la próxima sección, reflejan las relaciones conflictivas entre el Movimiento Negro y una supuesta ideología antirracista:

Esa tensión entre una ideología antirracista, que negaba correctamente la existencia biológica de razas, y una ideología nacional que negaba la existencia de racismo y discriminación racial terminó volviéndose insoportable e insustentable para todos los hechos (Guimarães, 1999b, p. 153).

Para probar la existencia del racismo fue necesario rescatar el término raza, desconectándolo de su contenido biologizante. En otras palabras, era necesario afirmar la existencia de diferencias raciales para que el racismo pudiera ser evidenciado – después de todo, no es posible luchar contra algo que no existe. De lo contrario, de acuerdo con Guimarães, "si los afrodescendientes consideran que no existen razas, encontrarán que no existen enteramente como personas, pues son parcialmente percibidos y clasificados por otros como una raza" (Guimarães, 1999b, p. 154). Hasta ese momento, negar la existencia de la raza era una estrategia usada por la clase blanca dominante para asegurarse privilegios.

En ese período fueron divulgados los estudios de Nelson do Valle e Silva (1978) y Carlos Hasenbalg (1979). Do Valle e Silva fue un economista brasileño que defendió su tesis de doctorado en la Universidad de Michigan bajo el título "Black-white income differentials: Brazil, 1960" en 1978, en portugués su trabajo fue publicado como *O preço da cor: diferenciais raciais na distribuição de renda no Brasil* (1979). Hasenbalg era un investigador argentino radicado en Brasil que defendió su tesis de doctorado en Berkeley bajo el nombre: "Race Relations in Post-Abolition Brazil: The Smooth Preservation of Racial Inequalities", que más tarde fue publicado en forma de libro en portugués como *Discriminação e Desigualdades Raciais no Brasil* (1979). Juntos, los autores produjeron un trabajo fundamental: *Estrutura Social, Mobilidade e Raça* (Hasenbalg e Do Valle e Silva, 1988), y otras obras escritas en estrecha alianza fueron lanzadas por los dos autores durante los años 90.

El trabajo de estos dos investigadores puede ser considerado un hito en los estudios raciales en Brasil. Usando varios indicadores socioeconómicos, ellos mostraron que el color de un individuo es un factor importante en la determinación de su condición de pobreza y su reproducción. Con ello lograron demostrar que las desigualdades raciales no eran apenas una cuestión de posición social, pero que las desventajas en las dimensiones socioeconómicas y geográficas son sistemáticas y tienen efecto acumulativo (Do Valle e Silva, 1978; Hasenbalg, 1979; Hasenbalg e Do Valle e Silva, 1988; Hasenbalg e Do Valle e Silva, 1990).

Utilizando una metodología cuantitativa, la investigación demostró que las desigualdades sociales en Brasil “tenían un componente racial evidente, que no podía reducirse a diferencias educativas, de ingresos o clase y, críticamente, tampoco podía diluirse por un gradiente de color” (Guimarães, 1999b, 154). La cuestión del "gradiente de color" es un hallazgo importante de estos estudios: la idea de que un posible blanqueamiento de la población podría traducirse en mejores oportunidades de integración social fue rechazada por Hasenbalg e Do Valle e Silva. Ellos concluyeron que aunque hubiera una diferencia sutil entre las condiciones de los no blancos (negros y pardos), la diferencia entre estos y los blancos era mucho mayor. Por lo tanto, existía una gran polarización entre blancos y no blancos, independientemente del gradiente de color de los no blancos. Esto llevó a los dos investigadores a preferir una combinación de esas dos clasificaciones – negra y parda – en una única categoría: no blancos o negros (Hasenbalg & Do Valle e Silva, 1988; Guimarães, 1999b).

Estos estudios surgieron en un momento crucial para la movilización del Movimiento Negro. Como veremos, legitimaron la importancia de readoptar el concepto de “raza” para combatir el racismo y también estimularan a los afrodescendientes a reafirmar sus raíces africanas, independiente del tono de su piel (Guimarães, 2002). El mito de la democracia racial, aún difundido, enmascara el hecho de que la supuesta ausencia de racismo en términos de relaciones interpersonales está asociada a la existencia de racismo a nivel institucional y estructural (Silvério 2002, Guimarães 2012). Este tipo de racismo, vigente desde la abolición de la esclavitud mediante políticas regresivas, impidió el acceso igualitario de los afrodescendientes a bienes y servicios, empujándolos a una subclase y forjando la noción de que los afrodescendientes no tenían educación, eran desempleados y sin hogar por ser pobres y afrodescendientes. Así el racismo fue subsumido a la cuestión de la desigualdad de clase (Guimarães, 2012), relegando a los negros a una posición subordinada, que se observa incluso en situaciones en que los indicadores nacionales mostraban mejoras sociales significativas (Henriques, 2001).

2.3. Activismo académico y acción afirmativa

Al final de los años 80 e inicio de los años 90, había un estado de confluencia entre activismo e academia. Con el fin del período militar (1964-1985), los investigadores(as) afrodescendientes empezaron a sentirse más cómodos para denunciar

situaciones racistas en sus trabajos académicos, dando visibilidad a los esfuerzos antirracistas mediante la producción de conocimiento (Silva, 2010). La creciente cantidad de investigaciones realizadas por hombres y mujeres afrodescendientes creó vínculos entre investigadores(as) tanto en ambientes académicos como gubernamentales, lo que fortaleció la agenda de investigación y propuestas de políticas inclusivas para la población negra. En ese período se realizaron varios eventos académicos que buscaban reunir investigadores afrodescendientes. Sin embargo, el más importante de esos eventos ocurrió apenas en el 2000, el Congreso de Investigadores Negros (COPENE⁴), que ocurre cada dos años y ha apalancado la creación de la Asociación Brasileña de Investigadores Negros (ABPN⁵). Desde el tercer COPENE, una red de centros de estudios afro-brasileños comenzó a articular y presionar al Ministerio de Educación por políticas de acción afirmativa en las universidades brasileñas (Silva, 2010).

El surgimiento de políticas de acción afirmativa en el debate académico ha sido objeto de mucha controversia. El área que quizás genere más debates entre los intelectuales, así como en la prensa brasileña, es la de cuotas en las universidades públicas (Silvério, 2002, 2003; Guimarães, 2003b; Lima, 2010). Como en cualquier política de acción afirmativa, el principio de las cuotas es que establecen la norma por la cual se reconocen las diferencias étnicas y raciales en una nación. Esto es objeto de debate por parte de los intelectuales que todavía creen y defienden el mito de la democracia racial. Para ellos, Brasil es una población, independiente de su condición social y/o raza, para la cual políticas universales serían más justas (Silvério, 2002). De ese modo políticas punitivas, como las que criminalizan el racismo, así como políticas culturales de reconocimiento, son aceptadas por la sociedad y por estos intelectuales, puesto que la primera se concentra en “comportamientos individuales desviantes” y la segunda en la herencia cultural de los africanos para el desarrollo de la nación brasileña. Sin embargo, políticas de acción afirmativa de naturaleza redistributiva, cuyo objetivo es promover cambios estructurales en la distribución de oportunidades entre negros y blancos (Lima, 2010), causan visible descontento entre los intelectuales blancos, que esgrimen numerosos argumentos para deconstruir la necesidad de cuotas. Según Silvério (2003), existe una agenda en juego para estos intelectuales, que es la de seguir asegurando sus propios privilegios en una sociedad segregada.

⁴ COPENE por su nombre en portugués, Congresso de Pesquisadores Negros.

⁵ ABPN por su nombre en portugués, Associação Brasileira de Pesquisadores Negros

Según Munanga (2007), los argumentos más comunes que se esgrimen contra las cuotas son: a) no se sabe exactamente quiénes son los afrodescendientes en el Brasil; b) las políticas de acción afirmativa se están abandonando en los Estados Unidos; c) las cuotas no están destinadas a los pueblos indígenas; d) las cuotas pueden perjudicar la imagen profesional de los afrodescendientes que se han beneficiado de ellas; e) las cuotas pueden dar lugar a un deterioro de la calidad de la educación. El autor refuta todos estos argumentos, demostrando que en los países en los que se aplicaron las cuotas era posible generar movilidad social sin comprometer la imagen profesional de sus beneficiarios. Además, el debate sobre la posibilidad de distorsión en la declaración de color/raza (basada en la autodeclaración) puede resolverse con nuevas investigaciones para verificar en unos pocos años si las cuotas beneficiarían más a los blancos que a los afrodescendientes, lo que podría indicar la conveniencia de revisar la política.

Guimarães (2002) comparte la idea de que las autoridades públicas deben ceñirse a los resultados. Si al final del proceso la política de cupos universitarios ha sido eficiente y ha garantizado el acceso a los afrodescendientes y una mayor movilidad social en los años siguientes, se puede considerar que la política ha sido exitosa (Guimarães, 2002). Sobre el tema del detrimento de la calidad de la educación, la investigación muestra que, aunque los estudiantes son admitidos en los cursos deseados con calificaciones más bajas que los estudiantes sin cuotas, los estudiantes con cuotas tienen un desempeño similar o mejor que los no usuarios de cuotas (IPEA, 2008). En resumen, el desempeño de los titulares de cuotas y de los no titulares de cuotas tiende a equipararse a lo largo del tiempo.

Otro argumento común es que las cuotas generan más segregación y que sólo se deberían aplicar políticas universales en el ámbito de la educación. Silvério (2003) afirma que este argumento no tiene en cuenta el papel de la "raza" en la asignación de individuos a posiciones inferiores en el mercado laboral, subsumiendo la desigualdad racial a la desigualdad social, en un momento en que ya hay una cantidad significativa de investigaciones que demuestran que en Brasil "la pobreza tiene un color" y que no es por casualidad. Además, según el autor, la ceguera social de algunos intelectuales y de los medios de comunicación hace imposible reconocer que la racialización ya existe: basta con una rápida encuesta entre las posiciones más prestigiosas de la sociedad. La élite es blanca y las cuotas sólo "desracializarían" la élite, haciéndola multirracial y contribuyendo a la deconstrucción de los estereotipos negativos de los afrodescendientes.

A pesar de la cantidad razonable de investigaciones que tratan sobre la relevancia o no de las acciones afirmativas, particularmente en el área de la educación, aún existen pocos estudios que evalúen el impacto de estas políticas en Brasil. Esto se debe a que las cuotas son muy recientes y es necesario que los beneficiarios ya se hayan graduado hace algunos años antes de poder evaluar cualquier cambio en sus respectivas trayectorias.

Es importante señalar que, paralelamente al debate sobre las cuotas y su aplicación, el campo del activismo académico negro tuvo muchos avances. Esto se observa especialmente en el área de las ciencias sociales, pero también existen interesantes estudios en el área de la Salud Pública que comienzan a discutir las especificidades de la población negra y demandan políticas dirigidas a esta población, llamando la atención sobre el hecho de que las desigualdades sociales que separan a los afrodescendientes de los blancos también se reflejan en la salud de la población negra (Werneck et al, 2000; Werneck 2001, 2005; Araújo et al, 2010; Lopes, 2005). En esta literatura se destaca la importancia de descomponer los datos de salud por colores para poder desarrollar políticas específicas (Araújo et al, 2014; Soares Filho, 2012).

Sólo para mencionar un ejemplo que ilustra la importancia de esta categorización, los registros administrativos de Salud - que han sido desglosados por color/raza desde los años 90 - han mostrado que entre el 6% y el 10% de la población negra en Brasil está afectada por la anemia drepanocítica, una enfermedad hereditaria que tiene una mayor incidencia en personas negras, pardas y mestizas⁶. Este es el tipo de datos que puede apoyar la formulación de políticas públicas centradas en un segmento específico de la población - en este caso, la población negra.

3. Las tres fases del Movimiento Negro en Brasil y la cuestión que persiste

Captar una definición del Movimiento Negro en Brasil en la literatura referida es algo difícil. Algunos escritores y activistas trabajan con una definición más amplia, sugiriendo que incluso las asociaciones recreativas, los movimientos culturales, las organizaciones benéficas o las entidades religiosas pueden incorporarse a lo que convencionalmente se denomina el Movimiento Negro en Brasil (Santos, 1994, 157; apud Domingues, 2007), ya que ofrecían alternativas de sociabilidad, tolerancia e incluso

⁶ Fuente: Ministerio de Salud, 2017 (<http://portalarquivos.saude.gov.br/campanhas/saude-da-populacao-negra/divulgacao.html#:~:text=O%20%C3%ADndice%20de%20incid%C3%A2ncia%20de,do%20que%20as%20mulheres%20brancas>).

protección a los esclavos fugitivos (Moura, 1943, 49; Silva, 2010). Otros prefieren trabajar con una definición política más específica que tenga en cuenta los movimientos en torno a la cuestión racial.

Este sería el caso de Domingues (2007), que divide el activismo negro en tres fases: de la Primera República al Nuevo Estado (1889-1937), de la Segunda República a la Dictadura Militar (1945-1964) y la Redemocratización (1978-2000). Esta división, aunque no aparece esquemáticamente en otros trabajos, está presente en la obra de otros autores que han tratado de reconstruir la historia del Movimiento Negro en Brasil (Guimarães, 2003; Silva, 2010, Silvério, 2002). Domingues también propone una posible cuarta fase que abarque el comienzo del siglo XXI, en la que el Hip Hop desempeña un papel importante, pero siendo un momento vago en términos de activismo político para este autor. Ramos (2014) no está de acuerdo con este planteamiento, entiende que es posible visualizar claramente una cuarta fase del Movimiento Negro en Brasil, centrada en la ocupación de espacios públicos, la denuncia de acciones policiales violentas y letales, y la protesta en torno al "genocidio" de los jóvenes negros.

3.1. Primera Fase: Frente Negra Brasileira

La primera fase del Movimiento Negro comienza con la Proclamación de la República (1889), que tuvo lugar poco después de la Abolición de la Esclavitud (1888). La abolición de la esclavitud no fue acompañada de políticas para incluir a estos individuos liberados en el mercado laboral; por el contrario, la "teoría del blanqueamiento" de la época llevó a los empleadores a dar preferencia a los inmigrantes europeos (Andrews, 1991, 32; apud Domingues, 2007). El hecho es que los afrodescendientes recién liberados se encontraban en una situación de gran marginación, tanto material como simbólica, ya que sus manifestaciones culturales y religiosas también estaban desvalorizadas socialmente.

Durante este período, surgieron en Brasil varias entidades negras de movilización racial, como clubes recreativos, asociaciones de trabajadores "de color", comunidades, etc. En principio, estas organizaciones no tenían ningún propósito político. Proporcionaron un espacio para la sociabilidad y la ayuda material o de otro tipo. En esta etapa se desarrolló lo que suele llamarse "prensa negra", un conjunto de periódicos escritos por afrodescendientes con contenido dirigido a la población negra de las principales ciudades del país. En 1931 se fundó en São Paulo el Frente Negro Brasileño

(FNB), que fue la primera organización que reunió a miembros de todo Brasil a través de "filiales" establecidas en diversas regiones.

Además del número de miembros, la gran ventaja del FNB respecto a sus predecesores era que tenía una agenda deliberada de reivindicaciones políticas (Domingues, 2007), incluida la idea de que era necesaria una segunda abolición (Guimarães, 2012). La organización, dirigida por Arlindo Veiga dos Santos, se convirtió incluso en un partido político que se postuló a las elecciones presidenciales, presentando un programa político autoritario y nacionalista, fuertemente influenciado por el nazi-fascismo europeo. La organización, que contaba con una escuela, un equipo de fútbol e incluso asistencia médica para sus miembros, se extinguió en 1937 con la instalación del período autoritario del Estado Novo (1937-1945).

Algunos autores sitúan al FNB como el reproductor de los valores impuestos por la ideología del blanqueamiento, expresando las aspiraciones de los afrodescendientes de la clase media (Barbosa, 1998, 12; apud Silva, 2010), que valoraban el mestizaje y el asimilacionismo (Domingues, 2007). Aun así, el FNB desempeñó un papel importante en la movilización de los negros en torno a un esfuerzo antirracista, señalando ya la educación como un camino hacia la inclusión étnico-racial (Silva, 2010).

3.2. La segunda fase: el Teatro Experimental Negro

La segunda fase de actuación del Movimiento Negro tuvo lugar en la Segunda República, un período democrático de 1945 a 1964. Las organizaciones que surgieron durante ese período presentaron una denuncia de discriminación racial más definida que en la fase anterior. La población negra seguía estando muy marginada socialmente, factor que incitaba a estas organizaciones, aunque ahora eran más pequeñas y más difusas que antes (Domingues, 2007).

El grupo más importante de este período, en términos políticos, fue el Teatro Experimental Negro (TEN), fundado en Río de Janeiro en 1944 y dirigido por Abdias do Nascimento, exmilitar y exmiembro del Frente Nacional Negro e Integralismo. Aunque las preocupaciones de este grupo fueron inicialmente de naturaleza cultural, con el objetivo de formar un grupo de teatro totalmente negro, el TEN ganó otros contornos con el tiempo. Lanzó un periódico, ofreció cursos de alfabetización, organizó congresos y concursos, fundó instituciones culturales, organizó debates públicos y participó en ellos,

y defendió claramente los derechos civiles y la creación de legislación antidiscriminatoria para los afrodescendientes en Brasil (Domingues, 2007).

Hasta el golpe militar de 1964, cuando cesaron sus actividades, la trayectoria del TEN y sus líderes fue inestable. Durante sus veinte años de actividad, cambiaron y consolidaron varias posiciones en su estructura. Comenzaron como un grupo artístico que reclamaba el reconocimiento del patrimonio de África y terminaron como un movimiento activista que apoyaba a los afrodescendientes y denunciaba las desigualdades raciales. Al principio, coquetearon con la idea de la democracia racial, pero pronto la abandonaron, ya que se dieron cuenta de que las desigualdades no podían resolverse sólo con la integración social y el mestizaje racial. Palabras como "resistencia" y "revuelta" se fueron incorporando gradualmente al discurso de Abdias do Nascimento (Macedo, 2006; Guimarães, 2006), una figura importante que reunió a activistas negros a su alrededor y del TEN (Silva, 2010).

Abdias do Nascimento se fue a los Estados Unidos en 1968, durante lo que él llamó autoexilio, y permaneció allí hasta 1981. Custódio (2011) explica que este período fue intenso en términos de activismo negro y cultural y que Nascimento dejó Brasil como artista y volvió como actor político. Esto no significa que la creación del TEN no deba considerarse un acto político. Lo que el autor explora es que la experiencia de Nascimento en los EE.UU. - incluyendo los eventos en los que participó y los contactos que desarrolló con el activismo negro americano - cambió definitivamente su discurso, algo visible dentro de su producción en ese momento (Custódio, 2011).

Algunos de los desarrollos visibles en el discurso de Nascimento posterior al exilio incluyen la radicalización contra el mito de la democracia racial y la incorporación de elementos de panafricanismo (Macedo, 2006; Custos 2011). Curiosamente, Nascimento fue el primer autor que se centró en el intento de Brasil de eliminar físicamente a los afrodescendientes de su territorio en su obra *O genocídio do negro brasileiro* (1978), escrita durante el exilio. En esta obra, el autor destaca el proceso de mestizaje impulsado por el gobierno como una forma de blanquear el país y eliminar completamente la población negra de su territorio. Esta idea de un "genocidio" perpetrado por el Estado contra la población negra sería reformulada más tarde por el activismo negro de los años 2000 (Ramos, 2014), como veremos más adelante. No por casualidad, la obra de Abdias do Nascimento fue reeditada en 2002.

Nascimento también empezó una carrera política cuando regresó de los Estados Unidos. Afiliado al Partido Democrático del Trabajador (PDT), un partido brasileño de centro-izquierda, ayudó a construir una agenda para el Movimiento Negro dentro del partido, se desempeñó durante un período como diputado federal (1983-1987) y fue elegido senador por el estado de Río de Janeiro en 1991. También asumió cargos políticos en el gobierno del estado de Río de Janeiro, en particular durante el mandato de Leonel Brizola. Murió en 2011 después de recibir varios premios y honores por su contribución a la lucha contra la discriminación racial.

3.3. La tercera fase: el Movimiento Negro Unificado (MNU)

La tercera fase del Movimiento Negro fue precedida por un período que silenció activamente las protestas. Además de la represión de la propia dictadura, la derecha siguió comprometida con el mito de la democracia racial, mientras que la izquierda rechazó la antidiscriminación, porque entendió que ésta dividía a los trabajadores y debilitaba la lucha por el socialismo. A pesar de ello, durante el período de la dictadura surgieron varias organizaciones culturales. En el ámbito político, a finales del decenio de 1970 surgió el Movimiento Negro Unificado (MNU), fuertemente influenciado por la lucha por los derechos civiles de los negros y sus figuras prominentes en los Estados Unidos.

El movimiento surgió de la fuerza de varios movimientos y organizaciones existentes, que se unieron alrededor de un acto público de repudio y protesta provocado por la muerte del feriante Robson Silveira da Luz (que se tratará en la siguiente sección). A partir de entonces, la MNU comenzó a trabajar para alentar a los afrobrasileños a unirse a la organización y a luchar en los espacios públicos contra la opresión racial, la marginación social y económica y la violencia policial contra los negros (Domingues, 2007; Silva, 2010). El MNU tenía un programa de acción dirigido a la lucha antirracista a escala nacional, con el objetivo de fortalecer el poder político del movimiento. Parte de su programa político era desmitificar la democracia racial, alentar a los hombres y mujeres negros a reafirmar sus raíces y apreciar la cultura africana (música, ropa, peinados, bailes), afirmando radicalmente la necesidad de acciones dirigidas a la igualdad racial (Guimarães, 2012).

Cabe señalar que esta fase también marcó la incorporación de las mujeres negras a la movilización política, cuando empezaron a aparecer demandas específicas de género para la población negra (Silva, 2010). El Movimiento de Mujeres Negras fue

particularmente activo en el área de la salud. Más específicamente, se trataba de la salud reproductiva, un tema introducido en el programa militante por mujeres afrodescendientes (Lima, 2010)

Las cuestiones relativas a la tierra relacionadas con las comunidades *quilombolas* también comenzaron a tomar forma en esta etapa, así como la promoción de reuniones académicas para discutir el trabajo sobre cuestiones raciales entre los estudiantes de posgrado e investigadores negros. Esto culminó con la organización del Congreso de Investigadores Negros (COPENE) y la creación de la Asociación Brasileña de Investigadores Negros (ABPN), ya mencionada anteriormente, que impulsaron el surgimiento de centros de estudio afrobrasileños en varias universidades del país (Silva, 2010). En la década de 1980, los académicos afrobrasileños también eran militantes del MNU. Aquí es importante destacar que la relación entre estos centros de estudios, los organismos del Ministerio de Educación y la Fundación Palmares fue responsable de la creación del programa Uniafro, que tiene por objeto promover la acción afirmativa en las universidades públicas brasileñas.

4. Violencia policial: una cuestión persistente

La humillación sufrida por Manuel do Nascimento, de 80 años, en Lojas Americanas, en Porto Alegre, el 24 de noviembre, y la muerte de Marcelo de Jesús no son hechos aislados; son hechos espectaculares de violencia cotidiana que victimizan a los trabajadores negros en São Paulo, Río de Janeiro, Porto Alegre - y en todo el país, humillando y matando a los negros ante los ojos indiferentes de la sociedad hasta el punto de constituirse en hechos "normales" (Milton Barbosa, 1989. *Violencia racial en Brasil*. Acervo personal de Milton Barbosa).

La violencia policial ya estaba en el centro de la reformulación del Movimiento Negro en Brasil desde 1978. El 7 de julio de ese año, tuvo lugar el acto fundacional del Movimiento Negro contra la Discriminación Racial, que más tarde se llamaría Movimiento Negro Unificado. El acto, realizado en la escalera del Teatro Municipal de São Paulo, fue una protesta contra la muerte de Robson Silveira da Luz, un vendedor llevado a la comisaría del barrio de Guaianases sospechoso de robar frutas. Murió en la comisaría después de ser interrogado y no haber confesado bajo tortura. Este momento es un hito importante, ya que atestigua la reorganización del Movimiento Negro después de

un largo período de poca acción, debido a las presiones sufridas durante el régimen militar.

Años más tarde, se produjeron nuevas movilizaciones con contornos similares. El Consejo Estatal de Participación y Desarrollo de la Comunidad Negra del Estado de São Paulo se movilizó para la condena de dos policías implicados en el asesinato de Benedito Ezequiel Pereira Filho el 13 de julio de 1984. El cabo de la policía Luiz Carlos Canoas de Oliveira disparó al joven negro en la boca, después de un desacuerdo entre ellos durante una actuación policial en la que el joven se negó a mostrar sus documentos de identidad.

Figura 1: *Castigo a los asesinos de Benedito Ezequiel*

PUNIÇÃO AOS ASSASSINOS DE BENEDITO EZEQUIEL

As entidades abaixo, vem a público denunciar mais um ato de VIOLENCIA POLICIAL, ocorrido na noite do dia 13 último, quando o jovem trabalhador negro BENEDITO EZEQUIEL PEREIRA FILHO foi baleado por policiais militares (cabo Luiz Carlos CANOA de Oliveira e soldado FLORINDO Camilo Baena), — que prestavam serviço particular a uma farmácia — resultando sua morte.

Fatos como esse, causa revolta em toda população trabalhadora e é uma reafirmação da forma violenta que a população, em particular, a população negra, vem sendo tratada há muito pelos órgãos policiais.

E mais ainda, temos que repudiar a atitude do Comandante do 8º B.P.M., Major Germano DENIZALI, que vem tentando de todas as formas, acobertar e proteger os policiais assassinos, bem como a todo comando da PM por atitude semelhante.

Convocamos o povo, bem como as entidades populares, associações, sindicatos, igreja e outras, a se solidarizarem nesta luta, para a REALIZAÇÃO DE UMA CONCENTRAÇÃO dia 28/07/84 às 11 horas em frente à Catedral de Campinas e CAMINHADA passando pelo Jardim Carlos Gomes encerrando com um ato público no Largo do Rosário para exigir a PUNIÇÃO dos policiais ASSASSINOS, e de seus acobertadores, de modo a lembrá-los que são pagos com dinheiro do povo, para proteger a população e não para assassiná-la.

- PUNIÇÃO AOS POLICIAIS ASSASSINOS, COM JULGAMENTO NA JUSTIÇA COMUM.
- DEMISSÃO DO MAJOR DEMIZALE E TODO O COMANDO DA PM EM CAMPINAS!
- FIM DA DISCRIMINAÇÃO RACIAL!
- FIM DA VIOLENCIA POLICIAL!

