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AS POTÊNCIAS REVISIONISTAS NAS RELAÇÕES INTERNACIONAIS – UMA NOÇÃO EQUÍVOCA

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Resumo

O presente artigo pretende mostrar que o sintagma nocional *potência revisionista* na cena internacional carece de fundamentação. Não apenas está crivado de fortes conotações ideológicas ao serviço de determinados enquadramentos de poder, como não é minimamente operativo. Dada a importância da lógica soberana nas relações internacionais, todas as potências são, sem excepção, revisionistas. Por conseguinte, se todas o são, em particular as dominantes, nenhuma o é em concreto e por definição tipológica.

Palavras-chave

Soberania; potência revisionista; ideologia; excepção

Abstract

This article intends to show that the syntagma revisionist power in the international scene lacks foundation. Not only is it riddled with strong ideological connotations at the service of certain frameworks of power, but it is not at all operative. Given the importance of sovereign logic in international relations, all powers are, without exception, revisionist. Therefore, if all are, in particular the dominant ones, none is in concrete and by typological definition.

Keywords

Sovereignty; revisionist power; ideology, exception

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AS POTÊNCIAS REVISIONISTAS NAS RELAÇÕES INTERNACIONAIS – UMA NOÇÃO EQUÍVOCA[1]

ANTÓNIO HORTA FERNANDES

Antes de iniciar o excurso argumentativo, até porque o mesmo poderá parecer menos convencional se o observarmos de acordo com um campo de visão muito estrito, leia-se estreito e especializado, isto é fechado hermeticamente no seu próprio campo disciplinar, importa esclarecer umas quantas coisas sobre os pressupostos metodológicos e conceptuais do presente artigo.

Não se trata de um artigo analítico *tout court*, muito menos de uma análise descritiva de teor positivista. Nem tão pouco de levantar uma questão a que se não dê resposta, ou tão-só carrear argumentos, ao jeito de subsídios, para a formulação desimpedida de uma posterior questão. Inclusive a abordagem assumidamente problematológica em si de Michel Meyer (Meyer: 1991), a título de exemplo, acrescenta infinitamente mais saber em comparação com tais aproximações à aproximação, por assim dizer.

O presente artigo pretende-se meta-analítico. Por conseguinte, não irá discorrer sobre o tema das *potências revisionistas* nos discursos realistas, onde aparece de forma mais candente, ainda que não em exclusivo. Os instrumentos usados não serão, em grande medida, os das escolas teóricas de Relações Internacionais, não por qualquer menoridade epistemológica destas, mas porque se constatou que, para descristalizar e desnaturalizar os argumentos consabidos em torno à problemática em causa, as fontes externas às Relações Internacionais permitiam um olhar mais remunerador e até mais isento (que não neutro ou imparcial). Afinal, a interdisciplinariedade hoje reganhou, e bem, favores acrescidos.

Por outro lado, a meta-análise permite igualmente entroncar com o cada vez mais indispensável registo normativo, estimulando os juízos de valor e contornando com relativa facilidade a serôdia distinção grosseira entre factos e valores, desmontada por protagonistas tão distintos como sejam Lévi-Strauss (Lévi-Strauss, 1962), Rorty (Rorty, 1988), Hilary Putnam (Putnam, 1992: 161-190) ou Robert Brandom (Brandom, 2000), com a passagem do representacionismo ao inferencialismo, mas já antes completamente encurralada (diríamos mesmo posta fora-de-jogo) pela hermenêutica, em particular, a variante heideggeriana.[2] De qualquer forma, convém sumarizar ainda umas quantas reflexões sobre as putativas virtualidades da *epoché* nas ciências sociais.

[1] Estamos gratos a Ana Santos Pinto pelos sábios comentários a uma primeira versão, ainda incipiente, do presente artigo apresentada em público, em relação ao qual ela foi *discussant*, estimulando reflexões que viriam a ser incorporadas no produto final. Naturalmente, todas as insuficiências ou demasias permanecentes são da nossa exclusiva responsabilidade.

[2] O problema não está em escapar ao inevitável círculo hermenêutico, antes em como entrar bem ou mal nele (Heidegger, 1998: 27). Para evitar entrar mal nele, a nosso ver, é que necessitámos, em geral, de

As ciências sociais tendem a colocar entre parêntesis as pretensões de verdade, ou de justeza existencial e ética dos seus objectos. Qualquer que seja o objecto, o mesmo é reduzido ao conteúdo de registos e práticas históricas e/ou espaciais diferenciadas que deixaram ou deixam marcas e exerceram ou exercem determinados efeitos. Contudo, sobre a validade intrínseca, a verdade, o horizonte de sentido, os anelos tecidos em torno desse objecto, e sobretudo, sobre os vínculos da sabedoria, essa arte (antecedente e subsequente) de saber-se compenetrado de há muito com o mundo, tornando-o relevante (incluindo os implícitos decisivos dessa compenetração, apesar de serem muito dificilmente tematizáveis na íntegra, ou sobretudo por isso mesmo) e, por consequência, tornando os "objectos" objectos, isto é, dignos de atenção, estudáveis, os cientistas sociais nada parecem ter a dizer - ou nada devem ter a dizer, o que já só por si significa algo muito pouco neutral. Uma tal postura seria aceitável se a suspensão de juízo apenas fosse provisória e metodológica, para se inteirar do objecto. Todavia, a suspensão do juízo é definitiva, logo epistemológica, e posição de fundo, logo ontológica e ética. Mas então trata-se de um verdadeiro problema, porque não estamos diante de uma posição coerente em termos epistemológicos, nem ontológica nem eticamente neutra, já que esconde uma normatividade no suposto registo descritivo *versus* normativo.

Quando, na verdade, é a intimação da realidade integral, em toda a sua espessura, incluindo os benjaminianos índices secretos, e inapelavelmente caldeada pela visada da vida, historicamente situada, a ser desestimada pelas ciências sociais, como se as questões da verdade, do sentido, da experiência, da sabedoria fossem despiciendas, ou fossem de si, e então esclarecidas, isto é, dissolvidas, quando a cortina que encobriria os objectos tivesse sido finalmente levantada e as realidades se mostrassem enquanto tais, no seu senso unicamente objectual, destilado. Como se por fim se pudesse, porventura, apresentar aquela realíssima política externa do actor x, despida de todas as idiossincrasias cognoscitivas e ambientais, a (contraditória) coisa em si, um vinho finalmente puro, liberto de *terroir*, mas também de uva.

Em síntese, e *a contrario*, o presente artigo pretende apresentar se não uma tese, um ponto de vista, uma perspectiva, em sentido filosoficamente qualificado; e como tal não é neutro. Não há perspectivas neutras a não ser, e permita-se-nos o socorro imediato das palavras de Nietzsche, aquelas feitas dessa "caça mansa, débil, farejante, própria dos sorrateiros que rezam baixinho"; no fundo "dessa casta de lúbricos eunucos, especados perante a história", "meio frades, meio sátiros", não querendo ser cúmplices com a realidade integral, preferindo uma *estéril* visão olímpica, panorâmica, à vista de pássaro.[3]

Estamos conscientes de que este trabalho pode ser encarado como enfermando de uma excessiva robustez teórica. É conveniente, por isso, frisar tratar-se de um trabalho de teoria das relações internacionais, na vertente meta-analítica interdisciplinar.

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outras ferramentas distintas daquelas proporcionadas pela ciência das relações internacionais, sem sair dela. O uso de sintagmas tais como *sistema internacional* para caracterizar a realidade internacional, ou a projecção da existência de relações internacionais a períodos anteriores à Idade Moderna, não abona em favor de uma exegese esclarecida – pese embora os notáveis esforços de Andreas Osiander nesse sentido (Osiander, 2007). Tudo isto apesar de parte do nosso envolvimento com a academia implicar desde há muitos anos a leccionação da disciplina teoria das relações internacionais.

[3] As palavras de Nietzsche são retiradas de duas obras: *Assim Falava Zaratustra* (Nietzsche, 1996a: 210) e *Para uma Genealogia da Moral* (Nietzsche, 1997: 196).

Avonde, nas Relações Internacionais, menciona-se a noção de *potências revisionistas*, em rigor, entidades políticas com capacidade para transformar o seu potencial em aplicações concretas em determinados pontos do espaço-tempo, portanto, poderes revisionistas.

O sintagma em causa é usado com alguma desenvoltura, a que não corresponde, tanto quanto possamos conhecer, uma estrita análise a montante do seu significado e, como tal, da bondade da sua utilização, mal agasalhada de provas.

Desde logo, revisionistas são aqueles que pretendem e hipoteticamente conseguem, pelo menos tentam-no, rever determinado estado de coisas, uma particular ordem, caso ela exista estruturada, e no caso em apreço, alterar a cena internacional, presume-se em favor de quem a revê, eventualmente por a considerar desequilibrada, injusta, pouco inclusiva, o que for que se possa oferecer como justificação. Naturalmente, e na medida em que se trata de um proscénio plural, aquelas entidades melhor adaptadas à situação por ora normalizada, tendem a contestar a revisão.

Já só por aqui se vê, embora esta não seja a temática do artigo e como tal não nos podemos centrar nela, até porque não parece haver nada de relevante a dizer, quão redundante e ocioso é o conceito de *segurança ontológica*. É redundante e ocioso na base porque qualquer actor além de ter de cuidar da preservação do seu ser, como condição mínima de sobrevivência e de subsistência, pretende, além disso, perseverar no seu ser, naquilo que toma como o seu próprio ser. Redundante e ocioso no topo, digamos assim, porquanto a realização do próprio ser é diferente conforme a identificação que dele se faz e consoante os objectivos a atingir. Uns querem ser deixados em paz, outros almejam rever a suposta ordem, porque não faria justiça aos desígnios inerentes à própria identidade. Outros ainda acham que essa ordem condiz na perfeição com o ser que almejam ser na íntegra e que guia a sua plena materialização. Por fim, há aqueles que se definem como paladinos da ordem a manter, porque pensam que o seu ser, a sua natureza se justifica na hegemonia ou na preponderância, até para o bem de todos. Claro que muitas outras variantes seriam aqui possíveis, seja como for, o que todas mostram, dada a diversidade e incompatibilidade de um número significativo dentre elas, é que o conceito de *segurança ontológica* é um conceito vazio. Estou seguro quando há uma tensão criativa, uma compatibilidade entre o "já" e o "ainda não". Mas o significado dessa compatibilidade é demasiado vasto para o conceito de segurança o poder abarcar de forma minimamente operacional. Outrossim, a tensão fundacional entre o "já" e o "ainda não" na cultura ocidental remete para um abrir-se de si que está justamente nos antípodas do conceito de segurança, do seu assenhorear-se ontológico de um sentido de pertença cerrada ou nem tanto, de uma essência satisfeita, de um planar conformado no jogo das essências sem o pôr em causa, sem nunca conseguir escamotear a deriva imunológica sempre à espreita na segurança. Mas curiosamente, quando o campo parece, por fim, despejar-se, para demandar alguma coisa útil, entrando no território da ontologia, a ciência das relações internacionais arreda caminho e escusa-se a alguma coisa dizer. Em suma, face ao conceito, ou sintagma conceptual de *segurança ontológica* estamos diante de um marco estéril e à sua volta, quando muito, de uma zona umbrosa, convidando mais à cerração do que à clareza.[4]

[4] Para uma leitura que leva a série o conceito de *segurança ontológica*, embora nos pareça não adiante muito mais que aquilo que dissemos, veja-se (Mitzen, 2006).

O uso ideológico e pragmática do sintagma *potência(s) revisionista(s)*

Nenhuma das considerações acima feitas, perfeitamente triviais, quando aplicáveis, teria particular acutilância crítica se na prática a noção (em forma de sintagma nocional) de *potência revisionista* não fosse usada para cimentar posições fortes de poder em detrimento de terceiros, a começar pela condução retórica da realidade internacional, isto é, em termos não apenas dos sinais dados, e no caso de afrontamento, em termos de estratégia declaratória, mas na própria conformação de base dos discursos acerca daquilo que é legítimo ou não o é, ou acerca do que é ou não justificável. Mais, procurando criar determinadas mundividências, a ponto de inculcar na mente de decisores, investigadores, ou nas populações em geral, uma pré-compreensão da justeza das concepções, a passar então como a natureza das coisas, da realidade tal como ela é, carecendo, portanto, de alternativa. Apesar de estarmos perante realidades humanas, mutáveis, intersubjectivas, não apodícticas.[5]

Dir-se-ia que sempre assim aconteceu. Pode muito bem ser, se não quisermos abrir mais frentes, e de forma erística aceitarmos, por mor do argumento, não só retroprojectar as relações internacionais aquém da Idade Moderna (não o podemos), como projectar nos actores primodernos e não só intuitos de raiz exclusivamente guiados por uma lógica maquiavelana de poder. Todavia, o problema mantém-se porque reside antes de mais no impensado na ciência das Relações Internacionais sobre a questão; na assunção acrítica de que há *mesmo* potências revisionistas e outras que o não são, ou não o são tanto, ou ainda não o são tendencialmente. Como se houvesse uma matriz escrita algures, sabe-se lá onde, à qual recorrer enquanto tira-teimas. Não por acaso, Henri Kissinger refere-se, na sua própria terminologia, às potências revolucionárias como aquelas dotadas de uma auto-consciência levada sem titubear até à conclusão final de propósitos, por oposição à ordem estabelecida caracterizada pela espontaneidade (Kissinger, 2013:3). Exprimindo a espontaneidade a ideia de um aflorar que se manifesta sem constrangimentos, num acordo quase óbvio com a natureza das coisas, ou num coincidir consigo mesmo, consentir no trânsito de si a si (uma espécie de *oikeiosis*) por oposição ao esforço reflexivo de se colocar em causa, parecendo sempre comportar algo de artificial. Como se os homens não fossem seres reflexivos e não habitassem a linguagem. O que transforma de imediato aquela que parecia ser uma mera constatação, denotação, mas comporta afinal um pressuposto ontológico e normativo, num apodo duvidoso: se o espontâneo parecia identificar-se "espontaneamente" com o positivo, revirando a metáfora da reflexividade em torno do ser homem, deparamo-nos com as virtualidades da auto-reflexividade e das potências que a praticariam contra todo o espontâneo, agora identificável com o simplesmente orgânico e sem mundo (no sentido heideggeriano). É o problema com as acusações implícitas e impensadas.

[5] Pressupondo, além do mais, na esteira de um positivismo grosseiro, não só uma espécie de determinismo das coisas humanas, como um suposto determinismo epistemológico em relação ao conhecimento do mundo, como se a realidade se impusesse sem mais aos homens, quando nem sequer em Aristóteles o percipiente é um mero espelho dela (Aristóteles, 2010: 2, 426a) Seria bom não esquecer, incluindo o dramatismo, com mais ou menos razão, as palavras perspectivistas de Nietzsche: "aquilo a que nós, actualmente, chamamos o mundo, é o resultado de uma quantidade de erros e de fantasias, que surgiram paulatinamente, durante toda a evolução dos seres orgânicos, se soldaram uns aos outros e, agora, nos são transmitidos por herança [prolegómenos à ciência normal kuhniana, mas não no sentido mais bastardo dos impensados inassumidos, por nós relevados] como tesouro acumulado do passado inteiro – como tesouro, pois o *valor* da nossa humanidade repousa sobre isso" (Nietzsche, 1996b: 37).

Em primeiro lugar, acusar determinado actor político na cena internacional de ser um poder/potência revisionista – falamos em acusar porquanto é disso que se trata; nem que seja implicitamente diz-se que aquele ou aqueloutro não é dos nossos, pelo menos não é dos nossos em determinados contextos pregnantes, como acontece com os visados por acrónimos como BRIC ou PIGS, mesmo quando os próprios visados o adoptam sem lhe medir as consequências[6]; quando não é tratado simplesmente de jagodes – pressupõe que a situação ou ordem vigente está, no mínimo, justificada, sendo estranho que alguém atente contra ela, ou a queira pôr em causa. A dita ordem ou cenário historicamente imposto tende a passar por natural, porque alguém o quer e deseja muito que assim continue.

É claro que um investigador pode sentir-se bem como cidadão dentro do *statu quo* vigente. Este pode verdadeiramente ser mais justificável que um outro a várias luzes, ou podemos oferecer boas razões nesse sentido. Não obstante, nada justifica que cientificamente essa ordem ou situação seja tomada como solo inquestionado, com base no qual se coloca depreciativamente entre parêntesis as pretensões de terceiros.

A título de exemplo, poderá a Rússia putiniana, ou simplesmente a Rússia ser considerada uma potência revisionista apenas porque parece desafiar uma lógica de habilitação da cena internacional defendida pelos decisores norte-americanos e os principais decisores do resto da Europa (sendo naturalmente a Rússia uma potência europeia, com um território que se expande aos confins da Ásia)?[7] Quem decide que a ordem norte-americana, ou uma subjacente e suposta ordem ocidental é a *Ordem*? Basta pensar o problema em termos cartográficos para compreender o quão ideológico se está a ser. Na Europa desde há muito se utiliza a projecção de Mercator para o planisfério. Todavia, nos EUA, a projecção de Miller recolhe igual ou superior favor. No entanto, ambas as projecções são diferentes e o facto deveria fazer pensar a quem defende uma posição transatlântica *à outrance*, ainda que costurada em valores europeus. É que na projecção de Miller as Américas ocupam um lugar central.

E o que dizer das projecções chinesas, já materializadas pelos cartógrafos jesuítas (Matteo Ricci) no século XVII? Acaso não poderão os chineses ver o mundo à sua medida,

[6] Acerca da lenda negra que recaiu sobre uma Espanha imperial e católica, ainda persistente, e extensível, *grosso modo*, a toda a Europa meridional, veja-se o controverso mas bem documentado livro de María Elvira Roca Barean (Roca Barea, 2017). Não deixa de ser irónico observar o espaço anglófono e protestante em geral, vencedor político da modernidade, ao tempo, a batalhar encarniçadamente como "revisionista" mediante a criação de uma feroz propaganda anti-sistema. E o que não dizer, nós portugueses, de BRIC, englobando o Brasil, uma cultura aparentemente irmã, membro da CPL, como se fosse um corpo estranho, um corpo a ser designado por um acrónimo, por isso mesmo tomando este último por bom, normalizando-o. E se inventássemos também um acrónimo infeliz e horripilante, USAFRAG, para designar em conjunto os Estados Unidos, a França e a Grã-Bretanha, ou, em inglês, a Alemanha, *Germany*?

[7] Acerca do nascimento da russofobia às mãos dos iluministas franceses, veja-se (Roca Barea, 2017: 93 ss.). O chamado Grande Jogo, sobremaneira na segunda metade do século XIX, por causa das marcas orientais dos impérios russo e britânico em ascensão, inteiriçou a opinião pública britânica contra a Rússia. Produto disso é a estonteante e turva geomaquia de Mackinder, que muito ajudou a conceber uma dicotomia geopolítica entre poderes terrestres, epirocráticos, e poderes marítimos, talassocráticos, de grande futuro na geopolítica, mas sem qualquer base científica, a não ser o receio contextual e atávico do poder russo, supostamente semi-asiático (Mackinder, 1981). A edição por nós manejada, correspondente à visão do autor de 1919, contém, no entanto, o estudo pioneiro "The Geographical Pivot of History", de 1904, bem como, a última demão mais optimista, dado a emergência mundial do poder militar norte-americano, "The Round World and Wining of the Peace", de 1943. Na verdade, é aquando da Guerra da Crimeia que a opinião pública inglesa é pela primeira vez mobilizada em força contra o colosso russo, mas já na primeira metade do século XIX, nomeadamente em torno do falso Testamento de Pedro o Grande e da causa polaca, a antipatia pela Rússia vinha crescendo (Figes, 2012: 141 e ss.).

sem que isso signifique qualquer ilegitimidade. Os EUA dispõem, pelo menos nominalmente, de comandos militares abrangendo o orbe inteiro. E se outras potências, em particular a China, anunciassem a mesma pretensão? No mínimo seriam apelidadas de revisionistas, de se quererem transformar em potências militares globais, sem pedir licença aos poderes instalados. Mas como e quem instalou a potência dominante? Contudo, bem sabemos ser esta uma leitura melíflua, porque perante um tal cenário iminente o mais provável era clamar a trombetas vir o mundo por aí abaixo de cambulhada; a desordem instalada. Como se os revisionistas fossem por definição perturbadores e desordenadores.

De resto, espontaneamente, muita gente perfilhando racionais realistas pensa assim. Curioso, porque a lógica inerente à soberania é que é, como veremos, no essencial, discricionária, vivendo da instabilidade estrutural característica do seu afã de poder e não de um qualquer mecanismo de regulação homeoestática, o qual lhe é completamente estranho. Em qualquer caso, se perscrutarmos a matriz dos realismos, dificilmente se pode defender uma ideia qualquer de ordenação que não seja em termos lógicos mera consequência pragmática dos interesses e, como tal, não uma verdadeira ordem fundada ou fundável. Se buscarmos pelo lado seminal da anarquia, nesse caso e por definição, a sustentação de uma ordem atacada por supostos revisores/perturbadores não faz qualquer sentido – bem assim, a própria ideia de anarquia internacional não o faz, porque se a matriz realista assegura serem as relações internacionais, no essencial, relações de poder, o factor estruturante é o poder, ainda que não seja um poder central constrangedor, mas o poder de cada um por si. Porém, se isso significar anarquia internacional, estamos já diante de uma contradição. A anarquia não pode ser o factor estruturante, porque isso quereria dizer que tem o poder de ser determinante, de estruturar, quando a anarquia significa ausência de poder e/ou estilhaçamento desse poder. No melhor dos casos, a anarquia internacional seria desestruturante.

Na prática, se atendermos a que um suposto estado de natureza apenas encontra um símil mais próximo da realidade no poder concentrado da lógica soberana, a ideia de polícia internacional de uma ordem (?) "cosmopolita" não seria a de Kant antes a de Cecil Rhodes, para parafrasear uma conhecido filósofo italiano (Losurdo, 2016: 269). Em qualquer caso, a moral subjacente é óbvia: nem a democracia, nem o liberalismo são apanágio da ordem ou, pelo contrário, da desordem. A natureza do poder soberano e a tenacidade para fazer a guerra envolve tanto o liberalismo, como a democracia, como outros modelos políticos. Como já constatara Hamilton, nem instituições livres representativas, nem comércio livre são só por si garantia de paz ou do que seria um verdadeiro comportamento ético estabilizador, movido pela ampliação de horizontes e a abertura ao outro, um viver bem com e pelo outros no seio de instituições justas aplicado à cena internacional, a um cosmopolitismo, digamos assim, integrando de forma nuclear a particularidade. Ao contrário, a experiência mostra o bem fundado das interrogações de Alexander Hamililton:

> *Na prática, foram as repúblicas menos dadas à guerra do que as monarquias? […] Não existem aversões, predilecções, rivalidades, e desejo de aquisições injustas que afectam as nações tanto como os reis? As assembleias populares não são frequentemente sujeitas aos impulsos da ira, ressentimento, inveja, avareza, e outras predisposições irregulares e violentas? Não é bem conhecido que as suas determinações são muitas vezes governadas por um*

> *punhado de indivíduos em quem depositavam confiança, e são, é claro, propensas a ser influenciadas pelas paixões e pontos de vista desses indivíduos? O comércio fez até agora alguma coisa além de modificar os objectos da guerra? Não é o amor das riquezas uma paixão tão dominadora e empreendedora como a do poder ou da glória? Não existiram muitas guerras fundadas em motivos comerciais[…]?* (Hamilton, Madison, Jay, 2003: 6, 57-58).

Além do mais, é nosso dever tornarmo-nos suspicazes quando, num mundo bastante desontologizado, ou em todo o caso, particularmente sensível à disseminação de ontologias plurais, pelo menos em teoria, de forma súbita a ideia de ordem passa a revestir-se de uma quase inviolabilidade, para voltar a ser descartada mais à frente, desfeito o perigo – por exemplo, no âmbito das relações Leste/Oeste, ninguém pareceu em especial preocupado aquando dos momentos de fraqueza internacional, mas também de *débâcle* social, da Rússia de Ieltsin.[8]

Na verdade, é muito fácil perceber que a aplicação do sintagma *potência revisionista* depende de um particular enquadramento ideológico e de poder, quantas vezes nefário. Numa leitura completamente distinta, por exemplo, uma geopolítica da paz e dos pobres, com ou sem teologia da libertação, poderia muito bem configurar o mundo de outra forma, pondo em causa toda a lógica mais ou menos realista das potências, instaladas ou em instâncias de revisionismo.[9]

Por outro lado, a problemática da ordem de acordo com racionais realistas levar-nos-ia a um outro ponto que, pela sua dimensão, aqui apenas podemos apontar: o das enormes aporias de uma pretensa ética realista, se não mesmo do oximoro de querer descortinar um registo de raiz ético numa base assumidamente de poder e dos interesses daí decorrentes. Seja em função de uma ética material como a de Kant, seja a partir da definição de ética de Ricoeur – viver bem, com e pelos outros, no seio de instituições justas (Ricoeur, 1998) -, dificilmente configurável como material ou formal, são escassíssimas, para não dizer nulas, as possibilidades de fundar uma ética realista. Naturalmente, nos mais variados casos, podemos pensar em posturas éticas, ou vistas como éticas, num quadro realistas. Posturas estudadas, eivadas de segunda intenções, é certo, mas cuja ausência acarretaria consequências ainda piores, obrigando à prudência; podendo nelas vislumbrar-se não apenas o calculismo mas igualmente o milenar registo dianoético. Porque os decisores estariam ainda presos por finos liames a uma ética da responsabilidade Todavia, referir uma ética como um todo, uma ética

[8] De tal forma a cena internacional parece desontologizada - o mesmo é dizer não levando a reflexão até às últimas consequências, interrogando as raízes do ser, não investido directamente nos problemas ontológicos regionais levantados pelo objecto em causa -, que um realista da talha de Kenneth Waltz identifica anarquia com a ausência de governo, sabendo não existir um árbitro na cena internacional (Waltz, 1979: 102). Quando uma tal ausência não implica necessariamente a inexistência de regras políticas comuns, como o mostram as teses da 2ª escolástica (teses que configuram a primeira aproximação teórica às relações internacionais) e, até certo ponto, as primícias das relações internacionais de facto emergentes no período primomoderno. Ideia igualmente desontologizada da cena internacional, mas implicando uma leitura aparentemente distinta de anarquia, têm-na, por exemplo, o construtivista Alexander Wendt (Wendt, 1999: 246-312).

[9] Para uma actualização teológica das chamadas teologias do Sul, altermundistas em sentido próprio, confira-se (Tamayo, 2017). Para uma perspectiva crítica da política pouco menos do que "revisionista", seguindo o senso comum, da potência vencedora da guerra fria, veja-se (Dower, 2017).

inerente a uma determinada forma de ser e de agir é bastante distinto. Implica um comportamento estrutural fundamentalmente ético, ou eticamente inspirado nos seus fundamentos, ou ainda que a fonte última que sobraça e alimenta os seus fins tenha natureza ética. Ora, nada disto pode a matriz realista comportar sem contradição, por maioria de razão, muito menos a lógica soberana de puro poder, totalizante, que veremos de seguida. E de nada vale objectar ser a lógica soberana um transvase categorial moderna do teológico para o secular, importando, por consequência, as características do seu modelo. Precisamente, na transposição dos caracteres reside o problema, na diferença abissal entre criador e criatura. A omnipotência de Deus convive com a máxima liberdade da criatura, melhor, a sua omnipotência consiste nisso mesmo, no entregar-se por completo à criatura, deixando-lhe espaço (teonomia). Já a criatura, sendo inapelavelmente finita, limitada, não sendo ubíqua, onde ela está não pode estar senão, no máximo, a sombra de outro, o que ela é não pode ser mais ninguém, pelo que a mimese da omnipotência só pode ser feita à custa dos outros, esvaziando o poder dos outros, numa interminável fuga para a frente a ver se consegue a impossível libertação da falibilidade.[10]

Assim sendo, a mera desconstrução ideológica ou de bom senso epistemológico fere as pretensões mais recalcitrantes e impensadas, mas deixa intacta a bondade última do sintagma; deixa-lhe apenas, e não é pouco, porque sem em instância de se querer transformar em algo mais, o espaço de aplicação pragmático, de acordo com uma leitura de fundo perspectivista. Ora, o sintagma *potência revisionista* não se tem de pé, se pensarmos bem, pelo que não basta esta desconstrução primeira. E pouco importa aqui se a noção de potência revisionista está sobremodo presente na *Power Transition Theory*, ou noutra corrente qualquer. Na verdade, num artigo recente, que faz uma análise crítica da teoria de transição de poder, o internacionalista Randall Schweller, embora ponha em causa que as potências ascendentes têm de ser sempre revisionistas e que os revisionistas têm de ser necessariamente perigosos (mas perigosos para quem?), não abandona de todo o malfadado sintagma. Chega mesmo a defender serem os EUA um verdadeiro Estado revisionista, na condição, dubitativa pensamos, de *hegemon* recém-coroado. Isto, porque, para Schweller, os maiores candidatos a revisionistas são os *hegemons* recém-criados e os *hegemons* em ascensão (Schweller, 2015).[11] Nem lhe parece passar pela cabeça o mais óbvio (e que à frente exploraremos), dada a natureza da lógica soberana e dos distintos raios de acção dos actores soberanos: quanto mais assentado e hegemónico é o actor (sem querer discutir agora se os *hegemons* são assim tão abundantes na cena internacional, ou que características detêm que os tornam passíveis de ser classificados como tais) maior é o seu poder "revisionista".

[10] O tema do potencial de transcendimento do homem, muito presente, por exemplo, em Nicolau de Cusa, do ilimitado da liberdade, partícipe de uma outra liberdade inconsumptível, começa justamente no sair de si e não no retorno capacitado de poder a si.

[11] Estamos gratos a Ana Santos Pinto nos ter chamado a atenção para este artigo. A propósito da hegemonia, Ned Lebow defende que o sistema europeu de potências e o sistema internacional (a expressão *sistema internacional* é dele, bem entendido), quase nunca esteve caracterizado pela hegemonia. Da mesma maneira, defende igualmente que as guerras entre potências em ascensão e potências dominantes são pouco frequentes e não têm como motivação primária defender ou rever a ordem internacional vigente (Leebow e Valentino, 2009). Todavia, os autores nunca colocam em causa o sintagma *potência revisionista*, embora lhe retirem grande parte da sua pertinência prática. Não é que façam do tema mortinato, antes parecem sobrestá-lo.

A ideia de revisionismo face ao predomínio da lógica soberana

Para bem ou para o mal, ou melhor, para o mal, certo é que o mundo moderno e contemporâneo continua delimitado pelas soberanias, ou pelos poderes soberano-governamentais, em conformação liberal, capitalista ou outra. Não querendo dizer com isto que as soberanias se limitem ao clássico Estado-Nação, quando a sua lógica tem contaminado outros actores, e quando a própria soberania tende a descolar, aqui e ali, como bem pretende Agamben, da própria matriz estatocêntrica e até do múnus de outros actores internacionais entretanto parasitados, como sejam as organizações internacionais, indo de si, na forma de polícia supranacional, invocando a segurança da comunidade internacional, ab-rogando as normas do direito internacional uma após outra, como se da suspensão interna de direitos em estado de excepção se tratasse (Agamben, 2001: 73-74). Pois bem, o principal caracterizador de um poder soberano e da sua lógica, o mesmo é dizer, de um poder absoluto, perpétuo e indivisível, o poder de dar e quebrar a lei, um poder majestático expurgador de toda a politicidade intrínseca do corpo político, reduzida a mera sociedade civil composta por *in-divíduos*, é a sua faculdade de proclamar o estado de excepção, de estar ao mesmo tempo dentro e fora da lei, ou dito de outra modo, da lei permanecer vigente sob a forma de suspensão, cobrindo o que em tempos normais deixaria de fora (Agamben, 2006: 106-106).[12] Quer isto dizer que embora a excepção seja excepção (independentemente da excepção se ir tornando cada vez mais normal, de se normalizar), é ela que estabelece o sentido último do poder, da formatação política, o valor de utilidade marginal da governação. E se é ela a estabelecer o preço, recortando discricionariamente a realidade quando tautologicamente lhe aprouver, no momento em que o faz a lei deixa de vigorar como força-de-lei e passa a vigorar de maneira informulável, não como pura força anárquica, porque tal estado de coisas isentaria os súbditos do poder, nem como a anomia sucessiva ao fim da ordem, mas como poder que tudo sujeita, a que se está abandonado, à mercê, num estado indefinido, grafado por alguns como força-de-l~~e~~i, por isso irrepresentável, mas não menos operativo e proficiente, pelo contrário (Galindo Hervás, 2005: 105). A soberania necessita assim de reinar dividindo, isolando, e cada vez se intromete mais na vida ordinária, recriando sucessivamente momentos de excepção (por razões securitárias ou outras). Mas também as duas coisas em conjunto, divisão e intromissão, porque isso gera mais desconfiança, apartamento, vontade imunitária e, por sua vez, maior premência na intromissão; para que nunca ninguém esteja limpo e as contas nunca se saldem, parafraseando uma notável passagem sobre o Estado de um romance de Javier Marías (Marías, 2017: 131).

Os poderes soberano-governamentais governam de forma expedita, aferrando os homens, devidamente dessocializados, aos efeitos colaterais e inesperados das leis gerais (algumas criadas, outras exteriores, naturais), ao administrar as consequências de tais efeitos. Ainda segundo Agamben, o paradigma soberano-governamental, ou mais propriamente teológico-económico, que está por detrás da biopolítica moderna e do triunfo do governo e da economia sobre qualquer outro aspecto da vida em comunidade, faz assentar a lógica de governo na previsão consciente dos possíveis efeitos colaterais

[12] O clássico nestas matérias é o livro de Carl Schmitt *Teologia Política*, de 1922, assim como a sua resposta de 1969, tardia no tempo, ao livro de Erik Peters, *O Monoteísmo como Problema Político*, conhecida por *Teologia Política II. A lenda da liquidação de toda a teologia política*. Manejámos a edição espanhola, agrupando os dois textos de Schmitt (Schmitt, 2009).

da (suposta) natureza mesma das coisas, da sua cadeia de causas e efeitos, às quais os homens foram previamente submetidos, os quais continuam a ser contingentes na sua absoluta singularidade. Esta acção governamental, tecida pela gestão de acaso e necessidade, providenciando o encontro fortuito com o destino, parece ter um carácter ao mesmo tempo impenetrável e milagroso, fazendo jus ao sentido de arcano inescrutável para-divino a que a soberania se arroga, como divindade possível, quer dizer, mortal, na Terra.[13]

Se substituirmos, por força do rigor analítico, mas também por causa da evolução da lógica soberana, a palavra *Estado* por *soberano*, embora ele esteja a pensar no Estado soberano, seja qual for a materialização dessa soberania, Nietzsche exprime muito bem o argumentado em face da nova realidade política moderna quando explica que,

> *usei a palavra "Estado" e é fácil perceber o que com ela pretendo dizer: um bando de feras loiras, uma raça de senhores e conquistadores que, organizados para a guerra e possuindo força para organizar, cravam impiedosamente as suas temíveis garras numa população talvez muitíssimo superior em quantidade, mas ainda errante e desprovida de forma. É assim que nasceu no mundo o "estado", e suponho que deste modo fica arrumada de vez a ideia visionária [fantasia] que identifica o seu início com um contrato* (Nietzsche, 1997: 99).

