

The Midlife of Participatory Institutions in Brazil

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In little over four decades, Brazil transformed itself from an authoritarian regime with low levels of associative life and few opportunities for public participation into a hotbed of “participatory democracy” in the global South. Nevertheless, despite the impressive advances of the post-1985 democracy, it is possible to say that today, participatory institutions in Brazil are experiencing a midlife crisis. That is, they can no longer be considered to be novelties or democratic innovations as they had been previously treated by many specialists. Yet they have not achieved full maturity and thus cannot be viewed as systematic and defining features of government activity and policy making in Brazil. In this short article, I advance a critical assessment of the midlife of participatory institutions in Brazil. I highlight the significant achievements of participatory institutions in terms of their diffusion, but I call attention to current challenges that limit their effectiveness and full incorporation into the country’s administrative and political systems—challenges that must be urgently addressed by the recently reelected PT-led government.

The promulgation of the 1988 Constitution, in addition to restoring democratic institutions and the rule of law, provided support for the spread and development of a varied set of participatory institutions—formal processes that create opportunities for citizens and social movements to participate in decision making, implementation, and evaluation with regard to public policy. These include policy councils, conferences, participatory budgeting, public hearings, and consultations, among others (Avritzer 2009). Such channels linking civil society and governmental actors have been incorporated into local, state, and national levels of government in two distinct phases.

The first phase, from the mid-1980s to the late 1990s, can be characterized by the emergence and dissemination of participatory institutions at local and state levels of government. Following the pioneering experiences of Porto Alegre, Lages, Pelotas, and Ipatinga in the late 1980s, participatory budgeting experiences diffused throughout the country, reaching more than two hundred municipalities in the early 2000s (Marquetti, Campos, and Pires 2008). In addition, local policy councils were widely adopted in areas such as health care, education, and social welfare. These councils reached coverage of over 80 percent among the 5,565 municipalities in the country (Munic/IBGE 2009). At the state level, policy councils have also been widely implemented. On average, each of the 27 Brazilian states has 13 councils in different policy dimensions (Estadic/IBGE 2012).

The second phase, starting in the 2000s, marked the diffusion of participatory institutions to the federal level of government. Since 2003, we have been observing a vigorous process of incorporation of channels and mechanisms for interactions between government and civil society actors. More than 15 new policy councils were created—an increase of 50 percent from the previous period—and many others have been revamped to bring in representatives from social movements and other organized actors. Between 2003 and 2011, some 85 national public policy conferences were held, debating priorities for policy making in areas as diverse as women’s and LGBT rights, education, environmental protection, urban and regional development, and disaster relief. More than 6 million people took part in these debates (IPEA 2013). In addition to policy councils and conferences, other channels such as public hearings and consultations, negotiation roundtables,

joint task forces and committees, and *ouvidorias* (ombudsman-like offices inside government bureaucracies) have been increasingly mobilized to create links between government actors and decision-making processes, on the one hand, and civil society and citizens’ demands and proposals, on the other.

The impressive advance of participatory institutions throughout Brazil raises questions about their effectiveness. Are these participatory institutions actually making a difference? To what extent and under what conditions can participatory institutions really influence policy formulation, implementation, and evaluation? Answering these questions involves complex methodological issues, and the evidence available so far suggests a pattern of mixed results (Pires 2011).

On the one hand, a spate of recent studies have demonstrated that these participatory institutions have important consequences for policy making and government activity. For example, research conducted by various scholars has documented the influence of citizens/users of public services in deliberations about service delivery within local-level councils. At the national level, recent evaluations have revealed the influence of public deliberations in national conferences on both the formulation of policies by the federal government and the national legislative agenda. Other analyses have focused on comparisons between municipalities with developed participatory institutions and municipalities without (or with incipient) channels for participation. The findings suggest that the presence of participatory institutions is associated with better performance in service delivery, pro-poor resource investment allocation, and lower levels of corruption and mismanagement (a review of these studies is available in Pires 2014).

On the other hand, civil society activists are often quite vocal about their dissatisfaction with regard to the actual outcomes of participatory processes. Indigenous populations often feel marginalized in the policy-making processes affecting their territories; urban housing movements frequently complain about having their demands subordinated to real estate interests, and so on. Occasionally, the media, politicians, and bureaucrats also point out the fragilities and unfulfilled promises of existing participatory institutions. Therefore, in spite of significant advances observed in many cases, there are persistent obstacles that threaten a more systemic pattern of effectiveness for participatory institutions in Brazil.