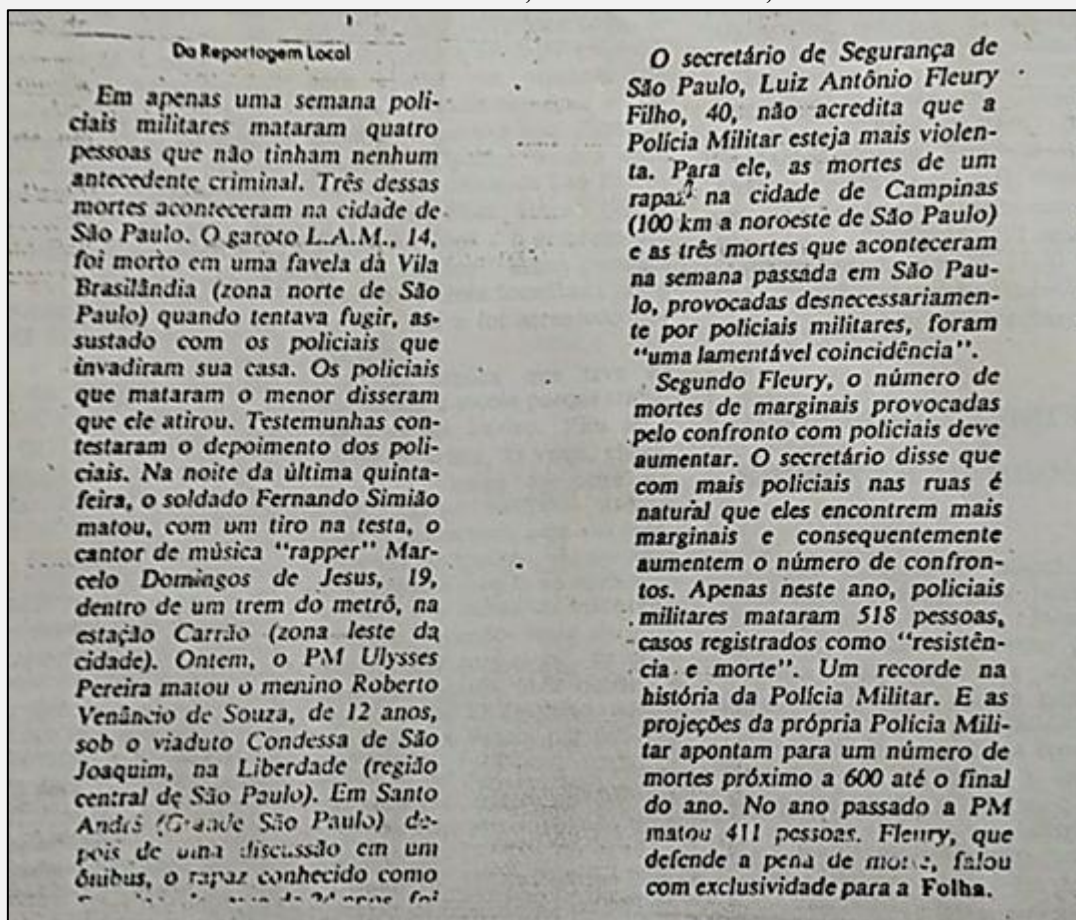
Apoiam:

Movimento Negro Unificado; Comissão Funcionários da CPFL; Entidades Negras: Liga Humanitária dos Homens de Cór, Coord. Entid. Negras do Est. S.Paulo, Soc. Negros Muçulmanos do Brasil, Centro de Cultura Afro-brasileira, Aliança Afro Brasileira, Movimento de Integração Social; Escolas de Samba: Assoc. Escolas de Samba de Campinas, Quilombo de Palmares, Renascença, Rosas de Prata, Estrela Dalva; Grupos: Afro-Soul, Luanda, Stars Blacks, Mi-Roberfram, Liberdade Canto e Dança-Ballet Afro; Sociedades e Associações de Moradores: P. Tropical, Mauro Marcondes, São Vicente, P. Universitário, Jd. Sta. Lucia, Pe. Manoel da Nóbrega, V. Rui Novais, Jard. C. Lourenço, V. Costa e Silva; Sindicato e Associações Profissionais: Bancários, Eletricitários, Gráficos, Petroleiros, Servidores da Unicamp, Assistentes Sociais do Est. S. Paulo, Vigilantes; Associação Moradores de Favelas: Jd. Bandeiras, S. Quirino, Nogueira, D. Pedro II - Núcleo Iporã, Vila Brandina, V. Georgina, Pq. Universitário — Núcleo N. Parque, Jd. Anchieta, Real Parque, Jd. Aeroporto, Sta. Lúcia; FECANTA — Federação Campineira de Teatro Amador; JOC — Juventude Católica Operária; Jomac — Jovens Mensageiros de Cristo; DCE-Pucamp; União de Mulheres de Campinas; Centro de Defesa dos Direitos Humanos; Comissão de Justiça e Paz; Jornais: Em Tempo, Convergência Socialista, Tribuna Operária; Movimento Revolucionário 8 de Outubro; PT e Comissão de Negros do PT; PDT e Movimento Negro do PDT; PMDB; PTB.

Fuente: Acervo personal de Reginaldo Bispo.

Cinco años después de la muerte de Benedito Ezequiel, el rapero Marcelo de Jesús, un negro de 19 años, fue asesinado por un policía militar en la línea roja del metro de la capital del estado. El joven discutió con el policía cuando volvía a casa después de un concierto.

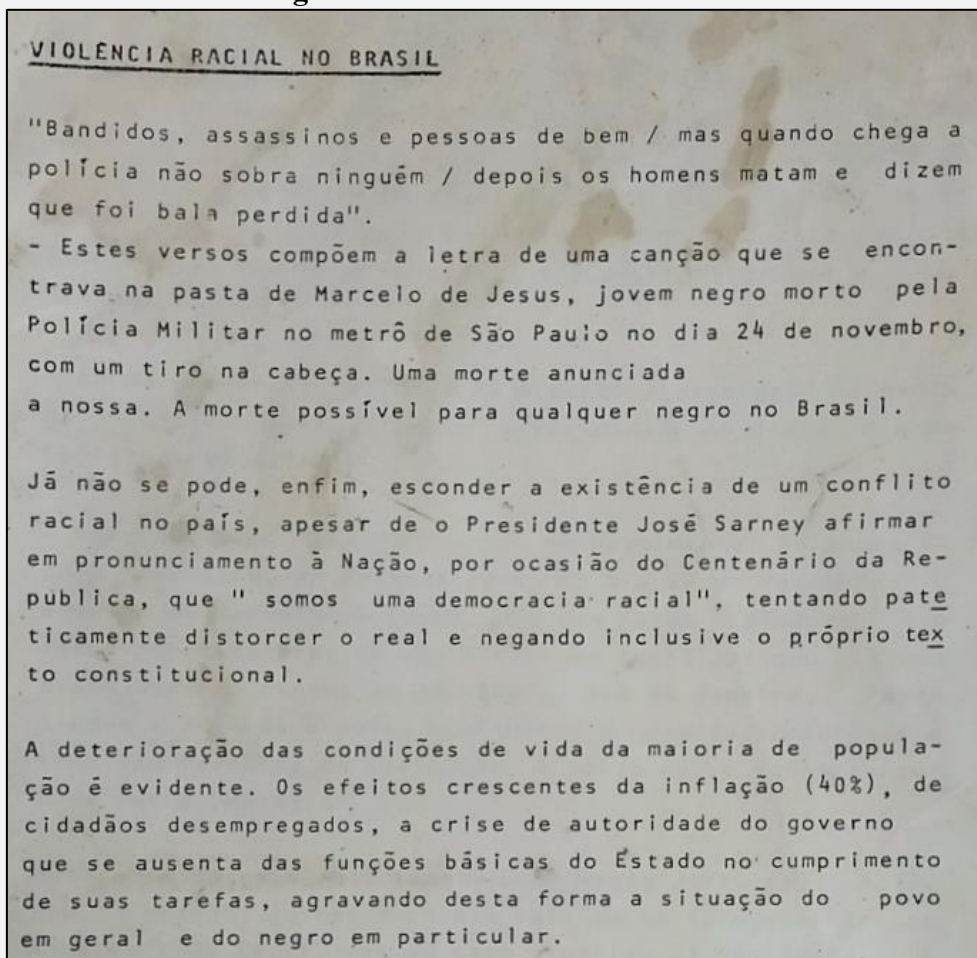
Figura 2: Folha de São Paulo 28 de nov. de 1989 “Fleury dice que Polícia Militar va a matar más este año”, Caderno Cidades, D.3.



Fuente: Acervo personal de Milton Barbosa.

El Movimiento Negro se volvió contra la policía, denunciando la muerte de Marcelo, utilizando el término "Violencia Racial", y ya no discriminación racial, como se observa en el documento a seguir.

Figura 3: *Violencia racial en Brasil*



Fuente: Acervo personal de Milton Barbosa.

La década de 1990 se caracterizó por la denuncia sistemática de la violencia policial diaria contra los negros en las letras de rap de varios grupos como Pavilhão Nove, el grupo DMN, Racionais MC's. La década también marcó la denuncia de la masacre de La Candelaria, que tuvo lugar en la ciudad de Río de Janeiro. El 23 de julio de 1993, ocho niños de la calle fueron asesinados mientras dormían en la Plaza de la Iglesia de La Candelaria, situada en el centro de la capital del estado. Los asesinos de los chicos eran un grupo de policías que ajustaban cuentas con jóvenes que habían apedreado un coche de policía unos días antes.

Otro caso emblemático es el del profesor Mario José Josino, un hombre negro de 29 años de edad, baleado en la cabeza por el líder del operativo policial conocido como Favela Naval, nombre de la comunidad de Diadema (SP) donde ocurrió el caso. El profesor estaba en el asiento trasero de un coche, junto con sus amigos, dejando el lugar donde habían sido golpeados y torturados. El rodaje fue filmado por un camarógrafo aficionado que grabó esta y otras escenas bárbaras de abuso de autoridad. Las imágenes

fueron publicadas en las noticias brasileñas en marzo de 1997. La controversia conquistó el mundo y el movimiento negro denunció la muerte de Mario José Josino como un caso de violencia racial.

Figura 4: *Reaccionar a la violencia racial*

REAJA À VIOLÊNCIA RACIAL
PELO FIM DA IMPUNIDADE DA POLÍCIA MILITAR

As cenas "monstruosas e chocantes" que as redes de televisão tem exibido estes dias, é rotina na vida do trabalhador pobre e negro de qualquer média ou grande cidade deste país.

Este tipo de violência é respaldado por uma antiga lei do tempo da Ditadura Militar que garante aos PM's julgamento na Justiça Militar, que entre 6.000 (seis mil) processos apenas 50 (cinquenta) são julgados.

A morte de **Mário José Josino**, trabalhador e pai de família, de 30 anos, na Favela Naval, em Diadema, é movida pelo mesmo motivo que levou os PM's a executarem **Oswaldo Manoel da Silva**, comerciante, também negro, em Santo André, assim como as chacinas da Candelária, Vigário Geral, Carandiru, Eldorado dos Carajás, Corumbiara e outros.

Estas chacinas, fazem parte da política de exclusão das elites racistas brasileiras, sobre a maioria da população negra e pobre deste país, um projeto de genocídio do negro brasileiro, implementado através da esterilização em massa de mulheres negras, alto índice de mortalidade infantil, morte por fome, doenças infecto-contagiosas, morte por proliferação da cocaína e do crack na juventude negra, ação de grupos de extermínio e violência policial extrema.

A política que gera a concentração de renda, o desemprego, o sucateamento do serviço público - hospitais, escolas, creches, e outros - tem como solução a violência da polícia sobre a população negra e pobre deste país.

É necessário reagirmos a esta violência e pelo fim da impunidade.

Justiça para os policiais que torturam e assassinam.

Eles devem ser julgados pela Justiça Comum.

O **Movimento Negro Unificado - MNU**, convoca a juventude negra e todos que lutam pelo fim da violência e do racismo, para participar do:

ATO PELO FIM DA IMPUNIDADE DA POLÍCIA MILITAR

DIA: 08 DE ABRIL - TERÇA FEIRA
HORARIO: 17:30 HORAS
LOCAL: PRAÇA RAMOS - EM FRENTE AO MAPPIN

MOVIMENTO NEGRO UNIFICADO - MNU-SP
COMISSÃO DE DIREITOS HUMANOS - CÂMARA MUNICIPAL - SP

Fuente: Acervo personal de Reginaldo Bispo.

En 2004, varias organizaciones del Movimiento Negro se movilizaron contra la muerte de Flávio Santana, de 24 años. El joven negro era dentista y fue asesinado por policías que buscaban a un ladrón de autos. Flávio fue baleado por la policía, que afirmó haber encontrado al joven sospechoso. La policía dijo haber encontrado una billetera en el bolsillo del dentista que lo vinculaba con un asalto y afirmó que Flávio se había resistido al arresto. Esta versión de los hechos, sin embargo, fue descartada porque la investigación forense no halló rastros de pólvora en las manos de Flávio.

Figura 5: *Marcha contra la impunidad, la violencia policial, el racismo y en defensa del derecho a la vida*



Fuente: Acervo personal de Milton Barbosa.

En 2008, el Foro Nacional de la Juventud Negra promovió la campaña "Lucha contra el genocidio de la juventud negra", que fue impulsada por el 1er Encuentro Nacional de la Juventud Negra y tuvo un rápido eco en la esfera pública, siendo un tema importante del programa de la 1a Conferencia Nacional sobre Política Pública de la Juventud en 2008, promovida por el Consejo Nacional de la Juventud del Gobierno Federal. Esta campaña penetró en otras esferas, como las organizaciones no gubernamentales nacionales e internacionales, los partidos políticos y otros niveles de gobierno. De manera similar, las organizaciones del Movimiento Negro reanudaron la agenda contra el genocidio. La diferencia para este nuevo momento es la asociación directa entre los homicidios de jóvenes negros y la violencia policial (Ramos, 2014).

En esta nueva etapa, las movilizaciones contra la violencia policial se cruzan con las campañas contra el "Genocidio de la Juventud Negra". Con motivo del asesinato de

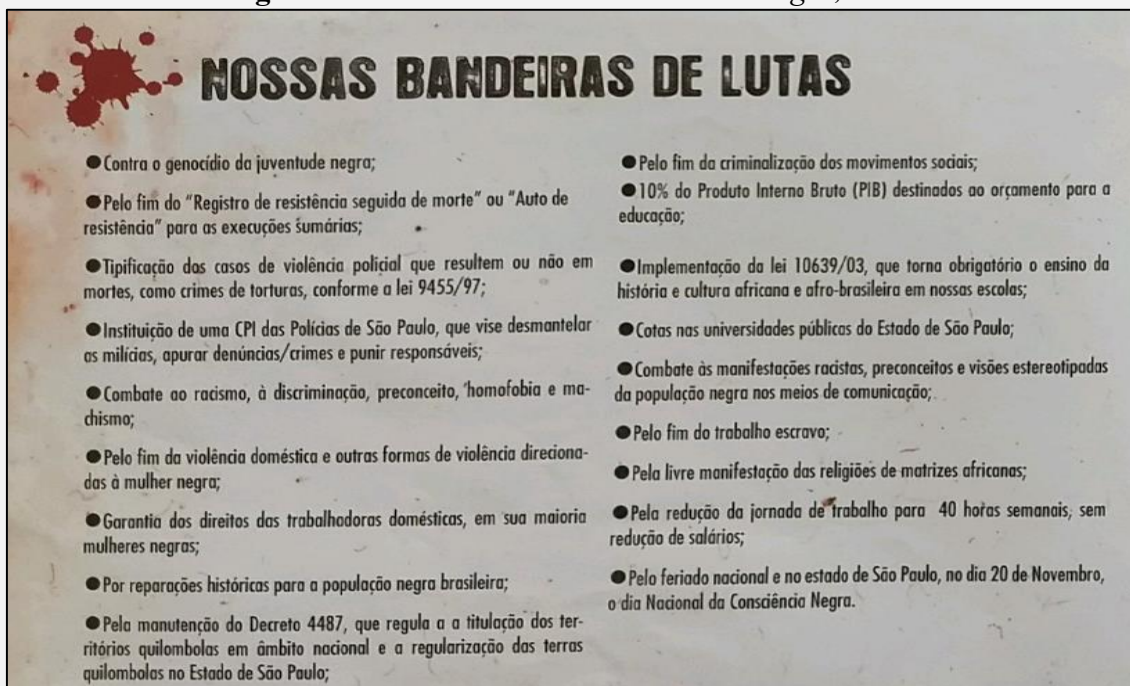
dos repartidores⁷ en la región metropolitana de São Paulo, entre abril y mayo de 2010, la protesta contra la violencia policial comenzó a irradiarse bajo lo que convencionalmente se denominó el “genocidio de jóvenes negros, pobres y periféricos”.

Se creó un comité bautizado con esta expresión que unía marcadores etarios, raciales, clasistas y territoriales, con el fin de ampliar la alianza para el fortalecimiento de la agenda. En 2011, se presentó un informe de más de 500 páginas a la Comisión de Derechos Humanos de la Asamblea Legislativa, junto con una solicitud para la creación de una Comisión Parlamentaria para investigar las violaciones de derechos humanos cometidas por la Policía Militar del Estado de São Paulo. El documento fue firmado por más de “70 entidades del movimiento social, y especialmente del Movimiento Negro”, 10 de ellas organizadas en torno al Comité contra el Genocidio de Jóvenes Negros Pobres y Periféricos. Esta acción fue resultado de las protestas contra el asesinato de los dos repartidores mencionados anteriormente (Nota 3).

A partir de 2007, el "genocidio" aparecerá entre los temas del Movimiento Negro de manera recurrente y sostenida. Hay una centralidad de este tema en los espacios de los movimientos sociales, como el 1er Encuentro Nacional de la Juventud Negra y la Conferencia Nacional de la Juventud. En 2011, ante los episodios de violencia policial que se estaban produciendo y que ganaron visibilidad a partir de ese momento, la idea de genocidio aparece asociada a la labor policial y a la alta letalidad atribuida a las fuerzas estatales en un panfleto centrado en la VIII Marcha de la Conciencia Negra, en Noviembre 20 de 2011.

⁷ Eduardo Luís Pinheiro dos Santos, entonces de 30 años, comenzó una discusión con otras tres personas el 9 de abril. Cuando llegó la policía, los cuatro hombres fueron llevados a un batallón cerca de la Avenida Casa Verde. Al llegar al batallón, Eduardo le preguntó a la policía militar por qué no lo habían llevado a una comisaría y, al no recibir respuesta, se rebeló. Los otros tres hombres fueron liberados, mientras que Eduardo fue arrestado arbitrariamente y torturado por más de 10 oficiales de policía. Su cuerpo fue encontrado al amanecer del día siguiente en la esquina de la Calle Voluntários da Pátria y la Avenida Brás Leme. Por su parte, el repartidor Alexandre Menezes dos Santos, de 25 años, fue golpeado hasta la muerte por agentes de policía delante de su madre y su hermano menor en la puerta de su casa en el barrio Cidade Ademar, São Paulo.

Figura 6: *VIII Marcha de la Conciencia Negra, 2011*



Fuente: Acervo personal de Milton Barbosa.

La repetición de episodios como este a lo largo de las cuatro décadas del Movimiento Negro nos lleva a cuestionar el papel de la violencia policial en su historia. Cabe recordar que estos sucesos van acompañados de variaciones en la intensidad de la movilización y en la forma en que la violencia policial se clasifica, se nombra y se expresa públicamente en las protestas. La recurrencia de estas movilizaciones parece tener un bajo grado de continuidad entre ellas desde los años en que Brasil atravesó el proceso de democratización, marcado por las revueltas sociales de 1978, como la huelga de los metalúrgicos de ABC, la reorganización del Movimiento Negro con la creación del Movimiento Negro Unificado y las presiones para la apertura política.

Puede decirse que durante el período de redemocratización hubo una serie de temas que compitieron en la movilización y la articulación de los movimientos negros, como el trabajo, la educación, la valoración de la cultura negra y la lucha contra la discriminación racial. La mayoría de estos temas lograron una agenda positiva y un lugar en el ámbito de las políticas públicas durante el último período democrático, que finalizó en 2016, ya sea con cuotas en la administración pública, la exigencia de incluir el color en los registros administrativos, la obligación de enseñar las relaciones étnico-raciales o la implementación de cuotas socio-raciales en las instituciones de educación superior. Por mucho que la violencia policial siempre haya sido un problema para los negros, así como

el "mantenerse vivo", no podemos decir que haya habido una agenda estratégica para enfrentar la violencia.

El caso más ilustrativo de este persistente problema y la forma en que se relaciona con otros es quizás el asesinato de Marielle Franco el 14 de marzo de 2018 en Río de Janeiro⁸. Marielle era residente de la Favela da Maré en Río de Janeiro, estaba en su primer mandato como concejala del Partido Socialismo y Libertad (PSOL), era negra, lesbiana, socióloga y su plataforma política era la lucha por la visibilidad de las llamadas "minorías políticas" y la protección de los derechos humanos.

Figura 7: Seminario contra la intervención militar y el fin del genocidio negro



Fuente: Esta imagen hizo parte de la transmisión en vivo del periódico Brasil 247, el 30 de abril de 2018 por Facebook⁹.

Se produjeron movilizaciones inmediatas para exigir justicia, todas ellas expresadas en términos del lenguaje del movimiento negro de la época, refiriéndose al genocidio de los negros y a la violencia policial. Meses después de su muerte, el 14 de marzo entró en el Calendario Oficial del Estado de Río de Janeiro como "Día de Marielle Franco - Día de la Lucha contra el Genocidio de las Mujeres Negras" (Ley Estatal 8054/2018).

⁸ Según la policía, el policía retirado Ronnie Lessa disparó contra la concejala, mientras que el expolicía militar Élcio Vieira de Queiroz conducía el automóvil que la perseguía. Marielle y su conductor, Anderson Pedro Mathias Gomes, murieron en el lugar. El caso sigue sin resolverse, ya que aún no se ha identificado al autor intelectual del crimen.

⁹ Ver: www.facebook.com/Brasil247/videos/2020419544677709/ (Acceso en: 10 dic. de 2019).

5. El genocidio de la juventud negra en Brasil: el surgimiento de una nueva agenda

Si bien Domingues (2007) no ve en esta cuarta fase del Movimiento Negro una plataforma política clara, otros autores caracterizan esta nueva etapa como la más propositiva de ellas (Guimarães, 2003; Lima, 2010; Silvério, 2002; 2003), destacando que fue precisamente a partir de la década de 2000 que el movimiento no solo vio sus principales demandas convertirse en políticas, sino que también comenzó a participar activamente en su formulación (Lima, 2010).

Los dos acontecimientos que se suelen citar como momentos decisivos de este período "entre fases" son la Marcha Zumbi dos Palmares, el 20 de noviembre de 1995 – desde entonces el movimiento negro ha exigido abiertamente políticas de acción afirmativa – y la Conferencia de Durban (Sudáfrica), en 2001, que desempeñó el importante papel de presionar al entonces presidente Fernando Henrique Cardoso para que adoptara políticas dirigidas exclusivamente a los negros (Lima, 2010; Silva, 2010; Guimarães, 2003). Las políticas de acción afirmativa que han comenzado a ganar reconocimiento en la agenda del gobierno durante los últimos quince años – principalmente centradas en la educación, la salud y el trabajo – son el resultado de las movilizaciones que tuvieron lugar en las fases 3ª y 4ª (actual) del movimiento. Ríos (2009, 2012) destaca el período actual como la institucionalización del Movimiento Negro en el Brasil, ya que el movimiento aprovechó las oportunidades ofrecidas por el Estado durante la redemocratización para desarrollar nuevas estrategias de movilización, incluida la profesionalización gradual de los militantes y la especialización del activismo.

A pesar de que la violencia, en particular la policial, ya se ha mencionado en los documentos de la ONU, el tema sólo cobraría fuerza en la cuarta fase de la protesta negra. A este respecto, afirmamos que el movimiento negro no sólo sigue activo y muy movilizado, sino que hay un segmento específico de la militancia que ha cobrado especial relevancia en los últimos quince años: la juventud negra. En su trabajo en 2014, Ramos (2014) reconstruye la movilización de los jóvenes negros desde ENJUNE, el Encuentro Nacional de la Juventud Negra en 2007, demostrando cómo este segmento se ha organizado desde principios del decenio de 2000 en torno a un programa casi único y específico: el genocidio de la juventud negra. Los jóvenes reunidos en ENJUNE denunciaron la muerte prematura de jóvenes negros, principalmente debido a la violencia del Estado, sobre todo por parte de la policía militar. Además, según Ramos, las propuestas de este evento dieron a los jóvenes el espacio para participar en otros eventos,

como el Consejo Nacional de la Juventud y el Consejo Nacional de Seguridad Pública. Aunque el tema ha estado en la agenda del movimiento negro durante algún tiempo en forma de quejas y reacciones localizadas, el autor sostiene que las acciones desde ENJUNE demuestran un cambio. El plan de acción actual consistiría en poner en práctica una agenda estratégica, en la que los miembros se organizarían para ocupar espacios de participación social, hacer públicas sus demandas y presionar al gobierno para que tome medidas concretas, lo que parece corroborar la tesis de Ríos (2009).

En apoyo del movimiento iniciado por ENJUNE para denunciar la violencia del Estado contra los jóvenes negros han surgido otros grupos, como FONAJUNE (Foro Nacional de la Juventud Negra), el Comité contra el Genocidio de la Juventud Negra y Periférica, Madres de Mayo, la campaña "Reacciona o Muere", entre otros. Se han organizado varias marchas y la cuestión de la violencia contra los jóvenes negros parece estar ganando terreno en el ámbito de la seguridad pública, tanto desde el punto de vista gubernamental como académico.

El término "genocidio" también se ha utilizado con frecuencia en los medios de comunicación, los organismos gubernamentales, las entidades de la sociedad civil organizada y a nivel internacional. Un ejemplo es la forma en que la expresidente Dilma Rousseff utilizó el término en varios discursos presidenciales durante su primer mandato (Ramos, 2014, 59/60). Otro ejemplo es su frecuente utilización en las manifestaciones de varias organizaciones de derechos humanos, como Madres de Mayo (una referencia a las madres que perdieron a sus hijos, principalmente de ascendencia africana, en una masacre en mayo de 2006). Aunque esto puede indicar el éxito de la estrategia adoptada por estos jóvenes negros, no se refleja en la reducción de las muertes en este segmento de la población. Dicho esto, los esfuerzos lograron impulsar en 2013 la creación de un programa nacional para la prevención de homicidios de jóvenes negros, el Plan Juventud Viva, interrumpido desde 2015.

6. Consideraciones Finales

Esta breve reseña de la literatura sobre el racismo y el activismo racial en el Brasil muestra cómo el debate intelectual que ha tenido lugar dentro de los muros de la universidad desde principios del siglo XX se refleja en cierta medida en el programa de las organizaciones dedicadas al activismo negro. Las teorías del blanqueamiento y el mito generalizado de la democracia racial impactaron las ideas y prioridades del Frente Negro

Brasileño. Asimismo, los nuevos vientos del proyecto de la UNESCO y sus resultados también influyeron en el trabajo de Abdias do Nascimento y del Teatro Experimental Negro. Curiosamente, el TEN inicialmente flirteó con el mito de la democracia racial, pero en los últimos años su agenda estuvo fuertemente marcada por la denuncia de las desigualdades raciales.