Na cena internacional, a soberania esparze-se por vários actores, que a contragosto (como o elucida a passagem nietzschiana), mas sem ter outro remédio, acabam por se ter de reconhecer mutuamente, intersubjectivamente, ver no outro soberano um sujeito inteiro ao qual se reconhece o músculo suserano que apregoa ter, porquanto jamais é possível testar a par e passo esse outro para verificar se efectivamente vale o que diz valer. No fundo, no âmago das suas relações, as soberanias vêem-se compelidas ao reconhecimento de uma legitimidade essencial mútua que tanto se exime quanto transborda das relações de força. Contrariadas, vêem-se na impossibilidade de não aceitarem um estado de paz de princípio, porquanto nunca na realidade se dão em estado puro, variando também o seu raio de acção. Contrafeitas, as soberanias são remetidas a uma *impuissance* de base relativa mas não alijável, uma contenção de raiz a que não podem escapar, derivada ultimamente de uma hospitalidade umbilical como face mais própria do homem, à qual não conseguem deixar de ceder, ou pelo menos, não conseguem obviar.

Porém, não o devemos olvidar, a contenção estrutural imposta às soberanias não torna o seu poder menos absoluto, perdoe-se a expressão, simplesmente assinala que o

[13] No fundo, aparece pressuposta uma longa história actuante da ideia de providência, aqui no sentido em que a decisão soberano-transcendente (divina) determina os princípios gerais de ordenação do cosmos, confiando a sua administração a um poder gestionário (económico) subordinado mas autónomo (daí falar-se em mecanismos soberano-governamentais), que vela para que os indivíduos estejam em permanência submetidos à férrea cadeia de causas e efeitos. Governando esse poder imanente (providência efectiva/destino) pelo ajustamento contingente e expeditivo face aos efeitos colaterais, inerentes à suposta natureza das coisas, que pingam sobre os indivíduos expostos ao encadeamento inexorável. Na medida em que o soberano, em sentido estrito, encarna cada vez mais um uno de muitos, como acontece com a soberania popular, mais necessário se torna operar por intermédio de agentes gestionários, por definição, remetendo para a contingência expedita das acções, reproduzindo assim, da melhor maneira e de forma continuada, a excepção soberana (Agamben, 2008: 134, 144-145).

absoluto das soberanias é o possível de idear e de passar à prática em termos criacionais. Porque a única possibilidade de um mortal, e o soberano é um deus mortal, participar do "absolutamente absoluto", para dizê-lo de algum forma já ciente da falha lógica, é assumir a sua convocação como ser-para-o-outro. Na verdade, como atrás referimos, se o soberano fosse um verdadeiro deus jamais se comportaria como um soberano, apenas nas criaturas finitas circula o poder como tal e a sua vontade de totalização, porque o espaço que uma ocupa não pode uma outra ocupar, não pode estar lá integralmente e deixar todo o espaço à liberdade da outra, qual ser transcendente.[14]

O poder "que resta" às soberanias é ainda um poder *ab-soluto*, ao seu nível, tanto quanto o pode ser, um poder deslizante, sempre em movimento, porque não há poder entregue a si mesmo que cesse de se mover. É um poder normalmente, mas não necessariamente, actuante nas zonas de fronteira, de limiar (claro está, não apenas físicas, de fronteiras traçadas cartograficamente e juridicamente aceites entre Estados), os quais pretende reescrever. Bem se pode dizer dessas zonas que afinal são excepcionais, expressam confins, quando o fundamental é perceber que é a partir da excepção que se vai configurando e reconfigurando a ordem – um incidente nos Balcãs, em virtude do forcejar nessas zonas de fronteiras não levou ao primeiro grande cataclismo do século XX, reconfigurando a dita ordem mundial, mas sobretudo europeia?[15]

Destarte, é impossível fugir, em coerência, ao corolário lógico e (para infelicidade humana) bastante concreto: o de serem as potências enquanto soberanas por natureza revisionistas. A própria natureza da soberania, digamos assim, é revisionista; procura retecer sempre (sempre que pode) a margem de poder disponível. Pior, todas as potências soberanas, sem excepção, são *rogue states*, como mostra Derrida, pensando em particular no Estado soberano, apesar de tudo ainda figura de proa no conjunto dos actores internacionais (Derrida, 2004: 63-71).[16] Desde o momento em que há soberania, há abuso de poder e *rogue State*. E neste preciso sentido não há mais que *rogue States*, *Etats voyous*, Estados-párias, Estados-canalhas. Em potência e em acto, o Estado enquanto conformado pela soberania, em função dela, não pode deixar de ser canalha.

Assim sendo, impõe-se a única conclusão pertinente: porque justamente todas as soberanias, todos actores parasitados pela soberania, são revisionistas, não há potências revisionistas; porque se todas o são, variando apenas em grau no terreno, nenhuma o é por definição tipológica. Pois, para alguma o ser, do ponto de vista estrutural, pregnante, é porque se destacaria de outra que, também estruturalmente, não poderia ser assim designada. Então, como discriminar? O conceito perde o seu objecto, o seu *definiens* e a sua pressuposta universalidade, tornando-se inútil quando não se resume a uma usança ideológica, ou meramente expedita, pragmática, na sequência trivial dos argumentos em contexto bem delimitado. Ou dito, de outra forma, o conceito ou o sintagma conceptual *potência revisionista* é tão-só abstracto, no sentido hegeliano do termo, isto é, limitado,

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[14] As limitações de um deus mortal, tanto para quem encarna materialmente a soberania como para a figura em si, podemo-las encontrar descritas de forma magistral nas palavras do físico Viktor Shtrum para Chepizhin, em *Vida e Destino*: "diga-me, este homem do futuro superará em bondade a Cristo? E isto é o mais importante! Diga-me, que oferecerá ao mundo o poder de um ser omnipresente e omnisciente se este conserva a nossa fatuidade e egoísmo zoológicos: egoísmo de classe, de raça, de Estado, ou simplesmente individual? Não transformará este homem o mundo inteiro num campo de concentração galáctico?" (Grossman, 2009: 881).

[15] Para um maior desenvolvimento deste assunto, atenda-se a (Fernandes, 2017: 208-215).

[16] Ainda, do mesmo autor (Derrida, 2005: 126-127).

parcial, seja porque carece de objectivação, seja porque objectivado se enclausura na sua posição, obviando a marcha dialéctica, perdendo o contacto com o real, ou reduzindo muito o real visado, o que, na prática, vai dar no mesmo.

De mais a mais, não pode deixar de parecer estranha a evocação actual do conceito de *potência revisionista* face à ordem internacional vigente, se pensarmos que em relação à única super-potência, suposta garante dessa ordem, se discute o seu estatuto de excepcionalidade existencial enquanto nação, o seu destino manifesto aceite por muitos norte-americanos desde que arribaram às colónias da fachada atlântica da América do Norte.[17] Como compaginar a interiorização da imagem messiânica dos EUA de uma Cidade sobre a Colina, enquanto destino singular, seja na vertente isolacionista, seja na vertente interventiva, com a imagem de estabilizador de uma ordem da qual se pretende exceptuar de raiz? Claro que tudo isto parece contraditório com o mito da *translatio imperii*, de que os Estados Unidos seriam o derradeiro elo da cadeia de transmissão, fundando o americanismo uma nova ordem imperial.[18] A não ser que a contradição seja apenas aparente e os EUA encarnem a ordem de que sempre se exceptuam. Mas não é isso afinal aquilo que caracteriza o poder soberano, tanto para aquele que exclui como para o excluído, em perfeita simetria? Não afirmou Lord Acton, num apotegma que tende a sintetizar o atrás dito sobre a natureza do poder, que todo o poder tende a corromper e o poder absoluto corrompe absolutamente? Pois bem, na cena internacional, por mais democráticas que sejam as ideias e atitudes dos principais dirigentes da principal potência mundial, um poder absolutizado de vida e de morte à escala planetária, corrompe de um modo absoluto de forma ainda mais pregnante (Losurdo, 2016: 351-352). Por melhores e mais louváveis que sejam os seus instintos protectores, abstraindo de demais interesses, mas ainda na esfera da configuração do poder enquanto tal, a pergunta será sempre sobre quem nos protegerá da responsabilidade (por consequência sempre revisora) de proteger.

De resto, passando de uma leitura estrutural a uma leitura histórica, em sentido estrito, e se pensarmos no pano de fundo vestefaliano, são as potências preponderantes, aquelas que tendem a deter maior supremacia ou superioridade, as mais revisionistas. É claro que potências menores podem alcandorar-se, como a Prússia, na longa sequência da Guerra dos Trinta Anos. Ou então, como o expressou à maravilha o cardeal de Richelieu,

> *ainda que seja comum dizer-se que quem tem a força tem, de ordinário, a razão, é todavia verdade que, juntando-se por um tratado duas potências desiguais, a maior corre maior risco de ser abandonada do que a outra. A razão de ser é evidente: a reputação é tão importante para um grande príncipe que nenhuma vantagem se lhe poderia propor que pudesse compensar a perda que ele sofreria se faltasse aos compromissos da sua palavra e da sua lealdade. E àquele cuja potência é medíocre, apesar da sua qualidade ser soberana, pode-se fazer uma proposta tão boa que provavelmente preferirá a sua utilidade à honra, o que o levará a faltar à sua obrigação para com aquele que, prevendo a sua infidelidade, não poderia sequer resolver-se a preveni-la, pois ser abandonado pelos seus aliados não*

[17] Acerca do emprego explícito de uma linguagem teológico-política nos EUA, veja-se (Losurdo, 2008), (Lieven, 2007), e sobretudo as reflexões do teólogo evangélico Jürgen Moltmann (Moltmann, 1987: 65-78).
[18] Sobre o mito da *translatio imperii* aplicado aos EUA (Losurdo, 2008: 246-247, 249-250).

tem tantas consequências como o prejuízo que sofreria se violasse a lealdade (Richelieu, 2008: 287).

Na realidade, e um tal cenário é ainda hoje verificável (veja-se as tentativas de justificação norte-americanas para empreender a segunda intervenção no Iraque, quando em termos de puro poder e na prática o poderiam dispensar, tendo sido o que ocorreu efectivamente ao não conseguirem um respaldo generalizado), a pose moral das grandes potências, em determinadas circunstâncias, como é o caso das alianças referidas por Richelieu, acaba por constrangê-las muito mais do que às pequenas potências, às quais é possível um comportamento oportunista, na aparência revisionista, e dessa maneira também imoral. Por consequência, a pura e simples deglutição das pequenas potências pelas grandes, num ambiente arbitrário, atomizado, de salve-se quem puder não ocorre. A célebre passagem do *Sermão de Santo António*, do padre António Vieira, onde é evocada a poderosa e justa imagem dos grandes que comem os pequenos, apesar da soberania, não pode ser empregada neste ponto de forma directa e linear (Vieira, 2001: 327-328).

De qualquer forma, o que tudo isto nos mostra não é de todo a problemática do revisionismo, antes a problemática, essa sim fundamental, ademais uma cruz para os realismos,[19] da *impuissance* relativa da figura soberana. Da constatação de que o próprio cerne do poder efectivo das grandes potências, assim como o raio de acção da sua soberania, dependem, numa escala maior do que estas desejariam, e não obstante os resultados comparados possíveis, de um comportamento estudado, mas também necessariamente praticado, de inibição, fruto de um *im-poder* de fundo e da intromissão ainda mais funda de um estado de paz fundador, impossível de alijar por completo, tal como atrás arguimos. No fundo, no cálculo do ser e do parecer, um cálculo que tem de ser transcrito na realidade, sob pena das expectativas não corresponderem aos papéis que cada actor se arroga, as grandes potências parecerem mais nobres aos olhos do mundo por comparação com o dúctil comportamento dos pequenos poderes. Quando não há verdadeiramente nenhum comportamento moral neste cálculo soberano, seja o soberano pequeno ou grande nas relações internacionais, e o que há de moral e constringente, inescapável mesmo para os soberanos, está francamente a montante. Não perceber isso é perceber muito pouco; é deixar-se confundir pela retórica soberana, que apresenta justificações precisamente porque não dispõe do poder suficiente para agir sem falha no silêncio, para silenciar, devendo por esse facto encetar o compromisso com o dar razões, violentando-se, expondo-se, é certo, mas ao mesmo tempo imunizando-se da maneira mais inaparente.

Frise-se, adicionalmente, e em abono do argumento, para que não restem dúvidas que, no seu afã de incremento de poder, a soberania, na medida em que é *árquica*, o é enquanto consolidadora do poder de dominação próprio da relação majestática

[19] A cruz dos realismos não está tanto nos pormenores, em a cena internacional, apesar da soberania, não se resumir a uma luta entre grandes e pequenos, muito menos a uma luta linear entre eles, antes na razão de fundo que explica porque as relações internacionais não são lineares no que à fricção entre potências diz respeito, e sobretudo, porque não são nem podem ser, no seu núcleo mais íntimo, uma questão de poder. Mesmo os candidatos mais fortes a tomar as relações internacionais como relações de poder, os actores soberano-governamentais, ou aqueles pelos dispositivos soberano-governamentais marcados, afinal estão tomados na raiz por uma *impuissance* ultimamente derivada de uma sororidade maior que nem eles conseguem debelar.

senhor/súbdito sem resto, e não enquanto forjadora de um determinado enquadramento particular, uma ordem dominante procurada para durar, a qual deveria ser tipologicamente designada de ordem soberana. Porque isso seria oferecer às regras entretanto estabelecidas, em rigor, impostas, uma sedimentação, uma perenidade que poria em causa o afã de alargar o raio de acção bem como a absolutez mesma do poder soberano. E se as regras impostas, a ordenação não é mais transitória ainda é porque o soberano, na condição de deus mortal, nunca consegue apresentar-se em estado puro e dilatar ao máximo o inconfessado da sua voragem de poder, de o esticar sem dissimular. Mas justamente quando dissimula, encobre, oferece justificações, dá razão de si, enceta a sua própria imunidade, não deixando de, paradoxalmente, reforçar também por esse facto a imunidade encetada, ao fazer parecer que o afã de poder seja outra coisa. Assim, todo o enquadramento, toda a ordem é provisória, instrumental e não substantiva, porquanto a soberania assenta na violação da mesma, na sua suspensão. Quer dizer, o actor soberano, ou impulsionado, ou contaminado pelos racionais soberanos define-se não pela criação de qualquer ordenamento impositivo, antes pela própria imposição em si, a dominação enquanto tal, a qual é tanto mais eficaz quanto menos barreiras sedimentadas tenha para lhe fazer frente – claro está que nada impede de designar as contínuas e sucessivas constelações do poder soberano de "ordem soberana", por analogia formal, ou como força de expressão, com vista a facilitar a qualificação de uma determinada configuração ocorrida com a esfera política na modernidade, tanto em termos internos como externos. Mas tal procedimento dificulta mais do que esclarece aquilo que está em causa com a lógica soberana.

Se pensarmos com ponderação, nada do argumentado até aqui nesta secção sob o título *a ideia de revisionismo face ao predomínio da lógica soberana* tem algo de extraordinário, ou parece contra-intuitivo, bem pelo contrário. A analogia possível com a relação entre pais e filhos adolescentes pode ser muito ilustrativa. À partida, parece um análogo mal escolhido, porquanto a quem mais havemos de assacar o revisionismo senão à força, na aparência destemperada, do adolescente a querer ganhar espaço, não poucas vezes com resultados trágicos – estamos a pensar em culturas de abundância ou onde a guerra não viceje, porque nos restantes palcos o cenário é bem mais trágico, sem tempo para escolhas ou grandes aventuras díscolas.

Contudo, a analogia é certeira. Pois se os adolescentes são, à sua maneira, revisionistas, tal como as pequenas potências, não é possível negá-lo, a quem cabe revisionismo maior senão aos pais, às grandes potências? Quem é que pode (ou a isso é obrigado), na esmagadora maioria das vezes, mudar estruturalmente a vida da família, voluntária ou involuntariamente, quando uma alteração de emprego implica uma alteração geográfica radical, com tudo o que isso implica na vida de todos, a não ser os pais? Comparativamente, o que fica a valer o finca-pé do adolescente num modo de estar e numa escolha alternativa dos amigos? No caso da submissão à droga, há um análogo revisionista mais claro. Mas também aí será o procedimento dos pais a ter ultimamente um papel decisivo na evolução da situação. E caso se dê o passamento do adolescente, num acidente, mesmo que em muito provocado por comportamentos díscolos, lá está, revisionistas, do adolescente? Só que aí entramos com a contingência, com o carácter essencialmente aberto e incompleto do mundo dos homens, razão pela qual a soberania é um absoluto "tão só" ao nível criatural e o seu raio de acção varia.[20] Aí entramos, por exemplo, na temporalidade da guerra na cena internacional, com a sua imprevisibilidade, com a caótica derivada da sua consistência enquanto fenómeno específico ultimamente intratável, politico-estrategicamente falando, até para o soberano - outra das cruzes dos realismos, arvorando a bandeira de um mito impossível, o da anarquia internacional.[21]

Se medirmos bem, a analogia comprova-se facilmente na história. Pensemos no que aconteceu na Europa oriental nos estertores da guerra fria. Não eram os Estados dependentes da URSS, e muito menos a oposição interna, a poder desestabilizar o sistema. Apenas a própria URSS o poderia fazer. E fê-lo. Mostrando uma vez mais que as maiores potências são aquelas mais capazes de ser insurgentes contra si mesmo. Ora, como a queda, internamente provocada a partir do eixo do poder, da União Soviética foi o mais radical factor de mudança da cena internacional, a União Soviética foi o maior desafiador de si mesmo, isto é, um putativo puro poder revisionista. Algo que, no caso, faz tanto sentido quanto a rábula dos gauleses a invadir a Gália, desarmando, isso sim, por dentro, a bondade do argumento da existência de potências revisionistas.

Existe ainda uma outra opção, até porque não cingimos a dignidade de sujeito político internacional, trespassado pela soberania, unicamente aos actores estaduais, referimo-nos ao terrorismo. Felizmente, o terrorismo de dignidade actorial não parece ter nada, apesar de ser um agente com franca influência na cena internacional. Para ser um actor político internacional precisaria desde logo de ser político de cabo a rabo, qualificação que dificilmente nele assenta porquanto a lógica de violência *per se* parece imperar, e tudo o mais são cristas nebulosas, ganga retórica a disfarçar o seu verdadeiro *core business*. Um actor político é aquele que edifica, o faz mantendo o *statu quo*, reformando, ou revolucionando, e não aquele que segrega parasitariamente o habitar, desedifica, faz da dogmática da violência sua dimensão fontal.[22] Ainda assim, mesmo que não tivéssemos razão, aí estão as conclusões da filósofa italiana Donatella Di Cesare, mesmo não a seguindo em todo o comprimento de onda, a mostrar-nos, sem de modo algum justificar o terrorismo, que este se afigura um contragolpe à auto-suficiência arrogante da modernidade, por dentro da modernidade globalizadora, tal como se apresenta (Cesare, 2017).[23] Significa isto que, mesmo estando perante um conglomerado genérico altamente revisionista, na aparência sem par, o revolvimento produzido pelo terrorismo nas entranhas da modernidade, a julgar pelos racionais de Di Cesare, é intrínseco à

[20] Acerca da ineliminável contingência das acções humanas, *vide*, entre outros (MacIntyre, 2007: 88-108).

[21] Sobre o mito da anarquia internacional, veja-se (Fernandes, 2012).

[22] Sobre o terrorismo enquanto figura do mal, atravessando o terreiro da política sem ser político, veja-se (Fernandes, 2010). Pensamos que Michael Walzer vai na mesma linha ao defender que a razão pela qual nenhum programa terrorista, por indecente que seja em si mesmo, pode ser instrumento de qualquer fim político digno desse nome é que todo o fim político minimamente decente deve acolher de alguma forma as pessoas contra as quais se dirige o terrorismo. Quando o terrorismo expressa exactamente a recusa de que alguma vez essas pessoas, contra as quais se luta em nome de um pretenso grande ideal, possam vir sequer a existir no espaço a implantar desse suposto ideal (Walzer, 2004: 200). Nesse sentido, mais do que numa antevisão do totalitarismo, podem ser tomadas as palavras de Verkhovênski em *Demónios*: "toda a actividade consiste, por enquanto, em fazer ruir tudo: o Estado e a moral. Ficaremos de pé apenas nós, os predestinados para o poder: adoptaremos os inteligentes e cavalgaremos os estúpidos" (Dostoiévski, 2008: 564). Vale a pena lembrar que a obra é escrita no contexto do culto à violência do niilismo revolucionário, sendo a personagem de Verkhovênski inspirada em Sergei Nechayev, o célebre autor do *Catecismo Revolucionário*.

[23] Mesmo no caso do terrorismo de inspiração islâmica a filósofa italiana argumenta com pertinência que é difícil defender tratar-se de um choque de civilizações, pois afinal é o ocidentalizado aquele que "declara guerra" ao Ocidente, cujo rechaço sente ter experimentado e por essa razão o demoniza (Cesare, 2017: 147).

modernidade, por conseguinte também dependente da configuração disruptiva (e, nesse sentido, revisionista) induzida pelas potências superiores ao longo do tempo. Porém, assim sendo, voltámos ao mesmo – de qualquer forma é necessário ter cuidado com estes putativos revolvimentos, por causa do circo mediático que impregna a nossa época. Basta estar atento às cogitações acerca de uma nova era depois dos atentados de 11 de Setembro de 2001, observando a facilidade e o desplante com que hoje a primeira punção que aparece é de imediato apelidada de *mutação* histórica.

Enfim, se perguntarmos hoje pelos Estados Unidos, como ontem poderíamos perguntar pelo Reino Unido, e no futuro, por outra potência qualquer, interrogando se acaso os Estados Unidos, tendo em conta até a muito debatida possibilidade de um carácter excepcional,[24] são uma potência revisionista, e se a resposta for negativa, como poderemos encarar com interesse o sintagma nocional em si de *potência revisionista*? Se nem a maior potência mundial ao tempo for revisionista, então quem poderá sê-lo?

De resto, para julgar, com um argumento final e adicional, da inanidade do sintagma *potência revisionista*, atendamos ao seguinte: como acabámos de mostrar, as potências soberanas maiores são as mais revisionistas, num senso muito genérico, sem qualificar, aquelas que tendem a revolver mais a realidade internacional. No entanto, bem sabemos ser possível uma configuração de poder unipolar – não significa que exista. Ora, essa potência unipolar, enquanto poder soberano com maior raio de acção, será necessariamente a mais revisionista de entre elas. Porém, que sentido faria apelidá-la de revisionista em face de uma "ordem" cuja configuração dirigiria à descrição?

Concluindo

A defesa da noção de *potência revisionista* obriga, como princípio tácito, à assunção de que, reconhecendo distintos protagonistas, interesses diversos, mundividências históricas e espaciais várias, no intuito de escapar ao enviesamento ideológico, não obstante é possível encontrar uma determinada ordem, ou pelo menos uma confluência estável, um mínimo denominador comum, com os seus campeões e os seus perturbadores. Todavia, isso é já pressupor demasiado, seja porque invoca uma abstrusa ideia mecanicista de sistema nas relações internacionais, seja porque contempla marcos recorrentes suficientemente equiparáveis, numa veia determinista dificilmente compaginável com o aberto do homem no mundo. Porque se já é difícil integrar numa mesma conceptualização o mercador possidente quinhentista, o abastado comerciante chinês do Índico da mesma altura e o capitalista comercial do século XIX, o que não dizer de um espaço conceptual que só tem em comum o conceito de ordem, quando muito. Mas pior, imaginando suplantar esses obstáculos, não se dão as condições nem necessárias nem suficientes para operacionalizar a noção sintagmática de *potência revisionista*. Não se dão as condições necessárias porque os principais agentes de poder, os actores soberanos ou para-soberanos e a força mais disruptiva da cena internacional, a força bélica, são assistémicos por natureza. Outrossim, não se dão as condições

[24] Apesar de todas as prevenções iniciais - o juiz James Wilson, membro do Supremo Tribunal, chegou a afirmar, em 1793, que para a constituição do novel Estado norte-americano a soberania era um termo totalmente desconhecido (*apud* Arendt, 2014: 15). Os EUA acabaram por ser um país como os outros, e realmente a lógica soberana acabou por se impor. Todavia, não estamos seguros de não haver nenhuma excepcionalidade na história norte-americana, na presunção de ser possível estabelecer um padrão do mundo abraâmico, na sua vertente judaico-cristã, como aferidor.

suficientes porque os actores soberanos são todos, grandes e pequenos, e principalmente os grandes, aqueles a quem *a priori* julgaríamos poder atribuir maiores faculdades estabilizadoras, revisionistas. Ao mesmo tempo que toda a ideia de ordem subjacente que queiramos encontrar, por mais descarnada que seja, é sempre comprometida. Ao homem não foi dada a faculdade de uma *view from nowhere*, de observar à vista de pássaro, envolvido que está sempre no círculo hermenêutico da compreensão.

Ou como afiança Magris, num delicioso instantâneo a propósito de um sujeito empenhado directamente no que veio a ser a queda do Muro de Berlim, a qual, não obstante, julgava impossível a curto trecho:

> *quase todos nós somos observadores cegos, relutantes ou então incapazes de acreditar que as coisas podem mudar. Tomamos a realidade, na qual estamos habituados a viver, como a natureza, como uma ordem de coisas que talvez fosse desejável, mas é ingénuo, querer mudar. Tomamos a fachada do real como a única realidade possível, definitiva, sem sentirmos aquilo que desde sempre e incessantemente preme dentro dela e continuamente a transforma – ora lentamente, quase inadvertidamente, ora de forma clamorosa. Não sentimos o caruncho que corrói a madeira, não nos apercebemos da crisálida que será um dia borboleta, não temos percepção do entupimento das artérias da História* (Magris, 2018: 94-95).

Claro que há, por fim, uma força verdadeiramente perturbadora e revisionista, ou melhor, insurgente, sendo mais rigoroso ainda, messiânica, residente no débil, na *asthêneia*, dotada de uma potência deveras desequilibrante, ainda não de todo mobilizada. Porém, essa nada tem a ver com os jogos de poder, antes com o seu fim, porque nela se joga força de rei, mas a de um rei mendigo, de um deus cigano, a do amor e da justiça a haver, que escapa a todo o registo de dominação e incoa a *metanóia*.

Assim, todos aqueles que usam, de forma consciente e reflexiva, a noção de potência revisionista, sem ser num contexto estrita e trivialmente pragmático, quase como mera força de expressão, ou ao serviço de uma ideologia ou de uma constelação de poder, antes pretendendo encontrar justificações fundacionais e orto-normativas para a mesma, deveriam antes evitar o aranzel estar calados.

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A TEORIA DE SEGURANÇA DA ESCOLA DE COPENHAGA APLICADA À ANÁLISE DO FENÓMENO DA PIRATARIA MARÍTIMA NA REGIÃO DO CORNO DE ÁFRICA

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Resumo

Os primeiros anos do século XXI trouxeram uma escalada sem precedentes de atos de pirataria e de assalto armado em diferentes áreas geográficas, sobretudo no Oceano Índico, no Golfo da Guiné e no Sudeste da Ásia. O Corno de África, em concreto, assistiu a um incremento exponencial de atos desta natureza a partir de 2007, que puseram em causa a segurança nos espaços marítimos da região e que levou o Conselho de Segurança das Nações Unidas a adotar, ao longo de 2008, seis resoluções exortando à participação alargada das nações no esforço comum de contenção daquele fenómeno. Pretende-se com este artigo demonstrar que os conceitos da teoria de segurança da Escola de Copenhaga constituem uma ferramenta de análise adequada ao fenómeno da pirataria e assalto armado na região do Corno de África. Para tanto examinámos, de modo conciso, algumas das obras de referência da bibliografia que constituem o repertório daquela escola. Abordámos, de seguida, ainda de forma sucinta, alguns dos mais relevantes críticos desta teoria. Analisámos, por fim, as intervenções de um conjunto significativo de agentes de securitização da pirataria somali contemporânea. As conclusões apresentam as razões que sustentam o nosso posicionamento de que a teoria de segurança da Escola de Copenhaga é passível de ser aplicada ao estudo do fenómeno da pirataria marítima no Corno de África.

Palavras-chave

Escola de Copenhaga; pirataria marítima; Corno de África; segurança marítima

Abstract

During the early 21st century, there was an unprecedented increase in piracy and armed robbery in various regions of the globe, but especially in the Indian Ocean, the Gulf of Guinea and Southeast Asia. The Horn of Africa in particular has seen an exponential increase in attacks since 2007. These attacks have jeopardised security in the region's waters and led the United Nations Security Council to adopt six resolutions in 2008, urging the world's nations to participate in the common effort to contain the phenomenon. This article aims to show that the concepts of the security theory of the Copenhagen School provide a useful tool to analyse the phenomenon of piracy and armed robbery in the Horn of Africa. To that end, we have conducted a brief review of some of the major works produced by that school. We will then address some of the most relevant critics of this theory. Finally, we have analysed the interventions of a significant group of agents involved in the securitization of contemporary Somali piracy. The conclusions section presents the reasons that support our claim that the security theory of the Copenhagen School can be used to study the phenomenon of maritime piracy in the Horn of Africa.

Keywords

Copenhagen School; maritime piracy; Horn of Africa; maritime security

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A TEORIA DE SEGURANÇA DA ESCOLA DE COPENHAGA APLICADA À ANÁLISE DO FENÓMENO DA PIRATARIA MARÍTIMA NA REGIÃO DO CORNO DE ÁFRICA

ANTÓNIO GONÇALVES ALEXANDRE

1. Introdução

A pirataria existe desde há muitos séculos e o crescimento que o fenómeno teve nos anos mais recentes, sobretudo a partir da última década do século passado, mostra que não foi definitivamente relegada para as páginas da história. Esta onda de pirataria, "reaparecerá [no futuro] em qualquer outra região" (Konstam, 2010, p. 222), como ressurgiu no passado recente em diferentes áreas geográficas, onde não existiam governos fortes ou onde a vigilância marítima era deficiente, ou mesmo inexistente, e que se estendiam desde o Sudeste da Ásia (em particular no Estreito de Malaca) até à Costa Ocidental de África, passando pelo Oceano Índico. Já no corrente século, sobretudo após o final de 2007, o foco das atenções centrou-se nos espaços marítimos do Corno de África.

De facto, esta região assistiu a um incremento quase exponencial de atos desta natureza a partir daquele ano, o que levou o *United Nations Security Council* (UNSC) a adotar, ao longo de 2008, seis resoluções (UNSC, 2008a), (UNSC, 2008b), (UNSC, 2008c), (UNSC, 2008d), (UNSC, 2008e) e (UNSC, 2008f), todas elas exortando à participação alargada das nações e de organizações internacionais no esforço comum de contenção daquele fenómeno, através da partilha de informação entre agências e do empenhamento de meios militares (navais e aéreos) na vigilância das águas ao largo da Somália, numa primeira fase, até à utilização de todos os meios necessários para reprimir os ataques de piratas (incluindo o uso da força), na fase posterior.

Nestas circunstâncias, e em resposta às resoluções do UNSC suprarreferidas, a União Europeia (UE) criou, ainda em 2008, a operação naval *Atalanta*, com os seguintes objetivos: proteção dos navios do *World Food Programme* (WFP); prevenção, dissuasão e repressão de atos de pirataria e de assalto armado no mar; monitorização de atividades de pesca ao largo da costa da Somália; disponibilização de apoio a outras missões da UE e a organizações internacionais empenhadas no reforço da segurança marítima e capacitação na região (EUNAVFOR, 2008). Posteriormente, lançou a *European Union Military Training Mission* (EUTM) *Somalia* (EUTM, 2010), de aconselhamento e treino militar das forças de segurança somalis, e a *European Union Capacity Building Mission* (EUCAP) *Nestor*, de pendor civil, de apoio à capacitação marítima de Estados do Corno de África para incremento da segurança marítima na região. Mais tarde, em 2016, a missão centrou-se na Somália e passou a designar-se EUCAP *Somalia* (EUCAP, 2012).

A *North Atlantic Treaty Organization* (NATO) lançou, por sua vez, também em 2008, a *Allied Provider* e, em 2009, a *Allied Protector*, logo seguida pela *Ocean Shield*, todas elas operações de segurança marítima no Golfo de Áden e na Bacia da Somália, com o propósito de proteger a navegação mercante, dissuadindo e interrompendo ataques de pirataria, na máxima extensão possível, em conjunto com outras organizações internacionais com meios militares aí destacados (NATO, 2021).

Em janeiro de 2009 foi criado o *Contact Group on Piracy off the Coast of Somalia* que se assumiu como ponto nodal de uma grande rede que reunia e ligava centenas de atores, desde Estados, organizações internacionais, associações industriais, missões navais ou diversos projetos contra a pirataria (CGPCS, 2009).

O *Djibouti Code of Conduct* foi assinado em 29 de janeiro de 2009 por representantes do Djibouti, Etiópia, Iémen, Quénia, Madagáscar, Maldivas, Seychelles, Somália e Tanzânia e foi pensado para se constituir como uma estrutura privilegiada para a capacitação marítima dos países da região do Corno de África (IMO, 2009). Atualmente é constituído por 20 Estados (IMO, 2022).

A publicação, em 1983, da primeira edição do livro *People, States and Fears*, de Barry Buzan, foi o ponto de partida para a definição de um novo campo no estudo da segurança. A segunda edição do livro, em 1991, constituiu-se como um estímulo para uma maior exploração do problema de segurança no Centro de Pesquisa sobre Paz e Conflitos, em Copenhaga. Juntamente com Buzan, os colaboradores produziram várias publicações sobre o tema da segurança, suficientemente inter-relacionadas para garantir um constructo coletivo que ficou conhecido como "Escola de Copenhaga de estudos de segurança" (Mcsweeney, 1996, p. 81).

