The dynamics of the dispute between conflicting projects of civil society: the OSCIP case in Brazil

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Ten years ago, the Brazilian government launched a new legal framework to regulate the functioning of civil society organizations and their relationship with state agencies. The new model of Organizações da Sociedade Civil de Interesse Público - OSCIP (Public Interest Civil Society Organizations), which was conceived under the tenets of the state reform program conducted during president Cardoso’s government, envisioned civil society as a substitute of the state in the provision of public services in specific areas of the public interest.

Despite the considerable effort put by the government into this project, the OSCIP’s frame faced substantial resistance in its first years of existence not only from part of the civil society organizations but also from sectors of the government. Former investigations pointed out operational and ideological reasons for this resistance (Alves and Koga, 2006; Dagnino et. al, 2006). The lack of concrete advantages in adopting the new model in comparison with the former existing legal frameworks as well as the opposition to the definition of civil society as a mere provisioner of public services led the more traditional and political organizations to withstand the OSCIP’s model. In spite of the initial difficulties and after some modifications in the original law, the OSCIP model managed to survive and to be adopted particularly by new organizations. Taking into account an institutional perspective, one argues that the oppositional position was characterized by an organizational inertia behavior, while the adhesion to the OSCIP model was a result of a coercive and normative isomorphic movement. Acknowledging the vast literature dedicated on the studies of the concepts which form the idea of civil society, we argue that this conflictive scenario reflects the existing dispute between the different projects embedded in the distinct formulations of civil society in Brazil.

The election of president Lula in 2002, who was well known for his close ties with the set of traditional and political civil society organizations, brings uncertainties to the sustainability of the OSCIP’s frame. In fact, the discourse of Lula’s administration stands for a different relationship with civil society, recognizing its political role and encouraging its participation in the government’s decision-making process. These ideas of civil society did not fit with the OSCIP’s model. However, the numbers of adhesion to the model increased during Lula’s government and the transference of public funding to civil society organizations for public service provision was kept stable.

These apparent contradictory facts raise several questions on the future of civil society in Brazil. How do the different segments of civil society understand their role in Brazil’s contemporary scenario? How are Brazilian recent governments demonstrating their comprehension on the function of civil society and their intentions in connecting with these organizations? What were and what are the projects enforced by these governments? How did civil society organizations react to the government’s practical measures towards the stimulus of a specific view of civil society’s function? In other words, which are the projects in dispute in the civil society field nowadays and how are they interacting?

This paper intends to look at these questions through the examination of the performance of the OSCIP model. We argue that the OSCIP’s implementation process can be an exemplary case for our analysis. It not only provides a portrait of the multiplicity and heterogeneity of projects and ideas supported by Brazil’s civil society but can also demonstrate how these
organizations react under different political scenarios which in turn produce distinct and at times conflicting institutional incentives. Until the end of Cardoso’s government less than 700 organizations had adopted the OSCIP model. During Lula’s government this number increased more than seven times reaching almost 5,000 organizations. Notwithstanding the apparently substantial growing in OSCIP’s adhesion, one may affirm that these figures can be regarded as rather low in comparison to the official estimations of 340,000 for the total universe of civil society organizations in Brazil (IBGE, 2005).

Firstly, this paper will briefly discuss what the literature points out as the distinct projects embedded on the idea of civil society in Brazil. Secondly, we will explore the existing data on Brazil’s civil society – in particular the recently set up Cadastro Nacional de Entidades de Utilidade Pública (National Database of Public Utility Entities), the dataset provided by the Ministry of Justice and the research conducted by the Brazilian Institute of Geography and Statistics (IBGE, 2005). These data will be examined in order to identify the different segments of organizations – in relation to aspects such as field of work and lifetime -, these segments links to the different projects of civil society and their patterns of adhesion and opposition to the OSCIP model. Finally, these data will be analyzed using the institutional theory and the social network analysis in order to assess the behavior of the distinct segments of civil society in face to the OSCIP model as well as to discuss the general dynamics of dispute between the different projects present in the civil society’s field.

Main References