El Movimiento Negro Unificado, una organización de carácter más político y militante que sus predecesoras, exhortó a los afrodescendientes a reconocer sus raíces africanas. En este caso, la identidad racial fue también un factor político. Sugerimos que este movimiento no se desconectó de los estudios de Nelson do Valle e Silva y Carlos Hasenbalg, para quienes las desigualdades raciales entre blancos y no blancos (negros y pardos) eran independientes del gradiente de color de los no blancos. El MNU parece haberlo entendido cuando hizo un llamado a los no blancos que nunca se habían identificado como negros pero que no lograban verse ocupando posiciones tradicionalmente blancas en la sociedad.

El último período, caracterizado por organizaciones de la sociedad civil articuladas según una agenda más propositiva, presenta una característica diferente. En este caso, el término "genocidio" aparece con fuerza en la agenda de las organizaciones activistas y más tarde se lo apropian los estudiosos que trabajan con la violencia y la letalidad policial. La efervescencia política de estos movimientos y organizaciones de la sociedad civil durante el gobierno de Lula puede haber fomentado el surgimiento de esta agenda, invirtiendo el orden de orientación entre el activismo y el mundo académico. Al menos en relación con la cuestión del genocidio, las movilizaciones sociales han guiado la investigación tanto en las universidades, señalando la necesidad de realizar estudios más profundos sobre la violencia policial letal con sesgo racial, como en los grupos de estudios del área, que comenzaron a difundir datos y análisis de la delincuencia y la violencia con sesgo racial.

Por lo tanto, la revisión de la literatura sugiere una alineación entre el debate intelectual en el mundo académico y el activismo en las calles. Sin embargo, en el caso de las tres primeras fases de la protesta negra en Brasil, parece que los movimientos han redefinido e incorporado el debate académico, mientras que en la más reciente este orden se ha subvertido, y los temas planteados por el activismo negro se han incorporado a las agendas de investigación.

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Evolución Institucional de la Participación Social en el Mercosur: Análisis de una Experiencia Interrumpida

*Evolução Institucional da Participação Social no Mercosul:
Análise de uma Experiência Interrompida*

*Institutional Evolution of Social Participation in the Mercosur:
Assessment of an Interrupted Experience*

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Resumen: Los años 2000-2015 fueron marcados por el involucramiento de gobiernos y movimientos sociales en los procesos de integración en América Latina, particularmente en América del Sur, lo que resultó en iniciativas como ALBA, UNASUR Y CELAC. El MERCOSUR, por su parte, amplió su agenda de negociaciones y buscó agregar contenido social y político a su carácter eminentemente comercial. En este escenario, ha cobrado relevancia el debate sobre el papel de la sociedad civil en las relaciones internacionales y su acceso a los procesos de toma de decisiones para las estrategias de inserción regional en sus países. Este artículo busca situar, desde los enfoques teóricos del regionalismo posliberal/antihegemónico y del nuevo transnacionalismo, cómo se desarrolló este debate en el MERCOSUR, a partir del análisis de la evolución institucional de la participación social en el bloque. Para ello, además de la lectura de la bibliografía especializada, se realizó una investigación en los documentos oficiales del MERCOSUR sobre las iniciativas descritas. El artículo concluye que la valorización de las políticas sociales y participativas se debió a la combinación de tres factores centrales: el agotamiento de las políticas neoliberales hegemónicas en los años 1980-1990; el ascenso de gobiernos de izquierda y centroizquierda y la aparición de nuevos actores sociales en el escenario regional.

Palabras claves: MERCOSUR; Participación Social; Política Social.

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Resumo: Os anos 2000-2015 foram marcados pelo engajamento de governos e movimentos sociais nos processos de integração na América Latina, particularmente na América do Sul, o que resultou em iniciativas como ALBA, UNASUL E CELAC. Já o MERCOSUL teve sua agenda de negociações ampliada e buscou-se adicionar conteúdo social e político a seu caráter eminentemente comercial. Neste cenário, ganhou importância o debate sobre a atuação da sociedade civil nas relações internacionais e seu acesso aos processos de decisão das estratégias de inserção regional de seus países. Este artigo trata de situar, a partir das abordagens teóricas do regionalismo pós-liberal/anti-hegemônica e do novo transnacionalismo, como se desenvolveu esse debate no âmbito do MERCOSUL, a partir da análise da evolução institucional da participação social no bloco. Para tanto, além da leitura da bibliografia especializada, foi realizada pesquisa junto aos documentos oficiais do MERCOSUL referentes às iniciativas descritas. O artigo conclui que a valorização de políticas sociais e participativas se deveu à combinação de três fatores centrais: o esgotamento das políticas neoliberais hegemônicas nos anos 1980-1990, a ascensão de governos de esquerda e centro-esquerda e a emergência de novos atores sociais no cenário regional.

Palavras-chave: MERCOSUL; Participação Social; Políticas Sociais.

Abstract: The years 2000-2015 were marked by the engagement of governments and social movements in the regional integration processes in Latin America, particularly in South America, which resulted in initiatives such as ALBA, UNASUL and CELAC. In the case of MERCOSUR, new social and political contents were added to its eminently commercial agenda. This scenario highlighted the debate on the role of civil society in international relations and its access to the decision-making processes related to the regional insertion strategies of its countries. This article aims to contribute to this debate by analyzing the institutional evolution of civil society participation within the structures of MERCOSUR from the theoretical approaches of post-liberal/anti-hegemonic regionalism and the new transnationalism. For this purpose, in addition to making use of the specialized bibliography, a research in the official documents of MERCOSUR was carried out. The article concludes that the prioritization of social and participatory policies is connected to three central factors: the exhaustion of hegemonic neoliberal policies in the 1980-1990s; the rise of left and center-left governments, and the emergence of new social actors on the regional scenario.

Keywords: MERCOSUR; Social Participation; Social Policies.

1. Presentación

Durante los primeros quince años del siglo XXI, América Latina y, en particular América del Sur, fueron testigos de cambios políticos relacionados con un intento de reaccionar a los impactos recesivos del modelo económico neoliberal que prevaleció en la región durante la década de 1990. Este movimiento estuvo marcado por las elecciones de fuerzas políticas de izquierda, centroizquierda o progresistas, considerándose las elecciones presidenciales en Venezuela (1998), Brasil (2002), Argentina (2003), Uruguay

(2004), Bolivia (2005), Ecuador (2006) y Paraguay (2008).

A nivel regional, estos gobiernos se comprometieron, en grados diversos, a incrementar la autonomía de la región en el sistema mundial. Nuevos proyectos de integración institucional han surgido: la Alianza Bolivariana para los Pueblos de Nuestra América (ALBA), creada en 2004, la Unión de Naciones Suramericanas (UNASUR), en 2008 y la Comunidad de Estados Latinoamericanos y Caribeños (CELAC), en 2011. A diferencia de los proyectos regionales anteriores, como la Asociación Latinoamericana de Integración (ALADI), de 1980, y la Comunidad Andina de Naciones (CAN), de 1996, estas nuevas organizaciones destacaron temas no específicamente comerciales, relacionados con a los campos de la geopolítica, la infraestructura y las políticas sociales.

Este movimiento conformó una tendencia que, a principios del decenio de 2000, abarcó también el Mercado Común del Sur (MERCOSUR), creado en 1991 como un acuerdo fundamentalmente comercial, como su propio nombre indica. En cuanto a la institucionalización de los instrumentos de participación social, objeto de este artículo, fue precisamente el MERCOSUR, y no los organismos de reciente creación, el que desarrolló la mayor evolución entre los organismos de integración regional que operan en el continente americano.

Entre 2004 y 2015 se crearon nuevos espacios de interacción con organizaciones y movimientos sociales regionales, como la Reunión Especializada de Agricultura Familiar (REAF) y las Cumbres Sociales del MERCOSUR, modificando la arquitectura institucional inicial del organismo. Estas iniciativas surgieron durante el mismo período en que se multiplicaron las negociaciones sobre políticas sociales en temáticas como salud, educación, seguridad alimentaria y libre circulación de personas, entre otras.

En este artículo se analizan los debates que han tenido lugar en el marco del MERCOSUR a partir de la evolución institucional de la participación social en el bloque. Según el argumento, la valorización y creación de políticas sociales y participativas por parte del organismo se debió a la combinación de tres factores centrales: el agotamiento de las políticas neoliberales hegemónicas en los años 1980-1990; el surgimiento de gobiernos de izquierda y centroizquierda y la aparición de nuevos actores sociales en el escenario regional.

El texto está dividido en cinco secciones, que incluyen esta presentación y las consideraciones finales. En la segunda sección se exploran los contextos regionales e internacionales en los que se produjo el surgimiento del llamado regionalismo "posliberal"

o "antihegemónico" en América Latina a principios del nuevo siglo (Sanahuja, 2009; Coronado, 2014; Serbin, 2015). Los supuestos de este regionalismo y el papel que en él desempeñan los gobiernos de izquierda y centroizquierda ayudan a comprender el fortalecimiento de la agenda de participación social en los proyectos regionales y se aplican también al MERCOSUR, y no sólo a los nuevos organismos ya creados bajo su inspiración directa.

En la siguiente sección se analizan las implicaciones del surgimiento de la sociedad civil como actor regional, a partir de las consideraciones teóricas del nuevo transnacionalismo y del análisis de los nuevos movimientos sociales latinoamericanos (Bringel y Falero, 2008, 2016; Budini, 2015; Costa, 2016).

Por último, la tercera sección está dedicada a un informe sobre la evolución institucional de las cuestiones sociales y de participación en el MERCOSUR, resultado de una investigación realizada en el acervo institucional del bloque. Los órganos institucionales y las iniciativas relacionadas con cuestiones sociales y de participación fueron registrados cronológicamente, acompañados de la norma MERCOSUR que les dieron creación.

Este artículo se basó en la bibliografía especializada y en la lectura de documentos oficiales del MERCOSUR relacionados con las iniciativas descritas (normas y actas de reuniones) en el período cubierto por la investigación (2000-2015)². La investigación empírica realizada en el archivo normativo del bloque tuvo por objeto apoyar a la reflexión propuesta, que se inserta en el ámbito de los estudios de integración regional, entendidos aquí como eminentemente interdisciplinarios. Dentro de esta perspectiva, se buscó investigar las conexiones entre las Relaciones Internacionales, la Sociología, y otras áreas de las Ciencias Sociales en lo que respecta al análisis del regionalismo latinoamericano, con la intención de analizar la integración regional considerándose los choques histórico-políticos, las disputas sobre proyectos políticos, las posiciones de la sociedad civil y las ideologías y visiones del mundo en juego.

2. Del regionalismo abierto a la integración posliberal

Argentina, Brasil, Paraguay y Uruguay firmaron el Tratado de Asunción el 26 de

² Todos los documentos oficiales del MERCOSUR utilizados en este artículo se encuentran en el archivo 'Documentos' del sitio web de la institución: www.mercosur.int. Los accesos se realizaron entre el 01 y el 05 de abril del 2020.

marzo de 1991, creando así el MERCOSUR³. Bolivia se encuentra en proceso de adhesión como miembro pleno, quedando pendiente la ratificación de parte del parlamento brasileño, y Venezuela, que se convirtió en Estado Parte en 2012, fue suspendida del bloque en 2016⁴.

Cuando el MERCOSUR fue creado, se fijó como objetivo principal la formación de un mercado común entre los Estados Partes, lo que implicaba la libre circulación de bienes, servicios y factores de producción, el establecimiento de un arancel externo común y la adopción de una política comercial conjunta hacia terceros Estados, o agrupaciones de Estados (Artículo 1 del Tratado de Asunción).

La prioridad otorgada a la dimensión comercial correspondía al marco ideológico neoliberal imperante en el momento de la firma del acuerdo, dominado por las ideas de Estado mínimo, desregulación de los mercados y flexibilización de los derechos sociales y laborales, tal como se propugnaba en el llamado Consenso de Washington. En lo que respecta a la integración regional latinoamericana, este movimiento se ha conocido como regionalismo abierto (ONU, 1994), como lo ha llamado la CEPAL.

Durante muchos años, el énfasis en los acuerdos comerciales predominó sobre otras áreas de negociación, y las políticas para superar las asimetrías y complementar la producción fueron relegadas a un segundo nivel de relevancia, al igual que las agendas sociales, culturales, ambientales y de identidad (Serbin, 2015; Martins, 2014).

Sin embargo, la crisis económica de 1998 a 2001, que incrementó aún más los niveles de desigualdad, pobreza, desempleo y exclusión social en los países de la región, puso de manifiesto las limitaciones y el agotamiento de ese modelo de desarrollo que, al debilitar el papel de los Estados, había debilitado tanto las realidades nacionales como la integración regional (Mirza, Nascone, Mondelli y García, 2013; Costa, 2016). Ya a principios de la década de 2000 se constataba que el regionalismo abierto, vinculado al neoliberalismo y al liderazgo de los Estados Unidos, perdía dinamismo y se enfrentaba al surgimiento de nuevos proyectos políticos en la región, con la ascensión de los gobiernos de izquierda y centroizquierda.

El fracaso del neoliberalismo en promover tanto la justicia social como el

³ MERCOSUR (1991). Tratado de Asunción para la Constitución de un Mercado Común entre la República Argentina, la República Federativa de Brasil, la República del Paraguay y la República Oriental del Uruguay.

⁴ Al decidir suspender a Venezuela, los demás miembros del Mercosur alegaron incumplimiento del Protocolo de Ushuaia sobre Compromiso Democrático, a pesar de que, extraoficialmente, se ha traslucido la oposición política de los gobiernos de Argentina, Brasil y Paraguay con relación a Caracas.

crecimiento económico abrió espacio para el surgimiento de proyectos que se presentaron como alternativos y, desde esta perspectiva, la región se ha convertido en un elemento central en la redefinición de las políticas exteriores de estos países (Bizzozero, 2011; Costa, 2016).

Brasil y Venezuela desempeñaron papeles centrales en los nuevos procesos regionales sudamericanos. Para Coronado (2008), las estrategias de acción de los dos países dirigidas a la región estuvieron asociadas a las diferentes posiciones que cada uno ocupaba con relación al sistema-mundo. Brasil, una semi-periferia que buscaba establecerse como una potencia mundial autónoma, invirtió en la construcción de la autonomía de la región a partir de una percepción pragmática que incluía el mantenimiento de buenas relaciones con los Estados Unidos. Venezuela, a su vez, buscaba presentarse como una semi-periferia emergente, y adoptó un discurso de confrontación mucho más abierta hacia la hegemonía americana. Ambas estrategias incluían a la región como la plataforma preferencial para articular estas prioridades de política exterior.

Así que, desde el punto de vista histórico, el surgimiento de los esquemas de integración críticos al neoliberalismo correspondió a un cuestionamiento del paradigma integracionista representado por el regionalismo abierto. Este cambio de orientación política tuvo como objetivo recuperar la capacidad de iniciativa del Estado en un ámbito que antes se había dejado en manos de los mercados, y coincidió con la elección de gobiernos progresistas en distintos países de la región, el llamado 'giro a la izquierda' (Klemi & Menezes, 2016), bien así con el surgimiento, en el escenario político regional, de movimientos sociales que asumieron proyectos políticos que reivindicaban agendas sociales relacionadas con la integración autónoma latinoamericana (Bizzozero, 2011; Costa, 2016).

La consecuencia fue una reconfiguración de los viejos y nuevos esquemas regionales, lo que dio lugar a nuevas modalidades de cooperación regional y de concertación política, constituyendo una tendencia que algunos autores denominaron como 'posliberal', 'poshegemónica' o 'antihegemónica'. Esta tendencia se materializó tanto con la creación del ALBA, la UNASUL y el CELAC, como también con la ampliación de la agenda del MERCOSUR (Sanahuja, 2009; Coronado, 2014; Serbin, 2015; Klemi & Menezes, 2016).

Por lo tanto, se trata de una discusión relacionada con la importancia del regionalismo para los Estados, lo que implica el análisis de si este regionalismo se traduce

en una mayor presencia y autonomía en relación con el sistema mundial y si permite, a los diferentes países implicados, construir una propuesta ordenadora de conjunto. Uno de los principales elementos de este análisis es la estructura de gobernanza de las instituciones regionales y el modelo que adoptan los Estados para aplicar la política regional en relación con la sociedad y el mercado (Bizzozero, 2011).

La redefinición de las estrategias de integración de los gobiernos progresistas de América del Sur, a partir de la cual la región pasó a ocupar un lugar más central en los proyectos de desarrollo interno y en las estrategias de política exterior de esos países, fue el resultado tanto de voluntad política como de ciertos márgenes de acción proporcionados por los contextos mundiales que se impusieron en ese momento. Según Serbin (2015), el período 2000-2015 correspondió, en términos globales, al surgimiento de nuevos actores estatales relevantes, como los BRICS, y al crecimiento de la posición de China en el comercio mundial. Además, tras los acontecimientos del 11 de septiembre de 2001, las prioridades estratégicas de los Estados Unidos se reorientaron, al menos en parte, a otras regiones. Estos cambios geopolíticos han alterado las fuerzas sociopolíticas a nivel nacional e internacional, permitiendo a los países latinoamericanos un mayor margen de maniobra en sus políticas de integración regional.

Como recuerdan Porto-Gonçalves & Quental (2012), y Svampa (2016), este clima favorable al regionalismo estuvo, sin embargo, marcado por contradicciones. El aumento de la participación de China en la balanza comercial de los países de América Latina, y especialmente de América del Sur, en un contexto de aumento de los precios de los productos básicos, dio lugar a la aparición de lo que se denominó ‘neoextractivismo’, asociado a grandes obras de infraestructura nacional⁵. A nivel regional, esta tendencia se pudo identificar en los proyectos de transmisión de energía y en las carreteras bi o plurinacionales insertadas en la Iniciativa para la Integración de la Infraestructura Regional Sudamericana - IIRSA, posteriormente incorporada a la UNASUR a través del Consejo Sudamericano de Infraestructura y Planificación - COSIPLAN.

De ese modo, si por un lado los gobiernos de centroizquierda propusieron contenidos autonómicos, posliberales o antihegemónicos a sus proyectos regionales, por

⁵ Algunos ejemplos empíricos en el período analizado son los conflictos causados por la intención del gobierno de Evo Morales de construir una carretera atravesando el Territorio Indígena y el Parque Nacional Isiboro-Segura (TIPNIS); la iniciativa del gobierno de Rafael Correa de permitir la exploración de petróleo en el Parque Nacional Yasuní, en la Amazonía ecuatoriana, y la construcción del Complejo Hidroeléctrico del Río Madeira y de la represa de Belo Monte en el Río Xingú, ambos en la región de la Amazonía brasileña (Silva, 2017a).

otro lado, las políticas domésticas de continuidad con el neoliberalismo y relacionadas con el fenómeno del neoextractivismo reforzaron el patrón subordinado de inserción de la región en el sistema-mundo (Costa, 2016; Klemi & Menezes, 2016).

Además, las organizaciones creadas bajo la inspiración de una integración crítica a los patrones neoliberales nunca han estado solas en el panorama regional. La Alianza del Pacífico, formada en 2012 por Colombia, Chile, el Perú y México, y las negociaciones para el establecimiento de la Asociación Transpacífica (ATP) son una prueba de la coexistencia de otras percepciones sobre el regionalismo y los desafíos impuestos por la dinámica extrarregional (Bizzozero, 2011; Serbin, 2015). Lo mismo ocurre con el NAFTA⁶ y el establecimiento de acuerdos de libre comercio entre los países de la región y los Estados Unidos y la Unión Europea.

El examen de las experiencias de iniciativas como el ALBA, la UNASUR y el CELAC, e incluso de una agenda ampliada del MERCOSUR, no revela motivos para optimismo. Los vínculos políticos entre los países latinoamericanos donde los gobiernos ejecutivos eran de centroizquierda parecen haber aumentado durante un período de tiempo, pero la región no ha podido superar su dificultad estructural para promover respuestas colectivas a los contextos internacionales en constante cambio (Serbin, 2015; Klemi & Menezes, 2016).

Además, los cambios políticos experimentados a partir de 2015 por diferentes países de la región, con el surgimiento de gobiernos de derecha, pusieron de manifiesto el riesgo de abandono de estos proyectos regionales, lo que condujo a una reconfiguración de la integración de tipo subordinado, en contraposición a los proyectos posliberales o antihegemónicos. Los proyectos políticos de los nuevos gobiernos demostraron poseer otras prioridades para la región, entre ellas el retorno de la exclusividad de la agenda comercial y la preferencia por los vínculos externos con los Estados Unidos y Europa, en detrimento de las relaciones intrarregionales (Silva, 2017a).

Como consecuencia, se han vaciado las agendas sociales y participativas del MERCOSUR que aquí se discuten. Los órganos creados por los gobiernos progresistas en 2000 quedaron relegados a un segundo plano o corren el riesgo de desaparecer. Este es el

⁶ Creado en 1992, el Tratado de Libre Comercio de América del Norte, NAFTA por su sigla en inglés, está formado por el Canadá, los Estados Unidos y México. En 2018, las negociaciones entre los presidentes Donald Trump y Enrique Peña Nieto y el primer ministro Justin Trudeau condujeron a la firma de un "nuevo" NAFTA, rebautizado como USMCA (Estados Unidos, México y Canadá), que entró en vigor el 1 de julio de 2020.

caso de UNASUR, que perdió prioridad tras la ascensión de los gobiernos de derecha. Colombia anunció su retirada de la organización en 2018, seguida de Ecuador, Argentina, Brasil, Chile y Paraguay, en 2019, y del Uruguay en 2020. En 2019, los presidentes de ocho países sudamericanos⁷ crearon el Foro para el Progreso y el Desarrollo de América del Sur (PROSUR)⁸ como forma de oponerse a la UNASUR.

No obstante, en los primeros quince años del siglo XXI, al involucrar las dimensiones geopolítica, social, cultural e identitaria en el debate sobre el desarrollo, esas instituciones establecieron mecanismos de cooperación en esferas que anteriormente no estaban abarcadas por los órganos intergubernamentales regionales. Al ampliar la gama de temas de la agenda de integración, han cambiado el enfoque que tradicionalmente se ha dado a las negociaciones económicas y comerciales, en línea con un modelo de regionalismo multidimensional (Silva, 2017a).

El concepto de multidimensionalidad que se utiliza aquí es el de Hoffmann, Coutinho y Kfuri (2008), quienes defienden la importancia de una consideración multidimensional del proceso de integración del MERCOSUR, del que surge un marco de integración regional que varía en el tiempo y en los temas que abarca. Para los autores, la construcción de este modelo regionalista que incluyó aspectos físicos, energéticos, institucionales y sociales, no significó el abandono de la integración comercial. Sostienen, sin embargo, que los momentos de estancamiento de la dimensión comercial fueron, en ocasiones, acompañados de una evolución en otros ámbitos, como el político-institucional y el social.

El enfoque multidimensional utilizado por el trío de autores se aparta de las lecturas tradicionales que ponen de relieve la función explicativa de la presencia o ausencia de instituciones supranacionales en la interpretación de los procesos regionales. Por el contrario, el análisis de la evolución del Mercosur, al revelar otros criterios de institucionalización, muestra que los procesos regionales de institucionalización no se circunscriben a un modelo específico y que restringir el debate a su carácter supranacional es el resultado de una actitud epistemológica eurocéntrica (Hoffmann, Coutinho & Kfuri, 2008).

⁷ Argentina, Brasil, Chile, Colombia, Guyana, Ecuador, Paraguay y Perú.

⁸ La Declaración Presidencial sobre Renovación y Fortalecimiento de la Integración Sudamericana, suscrita por los presidentes el 22 de marzo de 2019, mediante la cual fue creado el PROSUR, se puede consultar en: <http://www.itamaraty.gov.br/pt-BR/notas-a-imprensa/20203-declaracao-presidencial-sobre-a-renovacao-e-o-fortalecimento-da-integracao-da-america-do-sul>.

Desde esta perspectiva, los movimientos sociales juegan un papel central. Las dimensiones sociales y participativas de la integración están relacionadas, según este entendimiento, con el surgimiento de organizaciones y movimientos sociales que han incorporado la dimensión regional a su acción, tema que se profundizará en la sección siguiente.

3. La sociedad civil transnacional y el regionalismo posliberal/antihegemónicos

Los movimientos y organizaciones de la sociedad civil se constituyeron en actores relevantes en el regionalismo posliberal. Las articulaciones regionales entre sindicatos y organizaciones sociales opuestas a las negociaciones del Área de Libre Comercio de las Américas (ALCA), como la Alianza Social Continental⁹, son ejemplos de las luchas de los movimientos sociales contra el modelo de globalización neoliberal que se pretendía imponer en la región en los años noventa. Finalmente, en 2005, en la ciudad argentina de Mar del Plata, durante la Cumbre de las Américas, la oposición de los gobiernos de Argentina, Brasil y Venezuela - que en ese momento aún no era miembro pleno del MERCOSUR -, combinada con la presión de la sociedad civil regional, provocó el fracaso de las negociaciones del ALCA, una propuesta de Estados Unidos que suponía la extensión del modelo del TLCAN a todo el continente (Budini, 2015; Serbin, 2015).

Según Falero (2014), en la coyuntura histórica de la segunda mitad de la década de 2000, la construcción de un escenario regional alternativo al proyecto neoliberal implicaba la ampliación de los mecanismos de participación, debido a la necesidad de incluir a los nuevos movimientos sociales en los espacios institucionales de integración. Estos movimientos se articularon desde diferentes sectores, constituyendo redes de apoyo transnacionales que se dedicaron procesos que son simultáneamente nacionales y regionales.

Este debate está relacionado con las cuestiones del enfoque territorial y del debate identitario, que están en el centro de las agendas de los movimientos indígenas y campesinos como el Movimiento Zapatista en México, pero que, dependiendo del contexto, pueden tener amplias referencias y significados, como edad, género, etnia, región de origen, clase social, lo urbano y lo rural, entre otros.

El Foro Social Mundial, el Movimiento de los Trabajadores Rurales Sin Tierra

⁹ La Alianza Social Continental es una red transnacional de organizaciones civiles de la región que promovió campañas contra el NAFTA, el ALCA y los TLC bilaterales firmados entre los Estados Unidos y América Latina.

(MST,) en Brasil y el Movimiento Zapatista, en México, son ejemplos de movimientos sociales que se han posicionado contra el modelo de globalización neoliberal, lo que dio lugar a la denominación "movimientos neoliberales antiglobalización", utilizada por autores como Budini (2015). De manera semejante, el concepto de sociedad civil utilizado en este artículo sigue la definición dada por Dantas (2008) a los 'nuevos movimientos sociales' que:

protagonizaron un nuevo ciclo de protesta en la región. La novedad radica en su mayor magnitud, en su reconfiguración, mucho más fragmentada en términos sociales y más localizada en términos sectoriales y territoriales que en el pasado, y en las nuevas demandas no necesariamente ligadas a la relación capital y trabajo, sino vinculadas a la identidad étnico-cultural, el medio ambiente, los derechos universales, la educación, la salud, la seguridad social, la vivienda, la alimentación, etc. De ahí la presencia de organizaciones indígenas, campesinas, "movimientos sin", movimientos religiosos, ecológicos y de mujeres, colectivos militantes, ONG, organizaciones sociales y juveniles, etc. (Costa, 2016, p. 15, traducción nuestra).