Pretende-se com este artigo demonstrar que os conceitos da teoria de segurança da Escola de Copenhaga (EC) constituem uma ferramenta de análise adequada ao fenómeno da pirataria e do assalto armado, no mar, na região do Corno de África, no corrente século. Para tanto, e seguindo um método dedutivo, examinámos, de forma necessariamente sucinta, as principais obras da bibliografia que constitui o repertório da EC. Procurámos elencar, de igual modo, ainda de modo conciso, algumas das principais críticas desta teoria. Com base no construto teórico da EC, analisámos, finalmente, o papel de alguns dos principais "agentes de securitização" da pirataria marítima somali contemporânea e os resultados da sua ação. As conclusões refletem a influência de medidas e diligências efetuadas por diversas organizações da indústria marítima e por associações e agências internacionais na securitização, bem-sucedida, da pirataria somali, o que mostra que a teoria da EC, independentemente das críticas que lhe foram apontadas é, de facto, passível de ser aplicada ao estudo daquele fenómeno.

Para além desta introdução, o artigo é composto por mais três capítulos e pela conclusão. O primeiro capítulo aborda a teoria da segurança da EC, o segundo centra-se nas principais críticas ao acervo teórico da escola e o terceiro foca-se na análise do papel desempenhado por alguns dos mais proeminentes agentes de securitização na pirataria somali e nos resultados concretos da sua ação. O artigo termina com a conclusão que aponta para o facto de ter sido fundamental a intervenção daqueles agentes na securitização bem-sucedida da pirataria somali contemporânea e que prova a adequabilidade da EC ao estudo deste fenómeno.

2. A Teoria da Segurança da Escola de Copenhaga

O presente capítulo pretende mostrar os principais elementos que compõem o constructo teórico da Teoria de Segurança da Escola de Copenhaga e o modo como evoluíram desde o final da Guerra Fria.

As abordagens da escola Realista e da escola Idealista dominaram o pensamento sobre o problema da "segurança nacional" durante grande parte do século XX. Dentro desse debate, o conceito de segurança desempenhava um papel subsidiário. Tendia a ser visto como um derivado do poder, no sentido de que "um ator com poder suficiente para alcançar uma posição dominante adquirirá a segurança como resultado, ou como consequência da paz, uma vez que uma paz duradoura proporcionaria segurança para todos" (Buzan, 1983, pp. 2-3). O subdesenvolvimento do conceito de segurança estava também bem patente na escassa literatura existente, em contraste com a abundante literatura sobre o poder, que apresentava não apenas uma quantidade substancial de trabalho empírico, mas também um corpo teórico conceptual muito bem desenvolvido. O conceito de segurança raramente era abordado em termos diferentes dos interesses políticos de determinados atores ou grupos e a discussão era puramente militar. Quando se procurava literatura conceptual sobre segurança, pouco existia e nada equivalente a uma escola coerente de pensamento. Mas o conceito de segurança era, todavia, para Barry Buzan (1983, p. 2), "muito poderoso e merecia ser elevado para uma posição hierárquica mais condizente com a sua relevância".

Mais tarde, Ole Wæver, outro relevante teórico da EC, referiu que "segurança tinha também um significado quotidiano", mas que o termo tinha adquirido várias conotações que resultaram da "discussão internacional da segurança nacional e da política de segurança" (Wæver, 1995, p. 69). Em termos históricos, porém, adiantou Wæver (1995, p. 69) que a segurança era "o campo em que os Estados se ameaçam mutuamente, desafiam a soberania uns dos outros, tentam impor sua vontade uns aos outros, defender a sua independência e assim por diante", embora reconhecendo que "a forte identificação militar de épocas anteriores tinha diminuído". Apontou, deste modo, um meio alternativo para a definição de um conceito mais vasto de segurança: "ampliar a agenda de segurança para incluir outras ameaças, além das militares" (Wæver, 1995, p. 70). Prosseguindo a sua construção teórica, Wæver (1995, p. 73) passou da "segurança alternativa" para a "segurança discursiva", dizendo que "com a ajuda da teoria da linguagem, podemos considerar a segurança como um ato de fala" e que o seu uso tinha o "efeito de elevar um desafio específico para um nível superior", implicando, assim, que "todos os meios necessários possam ser usados para o bloquear". E como tal ameaça seria definida como "existencial e um desafio à soberania", o Estado não estaria limitado naquilo que poderia fazer. Nessas circunstâncias, "um problema tornar-se-ia um problema de segurança sempre que assim fosse definido pelos detentores do poder" (Wæver, 1995, p. 74).

Buzan vem asseverar, posteriormente, que a literatura teórica sobre estudos de segurança se tinha tornado notavelmente ativa desde o fim da Guerra Fria. Como consequência dessa revitalização literária, tinha ocorrido uma fragmentação do debate em três escolas distintas: os tradicionalistas, que pretendiam manter o foco nas questões militares; os que eram a favor do alargamento do conceito de segurança a outros setores para além do militar; e uma escola de estudos críticos, recém-formada, cujos proponentes pretendiam cultivar uma atitude mais questionável acerca da estrutura na qual a segurança era conceptualizada. Buzan considerou que havia alguma sobreposição, mas, também, e sobretudo, um franco desacordo entre tais escolas. Manifestou-se, assim, defensor da linha favorável ao alargamento do conceito e refutou o tradicionalismo crítico de que "esta visão mais aberta tornava o conceito de segurança incoerente" (Buzan, 1997, p. 5).

Refletindo o sentimento generalizado existente em meados da década de 1990 de que o sistema internacional pós-Guerra Fria iria ter um carácter mais descentralizado e regionalizado, um outro livro veio trazer à colação a existência de uma nova estrutura de análise dos estudos de segurança que examinava o carácter distintivo das dinâmicas de segurança em cinco setores: militar, político, económico, ambiental e societal (Buzan, Wæver, & Wilde, 1998).

Mas o que é que faz de algo uma questão de segurança nas relações internacionais? Esta questão remete para os conceitos de segurança social e segurança internacional, sendo que "ao contrário da segurança social, que tem fortes ligações com questões de direito e justiça social, a segurança internacional está mais firmemente enraizada nas tradições da política do poder" (Buzan, Wæver, & Wilde, 1998, p. 21). A natureza especial das ameaças de segurança, entendidas como ameaças existenciais, justifica o uso de medidas extraordinárias ("de emergência") para lidar com elas. A invocação da segurança tem sido a chave para legitimar o uso da força. E o que significam os termos "ameaça existencial" e "medidas de emergência"? Como pode o analista, na prática, com base nestes conceitos, traçar uma linha entre processos de politização e processos de securitização? A ameaça existencial só pode ser entendida em relação ao caráter particular dos objetos de referência em questão (Buzan, Wæver, & Wilde, 1998, p. 21). E estes variam em função dos setores. No setor militar, por exemplo, o objeto de referência é geralmente o Estado, no setor político a soberania, no setor económico as economias nacionais e as empresas, no setor societal são normalmente entidades coletivas em larga escala, no setor ambiental variam entre espécies, tipos de habitat, clima planetário ou a biosfera (Buzan, Wæver, & Wilde, 1998, pp. 22-23).

O conceito de securitização é "o movimento que leva a política para além das regras do jogo estabelecidas e enquadra a questão como um tipo especial de política ou acima da política" (Buzan, Wæver, & Wilde, 1998, p. 23). A securitização pode, portanto, ser vista como uma versão mais extrema da politização e qualquer questão pública está localizada no espectro que varia desde não-politizada (significando que o Estado simplesmente não lida com ela), através da politização (significando que a questão é parte de política pública, exigindo decisão do governo e alocação de recursos), até à securitização (a questão é apresentada como uma ameaça existencial, exigindo medidas de emergência e justificando ações fora dos limites normais do procedimento político) (Buzan, Wæver, & Wilde, 1998, pp. 23-24).

Ainda segundo Buzan e Wæver (2003, p. 6), existem três principais perspetivas teóricas sobre a estrutura de segurança internacional pós-Guerra Fria: neorrealista, globalista e regionalista.

A perspetiva neorrealista é centrada no Estado e assenta no argumento da polaridade do poder: unipolar, bipolar ou multipolar. A interpretação neorrealista da estrutura pós-Guerra Fria da segurança internacional mostra que há uma mudança na estrutura de poder no nível global (o fim da bipolaridade) e a sua preocupação é, sobretudo, identificar a natureza dessa mudança a fim de inferir as consequências na segurança (Buzan & Wæver, 2003, p. 6).

A perspetiva globalista é geralmente entendida como a "antítese do neorrealismo na estrutura do sistema internacional" (Buzan & Wæver, 2003, p. 7).

A perspetiva regionalista – a abordagem escolhida pelos teóricos da EC – defende, ao invés, que no mundo pós-Guerra Fria o nível regional se destaca mais como local de conflito e cooperação entre os Estados, pese embora faça uso de um entendimento de segurança mais aberto do que o tradicional, muito ligado à componente militar (Buzan & Wæver, 2003, p. 10).

3. Principais críticas ao constructo teórico da Escola de Copenhaga

Os parágrafos que se seguem trazem à colação alguns dos principais críticos da EC e mostram, de forma necessariamente sucinta, o que os separa dos defensores da teoria daquela escola.

Jef Huysmans, em 1998, assumiu que os estudos de segurança da EC emergiram dentro do panorama de segurança europeu e que esta escola definiu conceitos inovadores como securitização, segurança societal e complexo regional de segurança. Vem, não obstante, questionar como é que a EC desenvolveu a (nova) agenda de segurança e como é que foi possível passar de uma agenda de segurança cujo foco estava apenas nas relações militares entre Estados para um conceito francamente abrangente que lidava com todos os tipos de ameaças "à existência, bem-estar e desenvolvimento dos indivíduos, grupos sociais, nações e a própria humanidade" (Huysmans, 1998, p. 482). Aponta, depois, algumas características do grupo, como ter juntado pessoas que individualmente desenvolveram interpretações diferentes das Relações Internacionais: Buzan tinha uma abordagem "mais ou menos neorrealista", enquanto que Weaver "tinha raízes na perspetiva construtivista social". Como resultado, os conceitos introduzidos pelos autores evoluíram de forma francamente fluída e dinâmica (Huysmans, 1998, p. 483). Outra característica que apontou, dizia respeito ao facto de a EC ser uma escola europeia de estudos de segurança e estar, por conseguinte, ancorada nas dinâmicas da segurança europeia. A esmagadora maioria dos seus textos articulam uma "relação interna entre o desenvolvimento empírico na problemática de segurança europeia e o seu trabalho conceptual", que poderia, no seu entender, assumir uma posição mais universal. Concluiu dizendo que "a EC teoriza muito a partir das experiências de segurança europeia" (Huysmans, 1998, pp. 483-484).

Um outro crítico, Thierry Balzacq, referiu que o poder do discurso se havia tornado um aspeto importante na análise da segurança. A crítica que faz à EC está relacionada com o facto de, no seu entender, a ação discursiva da segurança possuir um alto grau de formalidade. O modelo do ato de fala é fruto de uma tentativa de propor a ideia de que a securitização é uma prática estratégica sustentada que visa convencer um público-alvo a aceitar a afirmação de que um desenvolvimento específico está a constituir-se como ameaça suficiente para merecer uma política imediata para lhe fazer face (Balzacq, 2005, p. 172). A revisão que propõe é reformular o modelo de segurança dos atos de fala, "integrando propósitos estratégicos na equação, o que faz elevar a securitização acima do seu cenário normativo" e, ao fazê-lo, "incorpora-a no contexto social, um campo de disputas de poder em que atores securitizantes estão alinhados numa questão de segurança para direcionar o público relativamente a uma política ou linha de ação" (Balzacq, 2005, p. 173).

Matt McDonald, tendo como pano de fundo a teoria da EC, argumentou que a sua estrutura de securitização era problemática em três sentidos básicos: primeiro, a construção da segurança era definida de forma restrita, com o foco na fala de atores dominantes, geralmente líderes políticos (o que excluía outras formas de representação, designadamente, imagens ou práticas materiais), e limitava o âmbito apenas às intervenções discursivas das vozes consideradas institucionalmente legítimas para falarem em nome de um determinado coletivo (vulgarmente um Estado); em segundo lugar, o contexto do ato era definido de forma restrita, com o foco apenas no momento da intervenção (o potencial de segurança a ser construído ao longo do tempo por meio de uma série de processos e representações incrementais não era, no seu ponto de vista, abordado); finalmente, "a estrutura da securitização era estreita", no sentido em que "a natureza do ato era definida apenas em termos da designação de ameaças à segurança" (McDonald, 2008, p. 564). Considerou, ainda, que essa abordagem ignorava a importância crucial da forma como a segurança, como "meta normativa ou expressão de valores", era entendida em contextos específicos e sugeriu que a segurança adquiria conteúdo apenas por meio de representações de perigo e ameaça, concluindo que tal estrutura "encorajava a conceptualização de políticas de segurança inerentemente negativas e reacionárias" (McDonald, 2008, p. 564).

Juha Vuori veio afirmar que a grande maioria da literatura sobre a prática da securitização se havia concentrado em sistemas políticos que podiam ser considerados "mais ou menos democráticos" e que tal tinha ficado a dever-se, muito provavelmente, à abordagem europeísta seguida, uma vez que tinha sido induzida pela política europeia (Vuori, 2008, pp. 65-66). Refere, ainda, que isso pode ser detetado na "compreensão paradigmática" da teoria: a prática da securitização ser entendida como um meio de mover certas questões para além do processo democrático do governo. Neste entendimento, afirma que "as questões de segurança são um tipo de política especial", que legitima o uso de "procedimentos especiais" para fazer face "a necessidades de sobrevivência" (Vuori, 2008, p. 66). Isso não podia, no entanto, na sua opinião, limitar o estudo da securitização aos sistemas políticos democráticos, uma vez que se os estudos de securitização pretenderem ser abrangentes, devem necessariamente levar em conta "o discurso de segurança e a política em todos os tipos de sistemas políticos" (Vuori, 2008, p. 66). Nesta perspetiva, questionou como podia funcionar a lógica de segurança em sistemas não democráticos? Ou o que era a "política especial" quando não há processos democráticos que permitam lidar com os problemas de segurança? Qual é a função política da segurança em sistemas não democráticos? Podemos utilizar o conceito de securitização na análise das políticas de segurança das não-democracias? Vuori (2008, p. 66) responde que sim, mas apenas se fossem consideradas outras categorias de atos de securitização, baseadas na lógica ilocucionária (em que há uma intenção de realizar um determinado objetivo comunicativo, por exemplo, fazer uma promessa ou um simples aviso, colocar uma questão ou, até, emitir um conselho) e que contenham vários tipos de intenções perlocucionárias (destinadas a produzir determinados efeitos nos interlocutores dos falantes).

Thierry Balzacq retomou, mais tarde, a abordagem à teoria da securitização. Na essência, Balzacq veio recuperar, em 2010, a ideia básica da teoria de John Austin (1962) de que certas afirmações têm um alcance superior à simples descrição de uma dada realidade e, como tal, não podem ser julgadas como falsas ou verdadeiras. Em vez disso, tais afirmações realizam uma ação específica, ou seja, "fazem" coisas em oposição a serem meramente "figurativas" que simplesmente relatam estados de coisas e estão, portanto, essas sim, sujeitas a testes de verdade e falsidade (Austin, 1962). Essa teoria de Austin, encontra raízes na visão dos "jogos de linguagem" de Ludwig Wittgenstein (1958) que chama a atenção para o uso das palavras, dado que cada palavra tem um significado que está correlacionado com essa palavra: é o objeto que a palavra representa (Wittgenstein, 1958, p. 2). Esta visão faz parte da "filosofia da dobra da linguagem" e fornece, segundo Balzacq, fundamentos para a abordagem da securitização pela EC. Balzacq (2010, p. 1) chamou-lhe a "visão filosófica". Outros, porém, incluindo aqueles com influências da teoria social, falam sobre securitização principalmente em termos de "práticas, contexto e relações de poder que caracterizam a construção de imagens da ameaça". O seu argumento é que, embora as práticas discursivas sejam importantes para explicar como alguns problemas de segurança têm origem, muitas "desenvolvem-se com pouco desenho discursivo". Essa variante é denominada "sociológica" (Balzacq, 2010, p. 1). Considera, no entanto, Balzacq (2010, p. 3), que examinar o desenvolvimento de ameaças combina as perceções filosóficas e sociológicas, desde que as "afirmações sobre o poder mágico dos atos de fala sejam moderadas".

4. A intervenção dos agentes de securitiação na pirataria Somali

Este capítulo pretende levar a efeito uma análise sucinta acerca da intervenção de alguns dos mais significativos "agentes de securitização" da pirataria somali no corrente século e que resultados práticos alcançaram.

Assim, os "agentes de securitização" em causa foram, numa primeira fase, as inúmeras associações do transporte marítimo internacional. Deram a conhecer as circunstâncias em que muitos incidentes de pirataria ocorriam, fazendo uso de diversos meios para divulgarem as suas mensagens: relatórios, discursos e declarações feitas em conferências, ou comunicados divulgados em órgãos de comunicação social, em particular ocidentais, que lhes permitiam ampliar a mensagem que pretendiam passar para a opinião pública. Entre as organizações mais ativas constavam a ICC[1] e o IMB[2], a BIMCO[3], a INTERTANKO[4], a INTERCARGO[5], a ICS[6], a ITF[7] ou a WSC[8].

Mas houve outros "agentes de securitização" relevantes como a *Internacional Maritime Organization* (IMO)[9] que desenvolveu um papel de relevo em inúmeras assembleias gerais, emitindo um conjunto assinalável de resoluções, requerendo, de igual modo, e de forma constante, que a Comunidade Internacional olhasse para este fenómeno de modo diferente, já que colocava em causa não apenas a vida de muitos marítimos, mas o próprio transporte marítimo internacional que era responsável por cerca de 90% do comércio mundial (IMO, 2001), (IMO, 2006) e (IMO, 2007).

Outros "agentes de securitização" igualmente relevantes foram associações e sindicatos ligados a pessoas que exerciam atividades no mar, ou ligadas ao mar, como por exemplo o sindicato nacional de oficiais de transporte marítimo, aviação e navegação do Reino Unido (NUMAST[10]), que reiteradamente pressionava o governo britânico para intervir na região do Corno de África, através do empenhamento de meios navais para proteção da navegação mercante que arvorava o seu pavilhão (Bowcott, 2003).

Finalmente, no que a "agentes de securitização" diz respeito, importa sublinhar o WFP que assumiu uma posição de relevo e chamou a atenção da Comunidade Internacional quando, em 2005, decidiu interromper o transporte marítimo de ajuda humanitária às populações somalis dela dependente para sobreviverem (BBC, 2005). Em 2006 houve um decréscimo do número de ataques e o programa foi retomado, mas no início de 2007 intensificaram-se os ataques, o que levou a diretora executiva do WFP, Josette Sheeran, a intervir, de novo de forma muito vigorosa, exortando diretamente a Comunidade Internacional a colaborar na proteção dos navios mercantes fretados por aquele programa (WFP, 2007).

A pirataria assumiu, pois, o papel de "ameaça existencial", exigindo "medidas de emergência" e justificando "ações fora dos limites normais do procedimento político" por parte dos decisores, em linha com a teoria de securitização da EC (Buzan, Wæver, & Wilde, 1998, pp. 23-24).

Nesse sentido, as ações desenvolvidas pelos "agentes de secutização" supramencionados constituíram o "movimento de securitização" que levou a questão da pirataria somali às "audiências", desde logo às opiniões públicas dos diferentes Estados de origem dos inúmeros marítimos embarcados, mas também dos Estados de bandeira dos navios mercantes atacados e dos Estados de origem e de destino das cargas transportadas. Outras "audiências" extremamente relevantes foram os decisores políticos, tanto de

[1] Acrónimo que significa *International Chamber of Commerce*.
[2] Acrónimo que significa *International Maritime Bureau.*
[3] Acrónimo que significa *Baltic and International Maritime Council.*
[4] Acrónimo que significa *International Association of Independent Tanker Owners.*
[5] Acrónimo que significa *International Association of Dry Cargo Shipowners.*
[6] Acrónimo que significa *International Chamber of Shipping.*
[7] Acrónimo que significa *International Transport Workers' Federation.*
[8] Acrónimo que significa *World Shipping Council.*
[9] Foi criada em 1948 como agência especializada das Nações Unidas para a regulamentação do transporte marítimo internacional do ponto de vista da segurança e proteção ambiental, assumindo-se como a primeira organização internacional dedicada exclusivamente às questões marítimas (IMO, 2022b).
[10] Acrónimo que significa *National Union of Marine, Aviation and Shipping Transport Officers.*

organizações internacionais de relevo – como a ONU, incluindo o UNSC, a NATO ou a UE – mas também de inúmeros Estados, já que seriam eles que, em última análise, teriam que implementar as "medidas de emergência", por si só ou em conjunto, para travar a pirataria somali.

Relativamente ao UNSC, em concreto, importa sublinhar as seis resoluções sobre a Somália emitidas em 2008, ao abrigo do capítulo VII da Carta das Nações Unidas e dedicadas ao fenómeno da pirataria marítima, que evidenciam que foi sensível à "retórica" apresentada pelos "agentes de securitização" e se empenhou ativamente na procura de uma solução para a "questão existencial" apresentada.

Outro aspeto importante de um movimentos de securitização é o "contexto" em que ocorre. Buzan, Wæver e Wilde (1998, pp. 31-32) chamaram-lhe "condições facilitadoras", conceito que é relevante por considerarem não haver nenhum "ator de securitização" que detenha "o poder de securitização" e possa garantir, *per se*, o sucesso de qualquer movimento de securitização. O que releva, dizem aqueles autores, é que "os estudos de securitização visam obter uma compreensão cada vez mais precisa de quem securitiza, sobre que questões (ameaças), para quem (objetos de referências), que resultados se pretendem alcançar e, finalmente, sob que condições (o que explica quando a securitização é bem-sucedida)" (Buzan, Wæver, & Wilde, 1998, p. 32). Nestas circunstâncias, parece evidente que a primeira condição facilitadora foi a ameaça à vida humana (dos marítimos dos navios atacados por piratas e dos milhões de somalis que necessitavam da ajuda alimentar disponibilizada pelo WFP para sobreviverem). Mas também a ameaça ao comércio e ao transporte marítimo internacional, em particular de energia, através das rotas globais que atravessam a região – e que poderia colocar em causa a segurança energética mundial – se revelou como (mais) uma condição facilitadora para a concretização do movimento de securitização.

Os "sujeitos de referência", que Balzacq, Léonard e Ruzicka (2016) consideraram ser "as entidades que ameaçavam", foram os diferentes grupos de piratas somalis, constituindo-se como a "ameaça existencial" citada por Buzan, Wæver e Wilde (1998).

Os "objetos de referência" foram as entidades que estavam a ser ameaçadas pelos sujeitos de referência: os tripulantes dos navios civis alvo dos ataques de piratas; os passageiros embarcados em navios de cruzeiro; pescadores; outras pessoas que usavam o mar de forma lícita; as populações somalis que necessitavam da ajuda alimentar disponibilizada pelo WFP; o comércio marítimo internacional, em particular de energia; a liberdade de navegação nos espaços marítimos do Corno de África; e o meio ambiente marinho – que poderia ser colocado em causa em resultado de ataques a navios de transporte de petróleo e produtos derivados.

Ficou claro que diversas associações da indústria marítima e algumas organizações internacionais de relevo desenvolveram uma "estrutura retórica específica", dramatizando a pirataria somali e forçando a tomada de posição da Comunidade Internacional para lidar com este fenómeno. A pirataria somali, enquanto "ameaça existencial", foi suficientemente discutida e ganhou enorme ressonância junto de diversos órgãos de comunicação social e das opiniões públicas dos diferentes Estados, o que legitimou a adoção de "políticas excecionais" pelas "audiências" com capacidade para decidir, tanto ao nível do UNSC quanto dos diferentes Estados e organizações internacionais, que acabaram por empregar o instrumento militar como "medida de emergência" para combater aquele fenómeno.

5. Conclusão

A securitização bem-sucedida do fenómeno da pirataria marítima na região do Corno de África muito se ficou a dever aos atos de fala, que tiveram lugar desde os primeiros anos deste século por diversos atores não estatais, contrariando a tese defendida por alguns críticos de que a EC colocava a tónica na fala de atores dominantes, geralmente políticos, e que excluía outras formas de representação.

Pese embora diversas outras críticas tenham sido apontadas, em particular as que se referem ao facto de a securitização, enquanto ato de fala, ser demasiado estreita e formal, ter uma prática fixa, permanente e imutável, estar demasiado ancorada na escola europeia de estudos de segurança e a ação discursiva possuir um alto grau de formalidade, a análise efetuada no capítulo anterior evidencia, no entanto, que a teoria da EC, com o seu corpo conceptual bem consolidado, permite estudar com a profundidade necessária o fenómeno da pirataria marítima contemporânea no Corno de África. Aliás, o tipo de securitização que foi implementado no Oceano Índico Ocidental levou mesmo o UNSC, num caso absolutamente inédito, a adotar, num único ano, seis resoluções relativas à pirataria e assalto armado na região do Corno de África, todas elas ao abrigo do capítulo VII da Carta das Nações Unidas, guindando-o à inequívoca condição de problema de segurança internacional e à resposta que se seguiu de diversos Estados e organizações regionais e internacionais, e que foram sumariamente elencadas na introdução deste artigo.

Uma outra crítica apontada à teoria de securitização da EC afirma que esta só tem aplicação em sistemas políticos próximos das democracias liberais, devendo os estudos de segurança, ao invés, serem abrangentes e extensíveis a todos os sistemas políticos. Para a lógica de segurança funcionar em países não democráticos, consideram esses críticos ser necessário que, partindo de uma base ilocucionária, sejam incluídos no ato de securitização intenções perlocutórias. No caso da pirataria marítima no Corno de África, no entanto, estas críticas também não têm aplicação, como ficou demonstrado ao longo do capítulo 4, em que foram elencadas diversas intervenções de alguns dos mais significativos "agentes de securitização" da pirataria somali, sem qualquer base ilocucionária ou intenção perlocutória, apesar de a Somália estar muito longe de ser sequer um país "mais ou menos democrático".

A ameaça existencial – corporizada pela pirataria somali – foi suficientemente discutida e ganhou ressonância significativa através de uma estrutura retórica específica – que requereu prioridade de ação dos decisores "porque se o problema não fosse resolvido na altura certa seria tarde demais" – a partir da qual foi possível legitimar medidas concretas – como por exemplo o emprego do instrumento militar – que não teriam sido possíveis se o discurso não assumisse a forma de ameaça existencial e um ponto de não retorno. Foi extamente isso que aconteceu na região do Corno de África, no final da primeira década do presente século, o que nos leva a concluir que a securitização da pirataria somali foi, de facto, bem-sucedida.

Nestas circunstâncias, temos o entendimento que não obstante as críticas que lhe são apontadas, ficou provado ser possível analisar a pirataria marítima contemporânea na região do Corno de África à luz da teoria da EC, utilizando os conceitos centrais da securitização, entre outros, a ameaça existencial (a pirataria marítima), os agentes securitizantes (indústria marítima, associações e sindicatos de profissionais do mar e organizações internacionais), as audiências (grupos de comunicação social internacionais, as opiniões públicas dos diferentes Estados e decisores políticos), o contexto (em que ocorreu o processo de securitização da pirataria somali) e as políticas excecionais (como o emprego do instrumento militar) que foram determinadas.

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AN ANALYSIS OF THE ISSUE OF PIRACY IN THE HORN OF AFRICA THROUGH THE LENS OF THE SECURITIZATION THEORY OF THE COPENHAGEN SCHOOL

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Abstract

During the early 21st century, there was an unprecedented increase in piracy and armed robbery in various regions of the globe, but especially in the Indian Ocean, the Gulf of Guinea and Southeast Asia. The Horn of Africa in particular has seen an exponential increase in attacks since 2007. These attacks have jeopardised security in the region's waters and led the United Nations Security Council to adopt six resolutions in 2008, urging the world's nations to participate in the common effort to contain the phenomenon. This article aims to show that the concepts of the security theory of the Copenhagen School provide a useful tool to analyse the phenomenon of piracy and armed robbery in the Horn of Africa. To that end, we have conducted a brief review of some of the major works produced by that school. We will then address some of the most relevant critics of this theory. Finally, we have analysed the interventions of a significant group of agents involved in the securitization of contemporary Somali piracy. The conclusions section presents the reasons that support our claim that the security theory of the Copenhagen School can be used to study the phenomenon of maritime piracy in the Horn of Africa.

Keywords

Copenhagen School; maritime piracy; Horn of Africa; maritime security

Resumo

Os primeiros anos do século XXI trouxeram uma escalada sem precedentes de atos de pirataria e de assalto armado em diferentes áreas geográficas, sobretudo no Oceano Índico, no Golfo da Guiné e no Sudeste da Ásia. O Corno de África, em concreto, assistiu a um incremento exponencial de atos desta natureza a partir de 2007, que puseram em causa a segurança nos espaços marítimos da região e que levou o Conselho de Segurança das Nações Unidas a adotar, ao longo de 2008, seis resoluções exortando à participação alargada das nações no esforço comum de contenção daquele fenómeno. Pretende-se com este artigo demonstrar que os conceitos da teoria de segurança da Escola de Copenhaga constituem uma ferramenta de análise adequada ao fenómeno da pirataria e assalto armado na região do Corno de África. Para tanto examinámos, de modo conciso, algumas das obras de referência da bibliografia que constituem o repertório daquela escola. Abordámos, de seguida, ainda de forma sucinta, alguns dos mais relevantes críticos desta teoria. Analisámos, por fim, as intervenções de um conjunto significativo de agentes de securitização da pirataria somali contemporânea. As conclusões apresentam as razões que sustentam o nosso posicionamento de que a teoria de segurança da Escola de Copenhaga é passível de ser aplicada ao estudo do fenómeno da pirataria marítima no Corno de África.

Palavras-chave

Escola de Copenhaga; pirataria marítima; Corno de África; segurança marítima

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An analysis of the issue of piracy in the Horn of Africa through the lens of the Securitization Theory of the Copenhagen School
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AN ANALYSIS OF THE ISSUE OF PIRACY IN THE HORN OF AFRICA THROUGH THE LENS OF THE SECURITIZATION THEORY OF THE COPENHAGEN SCHOOL

ANTÓNIO GONÇALVES ALEXANDRE

1. Introduction

Piracy has existed for many centuries, and the increase in piracy incidents in recent years, particularly since the last decade of the 20th century, shows that it has not been definitively relegated to history. This wave of piracy, "will reappear elsewhere in the future" (Konstam, 2010, p. 222), just as it resurfaced recently in different areas of the globe that were not controlled by a strong government, or where maritime policing was poor or inexistent, from Southeast Asia (particularly the Strait of Malacca) to the West Coast of Africa and the Indian Ocean. In this century, and especially since 2007, the attention has been focused on waters of the Horn of Africa.

That year, the region saw an almost exponential increase in piracy attacks, leading the United Nations Security Council (UNSC) to adopt six resolutions in 2008 alone (UNSC, 2008a), (UNSC, 2008b), (UNSC, 2008c), (UNSC, 2008d), (UNSC, 2008e) and (UNSC, 2008f), all of which urged sovereign nations and international organizations to participate in the common effort to contain the threat, first, by sharing information between agencies and deploying military capabilities (naval and air) to police the waters off the coast of Somalia, and later, by using all necessary means (including the use of force) to counter pirate attacks.

In 2008, following the UNSC resolutions, the European Union (EU) launched naval operation Atalanta. Its mandate was: to protect the vessels chartered by World Food Programme (WFP); to prevent, deter and repress piracy and armed robbery at sea; to monitor fishing activities off the coast of Somalia; to support other EU missions and international organizations with initiatives in the region, such as increasing maritime security or capacity building (EUNAVFOR, 2008). Later, it launched European Union Military Training Mission (EUTM) Somalia (EUTM, 2010), which provided military advice and training to the Somali security forces, and European Union Capacity Building Mission (EUCAP) Nestor, a civilian capacity-building operation in the Horn of Africa that aims to increase maritime security in the region. In 2016, the mission was refocused on Somalia and was renamed EUCAP Somalia (EUCAP, 2012).

Still in 2008, the North Atlantic Treaty Organization (NATO) launched operation Allied Provider. In 2009, it launched operation Allied Protector, and, not long after, operation Ocean Shield, all of which are maritime security operations in the Gulf of Aden and the

Somali Basin. Their mandate is to protect shipping routes, deter and disrupt pirate attacks, in as wide an area as possible, in cooperation with other international organizations with a military presence in the region (NATO, 2021).

The Contact Group on Piracy off the Coast of Somalia was created in January 2009. The group would become the point of contact of a large network that brought together and connected hundreds of actors, from states to international organizations, industry associations, naval missions or various initiatives to combat piracy (CGPCS, 2009).

The Djibouti Code of Conduct was signed on 29 January 2009 by the representatives of Djibouti, Ethiopia, Yemen, Kenya, Madagascar, Maldives, Seychelles, Somalia and Tanzania. The document was conceived as a framework for capacity-building in the countries of the Horn of Africa (IMO, 2009). To date, the document has been signed by 20 countries (IMO, 2022).

The publication of the first edition of Barry Buzan's book, *People, States and Fears*, in 1983, opened up a new field in the study of security. In 1991, the second edition of the book was the catalyst for further exploration of the security problem at the Centre for Peace and Conflict Research in Copenhagen. Buzan and the centre's collaborators published several works on security, which were sufficiently interrelated to become known as the collective shorthand "Copenhagen School of security studies" (Mcsweeney, 1996, p. 81).

This article discusses how the concepts of the securitization theory developed by the Copenhagen School (CS) can be used to examine the phenomenon of piracy and armed robbery in the waters of the Horn of Africa in the 21st century. To that end, we used a deductive methodology to conduct a necessarily brief review of the major works of the CS, and reviewed and summarized the main objections to this theory. Finally, we used the theory of the CS to analyse the role of some of the main "securitizing agents" in contemporary Somali piracy and the consequences of their actions. In the conclusions section, we discuss how the measures and initiatives of several maritime industry organizations and international associations and agencies contributed to securitize Somali piracy. This shows that, despite the flaws which its critics have pointed out, the theories of the CS can, in fact, be used to study this issue.

Following this introduction, the article is divided into three chapters and a conclusions section. The first chapter discusses the security theory of the CS; the second addresses the main criticisms of the school's theoretical foundations; the third analyses the role that some prominent securitizing agents played in curbing Somali piracy and the concrete results of their actions. The conclusions address the fact that these agents were instrumental in securitizing contemporary Somali piracy, which shows that the securitization theory of the CS can be used to study this issue.

2. The Securitization Theory of the Copenhagen School

This chapter presents the main aspects of the theoretical construct "Securitization Theory of the Copenhagen School" and describes how they have evolved since the end of the Cold War.