One of these challenges derives from the unequal distribution of opportunities and channels for participation across the different policies and areas of state intervention. Despite the impressive multiplication of forms of participation in the last three decades, incorporation of participatory institutions has generally been biased toward the areas of government dealing with social policy—such as health care, education, social welfare—and toward the enforcement of new individual and collective rights, such as those for youth, the elderly, women, LGBT individuals, and the disabled. Yet other crucial areas of state activity, such as the provision of infrastructure and support for economic development, have remained relatively immune to the entire participatory transformation of recent decades. This situation reinforces a pattern of unbalanced access to the state by social sectors that are traditionally disadvantaged (or lacking political influence). Social actors whose access to the state is dependent on the availability of participatory channels currently face a perplexing situation. While

they find multiple opportunities to participate and influence the provision of social policies—for example, by taking part in policy councils or attending national conferences and public consultations—they find no channel to present their demands and discuss infrastructure and economic development policies. Furthermore, within government circles, such an imbalance favors the emergence of conflicts of power and jurisdiction between those agencies that practice participation and other bureaucracies that insulate themselves from society.

In the view of many analysts, such unequal distribution of opportunities for participation was at the heart of the June 2013 protests and is also the cause of contention in the construction of the Belo Monte Dam. The government invested considerable sums of public resources into infrastructure in preparation for the FIFA World Cup in 2014 (e.g., building stadiums, transportation infrastructure, and urban redevelopment) without setting up a process for consultation with organized groups in civil society. Many of these public works involved evictions and urban transformations that did not necessarily benefit the poor (e.g., little investment in public transportation, an increase in bus fares, etc.). It is still difficult to fully comprehend the conditions leading to such massive protests. Nevertheless, the absence of participatory channels to discuss these typical urban development problems, in a context of deep lack of trust in elected politicians, certainly contributed to motivating youngsters to march on the streets of cities throughout the country, seeking to be heard and taken into consideration in policy-making processes. In the Belo Monte Dam case, one of the largest ongoing infrastructure projects in the country, indigenous and local populations have been consistently

bypassed in their efforts to participate, debate, and influence the project. They were “consulted” in only a few and inadequate public hearings as part of the environmental licensing process. The absence of adequate opportunities and channels of participation to discuss the project, in the context of energy policies, has led activists to resort to judicial institutions, such as the *Ministério Público* and the court system.

Another challenge has to do with the quality of the operation of participatory institutions in the country. Most of the policy councils do not rely on proper administrative staffing and resources, which frequently impacts negatively on the preparation and holding of meetings, as well as on the quality of discussions and decisions produced by participants. The quality of participatory institutions can also be judged by their ability to mobilize the plurality of actors affected by the policies under discussion. While in some policy areas, councils and conferences have been very successful in bringing together the various stakeholders, especially those traditionally disadvantaged, in other areas participatory spaces frequently reproduce the socioeconomic inequalities of the larger society, failing to include those frequently excluded from “formal politics.” In addition to deficits in mass communication and public reporting, these issues have been contributing to distancing participatory institutions from civil society, especially from the emerging, new actors (such as youth movements and cyber activists) who rely heavily on information technology and social media.

In sum, the analogy to a midlife crisis seeks precisely to highlight a situation in which significant victories have been achieved (i.e., impressive diffusion and important cases of effectiveness) together with the

perception that some challenges are still to be met in the process of maturation. Reflections triggered by midlife crises often lead to productive adjustments and reforms. In the case of participatory institutions in Brazil, these adjustments necessarily involve the approximation and incorporation of these institutions into the political system. This could be achieved in two ways. First, governments in the local, state, and federal executives should start thinking and practicing participation more systematically by diffusing participatory institutions across their agencies and connecting up the multiple channels into coherent networks of state-society interactions (in other words, the idea of systems of participation). Second, political reform could not only improve the functioning of electoral procedures, political parties, and legislative chambers but also bring in participatory institutions as important mechanisms for the aggregation of preferences, for popular consultation, and for making policy decisions across both the executive and legislative branches. This is necessary to transform current participatory institutions into more stable, equally distributed, and better-performing features of the Brazilian system of government.

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