Según Eduardo Déves-Valdés (2009, 2013), este debate está relacionado con la importancia de incluir la noción de sociedad civil en la teorización sobre la integración regional, con el objetivo de adecuar esta teoría a los desafíos planteados por la necesidad de conceptualizar el regionalismo posliberal. En este proceso, el Estado se deconstruye como el marco de referencia único para la acción de los movimientos sociales, que se involucran en un proceso, la integración regional, antes exclusivo de la economía mundial y del Estado.

Este es el terreno en el que se sitúa la literatura sobre el nuevo transnacionalismo y la sociedad civil transnacional que, interrelacionando las aportaciones de las Relaciones Internacionales y de la Sociología, trata de entender la acción colectiva transnacional en su relación simultánea con los espacios nacionales, regionales e internacionales (Budini, 2015).

Al participar en el debate sobre la región, la sociedad civil transnacional cuestiona su ausencia en los espacios donde se toman las decisiones que pueden tener impactos directos en sus territorios, como es el caso de los proyectos de infraestructura regional ubicados en la región amazónica incluidos en la IIRSA. En el centro de esta discusión se encuentra la disputa por el entendimiento de que la integración es un tema que concierne sólo a los gobiernos nacionales y que, al trazar un escenario en el que los Estados Nacionales son los únicos actores, resulta en la invisibilización de las escalas espaciales

menores, particularmente la escala local, donde se desarrollan los conflictos que son objeto de los nuevos movimientos sociales (Coronado & Uc, 2010).

Los movimientos y organizaciones sociales que actúan en el espacio regional se relacionan con los temas de derechos humanos, medio ambiente, cultura, trabajo, migraciones, modos de vida y producción, derecho al territorio, derechos públicos y sociales, entre otros. Según Bringel y Falero (2008), la acción regional de estas redes sociales transnacionales está relacionada con su papel en la construcción colectiva de la resolución de una necesidad, como la vivienda o el acceso a la tierra, como un derecho y no como producto de una actividad comercial. Esta construcción es la razón por la que los movimientos sociales expanden su acción más allá de sus territorios, y su análisis revela los conflictos entre hegemonías y contrahegemonías que, al igual que en el ámbito nacional, también están presentes en el ámbito regional.

Uno de los elementos centrales de este debate es la importancia del territorio en las acciones de buena parte de los movimientos sociales latinoamericanos del siglo XXI, y cuya reivindicación es la razón de ser de los movimientos indígenas y campesinos, que luchan por el acceso a las tierras y territorios ancestrales. Algunos de estos movimientos tuvieron un impacto directo en los procesos constituyentes nacionales que llevaron a la transformación de sus países en Estados Plurinacionales, como en Ecuador (2008) y Bolivia (2009). Otros mantuvieron una acción independiente de los Estados, como en el caso del movimiento zapatista en México¹⁰. Desde el punto de vista regional, se trata de sumar el imaginario socioespacial local a un debate que antes estaba cerrado a las escalas nacional, regional y mundial (Silva, 2017a).

Los movimientos sociales neoliberales antiglobalización han mantenido siempre una relación diferenciada y no exenta de conflictos con respecto a las organizaciones intergubernamentales regionales que surgieron en la década de 2000, así como con los cambios introducidos en la agenda del MERCOSUR. Coronado (2008) identifica tres diferentes estrategias en los movimientos y organizaciones sociales, y sus redes transnacionales, al involucrarse en los procesos de integración regional. La primera tipología incluye acciones regionales organizadas autónomamente por la sociedad civil, que se oponen al poder impuesto verticalmente por los gobiernos y proponen una

¹⁰ El Movimiento Zapatista, formado por campesinos e indígenas del estado mexicano de Chiapas, adquirió notoriedad en 1994 cuando se pronunció contra el NAFTA. Las banderas del movimiento están relacionadas con la tenencia de la tierra, la autonomía en la gestión de los territorios y la participación popular directa en las decisiones políticas.

contrarrepresentación, desde sus bases autoorganizadas. Este es el caso de la Alianza Social Continental, una articulación creada específicamente en función de las dinámicas de integración regional, y de redes transnacionales como la Coordinadora Latinoamericana de Organizaciones Campesinas (CLOC), que reúne a las organizaciones latinoamericanas asociadas a La Vía Campesina. Este es también el caso de los movimientos nacionales que han reverberado en la región, como el MST brasileño (Coronado, 2008).

El segundo tipo de vínculo entre la sociedad civil y los procesos de integración regional definido por Coronado (2008) se relaciona con una perspectiva que busca conciliar las agendas de las organizaciones y movimientos con las agendas de los Estados, con relación a los bloques regionales intergubernamentales, especialmente el MERCOSUR, la UNASUR y la CELAC. Esta estrategia se ajustó a relaciones a veces conflictivas, ya que algunos de los movimientos sociales, sin ser precisamente detractores de los esquemas institucionales, han exigido a los gobiernos progresistas una mayor radicalidad de estos procesos hacia la superación del modelo neoliberal.

La tercera tendencia descrita por el autor mexicano se refiere al caso específico del ALBA, que recibió la colaboración y el compromiso político de algunos movimientos sociales regionales importantes, como La Vía Campesina y sus filiales regionales. A escala nacional, también fue el caso del movimiento indígena boliviano hacia el gobierno de Evo Morales, al menos en los años 2000 (Coronado, 2008).

Así, según la clasificación propuesta por Coronado (2008), la participación de las organizaciones y movimientos sociales en los espacios institucionales de participación del Mercosur se encuadra en la segunda tipología, que se refiere al "apoyo crítico". Como sostiene Budini (2015), este tipo de acción de la sociedad civil es todavía poco explorado en la literatura, que se ha concentrado en casos asociados a enfrentamientos entre sectores excluidos y esferas institucionales, con menos atención a las experiencias participativas que incluyen a los Estados y las instituciones internacionales.

Sin embargo, en la práctica de América Latina, especialmente en América del Sur, en el periodo cubierto por el artículo, era posible observar que las organizaciones de la sociedad civil solían utilizar tácticas de confrontación y, al mismo tiempo, participar en los canales de diálogo abiertos por los Estados y las instituciones internacionales. La participación en los espacios institucionales fue así considerada como una estrategia adicional al repertorio de enfrentamientos, al crear espacios que podrían contribuir a sostener la acción transnacional, más allá de las campañas y las protestas episódicas

(Coronado, 2008; Budini, 2015).

No obstante, es necesario considerar que la creciente relevancia de los nuevos actores sociales nacionales y supranacionales de carácter antineoliberal nunca ha trascendido, salvo en el caso del ALBA, la capacidad del *lobby* privado. El foco de la integración, como en la fase anterior del regionalismo, siguió en su mayor parte en manos de grandes empresas, tanto nacionales como multinacionales, lo que impuso obstáculos a la capacidad de los movimientos sociales para contrarrestar la hegemonía, en una tendencia que se acentuó aún más con el cambio en las coyunturas nacional, regional e internacional y el surgimiento de gobiernos de derecha en países clave de la región.

Aun así, el mayor interés de los nuevos movimientos sociales en el debate sobre la integración regional fue acompañado de la creación, por parte del MERCOSUR, de iniciativas institucionales orientadas a la participación social y a las agendas de las políticas sociales, lo que generó nuevas formas de cooperación, que involucraron áreas de los gobiernos antes menos activas en el proceso intergubernamental de construcción del bloque. La siguiente sección está dedicada al análisis de las iniciativas, normas y organismos relacionados con las agendas sociales y participativas que se crearon en el período.

4. Evolución institucional de la participación social en el MERCOSUR

El MERCOSUR fue creado con una estructura operativa exclusivamente intergubernamental, en la que sólo los poderes ejecutivos estaban directamente implicados, especialmente las cancillerías y los ministerios de economía. Desde esta perspectiva, el Tratado de Asunción no preveía ningún espacio para la participación de la sociedad civil organizada (Silva, 2017a).

Los sindicatos fueron los primeros movimientos sociales que acompañaron sistemáticamente las negociaciones que culminarían con la creación del MERCOSUR, articulándose, ya en 1986, en torno a la Coordinadora de Centros Sindicales del Cono Sur (CCSCS), que desde el principio adoptó una postura crítica, pero siempre proactiva, hacia la integración (Martins, 2014).

En parte como resultado de la presión del CCSCS, durante la fase de transición entre el Tratado de Asunción y el Protocolo de Ouro Preto¹¹ (1991-1995), se creó el

¹¹ MERCOSUR (1994). Protocolo Adicional al Tratado de Asunción Sobre la Estructura Institucional del MERCOSUR.

Subgrupo 11 - Asuntos Laborales,¹² como una estructura informal, con el objetivo de cumplir tareas técnicas para apoyar al órgano ejecutivo del bloque, el Grupo del Mercado Común (GMC). Posteriormente, el SGT 11 se transformó en el SGT 10 - Relaciones Laborales, Empleo y Seguridad Social¹³ (Velasco, 2013).

Los primeros espacios institucionales de participación social y debate político ampliado fueron creados en 1994, con la firma del Protocolo de Ouro Preto. El documento, que trataba precisamente de la reforma de la estructura institucional del bloque, incluía en sus medidas la creación de la Comisión Parlamentaria Conjunta - CPC y del Foro Consultivo Económico y Social - FCES (Silva & Martins, 2016).

En el Tratado de Ouro Preto, el FCES se describe como el órgano representativo de los sectores económicos y sociales del MERCOSUR (Art. 28), con función consultiva, sometido jerárquicamente al Grupo Mercado Común - GMC (Art. 29). Sin embargo, la ausencia de poder de decisión y el desequilibrio entre los representantes de los trabajadores y de las empresas en cuanto a los recursos para la participación en las reuniones regionales, debilitó el papel del Foro a lo largo del tiempo. Por otra parte, el hecho de que siguiera restringido a la participación de asociaciones empresariales y centrales sindicales hizo con que otras organizaciones sociales y movimientos populares se sintieran poco representados (Silva & Martins, 2016; Budini, 2015; Velasco, 2013).

A pesar de las dificultades señaladas, las centrales sindicales han conquistado, a través del Foro, algunos avances relacionados con el reconocimiento de los derechos laborales, la defensa del empleo y la promoción de la seguridad social en el bloque. La adopción de la Declaración Sociolaboral (1998)¹⁴ y el Acuerdo Multilateral de Seguridad Social (2005)¹⁵ son ejemplos de estos logros (Velasco, 2013; Martins, 2014).

Mecanismos de participación ampliada de la sociedad civil sólo se constituyeron a partir de 2004, con la creación de la Reunión Especializada en Agricultura Familiar (REAF). En 2005 se lanzó el programa Somos MERCOSUR y, al año siguiente, se celebraría la primera Cumbre Social del MERCOSUR. Finalmente, en 2010 se creó la Unidad de Apoyo a la Participación Social (UPS). En conjunto, estos espacios buscaban contribuir a la incorporación de nuevos sujetos colectivos a los temas del bloque,

¹² MERCOSUR /GMC/RES. N° 11/91

¹³ MERCOSUR /GMC/RES. N° 11/92

¹⁴ MERCOSUR (1998). Declaración Sociolaboral del MERCOSUR.

¹⁵ MERCOSUR (2005). Acuerdo Multilateral de Seguridad Social del Mercado Común del Sur y su Reglamento Administrativo para la Aplicación del Acuerdo.

impulsando de esa manera la agenda no exclusivamente económica de la integración.

Silva & Martins (2016), identifican al "Consenso de Buenos Aires", declaración conjunta emitida en 2003 por los entonces presidentes de Brasil y Argentina, Luiz Inácio Lula da Silva y Néstor Kirchner, como uno de los orígenes de las transformaciones institucionales relacionadas con las políticas sociales y la participación de la sociedad civil experimentadas por el bloque en los años 2000. En el párrafo 3 del documento, los mandatarios se comprometen a "promover decididamente en el proceso de integración regional la participación activa de la sociedad civil" (Brasil y Argentina, 2003).

A continuación, se aprobó el Programa de Trabajo del MERCOSUR 2004-2006¹⁶, que incluía un capítulo denominado "MERCOSUR Social". En el primer párrafo, bajo el título "Participación de la sociedad civil", se puede leer la frase "promover la ampliación de la participación de la sociedad civil". En el mismo capítulo se presenta el concepto de "MERCOSUR ciudadano", que trabajaba con los aspectos educativos, sociales y culturales de la integración regional.

Uno de los primeros resultados de estas nuevas directrices fue programa Somos MERCOSUR, iniciativa lanzada por la presidencia pro tempore de Uruguay en 2005, con el apoyo del presidente Tabaré Vázquez, en su primer mandato. Somos MERCOSUR tenía el objetivo de involucrar a la ciudadanía en el proceso de integración regional, generando espacios para que la sociedad civil y los gobiernos pudiesen debatir y formular demandas dirigidas al bloque. El programa no se convirtió en un espacio institucional, pero no obstante dio visibilidad, mediante reuniones, publicaciones y otras acciones, a una diversidad de iniciativas y actores de la sociedad civil que se habían ocupado de cuestiones regionales. La consiguiente ampliación del debate facilitó la creación de las Cumbres Sociales (Silva & Martins, 2016).

Las Cumbres Sociales del MERCOSUR comenzaron en Córdoba, Argentina, en julio de 2006, con el evento "Encuentro por un MERCOSUR Productivo y Social" que, por primera vez, reunió a gobiernos, movimientos y organizaciones sociales, de manera articulada a la Cumbre de Jefes de Estado, para discutir los temas del bloque. Desde diciembre de 2006, cuando se repitió la experiencia en Brasilia, la iniciativa tomó el nombre de Cumbre Social del MERCOSUR, y a partir de entonces fue realizada cada seis meses, tras las Cumbres Presidenciales, hasta alrededor de 2016, cuando los cambios

¹⁶ MERCOSUR /CMC/DEC. N° 26/03

políticos en los gobiernos de la Argentina y el Brasil llevaron a la discontinuidad del proceso.

Según la investigación realizada por Silva y Martins (2016) para la Unidad de Apoyo a la Participación Social del MERCOSUR (UPS), el análisis de la documentación disponible sobre los participantes de las dieciocho Cumbres celebradas hasta 2015, que contaron con más de 6500 participantes, revela la participación de organizaciones y movimientos que representaban al menos treinta sectores diferentes. Entre ellos, organizaciones tradicionales, como los sindicatos de trabajadores urbanos y rurales, y también los nuevos movimientos sociales surgidos de las movilizaciones contra la globalización neoliberal, como por ejemplo los diferentes movimientos campesinos, feministas y de derechos sociales como, por ejemplo, la Vía Campesina, la Marcha Mundial de las Mujeres y la Campaña Mundial por el Derecho a la Educación. También se registró la presencia de organizaciones regionales y subregionales, como la Alianza Social Continental, la Coordinadora de Centrales Sindicales del Cono Sur y la Confederación de Productores de la Agricultura Familiar del MERCOSUR (Silva & Martins, 2016).

La participación de redes regionales de organizaciones y movimientos sociales en las cumbres acerca el análisis al debate teórico sobre el carácter y la actuación de los movimientos sociales transnacionales, y sobre cómo se desarrollan estos conceptos en el contexto específico de los procesos de integración regional.

La experiencia no estuvo exenta de críticas por parte de las organizaciones y movimientos sociales participantes, que señalaron dificultades, que iban desde la restricción de fondos para hacer posible la participación de los movimientos y organizaciones, hasta la baja incidencia con los órganos de decisión del bloque. Aun así, prevaleció la evaluación de que las Cumbres Sociales constituyeron una experiencia importante, en el conjunto de innovaciones institucionales vividas por el MERCOSUR en el marco de un cambio hacia un proyecto de integración más sensible a las demandas sociales y participativas (Velasco, 2013; Budini, 2015).

En cuanto a las iniciativas sectoriales, la acción institucional más destacada dentro del MERCOSUR en el período examinado fue la Reunión Especializada de Agricultura Familiar (REAF). La REAF se creó como un espacio de articulación entre los gobiernos y los productores familiares¹⁷ de los países miembros y asociados del bloque y, a partir de

¹⁷ De la Sección Nacional Brasileña, por ejemplo, participaron, en 2014: la Confederación Nacional de Trabajadores de la Agricultura (CONTAG), la Federación Nacional de Trabajadores de la Agricultura

esta dinámica, surgió como uno de los casos más consistentes de éxito en el panorama del MERCOSUR, en comparación con otras iniciativas sectoriales, como las Reuniones Especializadas de Mujeres y Jóvenes.

Establecida en 2004¹⁸, la REAF fue responsable por la creación de políticas públicas y reglamentos regionales, y por iniciativas de cooperación técnica regional, en las que participaron funcionarios gubernamentales y representantes de organizaciones y movimientos sociales. También creó una iniciativa de capacitación para jóvenes líderes rurales de la región y puso en marcha su propio fondo sectorial, el Fondo de Agricultura Familiar del MERCOSUR¹⁹ (Silva, 2017b).

Entre los avances de la Reunión Especializada en materia de políticas públicas regionales, se destaca la construcción de los registros nacionales de agricultura familiar del MERCOSUR. En 2007, el GMC aprobó una resolución en la que se establecían los parámetros comunes para la identificación de la agricultura familiar en el bloque, y se instaba a los países miembros a registrar el segmento²⁰. Hasta entonces, los instrumentos de registro de agricultores familiares estaban ausentes en los países del MERCOSUR, con la excepción del Brasil, cuya Declaración de Aptitud para el PRONAF (DAP) se utilizó como modelo de registro en la Argentina, el Paraguay y el Uruguay. En 2012 se aprobó una segunda norma²¹, actualizada en 2014²², que establecía el reconocimiento mutuo de los registros nacionales de agricultura familiar de los países del MERCOSUR, punto de partida para la elaboración conjunta, en el marco de la REAF, de políticas públicas diferenciadas y de corte regional para el desarrollo de la agricultura familiar, por ejemplo, en el ámbito de la adquisición pública de productos del sector.

Los registros nacionales son una condición previa para la construcción de políticas diferenciadas, y amplían el abanico de posibilidades para el diseño de políticas públicas para grupos poblacionales específicos. La experiencia de la REAF con el intercambio de criterios comunes para la identificación de los agricultores familiares y campesinos como beneficiarios de políticas públicas, permite demostrar las posibilidades

Familiar (FETRAF), el Movimiento de Pequeños Agricultores (MPA), el Movimiento de Trabajadores Rurales Sin Tierra (MST), el Movimiento Interestadual de *Quebradoras de Coco de Babaçu* (MIQCB), el Consejo Nacional de Poblaciones Extractivas (CNS), el Movimiento de Mujeres Trabajadoras Rurales del Nordeste (MMTR-NE) y la Unión Nacional de Cooperativas de la Agricultura Familiar (UNICAFES).

¹⁸ MERCOSUR /GMC/RES. N° 11/04

¹⁹ MERCOSUR /CMC/DEC. N° 45/08

²⁰ MERCOSUR /GMC/RES. N° 25/07

²¹ MERCOSUR /CMC/DEC. N° 59/12

²² MERCOSUR /CMC/DEC. N° 20/14

de impacto en las políticas nacionales que puede proporcionar la integración, además de ser uno de los pocos ejemplos de participación real de la sociedad civil en la elaboración de una norma regional.

Finalmente, en el ámbito de la institucionalidad para la participación social en el MERCOSUR, se destaca la creación en diciembre de 2010 de la Unidad de Apoyo a la Participación Social²³, con el objetivo de ampliar la participación de la sociedad civil, financiar la participación de representantes de organizaciones sociales en las reuniones del bloque, apoyar la organización de Cumbres Sociales y mantener una base de datos de organizaciones de la sociedad civil de los Estados Partes. El Consejo del Mercado Común (CMC) definió que la UPS formaría parte de la estructura del Alto Representante General del MERCOSUR, figura también creada en 2010²⁴. En 2017, tras la supresión del puesto del Alto Representante, una nueva decisión²⁵ estableció que la UPS pasaría a la estructura de la Secretaría del MERCOSUR, donde desde entonces ha mantenido una actuación discreta.

La tendencia de adopción de iniciativas en el área de la participación de la sociedad civil fue acompañada por la creación de espacios institucionales y/o normativos también en el área de las políticas sociales y, durante el período considerado (2000-2015), hubo señales de fortalecimiento de la agenda de desarrollo social integrado en el proceso de construcción del MERCOSUR. Además de diferentes iniciativas sectoriales llevadas a cabo en áreas como educación y cultura, se destacó la implementación de instancias institucionales de coordinación de las agendas sociales y de derechos, casos del Instituto Social del MERCOSUR (2007), con sede en Asunción, y del Instituto de Políticas Públicas de Derechos Humanos del MERCOSUR (2009), con sede en Buenos Aires (Recuadro 1).

Recuadro 1: *Normativa MERCOSUR relacionada a políticas sociales y derechos humanos (2000-2015)*

Tipo de Norma	Número e Año	Título
Decisión	28/2002	Acuerdo sobre Residencia para Nacionales de los Estados Partes del MERCOSUR, Bolivia y Chile
Decisión	03/2007	Instituto Social del MERCOSUR
Decisión	39/2008	Comisión de Coordinación de Ministros de Asuntos Sociales del MERCOSUR
Decisión	14/2009	Instituto de Políticas Públicas en Derechos Humanos del MERCOSUR
Decisión	64/2010	Estatuto de la Ciudadanía del MERCOSUR

²³ MERCOSUR /CMC/DEC. N° 65/10

²⁴ MERCOSUR /CMC/DEC. N° 63/10

²⁵ MERCOSUR /CMC/DEC. N° 30/17

Decisión	67/2010	Plan Estratégico de Acción Social del MERCOSUR
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Fuente: MERCOSUR, 2020. Elaboración propia.

El intento de fortalecer el Parlamento del MERCOSUR y los mecanismos destinados a reducir las asimetrías entre los países del bloque también merecieron consideración en el período descrito. En 2004 fue creado el Fondo de Convergencia Estructural del MERCOSUR (FOCEM)²⁶, que consiste en contribuciones anuales no reembolsables de los cuatro Estados Partes, por un monto de 100 millones de dólares, de los cuales el 70% corresponde al Brasil. Aunque modesto para los objetivos que pretendía alcanzar, el FOCEM señaló una lógica distinta de integración, más centrada en la cooperación y no solamente en la liberalización del mercado. La dimensión parlamentaria de la integración mostró menos resultados, ya que no todos los países celebran elecciones específicas para el PARLASUR, creado en 2005²⁷, y que éste tiene funciones meramente consultivas.

A pesar de sus limitaciones, esta agenda para la coordinación de las políticas sociales regionales significó la adopción de una lógica opuesta a la del Tratado de Asunción, y de su visión comercial del acuerdo regional. Sin embargo, las experiencias aquí descritas no resistieron el avance de las fuerzas de derecha sobre los gobiernos de los países clave del bloque, Argentina y Brasil, que redujeron o extinguieron el cumplimiento de las agendas propuestas por los gobiernos anteriores.

5. Consideraciones finales

La apreciación de las dimensiones sociales y participativas de la integración difícilmente podría estar presente cuando fue creado el MERCOSUR, ya que eran otros el contexto internacional y las prioridades políticas domésticas, que se encontraban bajo la hegemonía de los preceptos neoliberales, según los cuales los proyectos regionales se consideraban instrumentos para la aplicación de políticas económicas y comerciales como respuesta a la globalización. La valorización y creación de políticas sociales y participativas de parte del bloque, en el período 2000-2015, se debió a la combinación de tres factores centrales: el agotamiento de las políticas neoliberales hegemónicas en los años 1980-1990, la ascensión de gobiernos de izquierda y centroizquierda, y el surgimiento de movimientos sociales transnacionales que operaban a escala regional.

²⁶ MERCOSUR /CMC/DEC. N° 45/04

²⁷ MERCOSUR (2005). Protocolo Constitutivo del Parlamento MERCOSUR.

El surgimiento de la agenda de participación social estuvo asociado a la expansión de la agenda de desarrollo social del bloque. Este debate está relacionado con la comprensión de la integración regional como un fenómeno multidimensional e interdisciplinario. En este sentido, es necesario explorar la forma en que el MERCOSUR abordó las cuestiones relacionadas con la construcción de un modelo de desarrollo para la región, y si ese modelo abarcaba, además de los aspectos económicos tradicionales, cuestiones como los derechos sociales y humanos, así como la búsqueda de alternativas económicas distintas del extractivismo dependiente.

La experiencia se vio interrumpida por las reconfiguraciones políticas nacionales posteriores a 2015 y el regreso de los gobiernos de derecha o centroderecha en Argentina y Brasil, que vaciaron, o directamente suspendieron, las iniciativas aquí descritas, reorientando las negociaciones regionales hacia cuestiones comerciales. A pesar de los diferentes matices presentes en cada país, los nuevos gobiernos de derecha demostraron una postura común de crítica a los procesos asociados con el regionalismo posliberal/antihegemónico. La ofensiva reaccionaria también se volcó hacia los movimientos sociales, a través de la represión estatal, la criminalización de sus acciones y, más recientemente, a través de la disputa por el espacio de las movilizaciones callejeras (Costa, 2016).

El contexto internacional favorable al surgimiento del regionalismo posliberal también ha cambiado en los últimos años. Los cambios en las tendencias mundiales de la economía han reducido los niveles de crecimiento económico y, por consiguiente, de autonomía de que había disfrutado la región en el decenio anterior.

A pesar de estos reveses, experiencias como la REAF y las Cumbres Sociales representaron la defensa de un otro modelo de integración. Estas iniciativas formaron parte de un conjunto de ideas alternativas y de nuevas motivaciones políticas en la región, que coincidieron con un redescubrimiento del espacio regional como espacio de debate y acción colectiva. Esta agenda generadora de derechos sociales fue articulada políticamente con los gobiernos, integrada por sujetos colectivos y movimientos sociales, y comprometida con la elaboración de políticas públicas regionales.

El Estado ocupó una posición central en esta ecuación, como articulador de posiciones entre sectores del poder ejecutivo, parlamentos y movimientos sociales, nacionales y regionales, en defensa de una agenda de integración positiva, aunque a veces contradictoria.