For much of the twentieth century, Realist and Idealist approaches dominated the thinking on the problem of "national security". The concept of security was secondary to the discussion. It was usually seen as a derivative of power, in the sense that "an actor with enough power to reach a dominating position would acquire security as a result" or "as a consequence of peace: a lasting peace would provide security for all" (Buzan, 1983, pp. 2-3). Unlike the vast literature on power, which not only included a substantial amount of empirical studies, but also a well-developed conceptual and theoretical body of work, the lack of studies on security was another sign that the concept was not fully developed. Security was seldom addressed unless it served the political interests of specific actors or groups, and it was only discussed in military terms. A few conceptual works had been published on the subject of security, but there was nothing that could be considered a coherent school of thought. However, for Barry Buzan (1983, p. 2), security was "much more powerful … [and it deserved] elevation to equal rank with power and peace".

Ole Wæver, another important theorist of the CS, states that "security has an everyday meaning", but that the term has acquired different connotations derived from the "international discussion of national security [and] security policy" (Wæver, 1995, p.69). Weaver argues that, historically, security has been "the field where states threaten each other, challenge each other's sovereignty, try to impose their will on each other, defend their independence, and so on", but acknowledges that the "strong military identification of earlier times has been diminished" (1995, p. 69). Therefore, he proposes an alternative way of defining a wider concept of security: "to broaden the security agenda to include threats other than military ones" (Wæver, 1995, p. 70). As he builds his theory, Wæver (1995, p. 73) moves from "alternative security" to "security as a speech act", stating that "[w]ith the help of language theory, we can regard 'security' as a speech act" and that using it "had the effect of raising a specific challenge to a principled level", which implies "that all necessary means would be used to block that challenge". And because this threat would be defined as "existential and a challenge to sovereignty", the State would not be limited in what it could do. Therefore, "a problem would become a security problem whenever so defined by the power holders" (Wæver, 1995, p. 74).

Buzan notes that, since the end of the Cold War, the theoretical literature on security has become particularly active. As a result of this theoretical revitalisation, the debate has split into three distinct schools: the traditionalists, who wish to keep the focus on military issues; those who want to extend the concept of security to sectors other than the military; and a new school of critical studies, whose proponents want to encourage a more questioning attitude about the framework in which security is conceptualised. According to Buzan, while is some overlap among these schools, there is also open disagreement. Buzan agrees with those who wish to broaden the concept and refutes the traditionalist criticism that "widening makes the concept of security incoherent" (Buzan, 1997, p. 5).

The widespread sentiment in the mid-1990s was that the international system would become more decentralized and regionalized in the post-Cold War. Reflecting this, another book proposed a new framework for analysis for security studies, one which examined the different security dynamics in five sectors: military, political, economic, environmental and societal (Buzan, Wæver, & Wilde, 1998).

But what makes a given development a security issue in international relations? The question evokes concepts such as social security and international security because "[u]nlike social security, which has strong links to matters of entitlement and social justice, international security is more firmly rooted in the traditions of power politics" (Buzan, Wæver, & Wilde, 1998, p. 21). The special nature of security threats, which are seen as existential threats, justifies the use of extraordinary ("emergency") measures. Security is thus used as a justification to legitimize the use of force. And what do the terms "existential threat" and "emergency measures" mean? In practice, how can researchers use these concepts to distinguish politicization processes from securitization processes? An existential threat can only be understood in relation to the particular character of the referent objects in question (Buzan, Wæver, & Wilde, 1998, p. 21). These referent objects depend on the sectors. In the military sector, the referent object is usually the state; in the political sector, it is sovereignty; in the economic sector, referent objects are national economies and firms; in the societal sector, they are usually large-scale collective entities; and in the environmental sector, referent objects can be species, habitat types, the planetary climate or the biosphere (Buzan, Wæver, & Wilde, 1998, pp. 22-23).

The concept of securitization is "the move that takes politics beyond the established rules of the game and frames the issue either as a special kind of politics or as above politics" (Buzan, Wæver, & Wilde, 1998, p. 23). Therefore, securitization can be considered a more extreme version of politicization, and any public issue falls on a spectrum that ranges from non-politicized (the state simply does not deal with it) to politicized (the issue is part of public policy, requiring decisions by the government and the allocation of resources), to securitized (the issue is presented as an existential threat, requiring emergency measures and justifying actions outside the normal bounds of political procedure) (Buzan, Wæver, & Wilde, 1998, pp. 23-24).

Also according to Buzan and Wæver (2003, p. 6), there are three main theoretical perspectives on the post-Cold War international security structure: neo-realist, globalist and regionalist.

The neorealist perspective is state-centred and is based on the argument that power is polarised: it is either unipolar, bipolar or multipolar. The neorealist interpretation of the post-Cold War international security structure is that there was a change in the global power structure (the end of bipolarity), and its main concern is to identify the nature of this change in order to understand its impact on security (Buzan & Wæver, 2003, p. 6).

The globalist perspective is generally described as the "antithesis of … neorealism's … understanding of international system structure" (Buzan & Wæver, 2003, p. 7).

On the other hand, the regionalist perspective argues that, in the post-Cold War world, the regional level is the main locus of conflict and cooperation for states. This is also the approach chosen by CS theorists (who have a more open understanding of security than the proponents of the regionalist perspective, which is rather traditional and military-centred) (Buzan & Wæver, 2003, p. 10).

3. The main critics of the Theory of the Copenhagen School

This section lists some of the main critics of the CS and provides a brief summary of their objections to the school's theory.

In 1998, Jef Huysmans described the security studies of the CS as having emerged within the European security landscape and acknowledged that this school defined innovative concepts, such as securitization, societal security and regional security complex. Despite this, Huysmans raises the question of how the CS developed the (new) security agenda and how it was able to shift a security agenda that focused only on military relations between states to a much broader concept that dealt with all kinds of threats "to the existence, well-being and development of individuals, social groups, nations and mankind" (Huysmans, 1998, p. 482). Huysmans goes on to list some characteristics of the group, such as the fact that it brought together people who had different interpretations of International Relations: Buzan had a "more or less neorealist" approach, while Weaver's was rooted in "a social constructivist perspective". As a result, the concepts introduced by the authors evolved in a fluid and dynamic way (Huysmans, 1998, p. 483). Another characteristic refers to the fact that the CS is a European school of security studies. As such, it is anchored in European security dynamics. Most of its texts describe an "internal relation between the empirical developments in the European security problematic and its conceptual work", and would benefit from a more universal approach. Finally, Huysmans states that the CS "theorizes from specific European security experiences" (Huysmans, 1998, p. 483-484).

Another critic, Thierry Balzacq, noted that the power of discourse had become an important aspect of security analysis. Balzacq's criticism of the CS is based on the fact that the discursive action of security has a high degree of formality. The speech act model is an attempt to frame securitization as a sustained strategic practice which aims to persuade an audience that a specific development has become a threat which must be addressed through an immediate policy (Balzacq, 2005, p. 172). Balzacq's proposal consists of reformulating the speech act model of securitization by "integrating strategic purposes into the equation, [which] elevates securitization above its normative setting" and, in the process, "ensconces it in the social context, a field of power struggles in which securitizing actors align on a security issue to swing the audience's support toward a policy or course of action" (Balzacq, 2005, p. 173).

Matt McDonald argues that the securitization framework proposed by the CS theory is problematic in three basic senses: first, the construction of security is defined narrowly and focuses on the speech of dominant actors, which are usually political leaders (thus excluding other forms of representation, such as images or material practices), and on the discursive interventions of voices considered institutionally legitimate to speak on behalf of a collective (usually a state); second, the context of the act is defined narrowly because it focuses only on the moment of intervention (it fails to address the potential for security which is constructed over time through a series of incremental processes and representations); finally, "the framework of securitization is narrow", in the sense that "the nature of the act is defined solely in terms of the designation of threats to security" (McDonald, 2008, p. 564). McDonald adds that this approach disregards the importance of how security, as a "normative goal or expression of core values", is understood in specific contexts, and that it suggests that security acquires content only through representations of danger and threat. Furthermore, this framework "encourages the conceptualization of security policies as inherently negative and reactionary" (McDonald, 2008, p. 564).

Juha Vuori states that most literature on the practice of securitization focused on political systems that can be considered "more or less democratic" and that this was likely due to the school's "Europeanness" approach, which was rooted in European politics (Vuori, 2008, pp. 65-66). Vuori adds that this is reflected in the "paradigmatic understanding" of the theory: the practice of securitization is understood as a means of moving certain issues beyond the democratic process of government. Therefore, "security issues are a type of special politics" that legitimize the use of "special procedures" to address the "necessities of survival" (Vuori, 2008, p. 66). However, this should not limit the study of securitization to democratic political systems because, for securitization studies to become a comprehensive field of study, they must take into account "security speech and politics in all kinds of political systems" (Vuori, 2008, p. 66). Therefore, Vuori asks, how does security logic work in non-democratic systems? And what does "special politics" mean when there are no democratic processes to handle security problems? What is the political function of security in non-democratic systems? Can we use the concept of securitization to analyse the security policies of non-democracies? Vuori (2008, p. 66) believes that we can, but only by introducing other categories of securitization acts, based on illocutionary logic (in which there is an intention to accomplish a certain communicative goal – for example, making a promise or simply warning someone about something, asking a question, or even giving advice) and containing different types of perlocutionary intentions (which aim to produce certain effects on the speakers' interlocutors).

In 2010, Thierry Balzacq published another work on securitization theory. There, Balzacq draws on the basic principle of John Austin's theory (1962), that certain statements are more than a description of a given reality and, as such, cannot be judged as false or true. Instead, such statements perform a specific action, that is, they "do" things, rather than being merely "descriptive" statements that simply report a state of affairs and, as such, can be proven true or false (Austin, 1962). Austin's theory is rooted in the "language-games" envisioned by Ludwig Wittgenstein (1958), who asks us to look at how words are used because every word has a meaning correlated with that word: it is the object for which the word stands (Wittgenstein, 1958, p. 2). This view is part of the "philosophy of language fold" and, according to Balzacq, it lays some of the foundations of the CS's approach to securitization. Balzacq (2010, p. 1) calls it the "philosophical" view. However, other authors, some of whom are informed by social theory, speak about securitization mainly in terms of the "practices, context and power relations that characterize the construction of threat images". These authors argue that, while discursive practices are important to explain how some security problems emerge, many "develop with little … discursive design". This variant is called "sociological" (Balzacq, 2010, p. 1). Balzacq (2010, p. 3) argues that examining the way in which threats develop requires both philosophical and sociological insights, provided that "statements about the 'magical power' of speech acts are moderated".

4. The intervention of securitizing agents in Somali piracy

This chapter provides a brief analysis of how some of the most relevant "securitizing agents" intervened to curb Somali piracy in this century, and the concrete results they achieved.

In a first phase, these "securitizing agents" were the numerous international shipping associations that reported the circumstances in which many piracy attacks occurred, using different types of media to disseminate their message: reports, speeches, conference statements and press releases, especially in Western media outlets, which allowed them to spread the message to a wider audience. Some of the most active organizations were the ICC[1] and the IMB[2], BIMCO[3], INTERTANKO[4], INTERCARGO[5], the ICS[6], the ITF[7] and the WSC[8].

But there were other relevant "securitizing agents", such as the International Maritime Organization (IMO)[9], which played an important role in numerous general assemblies, issued a remarkable set of resolutions, and consistently urged the International Community to take the issue seriously, as it endangered not only the life of vessel crews, but also the shipping lanes that carried about 90% of the world's trade (IMO, 2001), (IMO, 2006) and (IMO, 2007).

Associations and trade unions linked to people who work in the sea, or are connected to the sea, were also relevant "securitizing agents". One of those agents was the National Union of Marine, Aviation and Shipping Transport Officers of the United Kingdom (NUMAST), who pressured the British government to intervene in the Horn of Africa by deploying warships to protect UK-flagged commercial vessels (Bowcott, 2003).

The last "securitizing agent" is the WFP. In 2005, the organization took a firm public stance that drew the attention of the international community when it suspended its shipments of food aid to Somalis that needed it to survive (BBC, 2005). The programme was restarted in 2006, after the attacks decreased, but they intensified again in early 2007, leading the WFP's Executive Director, Josette Sheeran, to take another strong stance, this time urging the International Community to join efforts to protect the vessels chartered by the programme (WFP, 2007).

Thus, piracy became an "existential threat" that required "emergency measures" which provided decision makers with a justification to act "outside the normal bounds of political

1 International Chamber of Commerce.
2 International Maritime Bureau.
3 Baltic and International Maritime Council.
4 International Association of Independent Tanker Owners.
5 International Association of Dry Cargo Shipowners.
6 International Chamber of Shipping.
7 International Transport Workers' Federation.
8 World Shipping Council.
9 This specialized agency of the United Nations was established in 1948. It was tasked with creating a regulatory framework for international shipping that ensured maritime safety and protected the environment. It was the first international organization devoted exclusively to maritime issues (IMO, 2022b).

procedure", as described by the CS's securitization theory (Buzan, Wæver, & Wilde, 1998, pp. 23-24).

Therefore, the actions of these "securitizing agents" were the "move towards securitization" that brought the issue of Somali piracy to its target "audiences", which include the citizens of the countries of origin of many seafarers, but also the flag states of the vessels that were attacked and the countries of origin and destination of the cargoes they transported. Other highly relevant "audiences" were the political decision-makers of major international organizations – such as the UN, the UNSC, NATO or the EU – and numerous countries, as it would be them that would ultimately have to implement (alone or together) the "emergency measures" required to curb Somali piracy.

In 2008, the UNSC issued six resolutions on Somalia, under Chapter VII of the UN Charter, which addressed the phenomenon of maritime piracy. This shows that the organization had listened to the "rhetoric" of the "securitizing agents" and actively searched for a solution to this "existential question".

Another important aspect in the process of securitization is the "context" in which it occurs. Buzan, Wæver and Wilde (1998, pp. 31-32) refer to it as "facilitating conditions". This concept is relevant because no "actor of securitization" holds "the power of securitization" or can ensure, alone, that a securitization process occurs. For the authors, what is relevant is that "securitization studies aim to gain an increasingly precise understanding of who securitizes, on what issues (threats), for whom (referent objects), why, with what results, and, not least, under what conditions (i.e., what explains when securitization is successful)" (Buzan, Wæver, & Wilde, 1998, p. 32). In this situation, it seems clear that the first facilitating condition was the threat to human life (the lives of the crews of the ships attacked by pirates and the millions of Somalis who needed the WFP's food aid shipments to survive). However, the threat to international trade and shipping (especially of energy) travelling through the global sea lanes that pass through the region – which could endanger the world's energy security – was (yet) another facilitating condition for the move towards securitization.

The "referent subjects", which Balzacq, Léonard and Ruzicka (2016) described as "the entity that is threatening", are the various groups of Somali pirates, who are also the "existential threat" proposed by Buzan, Wæver and Wilde (1998).

The "referent objects" are the entities threatened by the referent subjects: the crews of the civilian ships targeted by pirate attacks; the passengers of cruise ships; fishermen; other people who used the sea lawfully; Somali people in need of the food aid sent by the WFP; international shipping, especially of energy; freedom of navigation in the waters of the Horn of Africa; and the marine environment – which could be endangered by oil spills caused by attacks on vessels transporting oil and oil products.

It seems clear that several maritime industry associations and some important international organizations developed a "specific rhetorical structure" which dramatized Somali piracy and forced the International Community to take action to deal with the problem. Somali piracy was sufficiently discussed as an "existential threat" in different media outlets and drew the public's attention in several countries, which legitimized the adoption of "exceptional policies" by the "audiences" that had the power to decide, both at the UNSC and in the countries and international organizations that would eventually use the military instrument as an "emergency measure" to combat the threat.

5. Conclusion

The successful securitization of the threat of maritime piracy in the Horn of Africa was largely due to the speech acts of several non-state actors since the early 21st century. This disproves the theory of some critics of the CS, who argue that it focuses on the speech of dominant actors, usually political ones, and that it excludes other forms of representation.

Other points of criticism include the fact that securitization, as a speech act, is too narrow and formal; that it has a fixed, permanent and immutable practice; that it is too anchored in the European school of security studies, and; that discursive action has a high degree of formality. Despite this, as the analysis described in the previous chapter shows, the CS theory has a consolidated conceptual body that can be used to examine the issue of contemporary maritime piracy in the Horn of Africa. Moreover, the type of securitization that was implemented in the West Indian Ocean led the UNSC to issue (in only one year) six resolutions on piracy and armed robbery in the waters of the Horn of Africa, under Chapter VII of the UN Charter. This made the issue an international security problem that had to be addressed by several states and regional and international organizations (a brief list of these organizations is provided in the article's introduction).

Another criticism of the CS's theory of securitization is that it is only applicable to liberal democracies (or similar political systems), and that security studies should be broad and applicable to all political systems. These critics argue that, for the security logic to work in non-democratic countries, it should have an illocutionary basis, but perlocutionary intentions should be included in the act of securitization. However, these arguments are also not applicable to the issue of maritime piracy in the Horn of Africa, as we showed in chapter 4, where we listed several initiatives by some of the most relevant "securitizing agents" that intervened to curb Somali piracy, which did not have either an illocutionary basis or a perlocutory intention, despite the fact that, by all accounts, Somalia is far from being a "more or less democratic" country.

The existential threat of Somali piracy was sufficiently discussed and amplified through a specific rhetorical structure that required urgent action from decision makers "because if the problem [was] not handled [immediately] it [would] be too late". This, in turn, provided a justification to legitimize specific measures – such as the use of the military instrument –, which would not have been possible if the discourse had not focused on an existential threat and a point of no return. This is precisely what happened in the region of the Horn of Africa at the end of the first decade of the 21st century. This means that the securitization of Somali piracy was, in fact, successful.

Moreover, despite the criticism directed at the CS, this article showed that it is possible to examine contemporary maritime piracy in the Horn of Africa using the key concepts of securitization theory: an existential threat (maritime piracy), securitizing agents (maritime industry associations, maritime workers unions and international organizations), an audience (international media groups, the citizens of different countries and policy makers), the context (in which the Somali piracy securitization process occurred), and the exceptional policies (such as the use of the military instrument) that were defined to address the problem.

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CRECIMIENTO ECONÓMICO EN AMÉRICA LATINA Y EL ROL DE CHINA. UN ANÁLISIS DESDE EL NEO ESTRUCTURALISMO LATINOAMERICANO

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Resumen

El objetivo de esta investigación es analizar el rol que ha tenido la economía china en el crecimiento económico de América Latina. La metodología utilizada consiste en un enfoque multivariado para series de tiempo, y se obtienen relaciones de causalidades a través del análisis de las funciones impulso respuesta. Se afirma que el crecimiento económico de China en general ha sido positivo para la región, pero este también ha tenido efectos negativos, como la re – primarizacion de las economías latinoamericanas. Por ello, para que América Latina haga efectivo todo el potencial que tiene para la región el crecimiento económico chino, debe aplicar políticas que generen un cambio estructural.

Palabras clave

Crecimiento económico; Neo–estructuralismo; América Latina; China; Economía global

Abstract

This research aims is to analyze the role that the Chinese economy has had in the economic growth of Latin America. The methodology used consists of a multivariate approach for time series, and causal relationships are obtained through the impulse response analysis functions. It is stated that China's economic growth, in general, has been positive for the region but it has also had negative effects, such as the re-primarization of Latin American economies. For this reason, for Latin America to realize the full potential that Chinese economic growth has for the region, it must apply policies that generate structural change.

Keywords

Economic growth; Neo–structuralism; Latin America; China; Global economy

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Introducción

El análisis del crecimiento económico consiste en identificar, dentro de la evolución simultánea de variables, cuales son las que juegan el papel de líderes y las que se modifican en forma rezagada. La escuela neo – estructuralista representan un esfuerzo reflexivo que ofrece un marco teórico y analítico para comprender el crecimiento económico, sus variables explicativas y las políticas que lo promueven.

En la contemporaneidad, uno de los fenómenos más interesantes a nivel global es la pluralización de los centros de crecimiento económico, siendo China una de las economías emergentes más relevantes. China ha tenido un importante crecimiento económico en los últimos años, que adicionalmente ha podido dinamizar a toda la economía global con su comercio, inversión y cambios en la economía política internacional.

Por ello, el objetivo de esta investigación es analizar el rol que ha tenido la economía china en el crecimiento económico de América Latina. La metodología utilizada consiste en un enfoque multivariado para series de tiempo. Se busca estimar vectores de cointegración entre las variables estudiadas que signifiquen una relación estable entre las mismas, interpretando tales relaciones como una conexión de largo plazo. Adicionalmente, se obtienen relaciones de causalidades a través del análisis de las funciones impulso respuesta.

La investigación se presenta en tres partes. En *elementos analíticos*, se reflexiona desde el neo – estructuralismo latinoamericano sobre la influencia de la economía china en América Latina, haciendo especial énfasis en los principales canales de influencia: inversión, comercio y términos de intercambio. En la segunda parte, *análisis descriptivo*, se busca medir las asociaciones del crecimiento económico de América Latina y el crecimiento económico de China, escogiendo como variables explicativas del Producto Interno Bruto (PIB) de América Latina y El Caribe al Producto Interno Bruto (PIB) per cápita de China, la Inversión Extranjera Directa, la Formación Bruta de Capital fijo y el índice de apertura económica. Finalmente, en *análisis econométrico*, se presenta el análisis multivariado para series de tiempo para estimar el grado de asociación entre el

PIB de Latinoamérica y El Caribe con el PIB de China, y las otras variables seleccionadas, y se obtienen relaciones causales a través del análisis de las funciones impulso respuesta.

Elementos analíticos

Las escuelas estructuralista y neo – estructuralista latinoamericana representan un esfuerzo reflexivo que ofrece un marco teórico, analítico y categorial, que han buscado desde las particularidades latinoamericanas la generación de conocimiento que den respuesta a los principales retos económicos de la región, siendo uno de los aportes más distintivos la idea de cambio estructural.

El argumento fundamental que distingue a las escuelas estructuralista y neo – estructuralista, es la advertencia de que el crecimiento económico no es indiferente a la estructura económica, que hay sectores productivos que tienen mayor capacidad para generar crecimiento económico y que el cambio estructural precede al crecimiento económico.

Para Ocampo (2005), el crecimiento económico en los países en desarrollo está intrínsecamente ligado a la dinámica de las estructuras productivas y a las políticas e instituciones creadas específicamente para apoyarlas. La dinámica de las estructuras productivas tiene un papel fundamental en las modificaciones del ritmo del crecimiento económico, de hecho, el crecimiento económico es un proceso esencialmente mesoeconómico, determinado por las dinámicas de las estructuras productivas. Esta dinámica de las estructuras productivas depende de la interacción entre la innovación, entendida como todo tipo de nuevas actividades y nuevas formas de realizar actividades existentes, y las complementariedades, encadenamientos y redes entre empresas y actividades productivas, y sus respectivos procesos de aprendizaje. El Estado mediante la política económica puede afectar la estructura productiva y crear ventajas comparativas. Pata generar crecimiento, se debe crear constantemente actividades productivas dinámicas.

La estructura productiva se configura por los incentivos del mercado y por las políticas que puedan tomar los países. La economía internacional tiene un rol fundamental por las fuerzas de sus incentivos. En la contemporaneidad, una de las variables más significativas para entender la economía mundial es la emergencia de China.

China, desde finales de la década de 1970, comenzó a aplicar estrategias de reforma y apertura económica, impulsando durante los siguientes treinta años un crecimiento anual promedio de 9,9 por ciento y un aumento anual del comercio internacional de 16,3 por ciento. China superó a Japón en el 2010 como la segunda mayor economía del mundo y reemplazó a Alemania como el mayor exportador del mundo. Desde el 2010, China ha contribuido con casi un 1 punto porcentual al año a la tasa de crecimiento del PIB mundial. En el 2016 China contribuyó a más del 15 por ciento del PIB mundial, posicionándose como la segunda economía de mayor tamaño después de Estados Unidos. También posee el mayor PIB industrial a nivel mundial con 22,5 puntos porcentuales, es el mayor productor agrícola del mundo con un 30 por ciento del valor agregado de la actividad agrícola mundial, es la segunda economía en términos del consumo final de los hogares con un 9,6 por ciento. China es el principal exportador del mundo y el segundo en importaciones. Y en el 2018 contribuyó con el 15,8 por ciento del PIB mundial (Banco Mundial, 2020).

El crecimiento económico chino ha sido especialmente resiliente. Por ejemplo, durante la crisis financiera mundial del 2008, China contó con amplio espacio fiscal y abundantes reservas de divisas. La economía China comenzó a recuperarse en el primer trimestre del 2009, su tasa de crecimiento para este año alcanzó el 9,1 por ciento y el 10,1 por ciento en el 2010. El fuerte crecimiento chino durante la crisis fue la fuerza impulsora más importante para la recuperación global (Lin, 2010). Al momento de escribir este artículo, China es el país que ha presentado una mejor recuperación luego de la crisis del COVID – 19, y de nuevo se perfila con el potencial de motorizar el crecimiento económico mundial.

El crecimiento económico de China desde su reforma y apertura ha tenido un significativo impacto a nivel global, beneficiándose las economías con abundancia en recursos naturales, como las de América Latina, vía Inversión Extranjera Directa, términos de intercambio y comercio internacional.

En la actualidad, China es el segundo país inversor más grande en la región, y América Latina es la segunda región receptora de Inversión Extranjera Directa (IED) china, recibiendo alrededor del 15 por ciento de la IED total de este país. De esta IED recibida, el 80 por ciento está concentrado en Brasil, Perú, y Argentina. China también se ha convertido en el banquero líder en América Latina, el Banco de Desarrollo de China y el Banco de Exportación e Importación de China han superado en la región al Banco Mundial y al Banco Interamericano de Desarrollo. Los préstamos acumulados en el período 2005 - 2017 han alcanzado 150 mil millones de dólares (MMDD), destacando los recibidos por Venezuela, Brasil, Ecuador y Argentina. Adicionalmente, se ha creado un conjunto diversificado de mecanismos de cooperación como el Fondo de Infraestructura, el Fondo Especial para la Agricultura y el Programa de Asociaciones Científico-Tecnológicas. También cabe señalar que en América Latina se han fundado más de dos mil empresas chinas. (Berjano, 2019; Rios, 2018; Gallagher y Myers, 2017; Chen y Li, 2017; Detsch, 2018).

La IED se ha concentrado en proyectos y adquisiciones en sectores intensivos de recursos naturales como minería, petróleo y gas. La composición de la IED china en la región muestra que en el periodo 2010 – 2014 casi el 90 por ciento se dirigió a recursos naturales. En la extracción de petróleo y gas, China se encuentra entre los inversionistas extranjeros más importantes en Argentina, Brasil, Colombia, Ecuador, Perú y Venezuela. En minería, China ha concentrado sus inversiones en Perú y en menor medida en Brasil. La IED china en el ámbito agrícola permanece acotada, pero muestra una tendencia creciente y se observa la consolidación de grandes actores globales que operan en la región, como el grupo Chongqing (GGG). Finalmente, en los últimos años las inversiones chinas se están dirigiendo crecientemente a las telecomunicaciones, la industria automotriz y las energías no convencionales (CEPAL, 2018).

El petrolero absorbe la mayor parte de los financiamientos chinos en América Latina, y sus principales instrumentos para garantizar el suministro de petróleo son las inversiones directas por empresas públicas chinas y el financiamiento de bancos públicos chinos con contrapartida en petróleo. Seguidamente, el cobre y el hierro son los sectores con mayor IED china de América Latina. En el caso de la soja, debido a las dificultades legales para la compra de la tierra, la estrategia fue adquirir dos empresas mercantiles internacionales ya presentes en la región y que controlan la casi totalidad de la cadena de valor, para buscar transformarlas en una gran operadora de América Latina (Gallagher, Irwin y Koleski, 2013; Cheny Perez – Ludeña, 2014).

Adicionalmente, el proyecto más significativo a nivel mundial es el impulsado por China denominado la iniciativa de la franja y la ruta, la cual es de importancia estratégica para América Latina. Esta iniciativa cuenta con importantes complementariedades y espacios de cooperación. China tiene un especial interés en garantizar el acceso a los recursos naturales de la región, y América Latina en la atracción de IED en áreas estratégicas como infraestructura y comunicación.

Para hacer efectivo todo el potencial que tiene la IED china para generar crecimiento en la región, las economías de América Latina deben impulsar proyectos que permitan la incorporación de las economías de la región a las cadenas productivas impulsadas por China, pero no solo como proveedoras de materias primas, sino también para identificar las actividades con el mayor valor agregado, que promuevan inversiones y alianzas tecnológicas. De lo contrario, seguirá prevaleciendo la lógica del mercado y la reprimarización de las economías latinoamericanas.

El ascenso de China en la economía mundial también ha afectado los términos de intercambio, han aumentado los precios de las materias primas y los recursos energéticos, y han reducido los precios de las manufacturas simples, lo cual ha tenido efectos diametralmente diferentes en las subregiones latinoamericanas. América del Sur se ha beneficiado de la alta demanda de materias primas, minerales y productos energéticos, y la alta oferta de manufacturas, lo que ha mejorado sus términos de intercambio. Por su parte, los países de Centroamérica han sido afectados por el deterioro en los términos de intercambio por esta misma situación, ya que son importadores netos de petróleo y exportadores netos de manufactura. Mientras que México fue superado por China como segundo socio comercial de Estados Unidos, especialmente por el desplazamiento de sus manufacturas. Las manufacturas centroamericana tampoco han podido competir con las manufacturas chinas en el mercado estadounidense (Berjano, 2019; Caputo, 2005; CEPAL, 2004).

Miranda (2021) advierte que los aumentos de precios de los recursos naturales producen incentivos de re-primarizacion de las estructuras productivas, vía precios internacionales y tipo de cambio real. El crecimiento económico queda anclado a la volatilidad de los precios internacionales de los recursos naturales. Así púes, la abundancia de recursos naturales, como es el caso de la generalidad de América Latina, es un argumento adicional a favor de las políticas para el cambio estructural.

Por su parte, Palma (2005) señala que el proceso de temprana desindustrialización en América Latina ha sido generado por los cambios en las políticas industriales y el drástico proceso de liberalización comercial y financiera que llevaron de nuevo a las economías a sus ventajas comparativas tradicional, a su posición ricardiana natural. Y Ocampo (2005) resalta que el crecimiento económico de América Latina en la década del 2000 estuvo impulsado por el aumento de los precios de las materias primas, especialmente hidrocarburos y productos mineros, y por la entrada masiva de capital durante dos períodos de exuberancia en los mercados financieros internacionales, entre mediados de 2004 y abril de 2006, y especialmente entre mediados de 2006 hasta mediados del 2007, lo cual permitió crecer con rapidez y generando simultáneamente un superávit en cuenta corriente, pero sin cambio estructural.

Este crecimiento económico no posee las cualidades que tuvo el crecimiento durante el periodo de desarrollo dirigido por el Estado, entre el final de la Segunda Guerra Mundial y el año 1980, el cual estuvo impulsado por la industria manufacturera y por el aumento de la productividad.

Por ello, Ocampo (2005) distingue entre cambio estructural profundo y cambio estructural superficial. El primero se caracteriza por un intenso proceso de aprendizaje y un alto grado de desarrollo de complementariedades, y por ende, por fuertes economías de escala dinámicas de carácter microeconómico y mesoeconómico. Mientras que el segundo, se caracteriza por un bajo nivel de aprendizaje y por un escaso desarrollo de complementariedades productivas, como el desarrollo de enclaves dedicados a actividades de exportación de recursos naturales.

Por ejemplo, América Latina entre el final de la Segunda Guerra Mundial y el año 1980, creció más que la media mundial, logró el mayor crecimiento de toda la historia de la región 5,5 por ciento anual y un 2,7 por ciento por habitante. El motor del crecimiento económico fue el sector de industria manufacturera, la productividad también alcanzó los niveles más altos de la historia, se estima que el PIB por trabajador aumentó al 2,7 por ciento por año entre 1950 y 1980, y fue el periodo de mayor estabilidad económica. El modelo de políticas económicas para el crecimiento en este periodo se caracterizó por ser un modelo mixto que combinó la sustitución de importaciones con la promoción de exportaciones y la integración regional, por la atención creciente en la industrialización, la ampliación significativa de las esferas de acción del Estado en la vida económica, a través de la creación de empresas públicas y en el desarrollo de algunos sectores industriales (Bértola y Ocampo, 2014).

Así pues, se puede afirmar que las políticas de desarrollo productivo para el cambio estructural han sido y son fundamentales para el crecimiento económico. Se debe generar incentivos para canalizar las inversiones donde los beneficios de largo plazo sean más fuertes, y cambiar la estructura de rentabilidades relativas a favor de sectores de mayor complejidad. La diversificación y complejizacion productiva permite la reasignación de los factores productivos a nuevas actividades, la agregación de valor a los procesos de producción y el fomento de los encadenamientos productivos, que son los que permiten la difusión de la tecnología, la homogenización de la productividad, y la reducción de la desigualdad y la pobreza.

Las políticas de desarrollo productivo consisten en una particular forma de afectar a la estructura económica, una forma selectiva, que intencionalmente busca favorecer, sobre otras, a una particular industria. Las políticas de desarrollo productivo exitosas han incluido la ayuda a la captación y adaptación de tecnología extranjera, la creación de ventajas comparativas, protección de la competencia internacional, promoción de exportaciones, coordinación y complemento de mercados financieros, promoción de las economías de escala, regulación a la inversión extranjera directa (Chang,2012; Rodrik, 2013).

En materia comercial, si bien América del Sur presentó una estructura productiva de complementariedad con China y presentó un superávit comercial; México y

Centroamérica presentaron una estructura de competitividad y mantuvieron déficits comerciales.

El comercio bilateral chino-latinoamericano en 2017 sumó 257,8 MMDD, las exportaciones a China fueron 130,8 MMDD y las importaciones desde China, 127 MMDD. China es el primer socio comercial de Brasil, Chile y Perú; y el segundo de la mayoría de los países de la región. Las exportaciones a China se centran en materias primas, casi exclusivamente energéticas y mineras, por manufacturas. El grado de dependencia chino de las importaciones de recursos naturales desde América Latina, medido como proporción entre importaciones netas y consumo, ya alcanza el 60 por ciento en el caso de los principales productos básicos, como el petróleo, el cobre, hierro, y en el caso de la soja asciende al 85 por ciento (Berjano, 2019; Rios, 2018; Rosales y Kuwayana, 2012).