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Entre la Región y la Nación: Políticas Públicas para la Agricultura Familiar en el MERCOSUR – El caso de los Registros Nacionales de la Agricultura Familiar

*Between Region and Nation: Family farming public policy process
in MERCOSUR – The case of National Registers on Family Farming*

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Resumen: Se analiza el proceso de construcción de las políticas públicas regionales (PPR) en el ámbito de la Reunión Especializada de Agricultura Familiar (REAF) del MERCOSUR, para reconocer las particularidades de este proceso en el ámbito regional e identificar los diferentes actores y actrices (con sus particulares necesidades, intereses, valores e ideas) involucradas en él. Se pone el foco en el caso de los Registros Nacionales de Agricultura Familiar en tanto a) ha resultado una PPR exitosa cuya elaboración ha involucrado un amplio número de actores y actrices y b) a diferencia de lo que ocurre con otras PPR, para el caso de los Registros se observa un proceso inédito de evaluación y reelaboración de la política a nivel regional. De esta forma, se espera que el trabajo contribuya al estudio de las PPR planteando preguntas en torno de las posibilidades y limitaciones de la región para funcionar como un espacio de elaboración, implementación y evaluación de políticas públicas. En términos metodológicos se recurre a investigación documental, entrevistas a actrices y actores clave e instancias de observación participante.

Palabras claves: MERCOSUR; Políticas Públicas; Participación social; Agricultura Familiar.

Abstract: The article analyzes the regional public policies (PPR) process in the Specialized Meeting on Family Farming (REAF) in MERCOSUR, recognizing the particularities of this process at the regional level and identifying the different actors and the needs, interests, values and ideas involved on it. It focuses on the case of the National Registers of Family Farmers, as a) it has been a successful PPR whose elaboration has

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involved a large number of actors and b) it implied a process of evaluation and rethinking of the policy at the regional level. In this way, it seeks to contribute to the study of PPRs by posing questions about the possibilities and limitations of the region to function as a space for the elaboration, implementation, and evaluation of public policies. Methodology is based on documental research, interviews to key actors and participant observation.

Keywords: MERCOSUR; Public Policy; Social Participation; Family Farming.

1. Introducción

Este trabajo analiza el proceso de construcción de las políticas públicas regionales (PPR) para la agricultura familiar en el ámbito de la Reunión Especializada de Agricultura Familiar (REAF) del Mercado Común del Sur (MERCOSUR) con el objetivo de reconocer las particularidades de este proceso en el ámbito regional e identificar los diferentes actores y actoras² involucradas en él. El foco de análisis está puesto en los Registros Nacionales de Agricultura Familiar (ReNAF).

La selección del caso de los ReNAF se asienta en dos elementos interrelacionados. El primero es que ha resultado una PPR exitosa en el ámbito de la REAF, en el sentido de que ha logrado atravesar diferentes instancias hasta la formulación y adopción de la política. Este largo proceso de elaboración ha involucrado un amplio número de actores y actoras tanto gubernamentales como sociales, mostrando de esta forma la articulación de intereses que ha sido necesaria para arribar al resultado buscado. El segundo, en vinculación con ello, resulta que, a diferencia de lo que ocurre con otras PPR diseñadas para el sector, para el caso de los ReNAF ha tenido lugar la evaluación y reelaboración de la política en el nivel regional. Este elemento fue inédito en el ámbito de la REAF: en tanto el MERCOSUR no tiene capacidad para implementar de forma directa a nivel nacional este tipo de políticas, sino que lo hace a través de los Estados, las evaluaciones también suelen realizarse en las arenas domésticas de cada uno de los países. De esta forma, si bien la elección de una PPR exitosa en los sentidos señalados podría dar lugar a ciertos sesgos, la particularidad que ofrece el ReNAF en relación con la evaluación de

² En este artículo se utiliza una escritura no sexista (o no androcéntrica) a partir de la duplicación del sustantivo y/o el artículo. Al utilizar denominaciones dobles acompañadas de otras palabras que tienen que concordar en género y número no se utiliza una forma doble sino que, con el objetivo de facilitar la lectura, se utiliza una forma única y se la hace concordar con el sustantivo más próximo (Genuínes, s. f.). La forma gramatical usual mantiene estereotipos vinculados con los roles de género tradicionales. Ello es particularmente visible en el ámbito de la agricultura, donde se ha tendido a invisibilizar el papel de las mujeres en las organizaciones gremiales. De esta forma, el lenguaje no sexista o no androcéntrico busca ganar exactitud sin excluir ni invisibilizar (Castro Vázquez, 2010).

la política en el nivel regional permite analizar elementos hasta ahora poco observados. De esta forma, se espera que este trabajo contribuya al estudio de las PPR planteando preguntas en torno de las posibilidades y limitaciones de la región para funcionar como un espacio de elaboración, implementación y evaluación de políticas públicas.

El análisis de aquellas dimensiones del proceso de integración del MERCOSUR que exceden la dimensión económico-comercial ha sido prolífico durante los primeros años del siglo XXI. Ello se corresponde con dos elementos, uno de la dimensión material y otro de la dimensión analítica. En el primero de estos sentidos, el bloque se inició en 1991 con un objetivo primariamente económico-comercial -la construcción de un mercado común para el año 1994-. Sin embargo, a medida que fue avanzando, se incorporaron nuevas dimensiones, agendas y temáticas que, aunque eran relevantes para alcanzar el mencionado objetivo, habían sido soslayadas. Alrededor del año 2004, la incorporación de estas nuevas agendas sociales y políticas se intensifica (Vazquez & Perrotta, 2013). En relación con la dimensión analítica, en el nuevo siglo proliferaron los análisis que reconocen una nueva etapa en el proceso de integración regional latinoamericana en general y en el MERCOSUR en particular. Si bien muchos estudios elaborados por estos años se orientaron a analizar las características de los nuevos procesos de integración que surgieron en la región durante la década del 2000, como la Unión de Naciones Suramericanas (UNASUR), la Comunidad de Estados Latinoamericanos y Caribeños (CELAC) o la Alianza Bolivariana Para los Pueblos de Nuestra América (ALBA) (Aponte García & Amézquita Puntiel, 2015; Riggiorozzi & Tussie, 2012; Sanahuja, 2008), otro conjunto no menor de trabajos se focalizó en el análisis del MERCOSUR para reconocer los cambios que se dieron en el proceso con la llegada de nuevas actoras y actores sociales y políticos a los países de la región (Briceño, 2011; Caetano, 2011; Perrotta & Porcelli, 2016; Vazquez, 2011). Así, el surgimiento de nuevas agendas de la integración en las más diversas áreas políticas, productivas, sociales y culturales y la importancia de estas dimensiones para la reconfiguración del proceso de integración regional del MERCOSUR ha sido ampliamente abordado y destacado (Caetano, 2011; Gorosito & Alvariza, 2017; Luna Pont, 2016; Vazquez & Perrotta, 2010, 2013). También ha sido abordado el contenido de estas nuevas o renovadas agendas³.

³ Algunos esfuerzos para destacar en este sentido son los trabajos sobre las agendas de educación (Perrotta, 2013), cooperativas (Lagar, 2012), ciencia y tecnología (I. González, 2015), género y empleo (Espino & Salvador, 2007), migraciones (Brumat, 2019) y salud (Bianculli & Hoffmann, 2015).

Partiendo de este segundo grupo de estudios y siguiendo el trabajo de Perrotta (2013), este trabajo se propone analizar las PPR como

aquellas acciones emanadas de los órganos de gobierno regional (es decir, en el marco del peculiar sistema de gobernanza que la región ha creado para su funcionamiento) para alcanzar los fines hacia los que se orienta el ejercicio del poder político tanto de los Estados Nación que han formado y participan de ese proceso de integración regional, así como de las instituciones de gobierno regional que tienen o no capacidad decisoria (Perrotta, 2013, p. 198).

La elaboración de políticas públicas en el ámbito regional del MERCOSUR presenta una serie de particularidades, en especial si buscamos establecer comparaciones con el proceso de elaboración de políticas públicas domésticas que se ha cristalizado en el denominado “ciclo de las políticas públicas” (Parsons, 2007; Subirats, 1989). Así, las primeras etapas que componen este ciclo (definición del problema, ingreso en la agenda, construcción de alternativas y toma de decisiones) ocurren -aunque de forma peculiar y particularizada para cada agenda temática- en los diferentes espacios institucionales que conforman el sistema de gobernanza del bloque regional. Sin embargo, la implementación de las políticas, su evaluación y la eventual redefinición de los problemas y de las acciones no suele ocurrir en el espacio regional, en tanto el MERCOSUR no cuenta con esta capacidad sino a través de los Estados que lo conforman.

A su vez, el proceso de construcción de políticas públicas en la región no está (no puede estar) desanclado de las realidades nacionales. En primer lugar, porque la construcción de bloques regionales constituye una estrategia de los Estados Nación para alcanzar su desarrollo (Ferrer, 2007). En este sentido, tanto las agendas que se incluyen en los procesos de integración como las iniciativas que se ponen en marcha en este ámbito se vinculan con las dimensiones y estrategias que cada uno de los Estados considera necesarias para encarar los procesos nacionales de desarrollo (Perrotta, 2010). En segundo lugar, porque la cristalización de iniciativas en el ámbito regional parte de un proceso de puesta en común, debate y discusión a partir de las experiencias que cada uno de los países ha atravesado.

Los elementos hasta aquí mencionados se manifiestan particularmente en el proceso de elaboración, evaluación y reelaboración de los Registros de la Agricultura Familiar. Para dar cuenta de ello, este trabajo se estructura en tres apartados. En el primero, se analizan las características particulares de la REAF en tanto espacio de

elaboración de PPR para el sector. El segundo apartado se focaliza en los ReNAF, profundizando en el proceso de elaboración y evaluación de esta política en el ámbito regional y en las reelaboraciones y nuevas políticas a las que dio lugar este proceso. Por último, se presentan algunas reflexiones en torno del proceso de construcción de PPR en la REAF que contribuyen a pensar acerca de las posibilidades y limitaciones que ofrece el MERCOSUR para funcionar como un espacio de elaboración, implementación y evaluación de políticas públicas.

En términos metodológicos, se recurre a a) *investigación documental* a través del análisis de las actas de las reuniones y otros documentos de la REAF y de la normativa del MERCOSUR, b) *20 entrevistas semiestructuradas* a actoras y actores clave que han participado de la REAF: funcionarios, funcionarias, técnicos y técnicas de los Estados Parte, expertos y expertas en las temáticas que se abordan la reunión y miembros de las Organizaciones de la Agricultura Familiar (OAF) de la región, y c) 11 instancias de *observación participante*, tanto en reuniones preparatorias como decisorias de la REAF. El trabajo de campo realizado para este artículo se basa en el trabajo de tesis de la autora⁴.

2. La elaboración de políticas públicas regionales en la REAF.

La creación de la REAF se inscribe en el proceso de incorporación de nuevas agendas de trabajo en el MERCOSUR que se dio desde comienzos del siglo XXI. En este proceso, se buscó incluir actoras, actores, dimensiones y tópicos que se consideraban relevantes para alcanzar el desarrollo de las economías y las sociedades de los países de la región pero cuya importancia había sido desconocida hasta el momento (Caetano, 2011; Vazquez & Perrotta, 2013).

La armonización de políticas en torno de la agricultura⁵ fue un área de trabajo central para el MERCOSUR, en tanto ese sector constituyó desde el nacimiento de los Estados de la región un importante eje estructurante en términos sociales, culturales, políticos y económicos (Barsky & Gelman, 2009; Bisang, Anlló, & Campi, 2008; L. González, 2018; Ramos, 2010a; Stedile, 2011). Sin embargo, el foco de acción estuvo puesto en aquellos bienes agrícolas que se orientan principalmente a la exportación y que

⁴ Las entrevistas y observaciones fueron realizadas entre 2011 y 2018. Por razones de espacio no se incluyen las referencias a los actores y actoras entrevistadas, las preguntas realizadas y las fechas de las instancias de observación participante. Estos puntos pueden consultarse en la tesis de la autora, disponible en <https://repositorio.inta.gob.ar/handle/20.500.12123/5377>.

⁵ Salvo indicación contraria, por razones de fluidez, en este trabajo se utilizará el término “agricultura” para referirse a todas las actividades productivas que se realizan en el sector agropecuario.

se producen en el marco del modelo de los *agronegocios* (Gras & Hernández, 2013, 2017; Palau, Cabello, Maeyens, Rulli, & Segovia, 2007; Stedile, 2013). Por el contrario, las problemáticas, necesidades, intereses y realidades del sector de la agricultura familiar no fueron abordadas en el bloque durante la primera etapa del proceso, pese a que las políticas emanadas del mismo contribuyeron a la modificación de las reglas de juego (en particular de los modos de producción y comercialización pero también, por ejemplo, de los modos de representación político-gremial en el sector) de todas las producciones agrícolas de la región (L. González, 2015, 2018; Manzanal & Schneider, 2011; REAF, 2006, 2010).

En el año 2004, con la aprobación por parte del Grupo Mercado Común (GMC) de la Resolución N°11/04, se cristalizó un proceso largamente demandado por actores y actoras pertenecientes a organizaciones sociales, organismos internacionales y Estados de la región (L. González, 2012, 2016). Con la creación del REAF, el MERCOSUR se propuso diseñar estrategias para “fortalecer las políticas públicas para el sector, promover el comercio de los productos de la agricultura familiar y facilitar la comercialización de productos oriundos de la agricultura familiar de la región” (Res. GMC N°11/04. Art 1). De estos primeros objetivos se desprende la agenda de la REAF, que no se planteó de una vez y para siempre, sino que fue evolucionando y consolidándose reunión a reunión. Pero este nuevo órgano no resultó novedoso sólo por su agenda y objetivos, sino principalmente por la dinámica de trabajo establecida en el marco de una institucionalidad regional restrictiva (L. González & Lagar, 2014). Esta dinámica se aborda a continuación, haciendo hincapié en dos elementos centrales: los límites y posibilidades otorgados a la REAF en el marco de la lógica institucional del MERCOSUR y los desafíos a esos límites en las prácticas en torno de la participación de actores y actoras sociales en el proceso de toma de decisiones de esta reunión.

2.1. El proceso de toma de decisiones.

En términos institucionales, el espacio destinado al tratamiento de cuestiones relativas a la agricultura familiar adquirió la forma institucional de Reunión Especializada (RE). Las RE no son un instrumento creado en la nueva etapa del bloque. Por el contrario, la primera normativa que establece su existencia es la Decisión Consejo Mercado Común (CMC) N°09/91, del año 1991. Para alcanzar la constitución del Mercado Común, se advirtió la necesidad incluir el tratamiento de tópicos no previstos a la hora de diseñar los

Subgrupos de Trabajo (SGT)⁶. Se consideró que, además, estas temáticas no incluidas podrían requerir “modalidades operacionales diferentes a aquellas de los SGT, tanto en lo que se refiere al asunto del análisis como al carácter de los participantes y periodicidad de las reuniones” (Dec. CMC N°09/91). Es por ello que se estableció la posibilidad de que se creen RE, dependientes del GMC.

De entre las características de las RE, son tres las que se vinculan directamente con el proceso de elaboración de PPR.

La primera es que estos espacios son consultivos y asesoran al GMC en el proceso de toma de decisiones. Es decir, en el ámbito de las RE, las conclusiones a las que se arribe -por unanimidad- luego de las discusiones y debates, se cristalizan en Recomendaciones que luego se elevan para ser tratadas y eventualmente aprobadas en los órganos del bloque que sí cuentan con capacidad decisoria (GMC y CMC).

La segunda refiere a su forma de funcionamiento. Las RE son coordinadas por las autoridades nacionales (ministros y ministras o similares) de las áreas de incumbencia, pero están integradas por técnicos y técnicas de diferentes instituciones de cada Estados Parte, pudiendo participar también representantes de los Estados Asociados. Cada uno de los y las participantes representa a su propio Estado, aportando a la reunión la mirada nacional de los procesos y temas que allí se discuten. Así, se organizan en el seno de la Reunión bajo la forma de Secciones Nacionales. Las RE, además, cumplen sus actividades en dos etapas: una preparatoria y otra decisoria. En la etapa preparatoria pueden participar diversos actores y actoras (como se menciona a continuación) y también pueden desarrollarse seminarios para ampliar los temas a abordar en la etapa decisoria, que queda reservada a quienes representan a los Estados.

La tercera se vincula con quiénes están legitimadas y legitimados para participar de proceso de discusión, además de las y los representantes de los Estados. La normativa habilita la participación de representantes de movimientos sociales y organizaciones vinculadas con los tópicos que se abordan en la reunión. Estos actores y actoras son convocados por cada país para aportar sus perspectivas en los temas que se aborden y forman parte de las Secciones Nacionales. Sin embargo, la participación de las

⁶ Cabe resaltar que la agricultura sí había sido incluida en la estructura institucional del MERCOSUR desde sus inicios, a partir del Subgrupo de Trabajo N°8. No obstante, como se señaló, en este espacio se soslayó a gran parte del agro de la región.

organizaciones reviste carácter meramente consultivo (tiene facultad para emitir sus opiniones, pero no su voto) y sólo se habilita en las etapas consultivas.

Por último, es dable señalar que el MERCOSUR no cuenta con capacidad de implementación en los ámbitos nacionales de las PPR que se diseñan a partir de los acuerdos alcanzados en estas reuniones. Por lo tanto: a) la implementación de las políticas queda en parte sujeta a la voluntad de cada Estado y b) ello obstaculiza la evaluación de la implementación de las políticas, que también queda reservada a los ámbitos nacionales.

En el caso de la REAF, esta estructura general es respetada: cada uno de los Estados Parte y Asociados se organiza en Secciones Nacionales y lleva adelante periódicamente (al menos una vez por semestre), secciones preparatorias (nacionales y regionales) y reuniones plenarias en las que se toman las decisiones (regionales). La etapa preparatoria está integrada, además de reuniones en el seno de los GTs, por seminarios y talleres en los que se busca conocer más a fondo las diferentes posiciones en torno de las temáticas que se abordan (REAF, 2006). En la etapa decisoria, por su parte, se llevan adelante discusiones que, si se plasman en acuerdos, pueden ser elevados como recomendaciones a las instancias decisoras del bloque (GMC y CMC). En esta etapa también se consensuan documentos y proyectos que son llevados adelante en el ámbito doméstico de los países que integran la reunión.

Sin embargo, otros elementos que hacen a su organización y dinámica interna superan los límites establecidos en las mencionadas normativas. El principal elemento a destacar en torno a la dinámica de acción de la REAF es el rol que han tenido las OAF a su interior, que contribuye en gran medida a reducir los déficits de *accountability*, transparencia y legitimidad democrática presentes en la institucionalidad del MERCOSUR, como se analiza a continuación (Caetano, 2009; Caetano, Vazquez, & Ventura, 2009; Ventura et al., 2006).

2.2. La participación de actores y actoras sociales y gubernamentales.

Como se mencionó precedentemente, la participación de actores y actoras sociales en el ámbito del MERCOSUR en general y de las RE ha estado fuertemente limitada. Sin embargo, la REAF ha sabido sortear estas restricciones empleando estrategias innovadoras para la participación de actoras y actores sociales en su seno, que se describen a continuación. El análisis de esta participación requiere hacer foco en dos componentes: 1) quiénes son los actores y las actoras legitimadas para integrar cada uno

de los espacios o instancias de la REAF; 2) cuál es la incidencia de la participación de las OAF a lo largo del proceso de toma de decisiones.

En relación con el primer punto, es importante señalar que son los propios Estados los que convocan a las organizaciones para que asistan a las reuniones de la REAF. Si bien cada uno de los Estados ha utilizado diferentes estrategias a la hora de realizar estas convocatorias o de conformar las secciones nacionales, en términos generales, ello implica que los vínculos internos entre los Estados y las organizaciones revisten fundamental importancia. No obstante, a partir de las entrevistas realizadas (en particular a miembros de las OAF) se advierte que en los diferentes países y momentos esta convocatoria fue más o menos extensa. En este análisis se da cuenta particularmente del involucramiento de algunas organizaciones con lazos débiles con el Estado, ya fuera por una decisión interna de las propias entidades o por conflictos explícitos con los gobiernos. Estas afirmaciones son refrendadas en las actas de las reuniones, donde se observa que la representación de las organizaciones supera en muchos casos en número a los y las representantes de los Estados. Esto además es revalorizado en diversos documentos que caracterizan a la REAF como un importante espacio de diálogo político entre los gobiernos y el sector (Ramos, 2010b; REAF, 2010). Para ello garantizar esta participación, además, los Estados han recurrido a diversas fuentes de financiamiento. La principal se vincula con la provista desde el Fondo Internacional de Desarrollo Agrícola en su división para el MERCOSUR (FIDA MERCOSUR), que brindó durante muchos años asistencia financiera y técnica para la instalación y desarrollo de la REAF (Perrotta, González, Porcelli, & Mary, 2018).

Con respecto a su incidencia, las y los representantes de las OAF no sólo han podido participar en las secciones nacionales o en las reuniones preparatorias, sino que se han podido expresar en todas las instancias de la Reunión, incluyendo las decisorias. Ello es visible tanto en las actas de las reuniones que se llevan adelante en el ámbito regional, donde se enumera quienes han participado, como en las instancias de observación participante. Pero, además, ello es resaltado en las entrevistas realizadas tanto los y las representantes de los gobiernos como las y los miembros de OAF. Esta amplia participación no implica que las OAF sean capaces de tomar decisiones en el ámbito de la REAF, porque esa limitación está explícitamente establecida en la reglamentación del bloque. Ello va en línea con que las OAF representan a grupos de interés en torno de las temáticas de discusión y, como tales, tienen una mirada interesada

que no puede reemplazar a la mirada del Estado (que condensa el interés nacional) en relación con una determinada temática. Sin embargo, el rol de estas organizaciones es centrar para nutrir y complementar la posición del Estado, reforzando de este modo su rol como hacedor de políticas públicas. En muchas de esas temáticas al interior de la REAF, la participación de actores y actoras diferentes del Estados es una pieza fundamental para comprender la evolución de las agendas y las decisiones de política pública adoptada.

Figura 1: *Funcionamiento de la REAF*



Fuente: González (2018, p. 211).

A pesar de las limitaciones mencionadas en el proceso de toma de decisiones, la REAF es un espacio donde se han elaborado una serie de PPR que, si bien se diseñan en el ámbito regional, buscan resolver problemáticas presentes en el ámbito nacional de los Estados Parte. Así como la reunión ha promovido la participación de actores y actoras sociales de forma tal que se diferencia en gran medida de lo que sucede en otros espacios del MERCOSUR, también se encuentran innovaciones en lo que refiere al diseño, implementación y evaluación de PPR.

3. Entre la nación y la región: El caso de los Registros Nacionales de la Agricultura Familiar.

Desde la tercera reunión de la REAF, realizada en Paraguay en 2005, la medición del impacto de la agricultura familiar en el PBI de los Estados Parte del bloque se define como una preocupación central que se mantiene hasta la actualidad. Este tópico ocupó la agenda de las primeras reuniones del Grupo Técnico (GT) de Facilitación de Comercio de la reunión y fue incluida ya en el primer plan de trabajo de la REAF. Esta preocupación

no estuvo vinculada a registrar los aportes (sociales, económicos) del sector como un fin en sí mismo, sino a disponer de mayor y mejor información para elaborar políticas públicas focalizadas, tanto a nivel regional como a nivel nacional. Para ello, sin embargo, se contaba con una limitante central: ni los Estados de la región (exceptuando a Brasil) ni las OAF contaban con una definición clara de la agricultura familiar.

Este déficit se vinculaba con que el reconocimiento de la existencia de una agricultura familiar como un sector diferenciado del agro en la región se dio a partir de la instalación de la REAF (Grisa & Niederle, 2019) y, en estrecha relación con ello, con la inexistencia de espacios destinados a la atención del sector en las estructuras gubernamentales nacionales (con excepción nuevamente de Brasil). Por un lado, ello implicaba que no era posible extraer datos de los instrumentos nacionales de medición, como por ejemplo los censos agrícolas en tanto a) no se sabía exactamente cuál era la información relevante para analizar al sector y b) algunos elementos que se podían considerar importantes no eran relevados por estos instrumentos. Pero, por el otro lado, abría la posibilidad de consensuar una definición sobre el sector entre los países y sus organizaciones que capturara las particularidades de la agricultura familiar en la región y diera lugar a la elaboración de PPR.

Esta posibilidad fue rápidamente retomada y se incorporó en el plan de trabajo de la REAF el desafío de la caracterización de la agricultura familiar. Durante el siguiente año, las secciones nacionales, integradas por representantes de los Estados y las OAF, trabajaron en la elaboración de una propuesta que partió de la experiencia brasileña y contó con los aportes de las organizaciones, en particular de la Confederación Nacional de Trabajadores en la Agricultura (CONTAG), del Foro Nacional de la Agricultura Familiar (FONAF) de Argentina y de la Coordinadora de Organizaciones de Productores Familiares del MERCOSUR (COPROFAM).

Cabe señalar que en el ámbito regional en general y en la REAF en particular, la elaboración de PPR parte de un proceso investigación y puesta en común de las diferentes herramientas nacionales a partir de las cuáles se abordan estas cuestiones, con el objetivo de poder diseñar criterios comunes. Si bien ello parece hacer más lento el proceso, los avances que se logran alcanzar se vuelven sólidos, ya que parten de un rico intercambio y debate en el que todos los países (tanto sus representantes gubernamentales como sociales) tienen injerencia (Perrotta, 2012). En este sentido, la experiencia brasileña fue central, porque en este país se contaba ya desde el año 1994 con un instrumento de

medición para el sector: el Programa de Valorización de la Pequeña Producción Rural (PROVAP), que se transformó a partir de 1995 en el Programa Nacional de Fortalecimiento de la Agricultura Familiar (PRONAF). Este programa se orientó a otorgar líneas de crédito al sector de productores y productoras agropecuarias más marginalizadas. Es por ello que, desde el comienzo, requirió el establecimiento de una definición operativa que le permitiera delimitar el público objetivo. Cabe señalar que desde su creación hasta el año 2005, que es cuando el tema comienza a debatirse en el ámbito de la REAF, la definición establecida en el marco del PRONAF fue ajustándose para hacerse más cercana a los requerimientos y necesidades tanto de los y las productoras como del Estado Brasileño (Blixen, Cabrera, González, & Rodríguez, 2015). En el resto de los Estados Parte del bloque y en aquellos Estados Asociados que participan activamente de la reunión no se contaba con experiencias de este tipo ni tampoco, como se mencionó, con espacios institucionales orientados a atender al sector en los que se contara con algún tipo de caracterización.

La situación se modifica de plano cuando se pone el foco en las OAF de cada país. Estas organizaciones se nuclearon a nivel regional en el año 1994 y, desde allí, llevaron adelante una serie de discusiones que los llevaron a tener una mirada colectiva y compleja del sector (L. González, 2012, 2016). Ello no implicó necesariamente que contaran con una definición operativa, pero lo cierto es que sus avances en esta área eran mayores que los de los Estados.