América Latina es relevante para China en el suministro de diversos minerales metálicos. Las exportaciones hacia China de minerales latinoamericanos aumento de 1.7 millones de toneladas en el año 2000 a casi 220 millones de toneladas en el año 2015. De este monto la contribución de Brasil fue de 192 millones de toneladas, la de Perú 11 millones de toneladas y de Chile 10 millones de toneladas. Adicionalmente, se estima que la demanda china por minerales seguirá en aumento, ya que está especialmente atada al proceso de urbanización del país asiático, la cual se estima que aumentara en un 70 por ciento para el año 2030. En materia petrolera, las exportaciones hacia China llegaron en el 2015 a 854.000 barriles diarios, cifras correspondientes al 13 por ciento de las exportaciones totales del continente hacia China y al 8 por ciento del consumo petrolero chino. Cerca del 91 por ciento de esta cantidad tuvo su origen en Venezuela (CEPAL, 2018; Banco Mundial, 2016).

El crecimiento económico sostenido necesita del cambio estructural y de una transformación productiva, que incorpore y propague el progreso tecnológico. Para ello, el sector primario no solo debe transferir renta a otros sectores, sino que debe articular encadenamientos productivos con el sector industrial y de servicios. Sin embargo, estas sinergias no se dan de forma espontánea o por dinámicas del mercado, por lo que se necesitan políticas específicas para la generación, difusión e incorporación de conocimiento a la producción, políticas para la promoción selectiva de exportaciones, otorgamiento de incentivos gubernamentales a quienes emprendan actividades innovadoras, acompañamiento a la creación de empresas de alto nivel tecnológico, completar y adecuar la infraestructura tecnológica en los sectores prioritarios menos adelantados (CEPAL, 1995; CEPAL, 1996).

El comercio con China es persistentemente deficitario para la gran mayoría de la región, lo cual se ha acentuado desde el 2011, especialmente en México y Centroamérica. Solo tres países de la región registran superávit con China, Brasil, Venezuela y Chile. Se trata de un intercambio netamente inter-industrial donde la región de América Latina exporta de manera prácticamente exclusiva recursos naturales no procesados e importa una amplia gama de manufactura. Existe un acentuado déficit con China en el mercado manufacturero, ya que las exportaciones de manufactura hacia China son muy reducidas, excepto en el caso de Costa Rica y México. Los productos más exportados hacia China desde la región son el petróleo, hierro, cobre en distintas formas, soja, metales, madera, azúcar (CEPAL, 2018; CEPAL, 2016).

Como ya lo advertían los trabajos pioneros de Prebisch (1973), en América Latina existe una asimetría entre el bajo dinamismo de la demanda de productos primarios que exporta, en comparación con la amplia demanda de los productos industriales importados. Lo cual lesiona los términos de intercambio y genera un desequilibrio estructural en la balanza de pago.

Adicionalmente, China está sustituyendo la importación de bienes procesados con su propia capacidad, lo que ha erosionado la contribución de los países latinoamericanos a la cadena de valor. Economías como la de Bolivia, Ecuador y Uruguay prácticamente no agregan valor a sus principales productos exportados hacia China, metales preciosos, frutas y soja, respectivamente. En el caso de las exportaciones argentinas y brasileras de soja y sus derivados, el porcentaje de productos exportados con algún nivel de elaboración bajó sensiblemente del 2004 al 2014. Por su parte, el porcentaje de petróleo refinado venezolano ha disminuido notablemente en el total de exportaciones de productos petroleros. Solo en el caso del cobre, el porcentaje exportado de material refinado se ha mantenido estable para Chile y Perú. (CEPAL, 2016).

El crecimiento económico sostenido necesita de un cambio estructural, de una canasta de exportaciones variadas y que se posicionen en sectores más complejos. Las exportaciones hacia China no cumplen con estas condiciones. Por el contrario, acentúan la re-primarización de la economía de la región. Los productos procesados tienen una mínima participación en la actual canasta exportadora de la región hacia China, y el sector manufacturero se ha visto reducido en el mercado interno por la competencia internacional, particularmente la china, Para que América Latina aproveche las potencialidades del comercio con China, debe aplicar políticas de desarrollo productivo que no sigan los incentivos de corto plazo del mercado.

En materia agrícola, América Latina ha aumentado significativamente su peso como proveedor agrícola de China. La participación de la región en las importaciones chinas de productos agrícolas pasó del 16 por ciento en el año 2000 al 27 por ciento en el año 2015. En este año, 2015, la región superó como proveedor de importaciones chinas a la participación conjunta de Estados Unidos y Canadá que llegaron a un 26 por ciento, y fue muy superior a las participaciones que obtuvieron otros competidores relevantes como la asociación naciones del Asia sudoriental con 15 por ciento, y Austria y Nueva Zelandia con 11 por ciento. Sin embargo, si bien la región en su conjunto ha aumentado su peso como proveedor agrícola de china, el crecimiento de las exportaciones regionales ha sido representado en casi su totalidad por un único producto básico y un solo proveedor, la soja de Brasil (CEPAL, 2016).

Las exportaciones agrícolas hacia China tienen un importante potencial para agregar valor. Para ello, se necesita conocer y satisfacer los requerimientos del consumidor chino, y las exigencias regulatorias para acceder al mercado, como los requisitos sanitarios y fitosanitarios, y los estándares de calidad. Esto puede representar una barrera de entrada por los altos costos, sin embargo, los Estados pueden ofrecer a las industrias y empresas esta información y acompañamiento como bien público.

También se debe resaltar, que la brecha tecnológica y de complejidad estructural entre China y América Latina se ha venido ampliando. En el periodo 1995 – 2014, la complejidad de la estructura económica de China se incrementó de forma significativa, su estrategia de política industrial se concentró en inversión en nuevos sectores tecnológicos y áreas de mayor demanda de conocimiento como la economía digital. Esto ha permitido reducir la brecha de productividad con las economías más avanzadas, y desarrollar nuevas capacidades tecnológicas en áreas como internet, almacenamiento de datos, análisis de metadatos, robótica e inteligencia artificial. Mientras que en las principales economía de América Latina, como Brasil, México y Argentina la complejidad de la estructura productiva quedaron rezagada, y este comportamiento se ha extendido en el resto de los países de la región (CEPAL, 2018).

Como advierte Chang (2020), las teorías económicas y la evidencia empírica demuestran que si bien en el corto plazo existe cierta probabilidad de que el libre comercio permita a todos los socios maximizar su producción y sus ingresos, a largo plazo perjudica el desarrollo económico de los socios menos desarrollados, para quienes es imposible establecer industrias tecnológicamente avanzadas y de alta productividad si deben competir con los productores más avanzados de los países con mayor desarrollo económico. A largo plazo, el libre comercio entre países que transitan etapas diferentes del desarrollo económico es perjudicial para los países menos desarrollados.

Así pues, lo que dificulta intrínsecamente el crecimiento económico sostenido de la región no son los incentivos que generan la IED, los términos de intercambio o el comercio con China, sino la falta de políticas de desarrollo productivo y de comercio exterior que generen un cambio estructural con mayor diversidad y contenido tecnológico.

Adicionalmente, seguido, se busca medir las asociaciones del crecimiento económico de América Latina y el crecimiento económico de China.

Análisis descriptivo

Para el crecimiento económico de América Latina y El Caribe se consideró como agregado el Producto Interno Bruto (PIB) per cápita de los todos los países que conforman la región, esto se obtuvo dividiendo el PIB por la población a mitad de año. El PIB es la suma del valor agregado bruto de todos los productores residentes en la economía más todos los impuestos sobre los productos, menos cualquier subsidio no incluido en el valor de los productos. Los datos fueron obtenidos del Banco Mundial (2022) y están expresados en dólares corrientes. Además, se aplicó logaritmo natural para mejorar estadísticamente el modelo y observar la convergencia del crecimiento entre los países de América Latina y El Caribe como agregado. El crecimiento económico de los países latinoamericanos es nuestra variable para analizar o variable dependiente.

En general, los países de América Latina y El Caribe presentan una media de 4.383 millones de dólares en el periodo seleccionado (1970-2020). Este periodo está divido en una mitad donde el PIB registro sus valores más bajos 613 millones de dólares en el año 1970 hasta los 3.760 billones en el año 2002. La segunda mitad (2002-2020) la región ha registrado los mayores niveles de PIB, alcanzando la cifra de 10.433 billones de dólares en el año 2014. El coeficiente de variación es de 70 por ciento, indicando que hay un alto grado de dispersión en los que se refiere a la distribución del PIB en la región en el periodo en estudio.

Tabla 1. Producto Interno Bruto de Latinoamérica y El Caribe (PIB-LATAM)

Média	Desvio Padron	CV%	Minimo	Quartil 1	Mediana	Quartil 3	Maximo
4.383	3.065	70%	613	1.889	3.760	7.089	10.433

Para el crecimiento económico chino, se consideró el Producto Interno Bruto (PIB) per cápita de China. Los datos fueron obtenidos del Banco Mundial (2021) y están expresados en dólares corrientes, además, se aplicó el logaritmo para mejorar estadísticamente el modelo.

En general, China presenta una media de 3.026 trillones de dólares en el periodo seleccionado (1970-2020). Este periodo está divido en una mitad donde el PIB registro sus valores más bajos 92.602 billones de dólares en el año 1970 hasta los 734. 547 billones en 1995. La segunda mitad (1995-2020) ha registrado los mayores niveles de PIB de china alcanzando la cifra de 14.279 trillones de dólares en el año 2019. El coeficiente de variación es de 144 por ciento, indicando que hay un alto grado de dispersión en los que se refiere a la distribución del PIB en China durante el periodo en estudio.

Tabla 2. Producto Interno Bruto de China (PIB-CHINA)

Média	Desvio Padron	CV%	Minimo	Quartil 1	Mediana	Quartil 3	Maximo
3.026.912.246.789	4.351.030.925.221	144%	92.602.973.434	217.888.223.506	734.547.898.221	4.072.324.884.836	14.279.937.467.431

La Inversión Extranjera Directa (IED) es la suma del capital social, las utilidades reinvertidas, otras formas de capital a largo plazo y capital a corto plazo como se describe en la balanza de pagos. Esta serie refleja el total neto, es decir, la IED neta en la economía declarante de fuentes extranjeras menos la IED neta de la economía declarante en el resto del mundo. Esta serie refleja las entradas netas en el informe de la economía y se divide por el PIB. Los datos están expresados en dólares a precios corrientes. La variable se obtuvo del Banco Mundial (2022) y es el agregado de América Latina, además, se aplicó el logaritmo para mejorar estadísticamente el modelo.

En general, los países de América Latina y El Caribe presentan una media de 87.365 billones de dólares de IED en el periodo seleccionado (1970-2020). Este periodo está divido en una mitad donde la IED registró sus valores más bajos 918.606 millones de dólares en el año 1972 hasta los 30.168 billones en el año 1995. La segunda mitad (1995-2020) la región ha registrado sus mayores niveles de IED alcanzando la cifra de 343.499 billones de dólares en el año 2013. El coeficiente de variación es de 119 por ciento, indicando que hay un alto grado de dispersión en los que se refiere a la distribución IED los en la región en el periodo en estudio.

Tabla 3. Inversión Extranjera Directa en Latinoamérica y El Caribe (IED)

Média	Desvio Padron	CV%	Minimo	Quartil 1	Mediana	Quartil 3	Maximo
87.365.222.156	107.594.401.387	119%	918.606.901	5.439.428.290	30.168.276.207	160.087.884.767	343.499.295.040

La Formación Bruta de Capital Fijo incluye mejoras de terrenos, la adquisición de instalaciones, maquinaria y equipo, y la construcción de carreteras, vías férreas y obras conexas, incluidas escuelas, oficinas, hospitales, residencias privadas y edificios comerciales e industriales. Los datos están en dólares estadounidenses a precios corrientes. La variable se obtuvo del Banco Mundial (2021) para América Latina como agregado, además, se aplicó el logaritmo para mejorar estadísticamente el modelo.

En general, los países de América Latina y El Caribe presentan una media de 469.220 billones de dólares referentes a FBC en el periodo seleccionado (1970-2020). Este periodo está divido en una mitad donde la FBC registró sus valores más bajos 35.504 billones de dólares en el año 1970 hasta los 365.494 billones en el año 1995. La segunda mitad (1995-2020) la región ha registrado sus mayores niveles de IED alcanzando la cifra de 1.314 trillones de dólares en el año 2013. El coeficiente de variación es de 85 por ciento, indicando que hay un alto grado de dispersión en los que se refiere a la distribución FBC los en la región en el periodo en estudio.

Tabla 4. Formación Bruta de Capital en Latinoamérica y El Caribe (FBC)

Média	Desvio Padron	CV%	Minimo	Quartil 1	Mediana	Quartil 3	Maximo
469.220.807.100	400.501.398.655	85%	35.504.768.350	146.236.493.229	365.494.167.637	812.474.693.594	1.314.006.550.235

El índice de apertura económica es un indicador que mide el grado de apertura de la economía de un país, considerando su comercio exterior en relación con su actividad económica mundial en su conjunto, es el resultado de la suma de las importaciones de bienes y servicios más las exportaciones de bienes y servicios, dividido por el PIB a precio de comprador, todo ello a precios corrientes en dólares. La variable se obtuvo del Banco Mundial (2021) para América Latina como agregado, además, se aplicó el logaritmo para mejorar estadísticamente el modelo. Además, se aplicó el logaritmo para mejorar estadísticamente el modelo.

En general, los países de América Latina y El Caribe presentan una media de 0,38 puntos referentes a apertura económica en el periodo seleccionado (1970-2020). Este periodo está divido en una mitad donde la apertura económica registró sus valores más bajos 0,27 puntos en el año 1970 hasta los 0,34 puntos en el año 1988. La segunda mitad (1988-2020) la región ha registrado sus mayores niveles de apertura económica alcanzando la cifra de 0,51 puntos en el año 2018. El coeficiente de variación es de 21 por ciento, indicando que hay un grado relativamente estable de dispersión en los que se refiere a la distribución de la apertura económica en la región durante el periodo en estudio.

Tabla 5. Apertura Económica de Latinoamérica y El Caribe (APERT-ECO)

Média	Desvio Padron	CV%	Minimo	Quartil 1	Mediana	Quartil 3	Maximo
0,38	0,08	21%	0,27	0,31	0,34	0,45	0,51

Análisis econométrico

La metodología utilizada consiste en un enfoque multivariado para series de tiempo. Se busca estimar vectores de cointegración entre las variables estudiadas que signifiquen una relación estable entre las mismas, interpretando tales relaciones como una conexión de largo plazo. La cointegración es un procedimiento multivariante adecuado para el tratamiento de series de tiempo, considerando la posibilidad de existencia de tendencias estocásticas en las series, porque da como resultado una ecuación relacional de magnitudes en nivel.

Con este enfoque, será posible estimar el grado de asociación entre el PIB de Latinoamérica y El Caribe (nuestra variable objetivo) con el PIB de China, la Inversión Extranjera Directa en la región, la Formación Bruta de Capital en la región y por último la Apertura Económica en la región, durante el periodo 1970-2020.

Con esta metodología también es posible estimar la dinámica de ajuste de corto plazo resultante de variaciones en PIB de Latinoamérica y El Caribe y en las demás variables en estudio, dejando visibles los impactos de corto y largo plazo sobre variables de interés derivados de choques exógenos estandarizados, a través del análisis de funciones de impulso respuesta.

Antes de aplicar los métodos de cointegración de series temporales, es fundamental verificar ciertas características, como la homocedasticidad y estacionariedad de las variables y su grado de integración. La verificación del patrón de heteroscedasticidad de la serie se realizó mediante inspección gráfica de la serie en segunda diferencia (Ver apéndice 1). Adicionalmente, los métodos de cointegración solo se pueden aplicar a variables integradas estacionarias o de primer orden, por lo que se le aplicó la prueba de raíz unitaria a cada una de las variables y para el modelo completo, para conocer sus propiedades de integración (Ver apéndice 2). Finalmente, se utiliza la metodología de Johansen (1991) para realizar una prueba para calcular el rango de la matriz II = 〖αβ〗^´. Las pruebas de cointegración permiten verificar la relación de largo plazo entre variables económicas. La prueba de cointegración de Johansen(1991) se ha utilizado porque determina del número de vectores de cointegración (Ver Apéndice 3). Al cumplir con estos elementos, se pude pasar al análisis de series de tiempo.

Para tomar la decisión de trabajar con el modelo Vectorial de Corrección de Errores (VEC-M) antes analizamos el comportamiento de las variables a través del análisis del modelo de Vectores Autorregresivos (VAR). Se debe resaltar que el modelo VEC-M es desarrollado como una evolución de tal modelo VAR, por tal motivo, es indispensable observar el comportamiento en una primera instancia a través de dicho modelo. El orden del modelo VAR se eligió analizando el criterio de información *Final Prediction Error* (FPE), a través del cual se concluyó que es de orden 2, es decir, este modelo VAR posee 2 rezagos (ver Apéndice 3).

Habiendo determinado el número de raíces unitarias y el orden del modelo VAR se aplicó la metodología de Johansen (1991) para obtener el número de vectores de cointegración. Teniendo en cuenta el comportamiento de las variables en estudio en el modelo VAR, y partiendo del mismo, se tomó la decisión de trabajar con el modelo VEC-M, a través del cual se observó una mejor adecuación de las variables a la especificación de la teoría económica. Pudimos observar que utilizando el modelo VEC-M el resultado del máximo autovalor fue de 3 vectores de cointegración, con una significación del 5% para todos los modelos. Fue escogido el modelo VEC-M, con tendencias lineales iguales, dentro del vector de cointegración, ya que el mismo se presenta como el más parsimonioso e incluye menos rigidez que los otros modelos candidatos, por esta razón fue el elegido.

$$Log(diff1(PIB\ LATAM\ Y\ CARIBE_t)) = \beta_0+\beta_1+\ \beta_2\ +\ \beta_3(Log(Diff2(PIB\ CHINA_t))\ +$$
$$\beta_4(Log(Diff2(Inversión\ Extranjera\ Directa_t))\ +\ \beta_5 Log(Diff2((Formación\ Bruta\ de\ Capital_t))\ +$$
$$\beta_6(Log(Diff2(Apertura\ Económica_t))\ = 0$$

```
## Response PIB.LATAM.d :
##
## Call:
## lm(formula = PIB.LATAM.d ~ ect1 + ect2 + ect3 + PIB.LATAM.dl1 +
##     PIB.CHINA.dl1 + investimento.estrangeiro.direto.dl1 + Formação.bruta.de.capital.dl1 +
##     APERT.ECO.dl1 - 1, data = data.mat)
##
## Residuals:
##      Min       1Q   Median       3Q      Max
## -0.19482 -0.04408  0.02539  0.06535  0.17145
##
## Coefficients:
##                                      Estimate Std. Error t value Pr(>|t|)
## ect1                                 -0.77254    0.39187  -1.971   0.0555 .
## ect2                                  0.04356    0.01858   2.345   0.0240 *
## ect3                                  0.05821    0.03627   1.605   0.1162
## PIB.LATAM.dl1                        -0.12473    0.44972  -0.277   0.7829
## PIB.CHINA.dl1                         0.30757    0.19659   1.564   0.1254
## investimento.estrangeiro.direto.dl1   0.04172    0.06125   0.681   0.4996
## Formação.bruta.de.capital.dl1         0.26660    0.33863   0.787   0.4356
## APERT.ECO.dl1                        -0.38534    0.28942  -1.331   0.1904
## ---
## Signif. codes:  0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1
##
## Residual standard error: 0.09461 on 41 degrees of freedom
## Multiple R-squared:  0.4248, Adjusted R-squared:  0.3125
## F-statistic: 3.784 on 8 and 41 DF,  p-value: 0.002102
```

$$0{,}78 PIB\ LATAM\ Y\ CARIBE\ = -0{,}55\ +\ 0{,}02\ +\ 0{,}11\ -\ 0{,}12 PIB\ CHINA\ +\ 0{,}49\ Inversión\ Extranjera\ Directa\ \ +$$
$$0{,}43\ Formación\ Bruta\ de\ Capital\ \ +0{,}19 Apertura\ Económica\ \ = 0$$

A través del modelo presentado se puede observar una relación estable entre las variables estudiadas. Sin embargo, todavía no es posible definir relaciones de causalidades. Estas relaciones son obtenidas a través del análisis de las funciones impulso respuesta que se desarrollaran más adelante.

El modelo VEC-M cumplió con la condición de estabilidad. Las raíces del polinomio característico y sus módulos son todas menores a la unidad. El modelo es estacionario, no tiene raíces unitarias y por lo tanto los estimadores son consistentes (ver Apéndice 4).

El correlograma (ver Apéndice 5) muestra un buen comportamiento de las correlaciones residuales. El análisis de la normalidad de los residuos del modelo VEC-M mostró que con un nivel de significancia del 5% los residuos poseen una distribución normal. La normalidad de los residuos es verificada en todas las pruebas conjuntas e individuales de asimetría y curtosis. La normalidad de los residuos para el modelo VEC-M sólo da más seguridad para las pruebas de hipótesis de los coeficientes, pero no es fundamental.

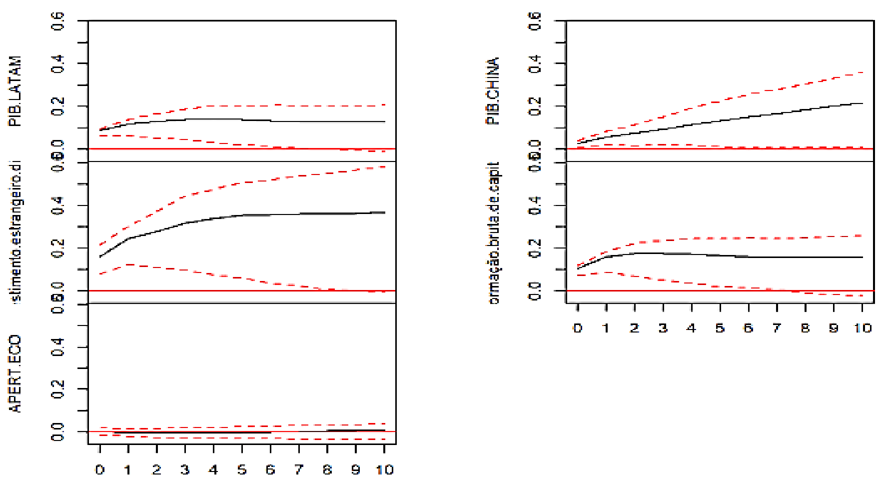
Las pruebas LM (ver Apéndice 6) y Portmanteau (ver Apéndice 7) corroboran la inexistencia de autocorrelación serial. Dado que esta especificación es la que mejor se ajusta a estos aspectos, se decidió mantenerla y asumir que la autocorrelación residual no contemporánea está resuelta.

Finalmente, las funciones de respuesta al impulso ayudan a cuantificar cuanto un impacto sobre una variable afecta a las demás a lo largo del tiempo. Este análisis de respuesta de impulso se utiliza para investigar las interacciones dinámicas entre las variables endógenas y se basa en la representación de la media móvil de Wold de un proceso VAR(p). Por otra parte, la función de respuesta al impulso sirve para describir la reacción del sistema de ecuaciones en estudio en función del tiempo o en función de alguna otra variable independiente que parametriza el comportamiento dinámico del sistema (Pfaff, 2011).

A continuación, se presenta la función de respuesta al impulso de forma gráfica, a través de la cual podemos observar cómo han influido a lo largo del periodo en estudio las variaciones o choques de cada una de las series en estudio sobre el PIB de Latinoamérica y El Caribe, donde las líneas rojas representan el intervalo de confianza estimado para cada una de ellas.

Un choque sobre el PIB de Latinoamérica y El Caribe determina un comportamiento sobre la serie IED en la región que comienza en un nivel alto, con el paso de los años la influencia crece de manera positiva hasta estabilizarse en el periodo 8, podemos observar entonces, que el PIB de Latinoamérica y El Caribe influye positivamente y en una gran proporción sobre el crecimiento de la IED de la región.

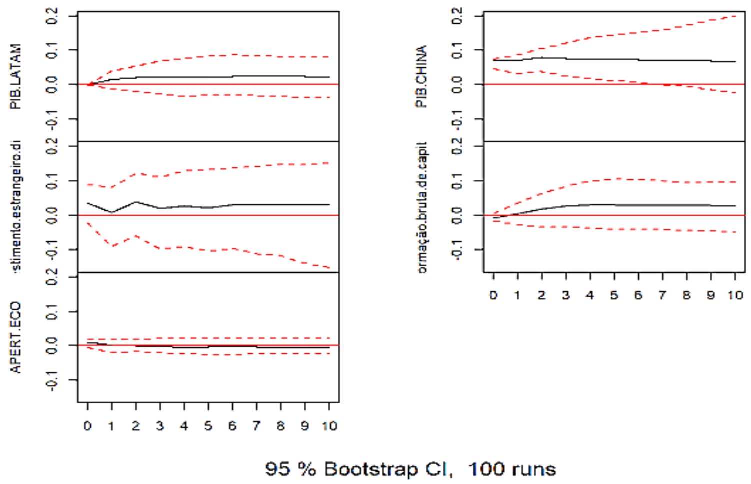
Grafica 1. PIB-LATAM



El impacto de un choque sobre el PIB de Latinoamérica y El Caribe determina un comportamiento sobre la serie apertura económica en la región prácticamente inexistente, el intervalo de confianza esta alrededor de cero, es decir que un aumento o una caída del PIB de la región no influye de forma directa en el aumento o la caída de la apertura económica. Por otro lado, un choque sobre el PIB de Latinoamérica y El Caribe determina un comportamiento sobre la serie PIB de China que al comienzo de nuestra serie se encuentra en un nivel bajo, pero con el paso del tiempo aumenta su influencia, manteniendo una tendencia creciente, indicándonos que un aumento en PIB de la región contribuye a un aumento en el PIB de China.

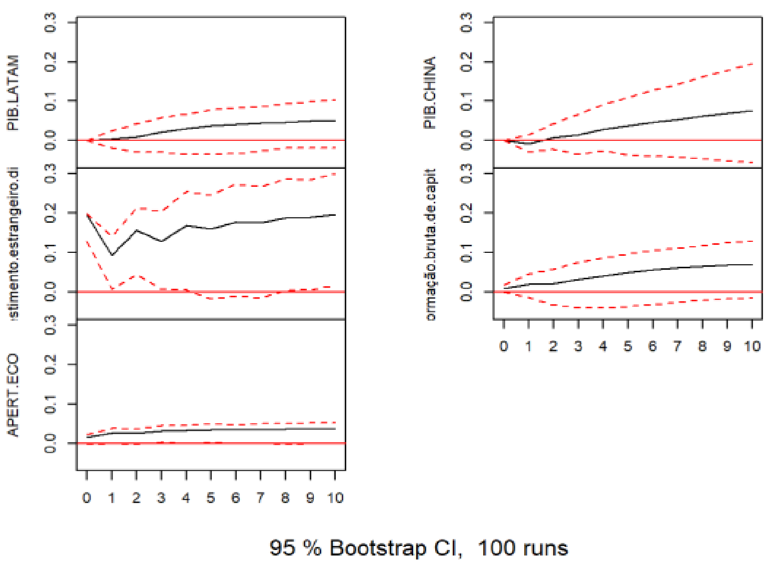
Por último, un choque sobre el PIB de Latinoamérica y El Caribe determina un comportamiento sobre la serie formación bruta de capital de la región que comienza en un nivel alto, tiende a disminuir con el tiempo y luego tiende a estabilizarse, podemos destacar que a lo largo de nuestra serie en estudio se ha establecido una relación positiva pero no directamente proporcional entre ambos indicadores, es decir grandes variaciones en el PIB de la región no tendrán la misma proporcionalidad en un aumento o queda sobre la formación bruta de capital de la misma.

Grafica 2. PIB-CHINA



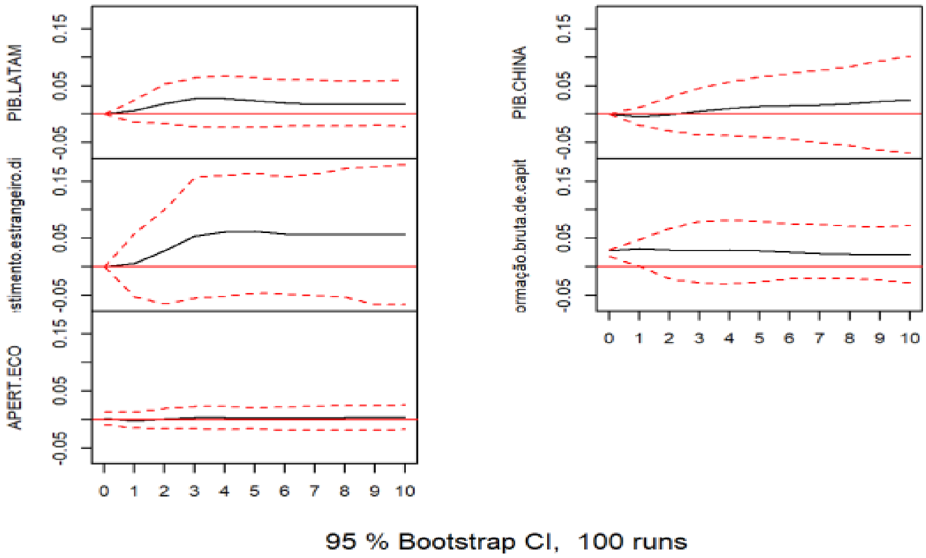
Un choque sobre el PIB de China determina un comportamiento sobre la serie PIB de Latinoamérica y El Caribe que en un principio comienza en un nivel muy bajo, pero con el paso de los años su influencia toma un carácter más relevante, es decir a medida que han pasado los años en el periodo 1970-2020 el crecimiento de PIB de China ha influenciado positivamente el crecimiento de PIB de la región.

Grafica 3. IED



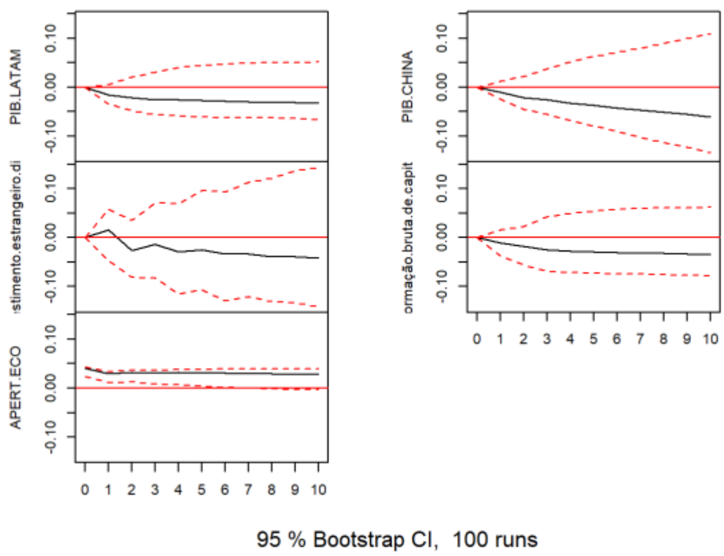
Un choque sobre IED determina un comportamiento sobre el PIB de Latinoamérica y El Caribe que comienza en un nivel bajo, con el paso de los periodos, su influencia se vuelve cada vez más importante, es decir que a medida que pasan los años en el periodo en estudio, la IED ha tenido impacto positivo en el crecimiento del PIB de la región.

Grafica 4. FORMACIÓN BRUTA DE CAPITAL



Un choque sobre la formación bruta de capital de la región determina un comportamiento sobre la serie PIB de esta que comienza en un nivel bajo, conforme pasan los periodos su influencia comienza a aumentar, y a partir del periodo 6 tiende a estabilizarse. Es decir, que con el paso de los años se ha establecido una influencia positiva y estable entre ambos indicadores.

Grafica 5. APERT ECO



Un choque sobre la apertura económica de la región determina un comportamiento negativo sobre la serie PIB de esta, resaltando que la misma se mantiene constante a lo largo de los años en el mismo patamar. Es decir, que a lo largo del periodo en estudio la apertura económica de la región no ha jugado un papel determinante en lo que al crecimiento de esta se refiere.

Seguido, se trabaja la función de descomposición de la varianza. Pfaff (2011) explica la función de descomposición como un método basado en matrices del coeficiente de respuesta al impulso ortogonal Ψ_n, donde la varianza indica en qué proporción de la variabilidad de cada una de las variables que hacen parte del modelo planteado explican la variabilidad de la variable en estudio.

En este caso se observa en qué proporción la variación de las variables PIB LATAM, PIB CHINA, IED, FBC y APERT ECO explican la variabilidad de PIB LATAM en el instante en el que nuestro modelo tiende a estabilizarse.

A continuación, se presenta la función de descomposición de la varianza del modelo:

	PIB-LATAM	PIB-CHINA	IED	FBC	APERT-ECO
[1,]	100.00000	0.000000	0.0000000	0.0000000	0.000000
[2,]	97.32913	1.254403	0.1055683	0.1986666	1.112232
[3,]	95.30587	1.701930	0.2472509	1.0282216	1.716732
[4,]	93.24048	1.790305	0.9522151	1.8502439	2.166754
[5,]	91.82951	1.793198	1.7331249	2.2591686	2.385003
[6,]	90.54741	1.890795	2.6317185	2.3252724	2.604805
[7,]	89.43252	2.033440	3.4559772	2.2618833	2.816177
[8,]	88.32551	2.173595	4.2902205	2.1730465	3.037627
[9,]	87.32573	2.264763	5.0801057	2.0939306	3.235471
[10,]	86.42426	2.308325	5.8330627	2.0248340	3.409514
[11,]	85.66063	2.314235	6.5067540	1.9629737	3.555409
[12,]	85.01495	2.296414	7.1006195	1.9067798	3.681232
[13,]	84.48187	2.261847	7.6091856	1.8577556	3.789345
[14,]	84.03860	2.215641	8.0454752	1.8167381	3.883543
[15,]	83.67276	2.161062	8.4176644	1.7836314	3.964881
[16,]	83.36816	2.101492	8.7376066	1.7571891	4.035554
[17,]	83.11383	2.039552	9.0134526	1.7360525	4.097114
[18,]	82.89853	1.977266	9.2537681	1.7190194	4.151419
[19,]	82.71436	1.915837	9.4648482	1.7052418	4.199711
[20,]	82.55461	1.855999	9.6522762	1.6940559	4.243059

En el instante 1, la variación de PIB LATAM se explica en su totalidad por su propia variación. El modelo tiende a estabilizarse en el instante 18 donde la variación del PIB Latinoamérica y El Caribe, se explica en un 82,9% por su propia variación, un 2% por la variación del PIB de China, un 9,3% por la variación de la IED, un 4.2% por la variación de la apertura económica y finalmente 1,7% por la variación la formación bruta de capital.