En el corto plazo, el trabajo emprendido en el MERCOSUR derivó en el proyecto “Bases para el reconocimiento y la identificación de la Agricultura Familiar”, que la REAF elevó al GMC en el segundo semestre de 2006. Este fue el primer proyecto de recomendación elevado desde la REAF y resulta interesante observar que la falta de experiencia en los mecanismos institucionales del bloque y las particularidades del proceso de elaboración de PPR del MERCOSUR llevaron a cometer errores (de forma) en el proceso de envío de la norma para su aprobación en los espacios decisorios. Es por ello que la REAF debió revisar y reenviar el Proyecto de Recomendación en la siguiente reunión, que fue aprobado en el GMC con el N°25/07 bajo el título “Directrices para el reconocimiento e identificación de la agricultura familiar en el MERCOSUR”. La definición acordada fue la siguiente:

Los Agricultores/as destinatarios de las políticas públicas diferenciadas dirigidas al sector de la Agricultura Familiar serán aquellos cuyos

establecimientos cumplan, como mínimo, con todos y cada uno de los siguientes criterios:

- I) La mano de obra ocupada en el establecimiento corresponderá predominantemente a la familia, siendo limitada la ocupación de trabajadores contratados.
- II) La familia será responsable directa de la producción y gestión de las actividades agropecuarias y residirá en el propio establecimiento o en una localidad próxima.
- III) Los recursos productivos utilizados serán compatibles con la capacidad de trabajo de la familia, con la actividad desarrollada y con la tecnología utilizada, de acuerdo con la realidad de cada país.

Son también parte de la Agricultura Familiar, siempre que se respeten los criterios enumerados supra, los productores/as rurales sin tierra, los beneficiarios/as de los procesos de reforma agraria o programas de acceso y permanencia en la tierra, como también las comunidades de productores/as que hacen uso común de la tierra (Res. GMC N°25/07 – Art. 1).

Asimismo, la Resolución estableció que, a partir de esta definición, cada Estado Parte implementaría un sistema nacional de registro voluntario de agricultores y agricultoras familiares, que constituirían la base para la generación de políticas públicas diferenciadas en el nivel nacional. En tanto el MERCOSUR carece de capacidad para implementar las políticas diseñadas en el ámbito regional, se instruyó a los Estados a internalizar la norma en un plazo de 6 meses. Finalmente, se estableció que los Estados, por medio de la REAF, deberían elevar anualmente al GMC un informe acerca de las políticas públicas diferenciadas para el sector que se diseñaran como resultado de la implementación de los registros. Ello dio lugar a la evaluación de la implementación de los registros en el ámbito regional, a su revisión y a la elaboración de políticas derivadas.

De esta forma, cada uno de los países fue implementando sus propios registros, en algunos casos asistidos técnicamente por aquellos que se encontraban más avanzados en el proceso. En Argentina, el Registro Nacional de la Agricultura Familiar fue establecido en 2007 (Res. MAGyP 255/2007). En Uruguay, el Registro de Productores Familiar data del año 2009 y depende del Ministerio de Ganadería, Agricultura y Pesca. En Paraguay, por su parte, el registro fue instalado recién en la década de 2010 y para ello contó con el apoyo técnico de Brasil y Argentina. En el caso de Brasil, en el marco del PRONAF se diseñó un instrumento de registro, que se fue modificando en diversas oportunidades luego de aprobada la normativa regional. Cabe destacar, asimismo, que las mencionadas directrices constituyeron la base de los registros, pero fueron discutidas y

ampliadas a nivel nacional de acuerdo con la realidad de cada territorio. A modo de ejemplos, en Argentina el registro contempla las cuatro dimensiones incluidas en la Res. GMC N°25/07 y añade elementos vinculados a los ingresos de los productores y productoras. En Uruguay, por su parte, las limitaciones referidas a la gestión de la explotación y al lugar de residencia fueron incorporadas recién en 2016, pero desde el comienzo se agregaron en la medición elementos vinculados al tamaño de las explotaciones (Blixen et al., 2015)⁷.

De acuerdo con el mandato del GMC, los avances en la implementación de los registros fueron compartidos en cada reunión decisoria de la REAF (semestrales) y desde el año 2008 se elevó anualmente un informe conjunto al GMC. Ello permitió que los países más retrasados en la aplicación de los registros solicitaran apoyo o contaran con la experiencia de aquellos más avanzados en el proceso. Pero también permitió discutir conjuntamente las potencialidades y límites del instrumento, revisar sus características e idear nuevas políticas que permitieran dar respuesta a las nuevas problemáticas advertidas en el proceso de implementación y evaluación, sorteando con ello los límites institucionales formales impuestos por el bloque.

La primera de las acciones emprendidas, a partir del año 2009, fue el establecimiento de criterios y metodologías comunes para la elaboración de los informes semestrales y anuales, de forma de generar productos comparables sobre los resultados alcanzados en cada país. A ello lo siguió un intento por alcanzar el reconocimiento mutuo de los registros de cada país y la homologación, para lo que se propuso elaborar mecanismos de evaluación técnica de los instrumentos. En el año 2012, se elaboró un Proyecto de Recomendación al respecto que no fue aprobado por las instancias decisorias del bloque. Pero una reelaboración de éste en el año 2014 se materializó en la Dec. CMC N°20/14 de Reconocimiento Mutuo de los Registros. En ella estableció que el bloque reconoce como agricultoras y agricultores familiares a todas las personas inscriptas en los Registros nacionales que se elaboraron como resultado de la Res. GMC N°25/07 y que la REAF actúa como espacio de monitoreo de los datos y de las informaciones que sean considerados fundamentales para el mantenimiento de la validez de los registros. Ello implica que la REAF se instituye como el espacio encargado de informar sobre los resultados de la aplicación de los registros, pero también de brindar herramientas para

⁷ Se sugiere consultar Grisa y Niederle (2019), que dan cuenta con mayor profundidad de estos instrumentos a nivel nacional y los analizan en forma comparada.

perfeccionar estos instrumentos. De esta forma, el espacio regional se vuelve central para la evaluación de los resultados de este proceso. Por último, se establece que la inscripción en los registros resulta un requisito para el acceso a las políticas públicas diferenciadas para el sector, marcado de esta forma un parámetro para el tratamiento del sector en el nivel nacional. A partir de esta decisión es que, en el año 2016, la REAF formula un Programa Regional de Intercambio sobre los Registros Nacionales de la Agricultura Familiar y en 2017 emprende la elaboración de un Manual de Buenas Prácticas en la construcción de los Registros.

Con respecto a los registros como herramienta, en el año 2009 se estableció la importancia de contar con instrumentos y metodologías para promover el control social de su aplicación y resultados. Asimismo, se fueron incorporando indicadores que permitieran relevar cuestiones vinculadas con las relaciones de género y la juventud, en consonancia con directrices elaboradas en el marco de otros GTs de la REAF. En línea con ello, se manifestó también la necesidad de contar con registros de organizaciones. Si bien esta cuestión no cristalizó en ninguna normativa a nivel regional, sí dio lugar a la creación de registros con este objetivo tanto en Brasil (Registro de Personas Jurídicas) como en Argentina (el Registro Nacional de Organizaciones de la Agricultura Familiar – RENOAF). Por último, se establecieron líneas de trabajo con la Reunión Especializada de Estadísticas del MERCOSUR (REES) para vincular los registros voluntarios con las categorías incluidas en cada país en los censos agrícolas, de modo de poder contar con instrumentos adicionales para conocer y reconocer al sector.

En principio, estas discusiones se llevaron adelante en el marco del GT de Facilitación de Comercio, pero a partir del 2013 se institucionalizó un GT específico (que en términos reales comenzó a funcionar casi dos años antes) para llevar adelante estas acciones. En consonancia con la Dec. CMC N°20/14, en el año 2017 se ampliaron los ejes de trabajo de este GT para incluir cuestiones relativas al monitoreo de la información para asegurar su calidad y mejora permanente y a la provisión de información para la formulación e implementación de políticas públicas tanto en el ámbito nacional como en el regional. Como primer resultado de ello, en el año 2018 se presentó una propuesta de modificación de la Dec. CMC N°20/14 para mejorar los procedimientos de control de calidad de los registros nacionales.

Estas acciones dan cuenta de algunas estrategias posibles para el espacio regional del MERCOSUR para enfrentar los límites al diseño, implementación y evaluación de

PPR que la estructura institucional impone. El caso de los ReNAF nos muestra que la REAF no sólo ha podido diseñar PPR que impactan tanto en el ámbito nacional y regional, sino también continuar trabajando en los tópicos que se abren y en los nuevos problemas que se advierten o se definen luego de la implementación de los acuerdos alcanzados.

4. Reflexiones finales

Este trabajo profundizó en el análisis de una PPR en el ámbito de la REAF -los ReNAF- con el objetivo de reconocer las particularidades de este proceso e identificar los diferentes actores y actoras involucradas en él. En el recorrido realizado se observó que el peculiar sistema de gobernanza que el MERCOSUR ha creado para su funcionamiento establece una serie de posibilidades y limitaciones para la elaboración de PPR en el marco del MERCOSUR.

Las limitaciones están vinculadas con la normativa del bloque, que restringe la capacidad de toma de decisión de algunos espacios institucionales en detrimento de otros y establece una serie de vericuetos -poco intuitivos y difíciles de aprehender- que deben seguirse para lograr la aprobación de instrumentos de política. También se relaciona con la incapacidad de implementación de las políticas discutidas y acordadas en cada uno de estos espacios, ya sea que tengan o no poder decisorio. Las posibilidades, sin embargo, parten de la elaboración de estrategias innovadoras para superar las limitaciones impuestas por una institucionalidad restrictiva. Las estrategias diseñadas en el marco de la REAF se orientan a las dos áreas centrales para la elaboración de PPR en las que esas restricciones son más visibles: la participación de actores y actoras diferentes de los Estados en las etapas de definición de los problemas, ingreso en las agendas, construcción de alternativas e incluso toma de decisiones, por un lado, y la evaluación de las políticas públicas, por el otro.

El caso de los ReNAF pone de manifiesto que las regiones son arenas de acción en las que actúan necesariamente los Estados, pero también lo hacen otros actores y actoras y que cada uno cuenta con diferentes recorridos en torno de cada tópico, que puede poner a disposición para nutrir las decisiones a las que se arriba y los procesos que se llevan adelante. Este es un proceso dinámico de discusión y consenso en torno de las metas, las ideas, los intereses, las motivaciones, los significados y las políticas que se persiguen desde y para la región. A su vez, la experiencia de los ReNAF permite observar esas estrategias innovadoras en lo que refiere al proceso de evaluación de las políticas.

Así, los instrumentos definidos y acordados en el ámbito regional son implementados en el plano nacional, pero vuelven a la región para constituir la base de nuevas herramientas de política. Las dinámicas que se dieron con el caso de los ReNAF fueron inéditas para la REAF y permitieron establecer repertorios de acción para otras políticas emanadas de la reunión. En este sentido, no solo nos permiten analizar los límites y posibilidades de la región para el diseño, implementación y evaluación de PPR sino que marca estrategias y caminos posibles.

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Budgetary planning and operational trajectory of the solidarity economy policy in Brazil (2004-2019)

Planejamento orçamentário e trajetória operacional da política de economia solidária no Brasil (2004-2019)

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Abstract: This text analyzes the dynamics of the budget cycle of the solidarity economy policy in the federal government. To this end, an analysis of the strategic implementation design and operational evolution of the programs was conducted, focusing on the potential for budget execution. The temporal coverage of the analyzes covers all the recent experience of the solidarity economy in the federal government's agenda based on the different Multiannual Plans (PPA) between 2004 and 2019. The results show that the programs went through problems that influenced the ability to execute the actions. The theme ended immersed in a moment of paradigm crisis. This crisis manifests itself in the operational capacities of the policy, since both its budget allocation and its percentage of execution has decreased significantly over the years.

Keywords: solidarity economy; social policies; budget cycle; state planning; agenda.

Resumo: Este texto analisa a dinâmica do ciclo orçamentário da política de economia solidária no governo federal. Para tanto, realizou-se uma análise sobre o desenho estratégico de implementação e a evolução operacional dos programas, tendo como foco o potencial de execução orçamentária. A cobertura temporal das análises abrange toda a recente experiência da economia solidária na agenda do governo federal a partir dos diferentes Planos Plurianuais (PPA) entre 2004 e 2019. Os resultados mostram que os programas passaram por problemas que influenciaram na capacidade de execução das ações e atividades previstas. A temática encerrou o período imersa em um momento de crise de paradigma. Essa crise se manifesta diretamente nas capacidades operativas da política, uma vez que tanto sua dotação orçamentária quanto seu percentual de execução foi diminuindo significativamente ao longo dos anos.

Palavras-chave: economia solidária; políticas sociais; ciclo orçamentário; planejamento estatal; agenda governamental.

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1. Introduction

This study is part of the debate on budget planning in Brazil based on a specific and relatively recent social policy theme, Solidarity Economy, highlighting the particularities of its operational trajectory.

The concept of solidarity economy emerged in Brazilian society in the second half of the 1990s (Silva, 2018a), in the context of a productive restructuring of a neo-liberal nature in the country that resulted from the strong destructuring of the labor market, denounced by the rise in unemployment and informality (Mattoso, 1995; Pochmann, 1999; Oliveira and Silva, 2018). Faced with this reality, some social movements mobilized around alternative strategies for generating decent work and income for families in situations of economic uncertainty, based on a field of associative labor practices and guidance for local development projects. Under this concept, there is a range of initiatives of collective workers, such as cooperatives and self-managed production associations, to new organizational experiences in specific territories, aimed at fostering endogenous opportunities and generating income, such as solidarity finance projects and local cooperative arrangements (Singer, 2000; Gaiger, 2006; Silva, 2017a; 2018a; 2018b; Sanches and Morais, 2020).

As the concept gained greater social density, also entering the academic environment, possibilities of government support were opened through specific programs, officially including associative work as a strategy to be sought to combat unemployment and make local development projects viable. This process was even glimpsed by some authors as a new paradigm for public policies (Araújo and Silva, 2005; França Filho, 2006; Nagem and Silva, 2013).

Among the first experiences of programs under the guidelines of solidarity economy identified in the subnational administrative spheres, the state of Rio Grande do Sul (state government and city hall of Porto Alegre) stands out, still in the late 1990s, followed by some important city halls after the municipal elections of 2000, such as Recife, Belém, Osasco, Santo André, Belo Horizonte and São Paulo, the largest city in the country (França Filho, 2006; Silva, 2010; Cunha, 2012). In 2003, the issue also emerged on the government agenda at the federal level, at the beginning of President Luiz Inácio Lula da Silva's first term, when the National Secretariat of Solidarity Economy (Senaes) was created within the structure of the Ministry of Labor and Employment

(MTE), which became the locus for planning and implementing the first national plans and programs of intervention.

Given this brief contextual overview, the objective proposed here was to analyze the trajectory of the national policy of solidarity economy based on indicators of budget execution over time and, based on these results, to identify different phases of appreciation of the issue in the federal budget. It was based on the understanding that the budget planning instruments provide relevant indicators on priorities assumed in a government, since they point out the agenda items and their respective resource allocations to achieve the stipulated goals. Therefore, the verification of the availability of resources and the dimensioning of expenditures allows for an understanding of the relevance given to each area of public policy in the historical context of the economic, social and political conjuncture experienced in the country.

For this purpose, the execution reports of the Annual Budget Law (LOA) were used for the four Multiyear Plans (PPA) since the insertion of the solidarity economy in the government agenda (2004-2007, 2008-2011, 2012-2015 and 2016-2019), as well as official follow-up and accountability documents prepared by the Senaes, the managing unit of the programs analyzed. In addition, interviews were conducted with three former directors and four technicians who worked at Senaes at different times in politics.

It should also be noted that although this study assumes the degree of budgetary feasibility of a public policy as an important dimension of evaluation, it is not the only one possible. Nor should it be seen as an end in itself, since the level of spending does not necessarily imply better results from the use of these resources. In this sense, the approach chosen was to verify the relative evolution of the policy of solidarity economy in the set of actions taken by the federal government in the specified period, and not to assess the quality or effectiveness of these expenditures with the public served.

The text is organized in four sections, including this introduction. In section 2, there is a brief presentation of the key issues in the budget planning process in Brazil. Section 3 discusses the results, divided into three critical moments identified from the analysis of national solidarity economy policy budget execution indicators. Finally, some conclusive considerations are made.

2. Budget planning in Brazil

In order to plan any governmental action, it is necessary to take into account the expenditure of resources required for its realization. In the Brazilian context, the guidelines that define the cycle of planning and budgetary governance are foreseen in the Federal Constitution of 1988 (art. 165), where the public budget is established as an integrated process based on three instruments: the PPA, the Budget Guidelines Law (LDO) and the LOA.

The PPA is the instrument that officializes the programs of the elected government (Lima et al., 2020). It brings together the set of guidelines, objectives and public policy goals of the most varied sectors in a medium-term planning (four-year time span), which begins in the second year of the presidential term and lasts until the first year of the following. Its function is to define the programs planned for that period, which will guide priority government decisions. In turn, the programs unfold into projects and activities, with their respective objectives, target audience, resources, expected results and identification of responsible budget units (Couto and Cardoso Jr., 2020).

The LDO plays a role of connection between the strategic plan foreseen in the PPA and the operational plan of the budget to be executed, since the Brazilian legal system associates the policy planning action with the corresponding budget forecast. To this end, LDO deals with tax and fiscal issues that are directly related to the functioning of the federal public administration structures, in addition to setting priorities and goals for each year.

Finally, the LOA represents the budget negotiated jointly with the ministries and budget units of the Legislative and Judiciary branches. It indicates a projection for the following year of all public expenditures and revenues, in addition to defining exemptions, amnesties, subsidies and benefits of a financial nature. The resources are released according to the revenue flow throughout the year to attend fiscal guidelines defined by the LDO.

Although it can be considered a consolidated system in the Brazilian public administration, the model of budgetary governance, that is, the relationship established between planning and budget, opens space for some problems that hinder a more strategic action of public policy implementation. One of them refers to the centrality of its fiscal character to the detriment of the focus on program results, translating into the plastering of budgetary devices in instruments that emphasize short-term monetary management,

which in turn is based on the physical-financial control of diffuse and diluted actions by the various levels and instances of government. In this perspective, instead of the PPA guiding the budget elaboration, it is the budget that conditions the plan, subverting the constitutional principle that defines all the operational logic. This seriously compromises the PPA's capacity to conduct strategic government action, making it, in practice, a mere constitutional formality of accountability (Cardoso Jr. and Coutinho, 2014; Kliass, 2020; Couto, 2020).

In addition, there are a number of factors that interfere with both the planning processes of line ministries and the proper capacity of state agencies to execute the approved budget, as it is subject to cuts, contingencies or supplementation. This dynamic requires that the agents responsible have to renegotiate, year by year, among the different lobbies operating in Congress, the items previously foreseen in the PPA, which weakens the budget as a democratic space for the choices of priorities in the allocation of public resources (Rezende, 2015; Couto e Cardoso Jr., 2020; Lima *et al.*, 2020).

However, the Executive Branch also has prerogatives to influence the management and execution of the budget process according to its priorities, even if subject to political negotiations. As explained by Figueiredo and Limongi (2008, p. 32):

The privileged position of the Executive is reinforced by the rules that regulate the execution of the foreseen expenses. The budget law is authoritative, but not mandatory. That is, the Executive needs legislative authorization to make any expenditure, but does not need to make all the expenses that are authorized. Since the disbursements authorized by law depend on the actual behavior of the revenue, it has become current practice for the Executive to issue decrees establishing the financial programming and the monthly execution chart of disbursements. These are the well-known contingency decrees promulgated throughout the year and which were eventually incorporated into the budget process by the LRF.

There is also a diversity of factors that emerge throughout the PPA implementation process that also influence the budget execution capacity of the programs, among which are: difficulty in complying with the formalities required in the projects; paralyzes determined by the Judiciary and external control agencies; mobilizations of civil society organizations in defense of specific interests; among others. These factors are reflected differently in the public policy areas that make up the federal government's agenda.

In this sense, the Brazilian budget cycle is configured as an arena in which there is a constant dispute for greater centrality in the government agenda. This political economy of the budget involves a complex dynamic of decision-making spaces, coalitions and power resources that will define throughout the year the space of each item. For this reason, the analysis of budget allocation and execution in the different annual exercises emerges as an important horizon for monitoring a specific policy throughout its implementation trajectory.

3. The budgetary trajectory of the national policy of solidarity economy

To accompany the process of budget execution of the National Solidarity Economy Policy since the constitution of Senaes, it was decided to calculate a Budget Execution Index (IEO) for each of the actions in each year of the period approached. This index can be determined by the following formula:

$$IEO_t = (\Sigma RE_t / \Sigma RA_t) \times 100,$$

where: IEO_t is the budget execution index; ΣRE_t is the sum of the budget revenues executed; and ΣRA_t , the sum of the total budget revenues approved.

For the calculation of IEO, the amount "liquidated" in each fiscal year was considered, i.e., the value of the activities that were contracted and carried out in the reference year, becoming able to be paid by the responsible sector. All values presented are deflated for December 2019 by the National Consumer Price Index (INPC). The calculations did not include resources from actions executed by other management units or parliamentary amendments. The results were presented from three distinct phases identified in the policy: *i*) insertion and consolidation (2004-2011); *ii*) incomplete expansion (2012-2015); and *iii*) paradigm crisis (2016-2019).

3.1. Phase I - Insertion and consolidation (Inserção e consolidação)

In 2003, right at the beginning of President Luiz Inácio Lula da Silva's first term, this issue became part of the federal executive agenda after the mobilization of social movements organized around the recently created Brazilian Forum of Solidarity Economy (FBES), with the creation of Senaes as a milestone by Law nº 10.683/2003 (Cunha, 2012; Silva, 2018b).

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The definition of a government strategy for the area came from a proposal built with representatives of organizations linked to FBES, called Platform for Action. Its guidelines were incorporated into the policy in the PPA 2004-2007, through the Solidarity Economy in Development Program (PESD). For its monitoring and social control, new spaces for social participation were created, with emphasis on the National Council of Solidarity Economy (CNES), whose task was to carry out the dialogue between society and the state and seek consensus around actions to strengthen the solidarity economy (Alencar e Silva, 2013), and the National Conferences of Solidarity Economy (Conaes), held in 2006, 2010 and 2014 (Silva, Cunha e Silva, 2018). Experiences of this nature have spread to various areas of government action, especially in social policies, and have been named by Silva (2018c) as "institutions of participatory deliberation" (IDP).

The Senaes began its activities with the expectation of strengthening the set of experiences that give identity to the solidarity economy in Brazil, maintaining the dialogue with various groups of civil society as well as with other government agencies. In 2004, it began to have its own budget, which, despite fluctuations, maintained real growth at that first moment.

When analyzing the actions foreseen in the PESD, it was verified that some changes occurred between the two PPAs. Therefore, it was decided to separate the budget dynamics from the actions by PPA, as demonstrated in the tables 1 e 2.

Table 1: Budget allocation and execution: 2004-2007

Projects/PPA		2004	2005	2006	2007	Total
0980 – Support to Public Policies of Solidarity Economy	LOA (R\$)	4.151.068	1.757.877	1.335.007	2.766.080	10.010.032
	IEO (%)	77,3	3,4	99,6	96,7	73,2
2272 – Management of the Program	LOA	3.185.115	777.529	842.276	719.924	5.524.843
	IEO	92,1	62,2	72,9	99,3	85,8
2A84 – National Solidarity Economy Information System	LOA	0	0	1.473.983	764.597	2.238.580
	IEO	0	0	96,8	96,9	96,8
2A85 – Solidary Development Agents	LOA	0	0	515.142	4.319.972	4.835.114
	IEO	0	0	81,8	77,7	78,1
4641 – Publicity	LOA	1.217.136	770.063	432.418	372.560	2.792.178
	IEO	40,7	52,3	60,5	0	41,2
4736 – Operation of the CNES	LOA	812.400	774.777	0	0	1.587.177
	IEO	100	73,4	0	0	86,6
4737 – Promotion of Work and Income Generation	LOA	42.149.512	17.372.829	16.581.256	37.645.778	113.749.375
	IEO	44,1	67,5	92,1	24,6	47,9
4739 – Promotion of Fair Trade	LOA	5.092.348	714.791	2.316.259	1.455.097	9.578.494
	IEO	58,5	99,9	100	99,9	78,9
4744 – Technical Assistance for Solidarity Finance	LOA	1.003.415	300.522	0	0	1.303.937
	IEO	87,2	100	0	0	90,3
6540 – Emergency Actions	LOA	4.098.901	0	0	0	4.098.901
	IEO	90,3	0	0	0	90,3
8275 – Recovery of Companies by Employees	LOA	0	3.167.486	3.474.389	13.070.304	19.712.178
	IEO	0	96,4	98,7	97,3	97,4
Total	LOA (R\$)	58.524.779	24.858.345	26.128.454	60.394.387	169.905.966
	IEO (%)	60,8	77,4	97,8	94,1	81,1

Source: Brazil Budget - House of Representatives.

Table 2: Budget allocation and execution: 2008-2011

Projects/PPA		2008	2009	2010	2011	Total
2272 – Management of the Program	LOA (R\$)	1.055.876	1.010.173	1.399.938	1.444.500	3.595.773
	IEO (%)	92,2	98,4	89,7	50,2	75,8
2A84 – Solidarity Economy Information System (SIES)	LOA	5.098.608	3.258.624	1.538.394	2.080.080	8.080.080
	IEO	100	24,1	0	4,2	44,2
2A85 – Training of Trainers and Public Managers	LOA	8.072.796	7.576.301	16.530.040	9.822.600	29.967.600
	IEO	36,9	59,4	23,8	60,5	43,4
4641 – Publicity	LOA	0	0	769.197	1.444.500	1944500
	IEO	0	0	7,9	100	76,3
4737 – Promotion and Technical Assistance to Collective Enterprises	LOA	10.068.221	4.910.958	4.307.502	48.065.308	59.803.538
	IEO	0,1	0,1	0	7,6	6,1
4739 – Commercialization of Products and Services of Enterprises	LOA	4.355.754	8.778.733	3.230.627	5.055.750	15.106.658
	IEO	0	51,4	43,8	76,1	49,9
4827 – Development of Social Technologies	LOA	681.514	653.354	584.590	577.800	1.759.800
	IEO	99,8	0	16,4	0	26,3
4850 – Incubator Encouragement	LOA	4.758.701	2.036.640	3.384.466	4.911.300	11.161.300
	IEO	59	24	13	44,4	39,6
8056 – Promotion of Solidarity Finance	LOA	4.100.822	3.665.183	4.198.276	0	7.391.435
	IEO	0,4	0	45,6	0	17,0
8078 – Solidary Development Agents	LOA	20.139.502	13.360.358	19.808.357	13.968.315	46.894.315
	IEO	47,3	25,5	4,5	82,3	42,2
8138 – Implementation of Public Centers of Solidarity Economy	LOA	8.055.428	5.865.523	6.284.338	6.355.800	18.780.581
	IEO	0	0	1,5	33,9	11,8
8275 – Recovery of Companies by Employees	LOA	3.059.165	2.932.762	2.999.868	0	5.550.000
	IEO	16,2	0	0	0	5,3
8420 – Stimulus to Public Policies of Solidarity Economy	LOA	1.019.722	2.463.360	4.299.810	1.011.150	5.918.052
	IEO	34,6	15,6	75	76,1	55,9
Total	LOA (R\$)	70.466.160	43.692.124	69.335.404	94.737.103	208.085.405
	IEO (%)	51,6	77,3	25,3	34,1	41,2

Source: Brazil Budget - House of Representatives.