Conclusiones

El crecimiento económico de China tiene un impacto positivo en el crecimiento económico de América Latina. A través del análisis de las funciones impulso respuesta se puede afirmar que durante el periodo 1970-2020 el crecimiento de PIB de China ha influido positivamente al crecimiento del PIB de la región, y que esta influencia ha sido mayor con el paso de los años. Y según los resultados de la función de descomposición de la varianza del modelo, la variación del PIB Latinoamérica y El Caribe se explica en un 2 por ciento por la variación del PIB de China.

En general, el crecimiento económico de China ha sido positivo para la región, pero este también ha tenido efectos negativos. El principal efecto negativo es la re – primarizacion de las economías latinoamericanas que impide el crecimiento sostenido, y que ha sido consecuencia de la concentración de Inversión Extranjera Directa china en sectores intensivos en recursos naturales como minería, petróleo y gas, de los aumentos de precios de los recursos naturales y sus incentivos de corto plazo, y del comercio donde la región exporta de manera prácticamente exclusiva recursos naturales no procesados.

Por ello, para que América Latina haga efectivo todo el potencial que tiene para la región el crecimiento económico chino, debe aplicar políticas que generen un cambio estructural con mayor diversidad y contenido tecnológico. Se debe generar incentivos para canalizar las inversiones donde los beneficios de largo plazo sean más fuertes, y que permita la reasignación de los factores productivos a actividades de mayor complejidad, y con una mejor incorporación en las cadenas productivas globales impulsadas por China.

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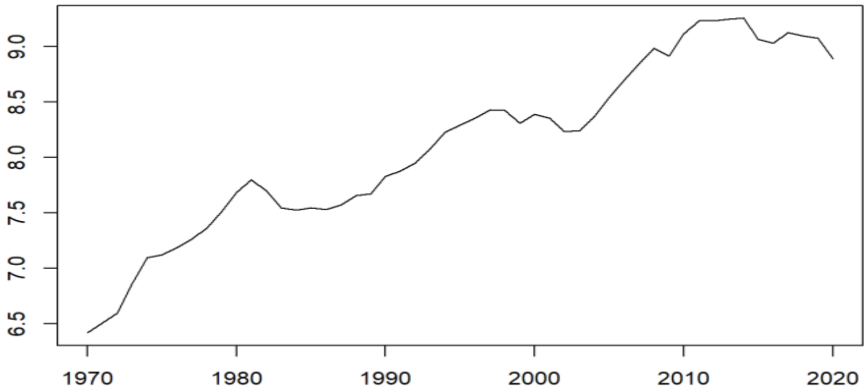
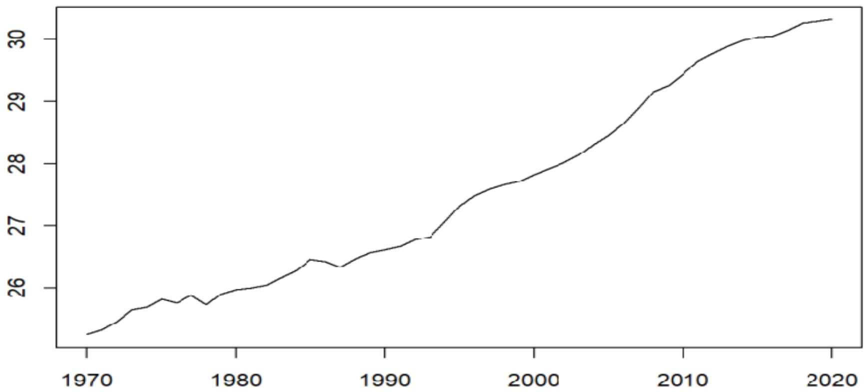
Apéndice

1. Verificación del patrón de heteroscedasticidad de la serie

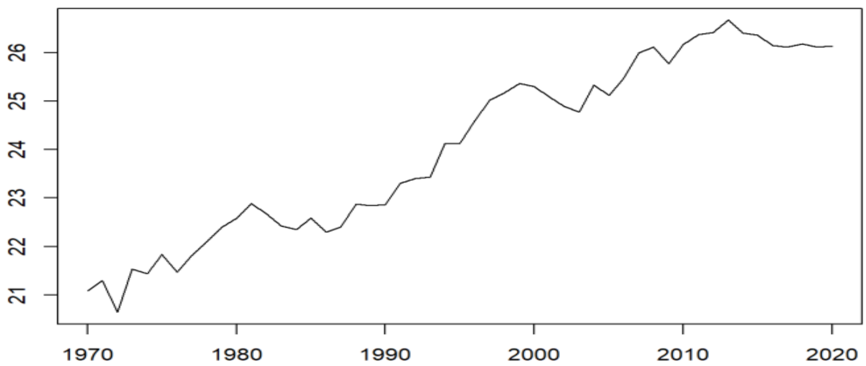
PIB-LATAM

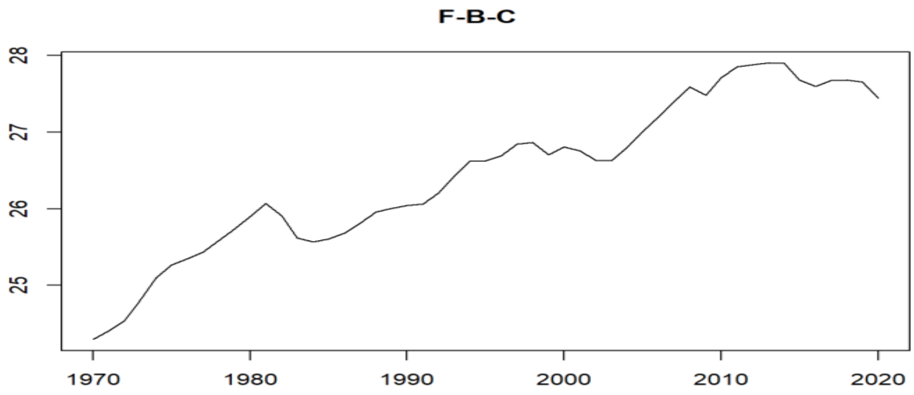


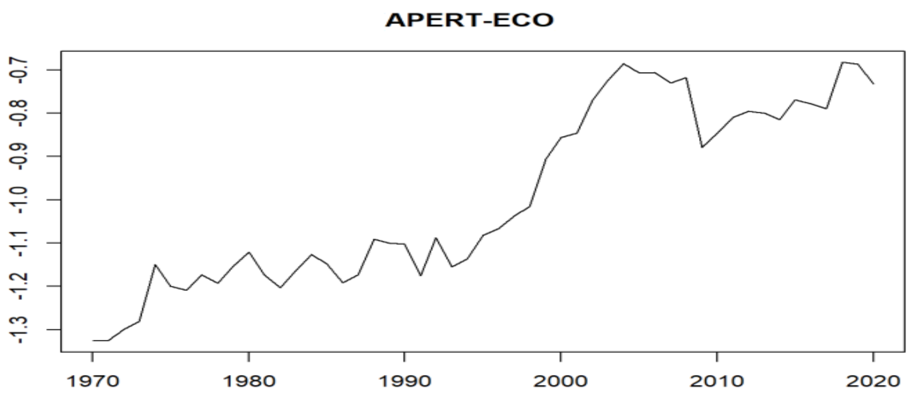
PIB-CHINA



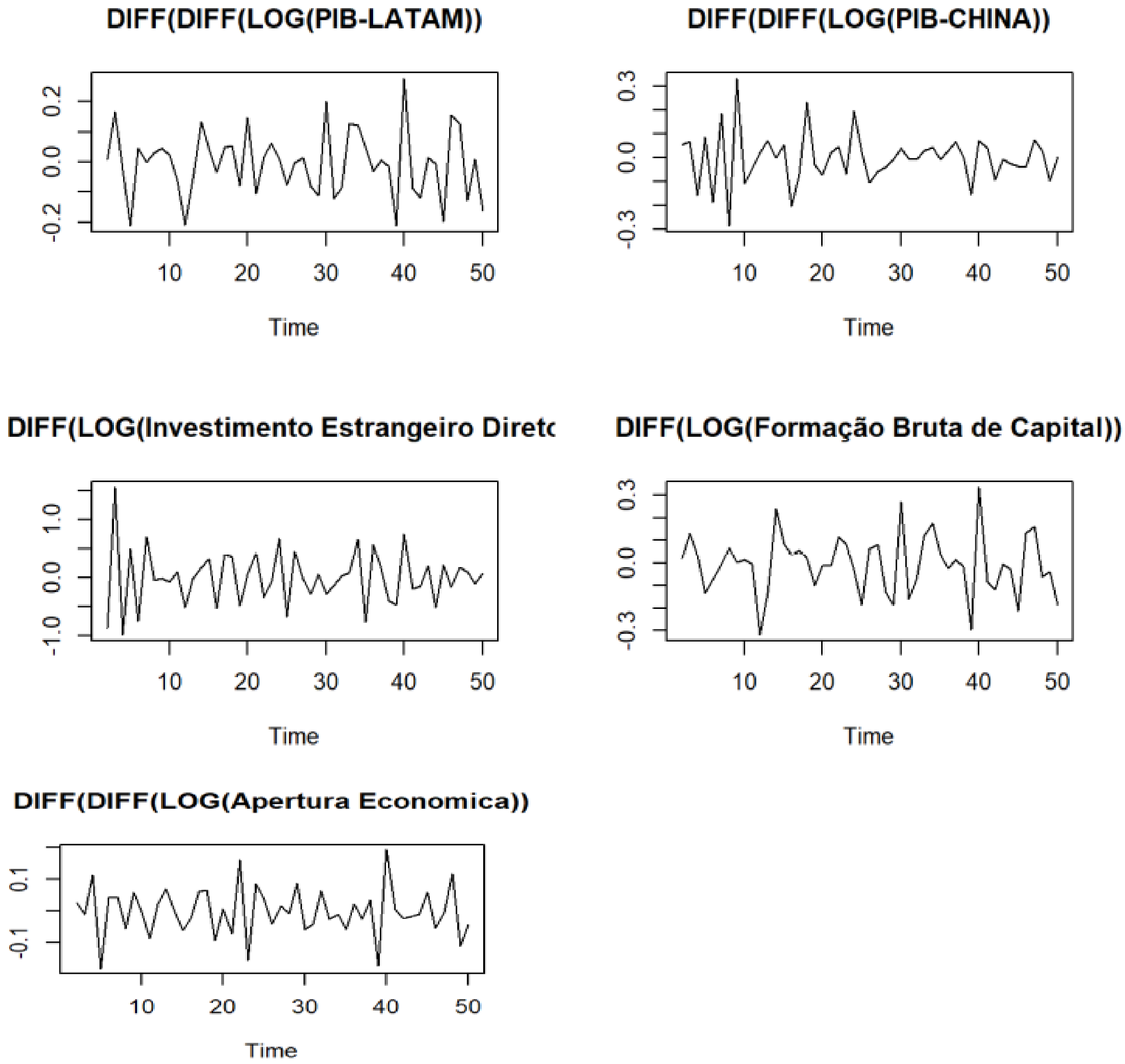
INV-EXT







El análisis grafico realizado a las variables en estudio determinó la presencia de tendencia en cada una de ellas. Para poder continuar con el análisis es necesario eliminar a presencia de la misma, motivo por el cual luego de la aplicación de varios artificios econométricos, se aplicó logaritmo y segunda diferencia a las variables PIB-LATAM, PIB-CHINA y APERTURA ECONOMICA, para las variables INVERSION EXTRANGERA DIRECTA y FORMACÍON BRUTA DE CAPITAL no fue necesario la aplicación de una segunda diferencia para controlar esta problemática.



Luego de aplicar logaritmo y diferencias a las series en estudio no deberíamos tener problemas de raíz unitaria, además podemos descartar la aplicación de un modelo con tendencia determinística.

2. Prueba de raíz unitaria

Se asumió un máximo de tres raíces unitarias para cada variable utilizadas en el modelo: PIB-LATAM, PIB-CHINA, APERTURA ECONOMICA, INVERSION EXTRANGERA DIRECTA y FORMACÍON BRUTA DE CAPITAL. Todas las variables han sido transformadas linealmente aplicando logaritmo y diferencias. Es muy poco probable que haya más de tres raíces en las variables económicas, de ahí la elección. También porque la inspección gráfica no muestra una tendencia estocástica de tal magnitud.

Las pruebas de Dickey & Pantula (1987) para tres raíces unitarias constan de tres pasos. En primer lugar, se analiza la existencia de tres raíces unitarias. Al rechazar esta hipótesis, se prueban dos raíces unitarias. Finalmente, un tercer paso es verificar la presencia de una sola raíz, en caso de que se rechace la hipótesis de dos raíces unitarias.

Mediante el uso de la función LAPPLY disponibilizado en el software R estudio podemos realizar la prueba de raíz unitaria a todas las variables mediante el uso de un solo algoritmo.

```
## $`PIB-LATAM`
##                tau1
## statistic -7.296875
##
## $`PIB-CHINA`
##                tau1
## statistic -7.763024
##
## $`investimento estrangeiro direto
##                tau1
## statistic -9.550469
##
## $`Formação bruta de capital`
##                tau1
## statistic -4.978879
##
## $`APERT-ECO`
##                tau1
## statistic -7.797777
 adf[[1]]@cval
##        1pct  5pct 10pct
## tau1 -2.62 -1.95 -1.61
```

Habiendo descartado la presencia de 3 raíces unitarias, partimos directamente a testar la presencia de 2 raíces unitarias, donde probaremos la hipótesis de existencia de dos raíces unitarias bajo la hipótesis alternativa de existencia de solo una. También se deben incluir los rezagos de la variable dependiente para eliminar la correlación de los residuos, observada por el análisis del correlograma. El número de retrasos se define por los criterios Akaike (1985) y Schwarz (1978), con el objetivo de garantizar la elección adecuada del número de retraso.

Los modelos testados poseen a las siguientes formas estructurales:

$$\begin{aligned}
\nabla^3 y_t &= \beta_1 \nabla^2 y_{t-1} + \beta_2 \nabla y_{t-1} + \sum_{i=1}^{m} \gamma_i \nabla^3 y_{t-i} + \varepsilon_t \\
\nabla^3 y_t &= \alpha + \beta_1 \nabla^2 y_{t-1} + \beta_2 \nabla y_{t-1} + \sum_{i=1}^{m} \gamma_i \nabla^3 y_{t-i} + \varepsilon_t \\
\nabla^3 y_t &= \alpha + \beta t + \beta_1 \nabla^2 y_{t-1} + \beta_2 \nabla y_{t-1} + \sum_{i=1}^{m} \gamma_i \nabla^3 y_{t-i} + \varepsilon_t
\end{aligned}$$

La prueba de hipótesis individual de Dickey y Pantula (1987) para la segunda es la siguiente:

$$\begin{cases} H_0 & : \quad \beta_1 < 0, \beta_2 = 0 \\ H_A & : \quad \beta_1 < 0, \beta_2 < 0 \end{cases}$$

Las estadísticas de prueba son $t_1 = \hat{\beta}_1/s_{\beta_1}$ e $t_2 = \hat{\beta}_2/s_{\beta_2}$. Los valores críticos fueron calculados por Dickey y Pantula (1987) y simulados a través del software R estudio. El criterio de decisión define que si $\hat{t_1} < \tau^{crit}$ se rechaza la hipótesis nula.

Los valores críticos están disponibles en Dickey y Fuller (1981), de acuerdo con el modelo utilizado, el nivel de significancia y el tamaño de la muestra. El criterio de decisión define que si: rechaza la hipótesis nula de que el modelo tiene constante, si $\hat{t_{\alpha\tau}} < \tau_{\alpha\tau}^{crit}$,

Se rechaza la hipótesis nula de que el modelo tiene tendencia.

Las pruebas fueron ejecutadas inicialmente para cada una de las variables y luego para el modelo completo, obteniéndose que el estadístico *Tau1* pertenece para cada una de las series a la región critica (los valores de cada una de las raíces son mayores en modulo), lo que quiere decir que no tenemos raíces unitarias para cada una de las series estudiadas en log y con primera y segunda diferencia, motivo por el cual rechazamos *Ho.* Nuestras series son integradas de segundo (2) orden, es decir, poseen dos raíces unitarias y constante.

3. Cointegración

La cointegración por el procedimiento de Johansen (1991) se basa en el Teorema de Representación de Grainger. Este teorema establece que si un grupo de variables se cointegran entre sí, entonces el vector de cointegración tiene una representación en forma de modelo de corrección de errores. El modelo de corrección de errores es una variación de la metodología VAR. Mediante la aplicación de esta metodología establecemos el orden del modelo Var.

```
m2=VARselect(Dados1, lag.max = 3 , type = "both")
m2

## $selection
## AIC(n)  HQ(n)  SC(n) FPE(n)
##      2      2      1      2
##
## $criteria
##                    1             2             3
## AIC(n) -2.468067e+01 -2.522555e+01 -2.496046e+01
## HQ(n)  -2.416505e+01 -2.434164e+01 -2.370825e+01
## SC(n)  -2.331625e+01 -2.288655e+01 -2.164687e+01
## FPE(n)  1.931389e-11  1.170008e-11  1.696069e-11
```

A través del software R estudio, ejecutamos el comando 'both' porque se está estimando un modelo con constante y tendencia, aplicamos el análisis a nuestra base de datos sin logaritmo y diferencias y como resultado podemos observar en la salida que siguiendo el criterio de decisión FPE tenemos un modelo de orden 2.

Habiendo determinado el número de raíces unitarias y el orden del modelo VAR podemos aplicar la metodología de Johansen (1991) para obtener el número de vectores de cointegración. El cálculo del número de vectores de cointegración resulta vital para aplicar el modelo de Vectorial de Corrección de Errores (VEC-M) presentado en el artículo, tal procedimiento fue realizado a través del software Restudio:

```
## ######################
## # Johansen-Procedure #
## ######################
##
## Test type: maximal eigenvalue statistic (lambda max) , without linear trend and constant i
n cointegration
##
## Eigenvalues (lambda):
## [1] 5.775979e-01 4.949291e-01 3.922071e-01 1.397464e-01 6.915117e-02
## [6] 1.942890e-15
##
## Values of teststatistic and critical values of test:
##
##           test 10pct  5pct  1pct
## r <= 4 |  3.51  7.52  9.24 12.97
## r <= 3 |  7.38 13.75 15.67 20.20
## r <= 2 | 24.40 19.77 22.00 26.81
## r <= 1 | 33.47 25.56 28.14 33.24
## r = 0  | 42.23 31.66 34.40 39.79
```

Los valores de lambda fueron 5.775979e-01, 4.949291e-01, 3.922071e-01, 1.397464e-01, 6.915117e-02, y 1.942890e-15 los cuales representan los valores de los autovalores calculados para este sistema. Los valores críticos y la estadística de la prueba son calculados en función de esos valores lambda.

Los valores de r =0 hasta r <= 4 representan la hipótesis nula, realizando la prueba para r<=3, observamos que la estadística de la prueba es 7,38, menor que los valores críticos 13.75, 15.67 y 20.20; por lo tanto, no rechazamos H_0, estamos en presencia de 3 vectores de integración.

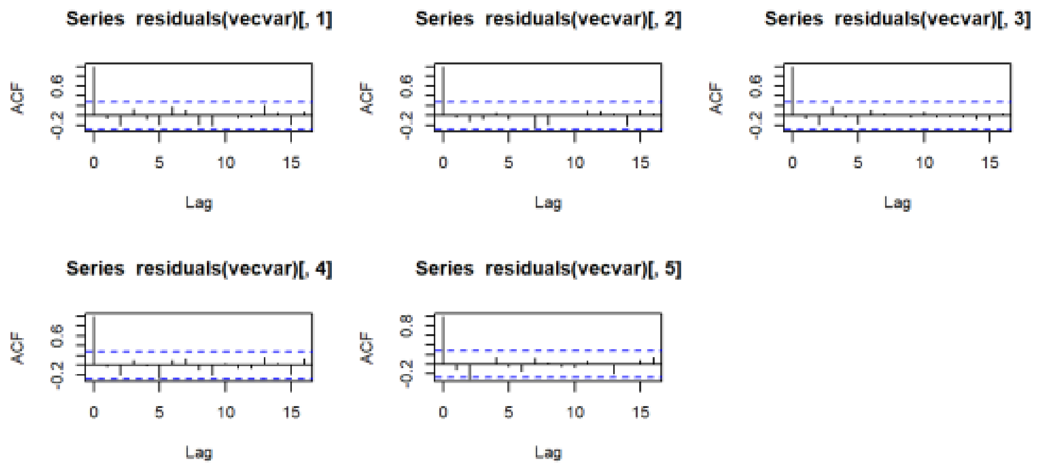
4. Análisis de estabilidad de las raíces

```
autoval <- roots(modelo.var)
roots(modelo.var)
```

```
##  [1] 0.9823102 0.9132032 0.8065308 0.8065308 0.6597713 0.6446529 0.6446529
##  [8] 0.6025183 0.2084020 0.1314178
```

Las raíces del polinomio característico y sus módulos son todas menores a la unidad (1). El modelo es estacionario, no tiene raíces unitarias y por lo tanto los estimadores son consistentes.

5. Residuos del modelo



No se detectó correlación serial en el modelo aplicado.

6. Prueba LM

```
model.BG=serial.test(vecvar,lags.bg=9,type='BG')
```

```
## Warning in pf(LMFh.stat, PARAMETER1, PARAMETER2): NaNs produzidos
```

```
model.BG
```

```
##
##  Breusch-Godfrey LM test
##
## data:  Residuals of VAR object vecvar
## Chi-squared = 245, df = 225, p-value = 0.1717
```

No tenemos presencia de correlación en los rezagos hasta el rezago numero 9, p-value=0,1717 >0,05

7. Prueba de Portmanteau

```
serial.test(vecvar, lags.pt = 15)
```

```
##
##  Portmanteau Test (asymptotic)
##
## data:  Residuals of VAR object vecvar
## Chi-squared = 328.57, df = 330, p-value = 0.5118
```

```
model.pt.asy=serial.test(vecvar,lags.pt=15, type='PT.asymptotic')
model.pt.asy
```

```
##
##  Portmanteau Test (asymptotic)
##
## data:  Residuals of VAR object vecvar
## Chi-squared = 328.57, df = 330, p-value = 0.5118
```

A través de la prueba de Portmanteau podemos asegurar la no presencia de correlación serial hasta el rezago número 15, p-value= 0,5118 > 0,05.

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ECONOMIC GROWTH IN LATIN AMERICA AND THE ROLE OF CHINA. AN ANALYSIS OF LATIN AMERICAN NEOSTRUCTURALISM

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Abstract

This research aims is to analyze the role that the Chinese economy has had in the economic growth of Latin America. The methodology used consists of a multivariate approach for time series, and causal relationships are obtained through the impulse response analysis functions. It is stated that China's economic growth, in general, has been positive for the region but it has also had negative effects, such as the re-primarization of Latin American economies. For this reason, for Latin America to realize the full potential that Chinese economic growth has for the region, it must apply policies that generate structural change.

Keywords

Economic growth; Neo–structuralism; Latin America; China; Global economy

Resumen

El objetivo de esta investigación es analizar el rol que ha tenido la economía china en el crecimiento económico de América Latina. La metodología utilizada consiste en un enfoque multivariado para series de tiempo, y se obtienen relaciones de causalidades a través del análisis de las funciones impulso respuesta. Se afirma que el crecimiento económico de China en general ha sido positivo para la región, pero este también ha tenido efectos negativos, como la re – primarizacion de las economías latinoamericanas. Por ello, para que América Latina haga efectivo todo el potencial que tiene para la región el crecimiento económico chino, debe aplicar políticas que generen un cambio estructural.

Palabras claves

Crecimiento económico; Neo–estructuralismo; América Latina; China; Economía global

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ECONOMIC GROWTH IN LATIN AMERICA AND THE ROLE OF CHINA. AN ANALYSIS OF LATIN AMERICAN NEOSTRUCTURALISM

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ANTONIO AZUAJE

Introduction

The analysis of economic growth consists of identifying, within the simultaneous evolution of variables which are the ones that play the leading role and those that are modified laggardly. The neo-structuralist school represents a reflexive effort that offers a theoretical and analytical framework to understand economic growth, its explanatory variables, and the policies that promote it.

Nowadays, one of the most interesting phenomena at a global level is the pluralization of the centers of economic growth, with China being one of the most relevant emerging economies. China has had significant economic growth in recent years, which has also been able to improvement the entire global economy with its trade, investment, and changes in the international political economy.

Therefore, the aim of this research is to analyze the role that the Chinese economy has had in the economic growth of Latin America. The methodology used consists of a multivariate approach for time series. It seeks to estimate cointegration vectors between the variables studied that signify a stable relationship between them, interpreting such relationships as long-term connections. Additionally, causal relationships are obtained through the impulse response function analysis.

The research is presented in three parts. In analytical elements, it reflects Latin American neo-structuralism on the influence of the Chinese economy in Latin America, emphasizing the main channels of influence: investment, trade, and terms of trade. In the second part, descriptive analysis, we seek to measure the associations between Latin America economic growth and China economic growth, choosing as explanatory variables of the Gross Domestic Product (GDP) of Latin America and the Caribbean, the Gross Domestic Product (GDP) per capita of China, Foreign Direct Investment, Gross Fixed Capital Formation and the economic openness index. Finally, in econometric analysis, the multivariate analysis for time series is presented to estimate the degree of association between the GDP of Latin America and the Caribbean with the GDP of China and the other selected variables, and causal relationships are obtained through the impulse response functions analysis.

Analytical elements

The Latin American structuralism and neo-structuralism schools represent a reflexive effort that offers a theoretical, analytical, and categorical framework. From the Latin American particularities look forward to the generation of knowledge that responds to the main economic challenges of the region, is one of the contributions distinctive the idea of structural change.

The fundamental argument that distinguishes the structuralism and neo-structuralism schools is the warning that economic growth is not indifferent to the economic structure. There are productive sectors that have a greater capacity to generate economic growth, and structural change precedes economic growth.

For Ocampo (2005), economic growth in developing countries is intrinsically linked to the dynamics of productive structures and the policies and institutions created specifically to support them. The dynamics of production structures play a fundamental role in changing the pace of economic growth. Economic growth is an essentially mesoeconomic process determined by the dynamics of production structures. This dynamic of productive structures depends on the interaction between innovation, understood as all kinds of new activities and new ways of carrying out existing activities, and the complementarities, linkages, and networks between companies and productive activities and their respective learning processes. The State with the economic policy can affect the productive structure and create comparative advantages. To generate growth must be constantly created dynamic productive activities.

The productive structure is configured by market incentives and by the policies that countries may adopt. The international economy plays a fundamental role due to the forces of its incentives.

Nowadays, China rise.is one of the most significant variables to understand the economic world. Since the end of the 1970s, began to implement strategies of economic reform and opening, promoting an average annual growth of 9.9 percent and an annual increase in international trade of 16.3 percent over the next thirty years. China overtook Japan in 2010 as the world's second-largest economy and replaced Germany as the world's largest exporter. Since 2010, China has contributed nearly 1 percentage point per year to the global GDP growth rate. In 2016, China contributed more than 15 percent of the world's GDP, ranking as the second largest economy after the United States. It also has the largest industrial GDP in the world with 22.5 percentage points; it is the largest agricultural producer in the world with 30 percent of the value added of world agricultural activity; it is the second economy in terms of final consumption of households with 9.6 percent. China is the world's leading exporter and the second largest importer. And in 2018, it contributed 15.8 percent of world GDP (World Bank, 2020).

Chinese economic growth has been especially resilient. For example, during the global financial crisis of 2008, China had ample fiscal space and abundant foreign exchange reserves. China's economy started to recover in the first quarter of 2009, its growth rate for this year reaching 9.1 percent and 10.1 percent in 2010. China's solid growth during the crisis was the strongest driving force for global recovery (Lin, 2010). At the time of writing this article, China is the country that has presented the best recovery after the COVID-19 crisis, and once again, it is emerging with the potential to drive world economic growth.

China's economic growth since its reform and opening has had a significant impact at the global level, benefiting economies with an abundance of natural resources, such as those of Latin America, via Foreign Direct Investment, terms of trade, and international trade.

Currently, China is the second largest investing country in the region and Latin America is the second region recipient of Chinese Foreign Direct Investment (FDI), receiving around 15 percent of total FDI from this country. Of this FDI received, 80 percent is concentrated in Brazil, Peru, and Argentina. China has also become the leading banker in Latin America. The China Development Bank and the China Export-Import Bank have overtaken the World Bank and the Inter-American Development Bank in the region. The accumulated loans in the period 2005 - 2017 have reached 150 billion dollars (MMDD), highlighting those received by Venezuela, Brazil, Ecuador, and Argentina. On the other hand, a diversified set of cooperation mechanisms has been created, such as the Infrastructure Fund, the Special Fund for Agriculture, and the Program for Scientific-Technological Associations. It should be noted, that more than two thousand Chinese companies have been founded in Latin America. (Berjano, 2019; Rios, 2018; Gallagher and Myers, 2017; Chen and Li, 2017; Detsch, 2018).

FDI has been concentrated on projects and acquisitions in natural resource-intensive sectors such as mining, oil, and gas. The composition of Chinese FDI in the region shows that in the period 2010-2014, almost 90 percent was directed to natural resources, in oil and gas extraction. China is among the most important foreign investors in Argentina, Brazil, Colombia, Ecuador, Peru, and Venezuela. In mining, China has concentrated its investments in Peru and a lesser extent in Brazil. Chinese FDI in the agricultural field remains limited but shows a growing trend and the consolidation of large global players operating in the region, such as the Chongqing group (GGG), is observed. Finally, in recent years, Chinese investments have been increasingly directed towards telecommunications, the automotive industry, and non-conventional energies (CEPAL, 2018).

The oil absorbs most of the Chinese financing in Latin America and its main instruments to guarantee the supply of oil are direct investments by Chinese public companies and the financing of Chinese public banks with a counterpart in oil. Next, copper and iron are the sectors with the highest Chinese FDI in Latin America. In the case of soybeans, due to legal difficulties in purchasing land, the strategy was to acquire two international trading companies already present in the region and that control almost the entire value chain, to seek to transform them into a large Latin American operator (Gallagher, Irwin, and Koleski, 2013; Cheny Perez - Ludeña, 2014).

Additionally, the most significant project worldwide is the one promoted by China called the Belt and Road initiative, which is of strategic importance to Latin America. This initiative has important complementarities and spaces for cooperation. China has a special interest in guaranteeing access to the region's natural resources and Latin America in attracting FDI in strategic areas such as infrastructure and communication.

To realize the full Chinese FDI potential to generate growth in the region, the Latin American economies must promote projects that allow the region's economies to join the productive chains promoted by China; not only as suppliers of raw materials but also identify activities with the highest added value, which promote investments and technological alliances. Otherwise, the logic of the market and the reprimarization of Latin American economies will continue to prevail.

The rise of China in the world economy has also affected the terms of trade, increasing the prices of raw materials and energy resources, and reducing the prices of simple manufacturers, which has had diametrically different effects in the Latin American sub regions. South America has benefited from the high demand for raw materials, minerals, and energy products, and the high supply of manufactured goods, which has improved its terms of trade. For their part, the Central American countries have been affected by the deterioration in the terms of trade due to this same situation; since they are net importers of oil and net exporters of manufacturing. While Mexico was surpassed by China as the second trading partner of the United States; especially due to the displacement of its manufacturers. Central American manufacturers have also not been able to compete with Chinese manufacturers in the US market (Berjano, 2019; Caputo, 2005; CEPAL, 2004).

Miranda (2021) warns that increases in the prices of natural resources produce incentives for the re-primarization of productive structures; via international prices and the real exchange rate. Economic growth is anchored on the volatility of international prices of natural resources. Thus, the abundance of natural resources, as is the case in most of Latin America, is an additional argument in favor of policies for structural change.

For his part, Palma (2005) points out that the process of early deindustrialization in Latin America has been generated by changes in industrial policies and the drastic process of trade and financial liberalization that brought economies back to their traditional comparative advantages, to their natural Ricardian position. And Ocampo (2005) highlights, that the Latin American economic growth of the 2000s was driven by the increase in the prices of raw materials, especially hydrocarbons and mining products, and by the massive inflow of capital during two periods of exuberance in international financial markets, between mid-2004 and April 2006, and especially between mid-2006 and mid-2007; which allowed rapid growth and simultaneously generated a current account surplus, but without structural change.

This economic growth does not possess the qualities of growth during the period of state-led development between the end of World War II and 1980, which was driven by manufacturing and increased productivity.

For this reason, Ocampo (2005) distinguishes between deep structural change and superficial structural change. The first is characterized by an intense learning process and a high degree of development of complementarities, and therefore, by strong dynamic economies of scale of a microeconomic and mesoeconomic nature. While the second is characterized, by a low level of learning and a scarce development of productive complementarities, such as the development of enclaves dedicated to natural resource export activities.

For example, between the end of World War II and 1980, Latin America grew more than the world average, achieving the highest growth in the entire history of the region: 5.5 percent per year and 2.7 percent per capita. The engine of economic growth was the manufacturing industry sector; productivity also reached the highest levels in history, estimated that the GDP per worker increased by 2.7 percent per year between 1950 and 1980, and it was a period of greater economic stability. The model of economic policies for growth in this period was characterized by being a mixed model. Combined import substitution with export promotion and regional integration, due to the growing attention to industrialization, the significant expansion of the spheres of action of the State in economic life; through the creation of public companies and in the development of some industrial sectors (Bértola and Ocampo, 2014).

Thus, it can be affirmed that productive development policies for structural change have been essential for economic growth. Incentives must be generated to channel investments where the long-term benefits are strongest and change the structure of relative returns in favor of more complex sectors. Productive diversification and complexity allow the reallocation of productive factors to new activities, the addition of value to production processes, and the promotion of productive chains, that allow the diffusion of technology, the homogenization of productivity, and the reduction of inequality and poverty.

Productive development policies consist of a particular way of affecting the economic structure, a selective way, which intentionally seeks to favor, over others, a particular industry. Successful productive development policies have included assistance in capturing and adapting foreign technology, creating comparative advantages, protecting international competition, promoting exports, coordinating and complementing financial markets, promoting economies of scale, and regulating foreign direct investment (Chang, 2012; Rodrik, 2013).

In commercial matters, although South America presented a complementary productive structure with China and have a trade surplus; Mexico and Central America presented a competitive structure and maintained trade deficits.