The numbers referring to the actions between 2004 and 2007 indicate that the total approved budget was approximately R\$ 170 million. Despite a fall in the 2005-2006 period, there is a recovery in the following year, reaching the largest allocation in this PPA, with R\$ 60.4 million. Of the projects included, the action that concentrated most of the resources was "4737 - Promotion and Technical Assistance to Collective Enterprises", with 66.5% of the total. According to the report of those interviewed, a large part of the resources of this action 4737 was operated through an agreement with the Banco do Brasil Foundation (FBB), with the prediction of diversified goals in order to facilitate its execution. For this reason, it is more relevant in terms of budget allocation. However, due to new requirements for the celebration of agreements that emerged from 2007, this action had to be dismembered for the next PPA, which explains the difference in the number of actions among them.

The evolution of the budgetary value for the solidarity economy policy was maintained during the PPA 2008-2011, which did not bring significant methodological innovations compared to the previous one. The only year with negative variation in the LOA was 2009, which was impacted by the global economic crisis that began the previous year. The total amount for the period (R\$ 208.1 million) represented an increase of 22.4% over the previous PPA. In 2011, the largest budget allocation of the quadrennium was registered, with R\$ 94.7 million. Among the thirteen actions foreseen in the PESD (against eleven in the previous PPA), the one with the largest appropriation approved was "8078 - Solidary Development Agents", with 23.3% of the total for the period, which involved the maintenance of teams hired in all Brazilian states to support local actions to foster the solidarity economy.

Besides the annual budget definition, another important issue concerns its execution. Until 2009, the average IEO was 76.5%, with highlights for 2006 and 2007 with rates above 90%. As for 2008-2011, the data in Table 2 show an inflection. Although the first two years indicated an IEO above 50%, the final two years show a sharp drop in this indicator, 25.3% and 34.1%, respectively.

As a consequence, the IEO for the entire 2008-2011 PPA was 41.2%, almost half of that achieved in the previous period. Considering only the amount actually executed, the expenses in real values were higher between 2004 and 2007 than between 2008 and 2011 (R\$ 137.7 million against R\$ 85.7 million). Such result indicates the existence of other factors besides the approval of the LOA that interfere in the analyzed execution

capacity, and in case they are not considered adequately, may lead to mistakes in the analysis of a public policy *a posteriori*.

Among the factors indicated by the interviewed actors as determining factors for this drop in budget execution capacity, one of them is the end of the agreement with the FBB in 2007, whose validity allowed for greater agility in the execution of the planned actions. Another issue refers to the publication of the Interministerial Ordinance n. 127/2008, which put into practice the Management System of Agreements and Onlending Contracts (Siconv), with a series of requirements that resulted in adaptation difficulties on the part of the agencies that depended on these partnerships to execute their budget. This new system generated a substantial increase in the number of agreements signed by Senaes from 2008 without a proportional increase in the number of servers available, compromising the internal capacity for monitoring (Nagem e Silva, 2013).

In addition to these issues, there is a need for a better understanding of the dynamics of the budget process itself in Brazil. As a former director of Senaes explained, there are some setbacks until reaching the final resource for each action inserted in the PPA:

[...] you have the LOA, which is an authorization law for the federal government [...], it authorizes the Executive Branch in those actions, in those programs and in those purposes. The federal government is authorized by Congress to execute up to a certain amount of resources. As this always passes by changes in Congress, and for any other conjunctural reason, the government can redo its accounts. So normally, at the beginning of the year, the government or more specifically these three key ministries that are Finance, Planning and Casa Civil define the so-called budget limit, either for a whole year or for a certain period, and the President of the Republic issues a decree establishing these limits by agencies and not by program or action. So we work with this limit (Director A).

This system of budget limits brings some inconvenience to the responsible manager. One of them is the inexistence of a regularity in the financial flow, since the payment occurs as there are resources effectively in cash, released according to the authorization of the government economic policy. In addition, a significant part of the financial balance is only released at the end of the year, which makes its execution difficult, increasing the stock of "remains to pay" in the accounting of the following year. Thus, the greater the volume of expenses contracted in previous years, the smaller the

space to meet the programmed expenses for the current budget, which may raise the dispute over available financial resources.

3.2. Phase II - Incomplete expansion

The PPA 2012-2015 brought significant changes in its organizational structure, adopting a more aggregative thematic ordering. The changes were based on assumptions about the logic of the model adopted until then, which in addition to having a high number of programs, which made its control difficult, did not encourage intersectoral actions, because each program was associated with a single management unit. To minimize this sectoral hermeticism among the different agencies, the federal government proposed a new budget planning system where programs included complementary activities managed by different ministries, called "thematic programs". As a result, the number of PPA programs was drastically reduced (from over 400 to 65), with the dual intention of facilitating control and inducing greater programmatic intersectorality.

The actions of Senaes were included in the thematic program Regional Development, Sustainable Territorial and Solidarity Economy (code 2029), including actions linked at the time to the Ministry of National Integration (MI) and the Ministry of Agrarian Development (MDA), besides the MTE itself. Most of the previous activities remained within the new program, while some were altered or dismembered. Senaes remained responsible for the budgetary action "8274 - fomenting the organization and development of cooperatives operating with solid waste".

It should be noted that, as of 2012, the policy of solidarity economy was included in the federal government's Brazil Without Misery Plan (PBSM) as an element to achieve the goal of productive inclusion of priority publics (Silva, 2011; 2020; Silva and Schiochet, 2013). This institutional recognition of the issue provided a considerable budget increase for Senaes: R\$ 134.4 million in 2012, a real growth of 41.9% over the previous year.

On the other hand, structural difficulties and changes in the conduct of economic policy each year followed as impediments to the implementation of programs. The IEO for the four-year period 2012-2015 was well below the average identified in the previous PPA (22.8% against 41.2%). In 2012 alone, the IEO was above the average for the period, reaching 40.5%. The table 3 presents all these data, by year and by activity of the PPA.

Table 3: Budget allocation and execution: 2012-2015

Projects/PPA		2012	2013	2014	2015	Total
2A84 – Maintenance of SIES	LOA (R\$)	1.091.838	0	0	0	1.091.838
	IEO (%)	15,4	0	0	0	15,4
2A85 – Training of Educators and Managers	LOA	5.732.148	9.020.470	8.271.043	9.848.300	32.871.960
	IEO	3,0	18,1	15,9	12,6	13,4
20JK – Encouragement to Certification	LOA	1.364.797	1.424.246	1.471.059	5.471.278	9.731.380
	IEO	0	100	72,8	8,3	28,9
20YT – Promotion of Enterprises and Networks	LOA	1.636.392	17.314.950	17.668.949	20.243.728	56.864.018
	IEO	0	30,6	18,8	33,9	27,5
20ZL – Strengthening the National Policy of Solidarity Economy	LOA	1.137.330	0	0	0	1.137.330
	IEO	0	0	0	0	0
4641 – Publicity	LOA	1.364.797	515.455	0	0	1.880.252
	IEO	0	0	0	0	0
4737 – Promotion of Work and Income Generation	LOA	15.248.195	0	0	0	15.248.195
	IEO	12,4	0	0	0	12,4
4739 – National Trade Organization	LOA	2.729.594	13.939.390	5.982.402	10.942.556	33.593.942
	IEO	65,9	49,1	90,1	29,9	41,0
4827 – Development of Social Technologies	LOA	682.399	0	0	0	682.399
	IEO	100	0	0	0	100
4850 – Incentive to Incubators	LOA	5.459.188	10.405.269	6.055.063	9.848.300	31.767.820
	IEO	64,8	11,7	14,9	17,2	22,4
8056 – Promotion to Solidarity Finances	LOA	5.732.148	18.122.609	10.808.507	10.395.428	45.058.692
	IEO	34,1	0	18,3	32,7	16,8
8078 – Development Agents	LOA	4.664.194	9.155.117	14.895.455	9.845.017	38.559.783
	IEO	90,1	17,6	36,1	26,9	35,2
8138 – Implementation of Multifunctional Spaces	LOA	7.301.664	11.597.747	11.746.822	7.663.055	38.309.289
	IEO	4,5	23,1	1,5	12,5	10,8
8420 – Stimulus to Public Policies of Solidarity Economy	LOA	1.364.797	0	0	0	1.364.797
	IEO	47,1	0	0	0	47,1
8274 – Stimulus for Cooperatives - Solid Waste	LOA	78.864.800	69.461.482	74.477.276	46.505.861	269.309.419
	IEO	49,5	13,3	13,0	7,5	21,8
Total	LOA (R\$)	134.374.280	160.956.735	151.376.577	130.763.522	577.471.115
	IEO (%)	40,5	18,6	19,3	16,1	22,8

Source: Brazil Budget - House of Representatives.

It is worth highlighting some information regarding the operational dynamics of these actions during the period. In 2012, the second Mapping of Solidarity Economy was still under preparation, with resources foreseen via project 2A84. This activity began at

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the end of 2009, and ended up extending more than expected, due to a series of problems in hiring regional entities (Gaiger, 2014; Silva 2017a; 2017b; 2017c).

At the institutional level, two activities were planned with a budget allocation only in 2012, aimed at articulating and aggregating political forces to advance the formalization of standards considered relevant. One example was the approval of the Labor Cooperative Law (Law no. 12.690/2012), from a coordination promoted by Senaes among several interest groups (Pereira and Silva). Other important actions were: i) the participative formulation of a decree that disposes about the social cooperatives and institutes the National Program of Fomentation to the Social Cooperatives (Pronacoop Social); ii) the National System of Fair Trade (SNCF) (Antunes and Conti, 2019); and iii) the elaboration, in the scope of the CNES, of a draft law of the National Politics of Solidary Economy (Law Project no 4.685/2012) (Silva and Silva, 2015).

In terms of direct support to experiences of solidarity economy, two activities are specifically linked to the promotion and advising of associative enterprises. One refers to the work of technological incubators of cooperatives (code 4850) in institutions of higher education (Perissé et al, 2017). The second deals with the work of "development agents" (8078), which was already part of the previous PPA. Senaes also maintained an activity focused on promoting solidarity finance (8056), to support local financial management experiences, such as credit cooperatives, community banks and revolving funds (Silva, 2017b).

In the case of the Solid Waste Program (2067), the action to promote the organization and development of cooperatives operating with solid waste (8274) was placed under the responsibility of Senaes. This action entered the agenda of the PPA especially after the approval of the National Policy for Solid Waste (PNRS), with Law No. 12,305/2010, which officially recognizes the collectors of recyclable material as priority agents in solid waste management systems in Brazil (Silva, Goes and Alvarez, 2013). With the launch of the PBSM in 2011, they were included as one of the priority publics. This allocation, as already highlighted, resulted in a significant increase in the Senaes budget, representing 46.1% of its entire budget allocation in the period 2012-2015. In terms of execution, the result was not very satisfactory, ending the period with 21.8%.

Due to the relative importance of this activity in terms of resources, some additional considerations can be made here. The guideline for the definition of projects was the formation of associative enterprises of recyclable materials collectors. However,

the partnerships occurred under different paces. Among the reasons for this mismatch was the fact that municipal elections were held at the time scheduled for the preparatory activities, which led to the postponement of many projects (Anze et al., 2018). According to one of the officials interviewed, "the electoral exchanges reset the memory of the projects and put in check the agreements, which is in reality a voluntary partnership in which there is no way to force its execution". Still, even in the scenario of difficulties or lack of interest in executing them, "no city hall wants to return the money, so we say that they need to do something that makes sense according to the object that is in the contract".

It was also possible for the Senaes managers to identify a blatant deficiency in the use of legal instruments for the socioeconomic insertion of the collectors. Furthermore, the existing structures for waste selection, sorting and processing activities are insufficient to include the new waste pickers identified in the projects, and there are operational difficulties related to the feasibility of their projects, such as: low availability of land for the implementation of new structures; absence of solid waste management plans; and fragility to deal with administrative aspects (Silva and Schiochet, 2013).

In this sense, experience has shown that projects with such a specificity as the beneficiary public and the object of intervention require a temporality for the implementation and consolidation of their instruments normally greater than the deadlines foreseen in the initial planning.

3.3. Fase III - Paradigm Crisis

The PPA 2016-2019 brought new methodological changes, consisting of a total of 54 thematic programs, each of them related to specific actions connected to a set of predetermined objectives, goals and initiatives. Among these programs was "2071 - Decent Work and Solidarity Economy", based on four structuring themes, each linked to an objective. The actions for which Senaes was responsible were in the objective "1091 - Promotion of Solidarity Economy and its Various Forms of Organization".

Unlike the previous ones, in the PPA 2016-2019 there is no budget allocation for each planned activity, which obstructs a more detailed analysis of the policy's programmatic conduct. The action to support cooperatives of recyclable material collectors (8274) remained under the management of Senaes, included in the objectives of the Environmental Quality Program (2083). The numbers of the budget cycle of the solidarity economy actions are shown in table 4.

Table 4: Budget allocation and execution: 2016-2019

Projetos/PPA		2016	2017	2018	2019	Total
Promotion	and LOA	49.224.756	41.709.768	14.581.012	35.800.736	141.316.272
Strengthening	of IEO	26,7	7,7	24,5	3,8	15,0
Solidarity Economy						
Promotion	for LOA	13.330.730	9.937.461	5.179.313	6.080.000	34.527.504
Cooperatives - Solid	IEO	30,9	18,7	5,5	0	18,1
Waste						
Total	LOA (R\$)	62.555.486	51.647.229	19.760.325	41.880.736	175.843.776
	IEO (%)	27,6	9,8	19,6	3,2	15,6

Source: Brazil Budget - House of Representatives.

The total budget allocation for Senaes shares decreased sharply compared to the previous PPA. Considering the total approved by the LOA in 2016, there is a 52.2% decrease compared to 2015. In 2019, the last year of the series, the drop is even greater, 67.9%. Taking into account only the resources of action 8274, the sum of the entire period represented 74.2% of the 2015 budget, which in turn was already falling compared to previous years. This decrease in the total budget of the policy resulted in a drastic limitation of the capacity to meet the goals projected in the PPA 2016-2019.

In terms of budget execution, the downward trend remained in relation to the previous PPA. The average IEO for the period was 15.6%, which demonstrates a substantial decrease in both the values approved and the values actually executed by the National Solidarity Economy Policy in Brazil, further deepening the scenario that had already been observed.

In 2019, the total executed was the lowest value of the whole series since 2004. The IEO for the goal 1091 was only 3.8%, while that for the goal 8274 was zero, that is, there was no execution of the budgeted resources. The combination of these two results led to an IEO of 3.2% this year.

In general, the operational difficulties listed above also fit into the evaluation of the execution of the budget foreseen in the LOA since the beginning of the PPA 2016-2019. However, other factors also directly influenced the analyzed budget performance. One of them refers to the political and administrative crisis that the elected president Dilma Rousseff's management faced from 2015 onwards and which culminated in an impeachment process in early 2016. In the midst of this turbulence, several areas of public

Silva. Budgetary planning and operational trajectory of the solidarity economy policy in Brazil (2004-2019)

policy went through instabilities that reflected in their ability to implement. At the same time, the country entered a strong economic recession, with a drop of almost 8% in GDP between 2015 and 2016, resulting in an abrupt reduction in tax revenues and increasing pressure on subsequent budget limits. The weak recovery capacity of the economy in the following years was another justification for the budget drop.

The sum of these factors resulted not only in a fall in the budget allocation assigned by law to the policy of solidarity economy, but also in the capacity to execute, as shown in Table 4. Based on these results, the issue, as a paradigm of public policy, began to face a moment of operational crisis, both in terms of available resources and execution capacity.

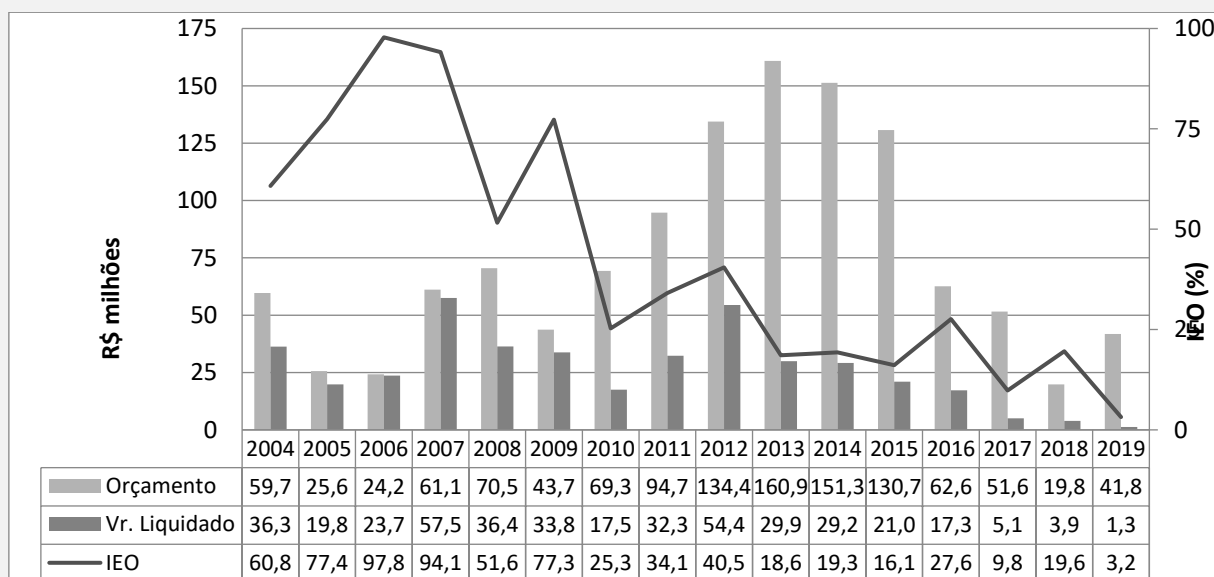
The table 5 and the figure 1 summarize the information taking into account the whole trajectory of the solidarity economy policy in the budget cycle of the Brazilian federal government. As observed, the subject closed the period of analysis immersed in a moment of unequivocal "paradigm crisis" in the government agenda, since both its budget allocation and its percentage of execution suffered significant reductions over the years. This trend continued with the new management of the federal government that took office in 2019, when the issue was practically banned from the agenda set for the PPA 2020-2023.

Table 5: Annual averages of budget indicators by PPA (2004–2019)

	Insertion and consolidation		Incomplete expansion	Paradigm crisis
	2004-2007	2008-2011	2012-2015	2016-2019
Budget allocation (R\$ millions)	42,7	69,6	144,3	43,9
Liquidated value (R\$ millions)	34,3	30,1	33,7	6,8
IEO (%)	80,5	43,2	23,6	15,4

Source: Brazil Budget - House of Representatives.

Figure 1: Evolution of budget and budget execution (2004-2019)



Source: Brazil Budget - House of Representatives.

Therefore, it can be said from an overview of the entire analyzed trajectory that the insertion of the solidarity economy in the federal government's agenda has been announced as a challenging act for the public administration, in the search for a strategy to combat unemployment and foster collective practices of local development. The policy was designed according to the assumptions that work is not restricted to subordinate employment, and that the effectiveness of state action in generating income and local development implies a perspective of transversal and participatory action. However, the tensions, contradictions and difficulties in the process of implementing programs and projects have, over time, been directly reflected in both the endowment and budget execution capacity, which in turn have served as indicators of the presence and evolution (or reversal) of the issue on the government agenda.

4. Final considerations

As discussed throughout this text, the public budget consists of a management instrument in which the expectations of the flow of financial resources and the parameters for their application by the state power in a given period of time are formally recorded. To the extent that it represents the most visible and objective expression of the public fund, it becomes a field of political dispute in which the direction of spending and its respective sources of financing reflect the correlations of forces in society and the

interests involved in controlling existing resources. Therefore, the study on the composition of the budget and its effective execution is of great importance to understand the dynamics of social policies, especially when it comes to innovative programs on the government agenda.

From this perspective, the debate presented here aimed at problematizing the experience of planning and budget execution based on a specific theme of social policy in Brazil, the solidarity economy, bringing important elements of reflection when analyzing its trajectory and respective operational conditionalities. As it was possible to observe, the National Policy of Solidarity Economy went through different moments in the government agenda, which could be characterized based on the conjugation of the allocation and budget execution indicators calculated for this purpose.

The first moment was insertion and consolidation, covering two PPAs (2004-2007 and 2008-2011). The rise of the subject on the government agenda, with the structuring of Senaes and the launch of the PESD in the 2004-2007 PPA, providing it with its own resources, made it possible to launch an initial platform of actions to stimulate and strengthen the solidarity economy in Brazil. The PPA 2008-2011 confirmed its consolidation, not only by maintaining the structure in the state apparatus, but also by increasing the annual budget average in relation to the previous quadrennium. However, in the final two years, a significant drop in execution capacity was already apparent, with the effective value of spending remaining basically stable.

The second moment, of incomplete expansion (PPA 2012-2015), was marked by the deepening of the gap between the appropriations approved by the LOA and the amounts actually executed. This is precisely the character of incompleteness identified, since the policy of solidarity-based economy has survived throughout this PPA, on the one hand, with an increase in the annual budget allocation, but on the other, with a sharp drop in its percentage of execution, so that the increase in the allocation did not imply an effective increase in spending on the planned actions.

In the third moment, called the paradigm crisis (PPA 2016-2019), the tendency to reduce the annual budget volumes approved for the programs managed by Senaes has deepened. As the IEO remained low, there was a sharp retraction in the amount actually spent, representing less than one-third of the average annual values of the previous moments. This double relationship of decline highlights the paradigmatic crisis character of the solidarity economy as a domain of public policy, as pointed out in this study, since

the budgetary space for its actions has become increasingly residual in the set of social policies on the federal government's agenda.

Another highlight is that, since the policy of solidarity economy does not constitute a constitutionally foreseen action, like other policies of the public employment system such as unemployment insurance and salary bonuses (Silva, 2018d), its budgetary resources have always been subject to cuts or contingencies according to the priorities in the conduct of fiscal policy. This is one of the aspects that illustrate the logic reversal of the budget planning process in Brazil, as described in section 2, which affects the predictability of available resources for much of the social policies and compromises the achievement of its goals over the years.

Finally, the study also sought to survey, albeit preliminarily, the institutional and implementation infrastructure conditionalities that influenced its execution capacity, among which the following should be highlighted: *i)* fiscal policy decisions; *ii)* hiring and convenience rules; *iii)* technical-bureaucratic capacity; and *iv)* interfederative coordination difficulties. Such points, also present in the operational dynamics of other social policy areas, do not exhaust the debate on difficulties in budget execution of solidarity economy policy, but indicate possible paths to be deepened in future researches, since this study is part of a broader research program on the trajectory, challenges and perspectives for the solidarity economy issue in the government agenda.

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NOTA DE INVESTIGACIÓN

La justicia de las políticas públicas y la perspectiva analítica de la sociología política

A justiça das políticas públicas e a perspectiva analítica da sociologia política

The justice of public policies and the political sociological approach

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Resumen: El objetivo de este texto es reflexionar sobre la realización de análisis y evaluaciones de políticas públicas desde una perspectiva de sociología política que tenga en cuenta las cuestiones de justicia social. Se sostiene que, si bien la perspectiva analítica de la sociología política implica la adopción de un enfoque relacional e histórico, la consideración de las cuestiones de justicia social requiere la adopción del debate normativo de las teorías de la justicia como parámetro para el análisis de las concepciones de la justicia de las políticas públicas. Por último, se argumenta que esa postura analítica permite buscar una reflexión sustantiva sobre los significados de las políticas públicas y sus resultados.

Palabras clave: Políticas Públicas; Justicia; Sociología Política.

Resumo: O objetivo desse texto é refletir sobre a de realização de análises e avaliações de políticas públicas a partir de uma perspectiva da sociologia política que leve em consideração questões de justiça social. Argumenta-se que enquanto a perspectiva analítica da sociologia política implica em adotar uma abordagem relacional e histórica, considerar questões de justiça social requer a adoção do debate normativo das teorias da justiça como um parâmetro para a análise das concepções de justiça das políticas públicas. Por fim, defende-se que tal postura analítica possibilita buscar uma reflexão substantiva sobre os sentidos das políticas públicas e sobre os seus resultados.

Palavras-chave: Políticas Públicas; Justiça; Sociologia Política.

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Abstract: The aim of this text is to reflect on the need and possibility of carrying out analyses and evaluations of public policies from a political sociology perspective that takes into account social justice issues. It is argued that while the analytical perspective of political sociology implies adopting a relational and historical approach, considering issues of social justice requires the adoption of the normative debate of theories of justice as a parameter for the analysis of conceptions of public policy justice. Finally, it is argued that such an analytical posture makes it possible to seek a substantive reflection on the meanings of public policies and their results.

Keywords: Public Policies; Justice; Political Sociology.

1. Introducción

El propósito de este artículo es reflexionar sobre la necesidad y la posibilidad de llevar a cabo análisis y evaluaciones de las políticas públicas desde una perspectiva de sociología política que tenga en cuenta las cuestiones de justicia social.

La reflexión que aquí se presenta, como se señala en la investigación, es parte de una agenda más amplia que vengo desarrollando desde mi tesis doctoral² y que busca cuestionar los fundamentos normativos de las políticas públicas. En este y en los trabajos anteriores, sostengo a partir de un debate teórico y metodológico que los problemas de la justicia son constitutivos de la acción colectiva. No sería diferente con el proceso de producción de políticas públicas, instituciones cuyos propósitos y formas de acción se orientan por concepciones de justicia socialmente construidas y cotidianamente cuestionadas para enfrentar las grietas, dilemas y ambigüedades que sólo se revelan a través de los desafíos impuestos por la práctica, confrontando a los actores involucrados en su producción con los fundamentos normativos que definen, justifican y legitiman su existencia.

La adopción de la sociología política como perspectiva analítica implica en un enfoque relacional e histórico que cuestione la forma en que las políticas públicas traducen y responden a los conflictos sociales y se reproducen a lo largo del tiempo. Significa asumir que ellas son el resultado de, o reaccionan a, transformaciones sociales y, al mismo tiempo, influyen y limitan los comportamientos interviniendo en la vida de las personas, causando otro tipo de transformación. Una mirada histórica también es especialmente importante para reflexionar sobre la legitimidad de las políticas públicas.

² Véase mi libro "Saúde como questão de justiça" (2016).

Al proponer que se consideren cuestiones de justicia social, sugiero que se realice un análisis y una evaluación de las políticas públicas desde un enfoque basado en un determinado criterio normativo de las teorías de la justicia. Como propuesto por Álvaro de Vita (2017), entiendo este enfoque como un análisis orientado por problemas, por temas controvertidos del mundo contemporáneo que involucran el debate público y cruzan las relaciones sociales.