Bilateral Chinese-Latin American trade in 2017 totaled 257.8 million dollars, exports to China were 130.8 million dollars, and imports from China were 127 million dollars. China is the first commercial partner of Brazil, Chile, and Peru; and the second of most of the countries in the region. Exports to China are focused on raw materials, almost exclusively energy and mining for manufacturers. China's degree of dependence on imports of natural resources from Latin America, measured as a ratio between net imports and consumption, already reaches 60 percent in the case of major commodities, such as oil, copper, iron, and in the case of soy rising to 85 percent (Berjano, 2019; Rios, 2018; Rosales and Kuwayana, 2012).

Latin America is relevant to China in the supply of various metallic minerals. Exports of Latin American minerals to China increased from 1.7 million tons in 2000 to almost 220 million tons in 2015. Of this amount, Brazil's contribution was 192 million tons, Peru's 11 million tons, and Chile's 10 million tons. Additionally, it is estimated that the Chinese demand for minerals will continue to increase since it is especially tied to the urbanization process of the Asian country, which is estimated to increase by 70 percent by the year 2030. In terms of oil, exports to China reached 854,000 barrels per day in 2015, figures corresponding to 13 percent of the continent's total exports to China and 8 percent of Chinese oil consumption. About 91 percent of this amount originated in Venezuela (CEPAL, 2018; World Bank, 2016).

Sustained economic growth requires structural change and a productive transformation that incorporates and spreads technological progress. For this, the primary sector must not only transfer income to other sectors but must also articulate productive linkages with the industrial and service sectors. However, these synergies do not occur spontaneously or due to market dynamics. So, specific policies are needed for the generation, dissemination, and incorporation of knowledge into production. Policies for the selective promotion of exports, granting of government incentives to those who undertake innovative activities, support for the creation of high-tech companies, and completion and adapt the technological infrastructure in the less advanced priority sectors (CEPAL, 1995; CEPAL, 1996).

Trade with China is persistently in deficit for the majority of the region, which has worsened since 2011, especially in Mexico and Central America. Only three countries in the region register a surplus with China, Brazil, Venezuela, and Chile. It is an inter-industrial exchange where the Latin American region practically exclusively exports unprocessed natural resources and imports a wide range of manufactured goods. There is a marked deficit with China in the manufacturing market since manufacturing exports to China are very low, except in the case of Costa Rica and Mexico. The most exported products to China from the region are oil, iron, copper in different forms, soybeans, metals, wood, and sugar (CEPAL, 2018; CEPAL, 2016).

As the pioneering works of Prebisch (1973) already warned, in Latin America, there is an asymmetry between the low dynamism of the demand for primary products that it exports, compared to the wide demand for imported industrial products. This damages the terms of trade and generates a structural imbalance in the balance of payment.

Additionally, China is substituting the import of processed goods with its capacity, which has eroded the contribution of Latin American countries to the value chain. Economies such as Bolivia, Ecuador, and Uruguay practically do not add value to their main products exported to China: precious metals, fruits, and soybeans, respectively. In the case of Argentine and Brazilian exports of soybeans and their derivatives, the percentage of exported products with some level of processing fell significantly from 2004 to 2014. For its part, the percentage of Venezuelan refined oil has decreased notably in total exports of petroleum products. Only in the case of copper, the percentage of exported refined material has remained stable for Chile and Peru. (CEPAL, 2016).

Sustained economic growth requires a structural change, a basket of varied exports that are positioned in more complex sectors. Exports to China do not meet these conditions. On the contrary, they accentuate the re-primarization of the region's economy. Processed products have a minimal share in the current export basket of the region to China, and the manufacturing sector has been reduced in the domestic market by international competition, particularly Chinese competition. For Latin America to take advantage of the potential of trade with China, it must apply productive development policies that do not follow the short-term incentives of the market.

In agriculture, Latin America has significantly increased its weight as China's agricultural supplier. The region's portion of Chinese imports of agricultural products went from 16 percent in 2000 to 27 percent in 2015. In this year, 2015, the region surpassed the joint share of the United States as a supplier of Chinese imports. The United States and Canada reached 26 percent which was much higher than the shares obtained by other relevant competitors such as the Association of Southeast Asian nations with 15 percent, and Austria and New Zealand with 11 percent. However, although the region as a whole has increased its weight as an agricultural supplier to China, the growth of regional exports has been represented almost entirely by a single basic product and a single supplier, soybeans from Brazil (CEPAL, 2016).

Agricultural exports to China have significant potential to add value. For this, it is necessary to know and satisfy the requirements of the Chinese consumer and the regulatory requirements to access the market, such as sanitary and phytosanitary requirements, and quality standards. This may represent a barrier to entry due to high costs. However, States can offer industries and companies this information and support as a public good.

It should be noted, that the technological and structural complexity gap between China and Latin America has been widening. From 1995 - 2014, the complexity of China's economic structure increased significantly. Industrial policy strategy focused on investment in new technological sectors and areas of greater demand for knowledge such as the digital economy. This has made it possible to reduce the productivity gap with the most advanced economies and to develop new technological capabilities in areas such as the Internet, data storage, metadata analysis, robotics, and artificial intelligence. While in the principal economies of Latin America, such as Brazil, Mexico, and Argentina, the complexity of the productive structure lagged, and this behavior has spread to the rest of the countries of the region (CEPAL, 2018).

As Chang (2020) warns, economic theories and empirical evidence show that although in the short term there is a certain probability that free trade allows all partners to maximize their production and income, in the long term it harms the economic development of the less developed partners, for whom it is impossible to establish technologically advanced and highly productive industries if they have to compete with the most advanced producers in the most economically developed countries. In the long run, free trade between countries at different stages of economic development is detrimental to less developed countries.

Thus, what intrinsically hinder sustained economic growth in the region is not the incentives generated by FDI, the terms of trade or trade with China, but rather the lack of productive development and foreign trade policies that generate structural change with greater diversity and technological content.

Additionally, it is often sought to measure the associations between Latin America's economic growth and China's economic growth.

Descriptive analysis

For the economic growth of Latin America and the Caribbean, the Gross Domestic Product (GDP) per capita of all the countries that make up the region was considered as an aggregate; this was obtained by dividing the GDP by the population at mid-year. GDP is the sum of the gross value added of all resident producers in the economy plus all taxes on products, less any subsidies not included in the value of products. The data was obtained from the World Bank (2022) and is expressed in current dollars. In addition, the natural logarithm was applied to statistically improve the model and observe the convergence of growth between the countries of Latin America and the Caribbean as an aggregate. The economic growth of Latin American countries is our variable to analyze or the dependent variable.

Broadly, Latin America and the Caribbean countries present an average of 4,383 million dollars in the selected period (1970-2020). This period is divided into half, where the GDP registered its lowest values: 613 million dollars in 1970 to 3,760 billion in 2002. In the second half (2002-2020), the region registered the highest levels of GDP; reaching the figure of 10,433 billion dollars in 2014. The coefficient of variation is 70 percent, indicating that there is a high degree of dispersion in what refers to the distribution of GDP in the region in the period under study.

Table 1. Gross Domestic Product of Latin America and the Caribbean (GDP-LATAM)

Average	Deviation padron	CV%	Minimum	Quartil 1	Median	Quartil 3	Maximum
4.383	3.065	70%	613	1.889	3.760	7.089	10.433

For Chinese economic growth, China's Gross Domestic Product (GDP) per capita was considered. The data was obtained from the World Bank (2021) and is expressed in current dollars. Additionally, the logarithm was applied to improve the model statistically.

Broadly, China presents an average of 3,026 trillion dollars in the selected period (1970-2020). This period is divided into half where the GDP registered its lowest values of 92,602 billion dollars in 1970 to 734,547 billion in 1995. The second half (1995-2020) registered the highest levels of China's GDP, reaching the figure of 14.279 trillion dollars in the 2019. The coefficient of variation is 144 percent, indicating that there is a high degree of dispersion in what refers to the distribution of GDP in China during the period under study.

Table 2. Gross Domestic Product of China (GDP-CHINA)

Average	Deviation padron	CV%	Minimum	Quartil 1 1	Median	Quartil 3	Maximum
3.026.912.246.789	4.351.030.925.221	144%	92.602.973.434	17.888.223.506	734.547.898.221	4.072.324.884.836	14.279.937.467.431

Foreign Direct Investment (FDI) is the sum of equity capital, reinvested earnings, other forms of long-term capital, and short-term capital as described in the balance of payments. This series reflects the net total, that is, net FDI in the reporting economy from foreign sources less net FDI of the reporting economy in the rest of the world. This series reflects net inflows into the economy report and is divided by GDP. The data is expressed in dollars at current prices. The variable was obtained from the World Bank (2022) and is the aggregate of Latin America. Additionally, the logarithm was applied to improve the model statistically.

Broadly, Latin America and the Caribbean countries present an average of 87.365 billion dollars of FDI in the selected period (1970-2020). This period is divided into half where FDI registered its lowest values, 918,606 million dollars in 1972, up to 30,168 billion in 1995. The second half (1995-2020) saw the region register its highest levels of FDI, reaching the figure of 343.499 billion dollars in 2013. The coefficient of variation is 119 percent, indicating that there is a high degree of dispersion in what refers to the distribution of FDI in the region in the period under study.

Table 3. Foreign Direct Investment in Latin America and the Caribbean (FDI)

Average	Deviation padron	CV%	Minimum	Quartil 1	Median	Quartil 3	Maximum
87.365.222.156	107.594.401.387	119%	918.606.901	5.439.428.290	30.168.276.207	160.087.884.767	343.499.295.040

Gross Fixed Capital Formation includes land improvements, the acquisition of facilities, machinery, and equipment, and the construction of roads, railways, and related works, including schools, offices, hospitals, private residences, and buildings of commercial and industrial. Data is in US dollars at current prices. The variable was obtained from the World Bank (2021) for Latin America as an aggregate. Additionally, the logarithm was applied to improve the model statistically.

Broadly, Latin America and the Caribbean countries present an average of 469,220 billion dollars, referring to FBC in the selected period (1970-2020). This period is divided into half where the FBC registered its lowest value of 35,504 billion dollars in 1970 to 365,494 billion in 1995. In the second half (1995-2020), the region registered its highest FDI levels, reaching the figure of 1,314 trillion dollars in the 2013. The coefficient of variation is 85 percent, indicating that there is a high degree of dispersion in what refers to the FBC distribution in the region in the period under study.

Table 4. Gross Capital Formation in Latin America and the Caribbean (FBC)

Average	Deviation padron	CV%	Minimum	Quartil 1	Median	Quartil 3	Maximum
469.220.807.100	400.501.398.655	85%	35.504.768.350	146.236.493.229	365.494.167.637	812.474.693.594	1.314.006.550.235

The economic openness index is an indicator that measures the degree of openness of a country's economy, considering its foreign trade to its global economic activity as a whole. It is the result of the sum of imports of goods and services plus exports of goods and services, divided by GDP at buyer's prices, all at current prices in dollars. The variable was obtained from the World Bank (2021) for Latin America as an aggregate. Additionally, the logarithm was applied to improve the model statistically.

Broadly, Latin America and the Caribbean countries present an average of 0.38 points regarding economic openness in the selected period (1970-2020). This period is divided into half, where economic openness registered its lowest values, 0.27 points in 1970, down to 0.34 points in 1988. The second half (1988-2020) saw the region register its highest levels. of economic openness reaching the figure of 0.51 points in 2018. The coefficient of variation is 21 percent, indicating that there is a relatively stable degree of dispersion in what refers to the distribution of economic openness in the region during the study period.

Table 5. Economic Opening of Latin America and the Caribbean (APERT-ECO)

Average	Deviation padron	CV%	Minimum	Quartil 1	Median	Quartil 3	Maximum
0,38	0,08	21%	0,27	0,31	0,34	0,45	0,51

Econometric analysis

The methodology used consists of a multivariate approach for time series. It seeks to estimate cointegration vectors between the variables studied that signify a stable relationship, interpreting such relationships as long-term connections. Cointegration is a multivariate procedure suitable for the time series treatment, considering the possibility of stochastic trend's existence in the series because it results in a relational equation of magnitudes in level.

With this approach, it will be possible to estimate the degree of association between the GDP of Latin America and the Caribbean (our target variable) with the GDP of China, Foreign Direct Investment in the region, Gross Capital Formation in the region, and finally the Economic Opening in the region, during the period 1970-2020.

With this methodology, it is also possible to estimate the short-term adjustment dynamics resulting from variations in the GDP of Latin America and the Caribbean and the other variables under study, leaving visible the short- and long-term impacts on variables of interest derived from standardized exogenous shocks, through the analysis of impulse response functions.

Before applying the time series cointegration methods, it is essential to verify certain characteristics, such as the homoscedasticity and stationarity of the variables and their degree of integration. The verification of the heteroscedasticity pattern of the series was carried out by graphical inspection of the series in second difference (See Appendix 1). Additionally, cointegration methods can only be applied to stationary or first-order integrated variables, so the unit root test was applied to each of the variables and the complete model, to know their integration properties (See appendix 2). Finally, the methodology of Johansen (1991) is used to perform a test to calculate the rank of matrix II = 〚αβ〛 ^´. Cointegration tests allow for verifying the long-term relationship between economic variables. Johansen's (1991) cointegration test has been used because it determines the number of cointegration vectors (See Appendix 3). By complying with these elements; it was possible to move on to time series analysis.

To decide to work with the Vector Error Correction Model (VEC-M), we first analyzed the behavior of the variables through the analysis of the Vector Autoregressive Model (VAR). It should be noted that the VEC-M model is developed as an evolution of such a VAR model. For this reason, it is essential to observe the behavior in the first instance through the said model. The order of the VAR model was chosen by analyzing the Final Prediction Error (FPE) information criterion, through which it was concluded that it is of order 2; that is, this VAR model has 2 lags (see Appendix 3).

Having determined the number of unit roots and the order of the VAR model, Johansen's (1991) methodology was applied to obtain the number of cointegration vectors. Considering the behavior of the variables under study in the VAR model, and based on it, the decision was made to work with the VEC-M model, through which a better adaptation of the variables to the selection of the economic theory. We were able to observe that using the VEC-M model, the result of the maximum eigenvalue was 3 cointegration vectors, with a significance of 5% for all models. The VEC-M model was chosen, with equal linear trends, within the cointegration vector; since it is the most parsimonious and includes less rigidity than the other candidate models. For this reason, it was chosen.

$$Log(diff1(PIB\ LATAM\ Y\ CARIBE_t)) = \beta_0 + \beta_1 + \beta_2 + \beta_3(Log(Diff2(PIB\ CHINA_t)) + \beta_4(Log(Diff2(Inversión\ Extranjera\ Directa_t)) + \beta_5 Log(Diff2((Formación\ Bruta\ de\ Capital_t)) + \beta_6(Log(Diff2(Apertura\ Económica_t)) = 0$$

```
## Response PIB.LATAM.d :
##
## Call:
## lm(formula = PIB.LATAM.d ~ ect1 + ect2 + ect3 + PIB.LATAM.dl1 +
##     PIB.CHINA.dl1 + investimento.estrangeiro.direto.dl1 + Formação.bruta.de.capital.dl1 +
##     APERT.ECO.dl1 - 1, data = data.mat)
##
## Residuals:
##      Min       1Q   Median       3Q      Max
## -0.19482 -0.04408  0.02539  0.06535  0.17145
##
## Coefficients:
##                                     Estimate Std. Error t value Pr(>|t|)
## ect1                                -0.77254    0.39187  -1.971   0.0555 .
## ect2                                 0.04356    0.01858   2.345   0.0240 *
## ect3                                 0.05821    0.03627   1.605   0.1162
## PIB.LATAM.dl1                       -0.12473    0.44972  -0.277   0.7829
## PIB.CHINA.dl1                        0.30757    0.19659   1.564   0.1254
## investimento.estrangeiro.direto.dl1  0.04172    0.06125   0.681   0.4996
## Formação.bruta.de.capital.dl1        0.26660    0.33863   0.787   0.4356
## APERT.ECO.dl1                       -0.38534    0.28942  -1.331   0.1904
## ---
## Signif. codes:  0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1
##
## Residual standard error: 0.09461 on 41 degrees of freedom
## Multiple R-squared:  0.4248, Adjusted R-squared:  0.3125
## F-statistic: 3.784 on 8 and 41 DF,  p-value: 0.002102
```

$$0{,}78 PIB\ LATAM\ Y\ CARIBE = -0{,}55 + 0{,}02 + 0{,}11 - 0{,}12 PIB\ CHINA + 0{,}49\ Inversión\ Extranjera\ Directa + 0{,}43\ Formación\ Bruta\ de\ Capital + 0{,}19 Apertura\ Económica = 0$$

With the model offered, a stable relationship between the variables studied can be observed. However, it is not yet possible to define causal relationships. These relations are obtained through the analysis of the impulse response functions that will be developed later.

The VEC-M model complied with the stability condition. The roots of the characteristic polynomial and its modules are all less than unity. The model is stationary; it does not have unit roots and therefore the estimators are consistent (see Appendix 4).

The correlogram (see Appendix 5) shows good behavior of the residual correlations. The residuals normality analysis the of the VEC-M model showed that with a significance level of 5%, the residuals have a normal distribution. The normality of the residuals is verified in all the joint and individual tests of asymmetry and kurtosis. The normality of the residuals for the VEC-M model only gives more confidence for the hypothesis tests of the coefficients, but it is not fundamental.

The LM (see Appendix 6) and Portmanteau (see Appendix 7) tests corroborate the absence of serial autocorrelation. Since this bloom is the best fit for these aspects, we will keep and assume that the non-contemporary residual autocorrelation is resolved.

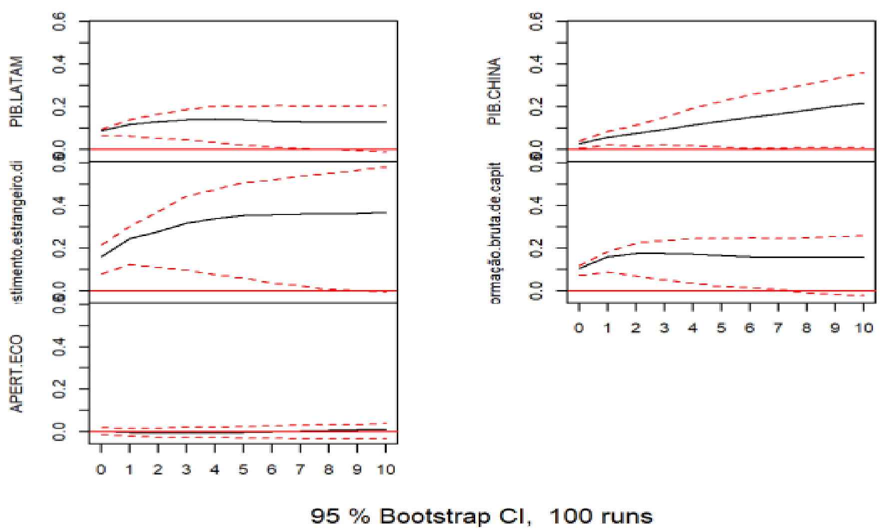
Finally, impulse response functions help to quantify how much an impact on one variable affects the others over time. This impulse response analysis is used to investigate the dynamic interactions between endogenous variables and is based on the Wold moving average representation of a VAR(p) process. On the other hand, the impulse response function is used to describe the reaction of the system of equations under study as a function of time or as a function of some other independent variable that parameterizes the dynamic behavior of the system (Pfaff, 2011).

Next, the impulse response function is presented graphically, through which we can observe how the variations or shocks of each of the series under study have influenced the GDP of Latin America and The Caribbean, where the red lines represent the confidence interval estimated for each of them.

A shock on the GDP of Latin America and the Caribbean determines a behavior on the FDI series in the region that begins at a high level; over the years, the influence grows positively until it stabilizes in period 8. We can observe that the GDP of Latin America and the Caribbean influences positively and in a large proportion on the growth of FDI in the region.

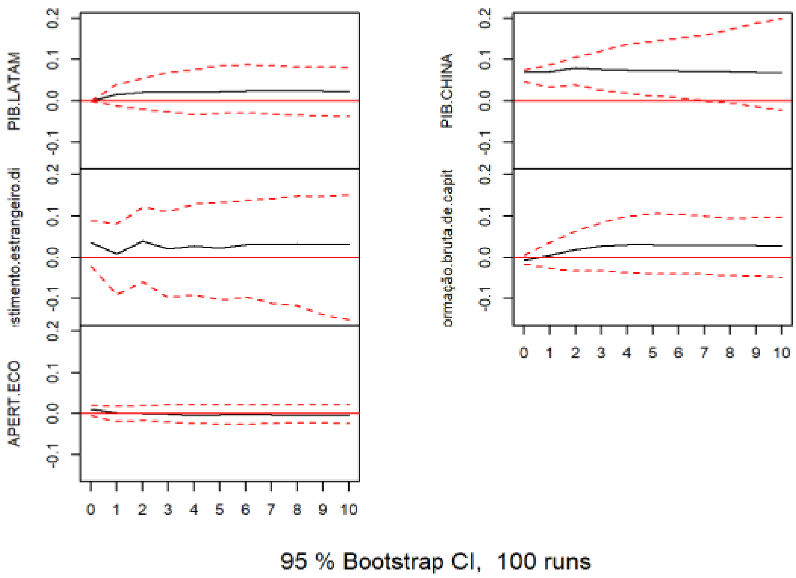
The impact of a shock on the GDP of Latin America and the Caribbean determines a behavior on the economic opening series in the region that is practically non-existent, the confidence interval is around zero, that is to say, an increase or a fall in the region GDP does not directly influence the rise or fall of economic openness. On the other hand, a shock on the GDP of Latin America and the Caribbean determines a behavior on the GDP series of China that at the beginning of our series is at a low level; but with time, its influence increases, maintaining a growing trend, indicating that an increase in the region's GDP contributes to an increase in China's GDP.

Graph 1. PIB-LATAM



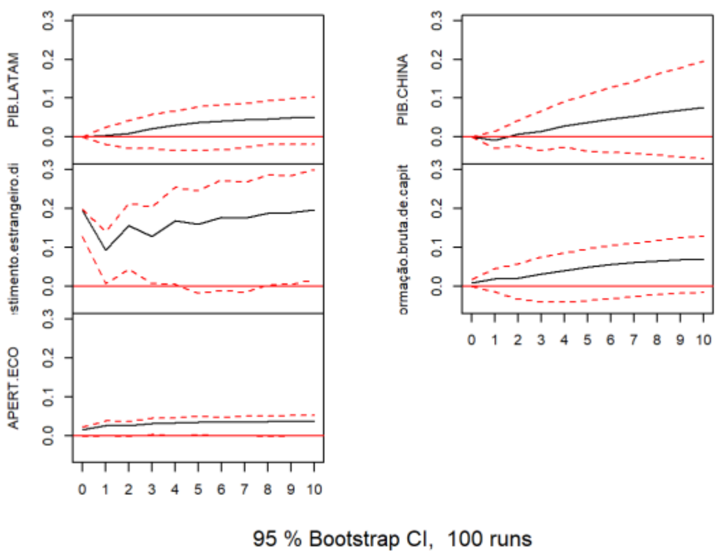
Finally, a shock on the GDP of Latin America and the Caribbean determines a behavior on the gross capital formation series of the region, that begins at a high level, tends to decrease over time, and then tends to stabilize, we can highlight that throughout our series under study, a positive but not directly proportional relationship has been established between both indicators, that is, large variations in the region's GDP will not have the same proportionality in an increase or decrease in the region's gross capital formation.

Graph 2. PIB-CHINA



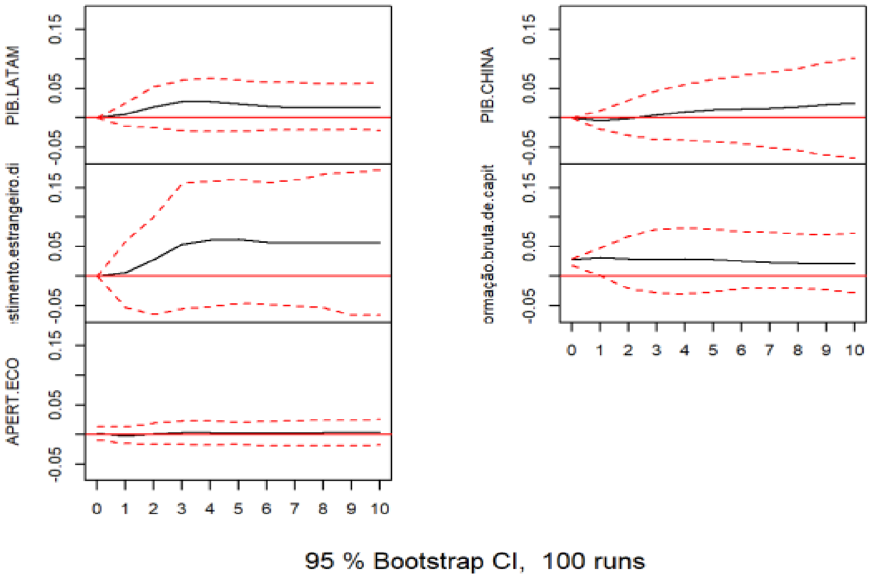
A shock on theChina GDP determines a behavior on the GDP series of Latin America and the Caribbean. Initially begins at a very low level, but over the years that influence takes on a more relevant character; that is, as the years have passed in the period 1970-2020, China's GDP growth has positively influenced the region's GDP growth..

Graph 3. IED



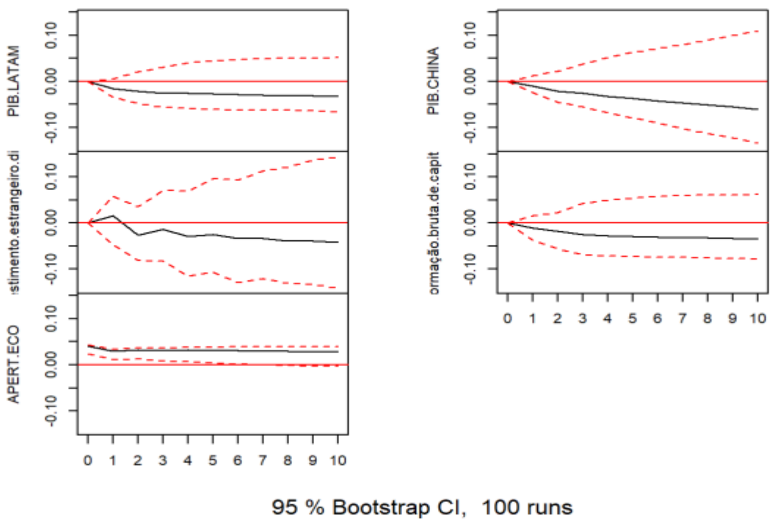
A shock on IED determines a behavior on the GDP of Latin America and the Caribbean that begins at a low level. With the passing of the periods, its influence becomes increasingly important, that is to say, as the years pass in the period under study, IED has had a positive impact on the region's GDP growth.

Graph 4. FORMACIÓN BRUTA DE CAPITAL



A shock on the region's gross capital formation determines a behavior on its GDP series that begins at a low level, as the periods go by it is influence begins to increase, and from period 6 it tends to stabilize. In other words, over the years a positive and stable influence between both indicators has been established..

Graph 5. APERT ECO



A shock on the economic opening of the region determines a negative behavior on its GDP series, highlighting that it remains constant over the years in the same patamar. In other words, throughout the period under study, the economic opening of the region has not played a determining role in terms of its growth.

Next, the variance decomposition function is worked on. Pfaff (2011) explains the decomposition function as a matrix-based method of the orthogonal impulse response coefficient Ψn, where the variance indicates in what proportion of the variability of each of the variables that are part of the proposed model explains the variability of the variable under study.

In this case, it is observed in what proportion the variation of the variables PIB LATAM, PIB CHINA, IED, FBC, and APERT ECO explain the variability of PIB LATAM at the moment in which our model tends to stabilize.

The variance decomposition function of the model is presented below:

	PIB-LATAM	PIB-CHINA	IED	FBC	APERT-ECO
[1,]	100.00000	0.000000	0.0000000	0.0000000	0.000000
[2,]	97.32913	1.254403	0.1055683	0.1986666	1.112232
[3,]	95.30587	1.701930	0.2472509	1.0282216	1.716732
[4,]	93.24048	1.790305	0.9522151	1.8502439	2.166754
[5,]	91.82951	1.793198	1.7331249	2.2591686	2.385003
[6,]	90.54741	1.890795	2.6317185	2.3252724	2.604805
[7,]	89.43252	2.033440	3.4559772	2.2618833	2.816177
[8,]	88.32551	2.173595	4.2902205	2.1730465	3.037627
[9,]	87.32573	2.264763	5.0801057	2.0939306	3.235471
[10,]	86.42426	2.308325	5.8330627	2.0248340	3.409514
[11,]	85.66063	2.314235	6.5067540	1.9629737	3.555409
[12,]	85.01495	2.296414	7.1006195	1.9067798	3.681232
[13,]	84.48187	2.261847	7.6091856	1.8577556	3.789345
[14,]	84.03860	2.215641	8.0454752	1.8167381	3.883543
[15,]	83.67276	2.161062	8.4176644	1.7836314	3.964881
[16,]	83.36816	2.101492	8.7376066	1.7571891	4.035554
[17,]	83.11383	2.039552	9.0134526	1.7360525	4.097114
[18,]	82.89853	1.977266	9.2537681	1.7190194	4.151419
[19,]	82.71436	1.915837	9.4648482	1.7052418	4.199711
[20,]	82.55461	1.855999	9.6522762	1.6940559	4.243059

At instant 1, the variation in LATAM PIB is fully explained by its variation. The model tends to stabilize at instant 18 where the variation of the Latin America and the Caribbean PIB is explained in 82.9% by its variation; 2% by the variation in the China PIB; 9.3% by the IED variation; 4.2% due to the variation in economic openness and finally 1.7% due to the variation in gross capital formation.

Conclusions

China's economic growth has had a positive impact on Latin America's economic growth. Through the analysis of the impulse response functions, it can be stated that during the period 1970-2020, China's GDP growth has positively influenced the region's GDP growth and that this influence has been greater over the years. According to the results of the variance decomposition function of the model, the variation of Latin America and the Caribbean GDP is explained by 2 percent of the GDP China variation.

Broadly, China's economic growth has been positive for the region; but it has had adverse effects, too. The main adverse effect is the re-primarization of Latin American economies. Which inhibits sustained growth, and that has been a consequence of the concentration of Chinese Foreign Direct Investment in natural resource-intensive sectors such as mining, oil, and gas; of price increases of natural resources and their short-term incentives; and of trade where the region practically exclusively exports unprocessed natural resources.

For this reason, for Latin America to realize the full potential that Chinese economic growth has for the region; it must apply policies that generate structural change with greater diversity and technological content. Incentives must be generated to channel investments where the long-term benefits are strongest, and that allow the productive factors reallocation to more complex activities; and with better incorporation into the global production chains promoted by China.