Este artículo pretende, a partir del abordaje analítico propuesto, buscar una reflexión sustantiva sobre los significados de las políticas públicas y sus resultados. En la primera parte del texto, a través de los argumentos elaborados por Álvaro de Vita (2017) y Valeriano Costa (2015), trato de demostrar cómo se procesa la aproximación analítica entre las teorías normativas de la justicia y el campo de estudios de las políticas públicas. En la segunda parte, presento brevemente cómo se elaboran las cuestiones y las concepciones de justicia social mediante el análisis de las políticas públicas y su importancia teniendo en cuenta el contexto de la producción de políticas públicas en el Brasil desde la redemocratización. En la tercera parte, desarrollo analíticamente los puntos que considero importantes para la realización de un análisis de políticas públicas basado en concepciones normativas de la justicia. Finalmente, presento mis consideraciones finales.

2. Las teorías normativas de la justicia y el campo de la política pública³: enfoques analíticos.

Investigar el impacto que las políticas públicas tienen en la vida de las personas y su papel en la promoción de sociedades más justas nos impone cuestiones analíticas que van más allá de las condiciones materiales de la producción de políticas, o de las preguntas que comúnmente plantea la literatura sobre las capacidades del Estado. Se impone la necesidad de contar con parámetros normativos que permitan investigar los valores de fondo en disputa y guíen la agenda, la aplicación y la evaluación de las políticas.

En este sentido, el debate normativo de las teorías contemporáneas de la justicia⁴ funciona como un parámetro para el análisis de las concepciones de la justicia de las

³ El campo de políticas públicas brasileño está formado por investigaciones que abarcan estudios, análisis y evaluación de políticas públicas, además de la capacitación para la gestión pública. Véase: Farah (2016).

⁴ Me refiero al debate teórico que ha tenido lugar sobre la justicia social en el marco de la filosofía y la teoría política, especialmente después de la publicación del libro de John Rawls "A Theory of Justice"

políticas públicas. Argumentando que las teorías de la justicia rawlsiana están orientadas a los problemas, a las cuestiones controvertidas del mundo contemporáneo, Álvaro de Vita (2017) sostiene que la teoría política normativa se basa en juicios evaluativos que podemos someter a un examen racional. Para él, este examen debe llevarse a cabo por dos razones: la primera es que las cuestiones controvertidas del mundo contemporáneo tienen una dimensión normativa, e incluso la investigación empírica requiere que esta dimensión se aborde adecuadamente si queremos reflexionar de manera sustantiva sobre sus conclusiones. La segunda es que necesitamos de criterios válidos para basar nuestros juicios de valor sobre las leyes e instituciones.

El autor subraya que las instituciones tienen efectos profundos en la vida que podemos llevar, porque actúan como normas y constituyen los medios para el ejercicio de la autoridad, regulan los derechos, la fiscalidad, la provisión de bienes fundamentales básicos como la salud y la educación. Por esta razón,

Una cuestión que se plantea para quienes están sujetos a estos efectos es si estas instituciones son éticamente defendibles y, en caso contrario, cómo deberían reformarse. Esta es una parte importante del debate público en las sociedades en las que existe una forma democrática de organizar la autoridad política y en las que se garantiza la libertad de expresión. Y nuestros juicios sobre estas cuestiones se basan, al menos en parte, en principios generales. Pero estamos en desacuerdo con los principios fundamentales tanto como con las cuestiones de política pública. La elaboración de la teoría política normativa consiste esencialmente en explicar y justificar racionalmente algunos de esos principios y confrontarlos con principios distintos y sus posibles implicaciones institucionales. (Vita, 2017, p. 97)

Reflexionando sobre la agenda de investigación en el campo de las políticas públicas, Valeriano Costa (2015) presenta dos temas complementarios que dialogan con la perspectiva analítica que defiende. Sostiene que es necesario invertir en una perspectiva de análisis que rompa con el "ciclo de las políticas públicas"⁵ y considere la complejidad relacional y procesal de su proceso productivo, además de un análisis de la dimensión normativa de las políticas – normas que demuestren que cada política pública tiene una

(1971). Véase: Kymlicka (2006) y Gargarella (2008). También observo que la teoría política es, sobre todo, normativa, porque se ocupa de la forma en que debería ser la vida política, y no de la descripción de cómo es. Álvaro de Vita (2017) propone que existe una teoría política "positiva", que se desarrolla buscando hacer generalizaciones basadas en conexiones de naturaleza causal que pueden ser demostradas o refutadas empíricamente; y una teoría política "normativa", que se desarrolla con base en juicios evaluativos.

⁵ Costa (2015) se refiere al modelo analítico que considera el proceso de producción de políticas públicas por etapas, estas serían: 1 - Establecimiento de la agenda; 2 - Formulación de la política; 3 - Toma de decisiones; 4 - Implementación de la política y, 5 - Evaluación.

intencionalidad que depende de las concepciones de la persona y la justicia social que están en su centro.

La premisa del "Estado en Acción" presupone que el Estado interviene en nuestras vidas a través de las políticas públicas. Costa nos recuerda que esta intervención, cuyos límites son indefinidos, es objeto de análisis en el ámbito de las políticas públicas. Además, cualquier tema puede ser escenario de la intervención del Estado, ya que cualquier agente del Estado o de la sociedad puede proponer una actividad que se convierta en una agenda de política pública. De ese modo, el alcance del Estado y sus límites se negocian y disputan constantemente en el espacio público. "En otras palabras, los límites de las políticas públicas son indefinidos. Son la base de la concepción misma de las políticas públicas. Esto crea un campo en la reconstrucción eterna" (Costa, 2015, p.143).

Para Costa, la agenda de políticas públicas es prisionera de tensiones y contradicciones sobre las diferentes concepciones del mundo, como las concepciones de desarrollo, ciudadanía, participación social. Conflictos entre diferentes valores, ideas y creencias. De hecho, los actores disputan los límites de la legitimidad de la acción del Estado.

Sin embargo, en el proceso de producción de políticas públicas, el Estado se convierte en el principal actor de movilización y transformación de la sociedad, pero no es el único. Por ende, debemos pensar en un "ciclo de políticas públicas" mucho más complejo y marcado por la naturaleza contradictoria del Estado y la sociedad, que requiere una reflexión sobre lo que estamos haciendo, sobre los significados de la acción a través de las políticas públicas.

Esto significa que debemos ser menos descriptivos y más analíticos, abriendo más espacio para la indeterminación, para lo inesperado y que escapa a la racionalidad de los diseños y reglamentos institucionales y de los esquemas de aplicación y evaluación, incluso considerando que el Estado "se convierte en socio y a veces en objeto de las propias políticas públicas" (Costa, 2014, p.149).

De ese modo, es necesario preguntarse quién decide y orienta las políticas públicas, si es predominantemente el Estado o la sociedad, o cómo se produce la coordinación entre los diferentes actores que participan en el proceso de producción de

políticas⁶. Este es el camino que nos lleva a la dimensión normativa del análisis, que se desarrolla al menos en dos campos: el de la legitimidad y el de las concepciones de justicia.

La reflexión sobre la legitimidad nos lleva a cuestionar qué sectores de la sociedad son capaces de generar condiciones de legitimidad en el entorno conflictivo de la producción de políticas públicas. Además, la disputa sobre la legitimidad crea un conflicto ético-político que se desarrolla en el ámbito de las "concepciones de justicia en las políticas públicas". Esto nos lleva a la necesidad de responder a qué sería y a cómo implementar una política pública justa en sus términos:

Podemos pensar en términos de lo que hoy es el campo propio de la Política Pública, el campo de las concepciones de justicia en las PP, es decir, cómo puedo concebir una PP que sea justa, que atienda de manera equitativa a los beneficiarios o afectados por la política (Costa, 2014, p. 156).

3. Concepciones de justicia social en el análisis de políticas públicas

Las concepciones de justicia en las políticas públicas se observan más fácilmente en las políticas elaboradas desde una perspectiva (re)distributivista – es el caso de políticas como el Programa Bolsa Família – destinadas a reducir la desigualdad y la pobreza, lo que requiere una acción de Estado dirigida a la distribución de los bienes y recursos en la sociedad. A estas políticas se añaden las formuladas a partir de la noción de derecho al reconocimiento⁷, como las políticas de acción afirmativa.

Como apunta Fleischacker (2006), la idea de que el Estado debe ser el garante de una distribución justa de los recursos destinados a combatir la desigualdad social no se percibió, hasta hace muy poco, como una cuestión de justicia por las personas, que tampoco creían que la justicia debía ocuparse de la demanda de una distribución de los recursos que pueda satisfacer las necesidades de todos. Es en su sentido moderno, como señala el autor, que la justicia distributiva invoca al Estado como garante de esta distribución.

⁶ Como expreso en mi libro "Saúde como questão de justiça" (2016), la aplicación de las políticas públicas requiere una relación múltiple y compleja entre diferentes entidades, que generalmente involucra al Estado, al ciudadano y a la sociedad civil, y a los actores productores de la política (que incluye a las organizaciones privadas, al tercer sector y eventualmente a las organizaciones internacionales).

⁷ Tal como lo formuló Axel Honneth en su libro "Luta por reconhecimento: a gramática moral dos conflitos sociais" (2003).

El debate normativo sobre la justicia distributiva (especialmente en el ámbito de las teorías de la justicia de matriz rawlsiana) tiende a girar en torno a los recursos que deben garantizarse, su cantidad y el grado de interferencia estatal necesario para ello⁸. En ese debate está implícita la idea de que los ingresos, la riqueza, los bienes y los recursos sociales no deben distribuirse en función de los méritos. Subrayo que esta discusión es coherente con la idea de que ciertos bienes – como la salud y la educación – deben entenderse como derechos universales cuya garantía de acceso indiscriminado es una de las facetas de una sociedad justa⁹.

Estas cuestiones están en la raíz de los dilemas que se enfrentan durante el proceso de elaboración de políticas públicas. Además de las cuestiones materiales y prácticas, también es necesario responder a los conceptos de derecho, ciudadanía y Estado que subyacen al debate sobre qué bienes y recursos deben garantizarse como derechos de los ciudadanos, cuál es el deber del Estado o cómo establecer los límites de su acción ante las demandas planteadas desde esta perspectiva. Pero no sólo en la dimensión de la acción distributiva están presentes las concepciones de justicia. Este punto es importante: ellas orientan la acción del Estado y la acción colectiva, así como las decisiones sobre la política macroeconómica, las decisiones de política internacional, aquellas acerca del sistema judicial o sobre las formas de control de la acción del Estado y los requisitos de rendición de cuentas. Incluso la adopción de criterios de evaluación de las políticas públicas tiene una orientación normativa.

En el caso brasileño, además de la defensa de los derechos humanos fundamentales, se llevó a cabo la lucha por la redemocratización para que el Estado fuera responsable por promover el desarrollo y la igualdad mediante la institucionalización de los derechos sociales y su aplicación a través de políticas públicas (ACCA, 2013). A partir de la Constitución de 1988, es posible reconocer entre los propósitos normativos de las políticas públicas la preocupación por promover la equidad y mejorar las condiciones de vida de la población.

Términos como equidad, participación, desarrollo social, igualdad, inclusión y justicia social han penetrado en nuestro léxico político y académico, y se han convertido

⁸ Para ese debate sugiero consultar Gargarella (2008); Vita (2007); Fraser y Honneth (2003).

⁹ Amartya Sen (2000) es uno de los autores que ha contribuido en gran medida al debate sobre los límites de la perspectiva distributivista de la justicia, pero también para la adopción de criterios sustantivos y normativos derivados del debate sobre las teorías de la justicia como parámetros rectores tanto para el análisis y la evaluación como para la producción e implementación de políticas públicas.

en cuestiones cada vez más presentes en los análisis relacionados con los resultados de la participación social y las políticas públicas en general (TELLES, 1999).

Las expectativas construidas socialmente a partir del proyecto democrático participativo, y las disputas políticas que han surgido en torno a él¹⁰, han constituido un campo de debate sobre la producción de políticas públicas que está permeado por cuestiones controvertidas sobre su ámbito de acción y los propósitos que expresan las diferentes concepciones de justicia en disputa.

En lo que respecta al análisis de las políticas públicas, se observa que las preocupaciones sobre la justicia social surgen de cuestiones como la importancia de la inclusión social, el desarrollo, la equidad y la lucha contra la desigualdad y la pobreza. Recientemente, el análisis de las dimensiones políticas de la justicia ha surgido como una cuestión para los estudios que apuntan a la necesidad de informar mejor y tematizar el debate sobre la justicia o de introducir en el análisis las concepciones normativas de la justicia. Ejemplos de este movimiento son los análisis realizados por João Feres (2013; 2014) sobre las políticas afirmativas, por Walquíria Rego y Alessandro Pinzani, sobre el Programa Bolsa Família (2013) y, específicamente, por Lena Lavinas (2014), sobre las políticas sociales destinadas a combatir la pobreza y la desigualdad.

Sin embargo, es necesario todavía avanzar en una discusión que sirva de apoyo y referencia a tales menciones, demostrando la necesidad de acercar el debate conceptual sobre el análisis de las políticas públicas a las reflexiones sobre la justicia en sus diferentes dimensiones¹¹, especialmente la dimensión normativa cuyo cuestionamiento se está realizando en un campo diferente y ajeno al análisis de la acción política en general. Esto implica en el fortalecimiento de un abordaje de investigación sustantivo para el análisis de políticas públicas, y en el desarrollo de métodos de investigación que nos permitan comprender el impacto de las ideas y los valores en los resultados de las políticas.

Aunque el debate sobre las diferentes dimensiones de la justicia y su relación con las políticas públicas no es nuevo, el enfoque propuesto aquí no es habitual y es contrahegemónico en el ámbito del campo de políticas públicas brasileño. Una búsqueda en el sitio web de Scielo¹² es indicativa de este fenómeno. En una búsqueda realizada el

¹⁰ Me refiero a la noción de disputa entre proyectos políticos elaborada por Evelina Dagnino (2006).

¹¹ Sobre las diferentes dimensiones de la justicia, véase Avritzer et al. (2013).

¹² Scientific Electronic Library Online - https://www.scielo.br/scielo.php?script=sci_home&lng=en&nrm=iso

07/10/2020, se utilizaron como criterios los términos "justicia" y "políticas públicas" aplicados a todos los índices de búsqueda, y se encontraron 25 artículos. Al utilizar los términos "justicia social" y "políticas públicas", se encontraron dos artículos, ambos del área de la salud colectiva, proponiendo un debate sobre justicia y salud basado en la noción de funcionalidades elaborada por Amartya Sen.

4. Las ideas, los valores y el análisis de los problemas que guían la política

Propongo un análisis de la política pública que, basándose en las concepciones normativas de la justicia, lleva adelante una interpretación de los principios y valores morales que subyacen a la política, cuestionando sus objetivos y su papel en la distribución de los bienes y recursos sociales.

Es posible pensar en la justicia de las políticas públicas a partir de al menos tres perspectivas: una práctica, en el contexto de la aplicación de la ley que garantiza los derechos sociales y los conflictos derivados de la obligación estatal o no generados por ella; una normativa y, al mismo tiempo, práctica, centrada en un análisis procesal con el objetivo de observar la justicia y el cumplimiento de las normas y los procedimientos institucionales, con el fin de analizar los resultados obtenidos; y una esencialmente normativa, en un contexto sustantivo para reflexionar sobre los valores que sustentan y se sustentan en la política¹³.

Los dos primeros abordajes conducen a una perspectiva analítica y metodológica más cercana a las teorías hegemónicas del campo de políticas públicas, ya que se desarrollan en una clave "institucional-procedimentalista", sin necesidad de cuestiones fundamentales que reflexionen sobre el papel que desempeñan los actores a escala individual y sobre las ideas y valores que justifican y legitiman la política.

Pero, el análisis sustantivo basado en criterios de justicia requiere otro alcance analítico.

John Rawls afirma en *Political Liberalism* (2005) que una concepción política de la justicia tiene tres características centrales. La primera se refiere a su contenido, que es moral, lo que significa que se explica por los ideales, principios y normas que articulan los valores políticos. Por lo tanto, es una concepción dirigida a un mundo específico, que

¹³ Elaboraré mejor esta propuesta analítica en De Mario (2016b).

es el de las instituciones políticas, sociales y económicas. Es decir, para las instituciones que forman parte de la estructura básica de la sociedad.

La segunda característica es que se trata de una concepción que no se define a partir de otras concepciones integrales del bien. Es decir, por tratarse de una concepción política, no se define sobre la base de concepciones morales más amplias dirigidas, por ejemplo, a la comprensión de la amistad, las relaciones familiares o el carácter personal.

La tercera característica es que su contenido se expresa sobre la base de ciertas ideas fundamentales implícitas y compartidas en la cultura política de una sociedad democrática.

Cabe señalar que Rawls se esfuerza por definir las concepciones de la justicia desde una perspectiva estrictamente política. Pero no es necesario entrar en esta controversia, ni seguir el mismo camino, ya que, de manera más exhaustiva, se pretende argumentar que es importante para el análisis y la evaluación de las políticas públicas identificar las concepciones de justicia que compiten en la sociedad y están presentes en la práctica política. Creo que estas concepciones justifican los arreglos institucionales, la producción de políticas públicas y las relaciones sociales de una manera más amplia.

Para los fines de este texto, es importante tener una comprensión normativa central, que se deriva del argumento rawlsiano sobre cómo definir las concepciones de justicia, es decir: que tengan un contenido moral; que se movilicen para la práctica política por parte de diferentes actores y grupos para la defensa y justificación de sus intereses; y, finalmente, que se expresen a partir de ideas implícitas en la cultura política de una sociedad.

En este punto, vuelvo a las dos premisas centrales que guían el análisis de las políticas públicas: la primera se refiere al estudio del "Estado en acción", lo que significa analizar por qué el Estado actúa como lo hace, dadas las condiciones y el contexto. La segunda es que el análisis de las políticas públicas es una perspectiva orientada a los problemas: los problemas que intervienen en su proceso de producción y los problemas que generan su necesidad y su impacto en ellos. Como sostiene Faria (2013), ambas premisas no pueden eludirse desde una perspectiva analítica basada en valores, especialmente las de un espíritu democrático y las que guían la búsqueda de la dignidad humana.

Tales premisas permiten desarrollar una perspectiva analítica guiada por las ideas y valores que impregnan, sostienen y justifican las políticas públicas. Así, la

necesidad de análisis sustantivos que cuestionen los procesos de producción de las políticas y sus resultados se defiende desde la identificación de los valores en disputa en ellos y en el contexto social en el que se inserta la política.

Con eso, se refuerza aquí la necesidad de ir más allá de los análisis actuales, centrados en la aplicación, los procesos de adopción de decisiones, la dinámica interna de las instancias de participación o el papel político de la epistocracia y su influencia en el proceso de elaboración de políticas públicas. Esta necesidad se basa en al menos dos razones: una es el contexto y la otra es normativa.

En cuanto al contexto, dado que no es posible desarrollar todos los puntos resaltados anteriormente en el espacio de este texto, sólo a modo de ejemplo, considero que un enfoque esencialmente epistocrático¹⁴ no es coherente con el proceso histórico de redemocratización del Brasil y su influencia en la producción de políticas públicas.

Las diversas instancias de participación, que se crearon en el interior del Estado durante los años 1990 y 2000, se incluyeron en la producción de actores políticos hasta ahora alejados de los procesos de toma de decisiones políticas y que no sólo pueden ser comprendidos por la perspectiva analítica del experto técnico. Estos nuevos actores también aportaron demandas subjetivas al Estado, vinculadas a las identidades de grupo y a una concepción más amplia de la persona, la ciudadanía y los derechos humanos y sociales¹⁵. Como resultado de este proceso tenemos políticas públicas híbridas, con diseños que terminan combinando valores y criterios de justicia distintos y a veces incluso antagónicos, lo que conlleva a problemas de implementación y evaluación cuya complejidad sólo puede ser comprendida si se toman en consideración los aspectos normativos¹⁶.

A esto hay que añadir la influencia que ejerce el debate público que tiene lugar en los espacios ajenos a la producción de políticas públicas, en el que participan actores que no tienen contacto directo con la política. Un ejemplo es el proceso de construcción

¹⁴ Como destaco en trabajos anteriores sobre la evaluación participativa de las políticas públicas: sostener un argumento "epistocrático", muy en boga en los contextos neoliberales, implicaría evaluaciones [y análisis] cuyos criterios recaerían esencialmente en las capacidades de los expertos y sus conocimientos técnicos calificados necesarios para la aplicación de la política. (De Mario, Laisner, Granja, 2016)

¹⁵ Observo que las concepciones de persona y ciudadanía son fundamentales en el debate sobre las teorías de la justicia. Rawls sostiene que una concepción particular de la persona es fundamental para su teoría de la justicia como equidad cuyo "punto de partida es la consideración de que los ciudadanos son personas morales, libres e iguales que pueden contribuir y honrar las exigencias de una sociedad cuyo fundamento es la cooperación social en beneficio de todos". (De Mario, 2016, p.66)

¹⁶ Desarrollo esta idea en mi análisis del diseño del Sistema Único de Salud (SUS). Ver De Mario (2016).

y difusión de ideas impulsado por los medios de comunicación tradicionales y las redes sociales, que desempeñan un papel de formación de opinión sobre la pertinencia y la calidad de las políticas públicas, un proceso importante para su justificación y legitimidad social¹⁷.

La cuestión normativa es más compleja. Se trata de pensar cómo las ideas y los actores directa e indirectamente involucrados con las instituciones influyen en la producción de políticas públicas, y cómo reconocer sus ideas y el juego de fuerzas que se establece en torno a ellas para poder realizar un análisis sustantivo de las políticas públicas que se ocupe de sus fundamentos, su justificación y su legitimidad.

La justicia social surge como una idea clave, dependiendo del contexto político latinoamericano y brasileño, y porque en Brasil los propósitos centrales de las políticas públicas posteriores a la democratización incorporan la construcción de una sociedad más justa, con el objetivo de promover la igualdad y el desarrollo. Se trata de exigencias que requieren que el Estado actúe necesariamente promoviendo políticas públicas dedicadas a asegurar una distribución más equitativa de los bienes, los ingresos y los recursos sociales.

La producción de políticas públicas y arreglos institucionales en general, para sostenerse en el tiempo, justificarse ante la sociedad y ser percibida como legítima, necesita del apoyo de los ciudadanos y, por lo tanto, de los individuos que no participan directamente en su producción, sino que forman la opinión pública y cuya participación en las democracias contemporáneas es en gran medida a través del voto. En este sentido, las políticas públicas legítimas¹⁸ deben tener alguna correspondencia con las creencias, ideas y valores socialmente compartidos. Entre estos valores, las concepciones de justicia son esenciales.

¹⁷ Sobre el papel de la prensa en la construcción de narrativas e imágenes de políticas públicas, ver: Leite; Fonseca y Holanda (2019).

¹⁸ Desarrollo la cuestión de la legitimidad de las políticas públicas con mayor profundidad en otro artículo (De Mario, 2018), donde trato de señalar a partir del argumento de Rothstein (1998) que la reflexión sobre la legitimidad debe considerar, por un lado, las cuestiones de procedimiento relacionadas con la capacidad de ejecución del Estado; y, por otro, tratar tres aspectos de carácter más sustantivo: 1) la tolerancia de los ciudadanos a la intervención del Estado; 2) la receptividad de las decisiones que tienen un impacto directo en el comportamiento de los individuos o grupos; y 3) la medida en que los ciudadanos están dispuestos a colaborar en el logro de los objetivos propuestos por las políticas públicas. Estos tres aspectos se logran mediante un proceso constante de (re)elaboración individual y colectiva de valores y creencias que van desde la concepción del Estado, los derechos y la ciudadanía que sostienen las personas hasta cuestiones más específicas sobre las normas y procedimientos de una política.

Sin embargo, hay que reconocer que los valores subyacentes que guían las acciones de las personas en diferentes contextos no siempre son conscientemente temidos o cuestionados por quienes actúan. Por lo tanto, como señalan Lavinias y Cobo (2014), conocer las preferencias normativas de los ciudadanos nos sirve para diseñar políticas que tengan más probabilidades de contar con su apoyo y, añadimos, más probabilidades de ser consideradas legítimas. En sus palabras:

La comprensión de esa brecha entre las concepciones teóricas de la justicia (y de las políticas públicas que de ella se derivan) y las concepciones intuitivas sería importante, por lo tanto, no sólo como una forma de "diagnóstico de preferencias", sino también posiblemente como una condición previa para cualquier estrategia de reforma progresiva (o de otro tipo) (Cobo & Lavinias, 2014, p. 37).

Las concepciones del bien y la justicia social y las percepciones de unos y otros y del papel del Estado no son necesariamente racionalizadas por las personas. Eso hace que la tarea de análisis sea mucho más compleja de lo que podemos suponer al adoptar una perspectiva mayormente racional.

5. Consideraciones finales

La adopción de la sociología política como perspectiva analítica y la incorporación de cuestiones de justicia normativa en nuestros análisis nos permite cuestionar y reflexionar sobre el impacto que las políticas públicas tienen realmente en la vida de las personas y los efectos que tienen en términos de justicia social. Para estos últimos, el conocimiento de la cultura política y los valores subyacentes sostenidos por la sociedad e incorporados por las instituciones desempeñan un papel fundamental.

Ampliar nuestros lentes analíticos también permite rescatar una perspectiva histórica del proceso de producción de políticas públicas que abarca el impacto de las estructuras y actores sociales desde la construcción de la agenda hasta la evaluación continua de los resultados. La trazabilidad de este movimiento es fundamental para que se pueda pensar en la legitimidad y en el mantenimiento de las políticas públicas a lo largo del tiempo, así como en su transformación y adaptación a los conflictos y demandas que inciden directamente en las instituciones. Es decir, en la realización y el rehacer diario de los procesos y procedimientos, en los actores directamente implicados en ellos, y en los principios, valores y objetivos que los justifican públicamente de forma general y mutuamente válida.

Este enfoque es particularmente necesario en los contextos neoliberales marcados por el ascenso de los grupos (neo)conservadores a los gobiernos, como Brasil, Estados Unidos y diferentes países europeos. Necesario porque, como he tratado de demostrar, la comprensión de las políticas públicas – en sentido amplio – y sus impactos en la calidad de vida de la población requieren una reflexión sobre los significados de la política y su legitimidad. Es decir, las concepciones del mundo, de la ciudadanía y de la justicia social que están presentes en sus objetivos y que los justifican públicamente.

Además, no podemos olvidar que el "estado mínimo" neoliberal de estos gobiernos sigue aplicando políticas en materia de seguridad, economía, asistencia social y definiendo las directrices para áreas sociales sensibles como el trabajo, la educación o la salud. Son gobiernos que trabajan incansablemente para construir argumentos públicos que justifiquen una agenda política que rompa con los valores fundacionales de las políticas públicas que hoy son objeto de desconstrucción (como es el caso de Brasil). Eso porque la intención es la refundación de las sociedades, acción que requiere la destrucción de las instituciones heredadas, pero también de los valores fundacionales de la democracia y los derechos humanos hasta entonces hegemónicos (aunque sólo discursivamente).

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