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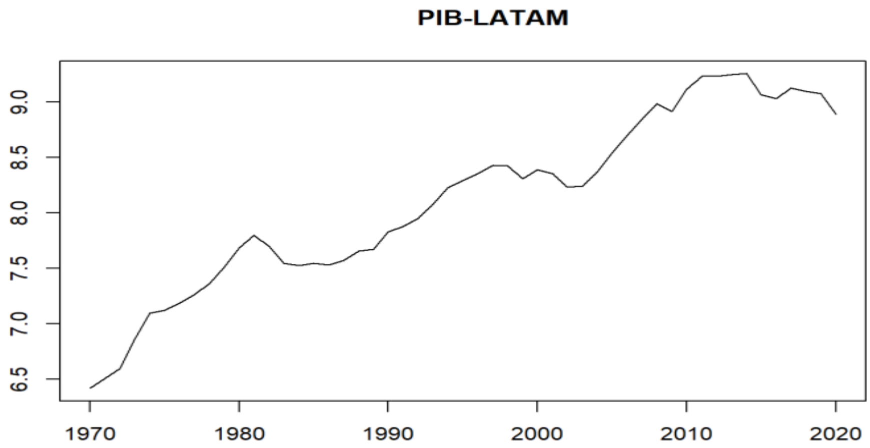
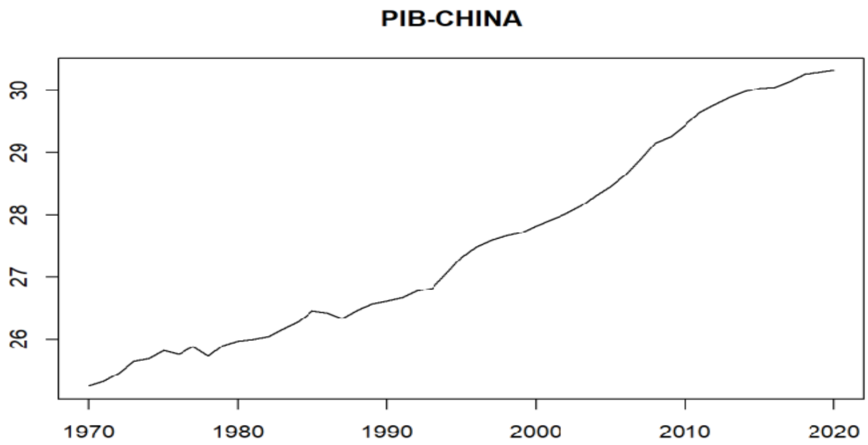
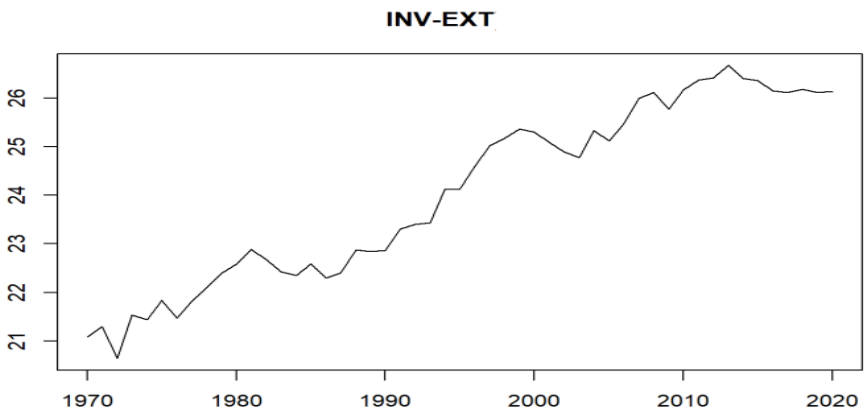
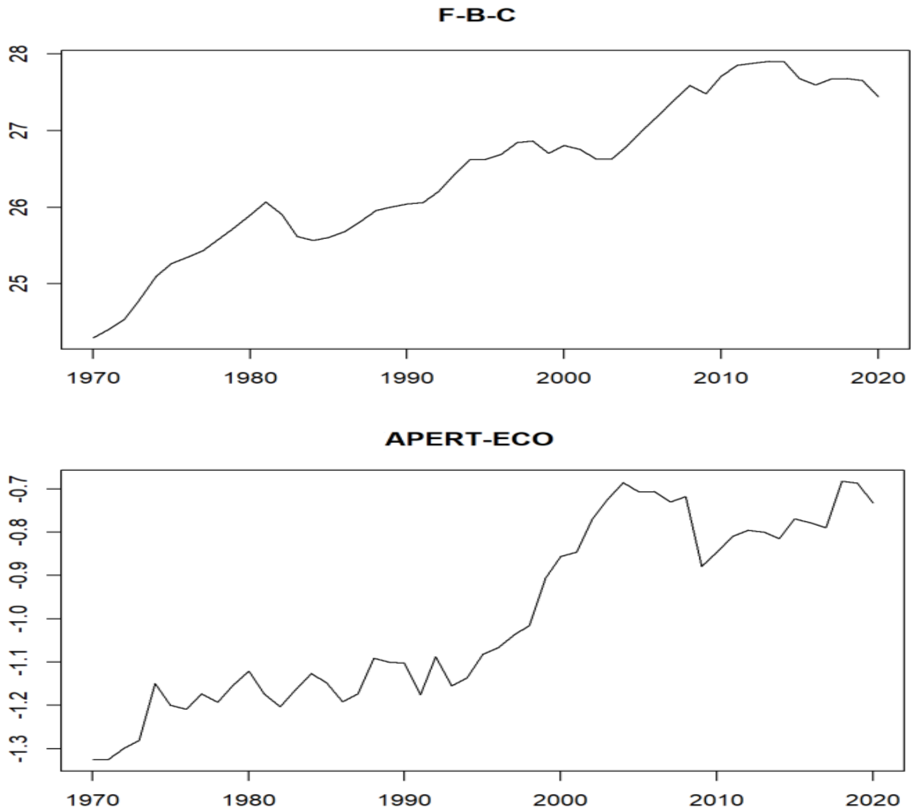
Appendix

1. Verification of the heteroscedasticity pattern of the series

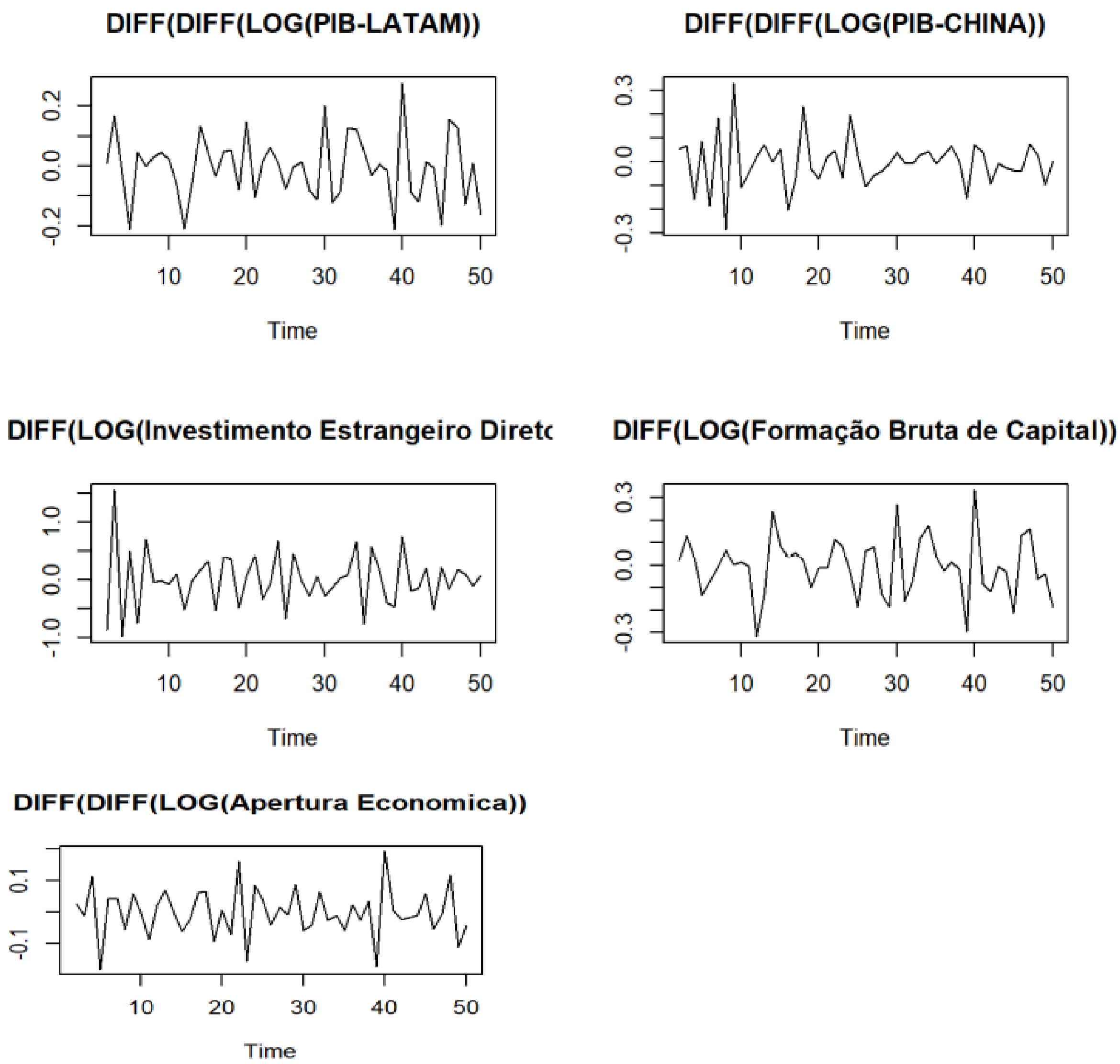








The graphical analysis carried out on the variables under study determined the presence of a trend in each of them. To continue with the analysis, it is necessary to eliminate its presence. Hence, after several econometric devices application, the logarithm and second difference were applied to the PIB-LATAM, PIB-CHINA, and APERTURA ECONOMICA variables; for the variables INVERSION EXTRANGERA DIRECTA and APERTURA ECONOMICA. It was not necessary to apply a second difference to control this problem.



After applying logarithms and differences to the series under study, we should not have unit root problems, and we can also rule out the application of a model with a deterministic trend.

2. Unit root test

A maximum of three-unit roots were assumed for each variable used in the model: PIB-LATAM, PIB-CHINA, APERTURA ECONOMICA, INVERSION EXTRANGERA DIRECTA, and FORMACÍON BRUTA DE CAPITAL. All variables have been linearly transformed by applying logarithms and differences. It is highly unlikely that there are more than three roots in the economic variables, hence the choice; also, because graphical inspection does not show a stochastic trend of such magnitude.

Dickey & Pantula's (1987) tests for three-unit roots consist of three steps. First, the existence of three-unit roots is analyzed. By rejecting this hypothesis, two-unit roots are tested. Finally, a third step is to verify the presence of a single root, in case the hypothesis of two-unit roots is rejected.

By using the LAPPLY function available in the R studio software, we can perform the unit root test on all variables using a single algorithm.

```
## $`PIB-LATAM`
##                  tau1
## statistic -7.296875
##
## $`PIB-CHINA`
##                  tau1
## statistic -7.763024
##
## $`investimento estrangeiro direto
##                  tau1
## statistic -9.550469
##
## $`Formação bruta de capital`
##                  tau1
## statistic -4.978879
##
## $`APERT-ECO`
##                  tau1
## statistic -7.797777
 adf[[1]]@cval
##        1pct  5pct 10pct
## tau1 -2.62 -1.95 -1.61
```

Having ruled out the presence of 3-unit roots, we proceed directly to testing the presence of 2 unit roots, where we will test the hypothesis of the existence of two unit roots under the alternative existence hypothesis of only one. The lags of the dependent variable should also be included to remove the correlation of the residuals; observed by the correlogram analysis. The number of lags is defined by the Akaike (1985) and Schwarz (1978) criteria; to guarantee the appropriate choice of the lag number.

The tested models have the following structural forms:

$$\begin{aligned}
\nabla^3 y_t &= \beta_1 \nabla^2 y_{t-1} + \beta_2 \nabla y_{t-1} + \sum_{i=1}^{m} \gamma_i \nabla^3 y_{t-i} + \varepsilon_t \\
\nabla^3 y_t &= \alpha + \beta_1 \nabla^2 y_{t-1} + \beta_2 \nabla y_{t-1} + \sum_{i=1}^{m} \gamma_i \nabla^3 y_{t-i} + \varepsilon_t \\
\nabla^3 y_t &= \alpha + \beta t + \beta_1 \nabla^2 y_{t-1} + \beta_2 \nabla y_{t-1} + \sum_{i=1}^{m} \gamma_i \nabla^3 y_{t-i} + \varepsilon_t
\end{aligned}$$

Dickey and Pantula's (1987) individual hypothesis test for the second is as follows:

$$\begin{cases} H_0 & : & \beta_1 < 0, \beta_2 = 0 \\ H_A & : & \beta_1 < 0, \beta_2 < 0 \end{cases}$$

The test statistics are $t_1 = \hat{\beta}_1 / s_{\beta_1}$ e $t_2 = \hat{\beta}_2 / s_{\beta_2}$. Critical values that were calculated by Dickey and Pantula (1987) and simulated using the R study software. The decision criterion defines if $\hat{t_1} < \tau^{crit}$ the null hypothesis is rejected.

Critical values are available in Dickey and Fuller (1981), according to the model used, the level of significance, and the size of the sample. The decision criterion defines that if: $\hat{t_{\alpha\tau}} < \tau_{\alpha\tau}^{crit}$ the null hypothesis that the model has a constant is rejected, if $\hat{t_{\alpha\tau}} < \tau_{\alpha\tau}^{crit}$, the null hypothesis that the model has a trend is rejected.

The tests were initially executed for each of the variables and then for the complete model, obtaining that the *Tau1* statistic belongs to the critical region for each of the series (the values of each of the roots are greater in modulus), which means that we do not have unit roots for each of the series studied in log and with a first and second difference, which is why we reject *Ho*. Our series is second (2) order integrated, that is, they have two-unit roots and a constant.

3. Cointegration

The cointegration by the procedure of Johansen (1991) is based on the Grainger Representation Theorem. This theorem states that if a group of variables cointegrates with each other, then the cointegration vector has a representation in the form of an error correction model. The error correction model is a variation of the VAR methodology. By applying this methodology, we establish the order of the Var model.

```
m2=VARselect(Dados1, lag.max = 3 , type = "both")
m2

## $selection
## AIC(n)  HQ(n)  SC(n) FPE(n)
##      2      2      1      2
##
## $criteria
##                    1             2             3
## AIC(n) -2.468067e+01 -2.522555e+01 -2.496046e+01
## HQ(n)  -2.416505e+01 -2.434164e+01 -2.370825e+01
## SC(n)  -2.331625e+01 -2.288655e+01 -2.164687e+01
## FPE(n)  1.931389e-11  1.170008e-11  1.696069e-11
```

Through the R studio software, we execute the 'both' command because a model with constant and trend is being estimated. We apply the analysis to our database without logarithms and differences and as a result, we can observe in the output that following the decision criterion FPE we have a model of order 2.

Having determined the number of unit roots and the order of the VAR model, we can apply the methodology of Johansen (1991) to obtain the number of cointegration vectors. The calculation of the number of cointegration vectors is vital to apply the Vector Error Correction model (VEC-M) presented in the article; such a procedure was carried out through the R studio software.

```
## ######################
## # Johansen-Procedure #
## ######################
##
## Test type: maximal eigenvalue statistic (lambda max) , without linear trend and constant i
n cointegration
##
## Eigenvalues (lambda):
## [1] 5.775979e-01 4.949291e-01 3.922071e-01 1.397464e-01 6.915117e-02
## [6] 1.942890e-15
##
## Values of teststatistic and critical values of test:
##
##           test 10pct  5pct  1pct
## r <= 4 |  3.51  7.52  9.24 12.97
## r <= 3 |  7.38 13.75 15.67 20.20
## r <= 2 | 24.40 19.77 22.00 26.81
## r <= 1 | 33.47 25.56 28.14 33.24
## r = 0  | 42.23 31.66 34.40 39.79
```

The lambda values were 5.775979e-01, 4.949291e-01, 3.922071e-01, 1.397464e-01, 6.915117e-02, and 1.942890e-15 which represent the eigenvalues calculated for this system. Critical values and test statistics are calculated based on these lambda values.

The values of r =0 to r <= 4 represent the null hypothesis, performing the test for r<=3, we observe that the test statistic is 7.38, lower than the critical values 13.75, 15.67, and 20.20; therefore, we do not reject H_0, we are in the presence of 3 integration vectors.

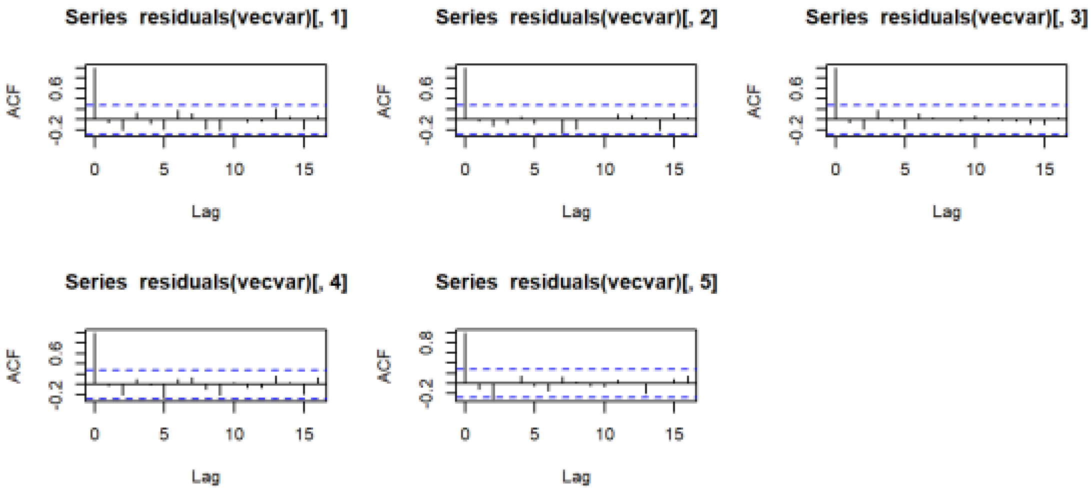
4. Root stability analysis

```
autoval <- roots(modelo.var)
roots(modelo.var)
```

```
##  [1] 0.9823102 0.9132032 0.8065308 0.8065308 0.6597713 0.6446529 0.6446529
##  [8] 0.6025183 0.2084020 0.1314178
```

The roots of the characteristic polynomial and its modules are all less than unity (1). The model is stationary; it does not have unit roots and therefore the estimators are consistent.

5. Model residuals



The serial correlation was not detected in the applied model.

6. LM test

```
model.BG=serial.test(vecvar,lags.bg=9,type='BG')

## Warning in pf(LMFh.stat, PARAMETER1, PARAMETER2): NaNs produzidos

model.BG

##
##  Breusch-Godfrey LM test
##
## data:  Residuals of VAR object vecvar
## Chi-squared = 245, df = 225, p-value = 0.1717
```

We do not correlate the lags up to lag number 9, p-value=0.1717 >0.05.

7. Portmanteau test

```
serial.test(vecvar, lags.pt = 15)
```

```
##
##  Portmanteau Test (asymptotic)
##
## data:  Residuals of VAR object vecvar
## Chi-squared = 328.57, df = 330, p-value = 0.5118
```

```
model.pt.asy=serial.test(vecvar,lags.pt=15, type='PT.asymptotic')
model.pt.asy
```

```
##
##  Portmanteau Test (asymptotic)
##
## data:  Residuals of VAR object vecvar
## Chi-squared = 328.57, df = 330, p-value = 0.5118
```

Through the Portmanteau test, we can ensure the absence of serial correlation up to lag number 15, p-value= 0.5118 > 0.05.

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O *TIANXIA* E A POLÍTICA EXTERNA DA CHINA EM CONTEXTO DE PANDEMIA

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Resumo

A pandemia Covid-19 enquanto ameaça global tem permitido obter uma perspectiva dinâmica acerca do comportamento dos Estados, e algumas luzes sobre o novo cenário internacional. Neste contexto ficou claro que a República Popular da China e o Ocidente são competidores em mais que uma área, e que será necessário cooperar com o gigante asiático em prol da estabilidade/equilíbrio mundial. Neste artigo propomos um olhar retrospectivo (histórico) sobre o Estado centralizado da China, para depois caracterizar o regime actualmente vigente. No âmbito das Teorias das Relações Internacionais chinesas, propomos desenvolver o conceito de *tianxia* como guia para a definição de uma estratégia política, considerando as críticas e limitações à aplicação desse mesmo conceito. E ainda no contexto pandémico, propomos uma leitura das acções políticas levadas a cabo pelo regime chinês. O estudo do *tianxia,* seja qual for o cenário internacional que se configure, poderá ajudar-nos a compreender alguns dos fundamentos históricos daquilo que é a RPC hoje.

Palavras-chave

tianxia; valores universais; China; Política Externa; Covid-19

Abstract

The Covid-19 pandemic as a global threat has made it possible to gain a dynamic perspective on the behavior of States, and some light on the new international scenario. In this context, it has become clear that People's Republic of China (PRC) and the West are competitors in more than one area, and that it will be necessary to cooperate with the Asian giant for global stability/balance. In this article, we propose a retrospective (historical) look at the centralized State of China, and then characterize the current regime in that country. In the context of Chinese theories of International Relations, we propose to develop the concept of *tianxia* as a guide for the definition of a political strategy, considering the criticisms and limitations to the application of that same concept. Still in the pandemic context, we propose a reading of the political actions taken by the Chinese regime. The study of *tianxia,* whatever international scenario is set, may help us to understand some of the historical foundations of what PRC is today.

Keywords

tianxia; universal values; China; Foreign Policy; Covid-19

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O *TIANXIA* E A POLÍTICA EXTERNA DA CHINA EM CONTEXTO DE PANDEMIA

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Introdução

O despontar da pandemia Covid-19 trouxe à humanidade um duplo desafio: um imediato, controlar o vírus e o outro, a mais longo prazo, reduzir as desigualdades dentro e entre os Estados, apelando à solidariedade, mas a crise sanitária expôs também dois pressupostos que já fazem parte do nosso imaginário há algum tempo: em primeiro lugar, que a República Popular da China (RPC) é hoje o grande adversário do Ocidente no campo económico, mas cada vez mais noutros campos, e que será necessário cooperar com o gigante asiático em prol da estabilidade global.

A ascensão da China tem sido vista por vários autores como um factor de destabilização potencial da ordem mundial. Para Nicholas Spykman, uma China poderosa ameaçaria as potências ocidentais na área do "Mediterrâneo Asiático"[1] , sendo por isso fundamental uma aliança entre os EUA e o Japão para manter o equilíbrio de poderes na região de Ásia-Pacífico (Spykman in Sempa, 2019). No mesmo sentido, na década de 1960, o historiador Arnold Toynbee alertaria para o seguinte:

> *(durante a Guerra Fria), cada uma delas (EUA e a URSS) passará a desconfiar da outra, e a confiança mútua, sem a qual uma cooperação positiva entre elas seria impraticável, seria difícil de estabelecer. Portanto, era possível que a América e a Rússia fizessem «a grande recusa» e, se a fizessem, estariam deixando a iniciativa para a China. Seria então a vez desta de fazer sua tentativa, se assim escolhesse, para estabelecer a organização mundial política que, na era atómica, era a única alternativa da humanidade para o final suicídio em massa.* (Toynbee, Arnold, 1968: 163).

Vejamos, no século XIX, o declínio da China ditou o fim de uma era de liderança que terá durado 90% da existência do mundo moderno (García, 2020: 30). Seguindo a lógica natural do próprio *tianxia*, o domínio chinês foi substituído primeiro, pela

[1] Composto pelos mares do Japão, da China Oriental e do Sul da China. O acesso a esses mares permitia (e permite) à China ligar-se ao Pacífico e às vias de comunicação com o Índico (Sempa, 2019).

expansão colonial europeia, e posteriormente, pela ascensão dos Estados Unidos da América. Há até quem considere que a liderança de Washington é uma interpretação americana do sistema originado na China por respeitar a sua base: todas as terras debaixo do Céu; uma escolha pública que represente os desejos da Humanidade; e um sistema político universal (Sempa, 2017). O que é certo é que é cada vez mais evidente que tanto académicos chineses como a própria classe política daquele país têm procurado reafirmar a posição da RPC como não apenas um líder mundial, mas também um que se responsabilize pela estabilidade do mundo. O presidente Xi Jinping tem manifestado esse compromisso ao nível do discurso político e da acção: Os Jogos Olímpicos de Inverno de 2022 realizados em Pequim foram um momento de afirmação de poder de Xi (Buckley, 2022), ao mesmo tempo que cimentam a postura da China em liderar o processo de globalização (Xi, 2017: 18) e em criar uma Comunidade com Futuro Compartilhado para a Humanidade.[2] Trata-se, pois, de um desafio para o Ocidente numa era que tenderá ao equilíbrio, se as Grandes Potências em competição, optarem pela via da cooperação para resolver os seus atritos.

Para K. Holsti (1995), as políticas externas dos Estados são definidas em função de objectivos, mas há também visões ou ideias que orientam e legitimam o comportamento (acções e decisões) dos Estados. Um objectivo que pudesse parecer para um Estado uma aspiração a longo prazo, para outro, em determinado momento, podia ser considerado central para a sua sobrevivência. Para isso têm contribuído, claramente, as teorias.

As Teorias das Relações Internacionais e as suas imagens do mundo têm evoluído ao longo do tempo, e mostrado uma certa vocação para a acção prática. Em relação à China, não tem sido muito diferente do resto do mundo. Nesse sentido, Arenal (2013) afirma que as interpretações que aparecem nos escritos de Mêncio e Confúcio na China Antiga são uma evidente expressão de que as Teorias das Relações Internacionais encontraram a sua expressão num âmbito cultural distinto do Ocidente.

As Teorias das Relações Internacionais chinesas, em construção, apoiam-se claramente em conceitos da cultura clássica que sirvam como instrumento para a interpretação do cenário internacional.

Neste estudo, vamos definir o conceito de *tianxia* e explicar, à luz da teoria de autores como Tingyang Zhao, entre outros, e através de vários exemplos históricos concretos, como o modelo ideal foi seguido por várias dinastias. Visando compreender as acções e decisões da actual liderança chinesa, vamos desenvolver a ideia de internacionalização do *tianxia,* relacionando ao mesmo tempo, pensamento confucionista e decisão política. O potencial de liderança mundial da China será analisado à luz das críticas e limitações encontradas à aplicação do conceito na política chinesa.

1. O *tianxia*: "debaixo do Céu" chinês

Uma das características identificáveis do regime totalitário vigente na China é a sua essência colectivista e/ou unitária. Desde a fundação do Partido Comunista Chinês

[2] Introduzido na Constituição da RPC em 2018 tem em vista criar uma comunidade de Estados que cooperem entre si de modo a alcançar benefício mútuo (Mardell, 2017).

(PCC) em 1921 e especialmente a partir da fundação da RPC (1949), tem sido feito um esforço por parte da liderança comunista de criar um forte sentido coletivo. Aquando do acto fundador do regime, Mao Zedong propôs a mobilização das massas para concretizar a revolução.

Ao longo dos últimos setenta anos de história, diversos exemplos desse espírito podem ser facilmente identificados: a movimentação social em defesa da Coreia do Norte durante o conflito de 1950-1953 (Brown, 2012), o Grande Salto em Frente (1958-1962) e a tentativa desastrosa de impulsionar a produção industrial chinesa[3] ou a própria teoria das Três Representações de Jiang Zemin. Em traços gerais, este tipo de iniciativas que servem para congregar a população em prol de uma iniciativa ou projecto são um dos pergaminhos do PCC. Esta centralidade é um dos elementos cruciais para justificar a posição do partido actualmente. No entanto, deve ser esclarecido que a existência de um Estado central como aquele que hoje existe não é uma novidade na história chinesa.

1.1. A dinastia Zhou e a ideia de um Estado central

A dinastia Zhou (século XI a.C.-256 a.C.) contribuiu de forma decisiva para o estabelecimento de uma ideia de Estado central assente num poder de atração centrífugo que ainda hoje perdura, servindo como justificação para o facto de o actual Estado não ser meramente o produto de uma corrente ideológica Ocidental do século XIX adaptada às preferências chinesas.

O Estado de Zhou chegou ao poder em circunstâncias especiais. Não sendo aquele com o maior exército ou com mais recursos, este Estado teve de procurar outras vias para ganhar, exercer e manter o poder. Através de uma estratégia que passava pelo estabelecimento de relações de cooperação, os restantes Estados do mundo sinocêntrico foram atraídos para dentro de um sistema que promovia a interdependência. Este *tianxia*, ou "todos debaixo do Céu", pode ser visto como uma clara tentativa de organizar o mundo dentro de uma esfera de valores ou práticas que promoviam aquilo que hoje poderia ser chamado de benefício mútuo.

A localização estratégica do Estado de Zhou na região das planícies centrais da China facilitou a ascensão do reino à posição de líder do mundo sinocêntrico. Para além de ser um importante centro de comunicações, Zhao (2019) destaca três elementos que caracterizavam este Estado:

Em primeiro lugar, a escrita utilizada era inteligível para os distintos povos que habitavam naquelas planícies. Esta forma de expressão não tinha uma equivalente oral fixa, ou seja, cada povo tinha a sua própria pronúncia dos caracteres chineses permitindo e ou facilitando a sua expansão (Zhao, 2019: 29-31):

> *Owing to their ability to exist and be understood independently from pronunciation as an ideographic writing, Chinese characters can be naturally shared far and wide, thus becoming the common script for many ethnic groups; and the spiritual world in Chinese writing also becomes a common spiritual world for all.* (Zhao, 2019: 30).

[3] Dikötter (2010: 333) aponta que terão morrido cerca de 45 milhões de pessoas naquele período.

Em segundo lugar, o próprio *tianxia* encontrava-se aberto a qualquer um. Por outras palavras, este sistema era inclusivo dado que era o "reflexo do Céu". Se pensarmos no Céu como um espaço partilhado por todos, o *tianxia* será representado de forma similar. Essa compatibilidade permite a que outros Estados possam integrar o sistema, sem que isso perturbe o seu funcionamento ou exclua grupos étnicos diferentes (Zhao, 2019: 31). O modo como o *tianxia* conseguia abraçar diferentes culturas sem as eliminar fez com que fosse o modelo ideal a seguir por dinastias posteriores. Por exemplo, a dinastia Han (202 a.C.-220 d.C.) ao expandir-se para as regiões ocidentais, não procurou alterar os costumes destas pois os seus líderes compreenderam que era mais fácil manter a unidade do território sem apagar as características únicas dos povos abrangidos pelo seu governo (Zhao, 2019: 37). O fundador da dinastia Yuan[4], o mongol Khublai Khan, foi considerado pelos pensadores confucionistas da época como um defensor dos ideais de Confúcio e como um dos "seus" (Clements, 2010: 221). A própria dinastia Qing (1636-1911) - hoje conhecida como a responsável pelo declínio da China Imperial no século XIX - foi capaz de criar um período de paz e harmonia internas entre a maioria Han e as diferentes minorias étnicas num ambiente verdadeiramente cosmopolita (Hang, 2016: 11).

Em terceiro e último lugar, mas não menos importante, Zhao destaca a existência de uma certa teologia política patente na perpetuação do mito da sucessão do *tianxia*. Trata-se, essencialmente, de um processo de adaptação a um sistema pré-existente, dado que os custos de criar algo que o substitua são demasiado elevados e não obteriam suficiente apoio para que alcançasse os seus objetivos (Zhao, 2019: 31).

1.2. O *tianxia* e a República

Sun Yat-sen, pai do republicanismo chinês compreendeu a dificuldade de suceder a um regime que se apresentava como abarcador de diversos grupos étnicos e realidades. Ao implementar a República em 1912, o nacionalismo chinês estava impregnado por posições anti-manchu que haviam sido essenciais na queda da dinastia Qing. A nova liderança chinesa, temendo o desmoronar da união territorial, declarou-se como sendo a República das Cinco Raças ou Nacionalidades (Duara, 1997: 1041). Já na etapa comunista da história chinesa, em 1999, o livro branco *National Minorities Policy and Its Practice in China* procurou assegurar que o país é multi-étnico desde os tempos da dinastia Qin (221 a.C.-206 a.C.) e que a unidade tem sido a norma da realidade chinesa (China-ONU, 1999).

As sucessivas dinastias, assim como, os diferentes governos na era republicana da China procuraram manter os pergaminhos deste conceito, alargando-o, inclusive, para fora, isto é, estendendo o sistema para uma perspectiva internacional e não necessariamente chinesa. Nesse sentido, Sun Yat-sen fala-nos do "*tianxia weigong"* (天下为公)[5], ou seja, que o *tianxia* pertence a todos (Por, 2020). Para que

[4] Yuan (元) significa "primeiro" ou "original". A sugestão do nome foi feita pelo conselheiro Liu Bingzhong para assinalar uma nova era (Clements, 2010: 101).

[5] Apenas os mais habilitados devem governar e o trono não é monopolizável, tal como se encontra descrito no *Livro dos Ritos* (Kallio, 2016: 6).

compreendamos a importância desta afirmação é necessário olhar novamente para as origens do conceito: quem detinha o poder (Filho do Céu) tinha o Mandato do Céu e tinha de governar com base em normas morais. Essas normas deveriam assegurar o bem-estar da população em prol da construção de uma ordem moral civilizacional (Liang, 2018), ou seja, o líder teria de governar com virtude. Um líder incapaz de governar de forma moral corria o risco de perder o seu estatuto (Zhao, 2019: 15).

2. Sobre a internacionalização do *tianxia*

Encontramo-nos num ponto que muitos consideram ser de viragem. É velha a ideia de que o Ocidente encontra-se em decadência: a queda dos ideais ocidentais não advém apenas de forças externas ou civilizações que ameaçam o seu domínio (Huntington, 1993: 3) , mas também das próprias experiências no seio dos seus sistemas políticos que acabaram por ser debilitantes para as estruturas que sustentam as suas sociedades (Mahbubani, 1993: 41).

Perante o "declínio ocidental", surge a resposta chinesa, vista muitas vezes como sendo totalitária. No 19º Congresso Nacional do Partido Comunista Chinês, Xi Jinping, através do voto do Comité Central, eliminou o limite de mandatos da presidência e não nomeou um sucessor para o Comité Central do Politburo. O peso destas medidas tornou-se ainda mais relevante pelo facto de Xi se ter tornado no líder supremo da RPC ao deter três cargos fundamentais: secretário-geral do PCC, presidente da China e presidente da Comissão Militar Central da RPC (Stoffey, 2021). Este comportamento do governo chinês foi interpretado pelos meios de comunicação internacionais como sendo uma quebra do antecedente proposto por Deng Xiaoping de limitar a presidência a apenas dois mandatos de cinco anos (Huang, 2018; The Economist, 2018; Marschik, 2018).

Outra perspectiva para compreender ditas acções, segundo Stoffey (2021), é que se trata de apenas de uma extensão daquilo que tem sido a política chinesa até hoje: dos seis líderes da RPC, apenas dois prepararam a sua sucessão (Jiang Zemin e Hu Jintao) e acabaram por respeitar o limite de mandatos.

No nosso entender, a decisão por parte do presidente Xi em estender a sua governação para além de 2022 não nasce da influência e posição de poder do PCC, mas sim tem origem no pensamento confucionista. Historicamente, a China atravessou largos períodos de instabilidade que incluíram guerras, fomes e rebeliões constantes[6], que alimentaram a necessidade de ter lideranças fortes:

> *La imagen del no orden, el caos animal, la injusticia humana, tiene como respuesta la creación de un Estado poderoso, unipersonal, capacitado, al cual se le enviste de un poder absoluto, a cambio de su compromiso con la sociedad. El poder central y absoluto se fundamenta en China desde su época de las 100 escuelas[7] y pervive, bajo diversas facetas hasta la presente fecha* (García, 2019: 40).

[6] A revolta Taiping (1850-1864) terá resultado na morte de cerca de 20 milhões de pessoas (Brittanica, 2021). Mais recentemente, a grande fome de Henan de 1942 terá conduzido à morte por volta de 3 milhões de pessoas (Ho, 2013).

[7] As Cem Escolas de Pensamento surgiram no Período da Primavera e Outono (770-476 a.C.) e no Período

2.1. Pensamento Confucionista e Decisão Política

Na China, a legitimidade de um governante ou, em termos práticos, de uma dinastia esteve sempre intrinsecamente ligado ao Mandato do Céu. Através desta criação, a dinastia Zhou procurou justificar a sua tomada de poder face à dinastia Shang. Segundo a lógica deste conceito, o Filho do Céu é o seu representante máximo, recebendo legitimidade divina para governar. Contudo, o Filho do Céu não possui qualquer forma de propriedade sobre os bens e terras do mundo, mas sim apenas funciona como um administrador daquelas que são as posses do Céu. De acordo com Zhao (2019), o governo do filho do Céu deve ser justo, por outras palavras, deveria garantir a felicidade e o bem-estar daqueles que governa (Zhao, 2019: 7). Existe uma certa similitude com o direito divino que na Europa legitimava o poder dos reis. No entanto, há uma diferença fundamental: um imperador na China antiga alcançava essa posição de liderança através da sua virtude e em detrimento dos governantes anteriores incapazes de providenciar boa qualidade de vida aos seus súbditos (Zhao, 2019: 7). No fundo, a ideia de que uma dinastia pode perdurar no tempo é completamente dependente do mérito dos seus governantes, existindo sempre a possibilidade de perda de legitimidade e de uma dinastia ser sucedida por uma nova. O mesmo se aplica a todo o sistema chinês de vassalagem. O Estado suserano, através de uma governação virtuosa, gere as relações que mantém com os seus vassalos. Estes últimos, por seu turno, ofereciam diferentes tributos ao Filho do Céu sem que isso significasse que não poderiam tomar o poder no futuro. Perante a perda de legitimidade, uma aliança de Estados vassalos tinha o direito de se rebelar contra o suserano (Zhao, 2019: 15). Mas, de que forma tais conceitos ainda se encontram presentes na actual liderança chinesa?

No que diz respeito à presidência de Xi Jinping, a legitimidade da sua governação advém, em primeira instância da centralização de poder na sua figura. Em 2018, aquando do 19º Congresso do Partido Comunista Chinês, a centralização do poder em Xi ficou completa do ponto de vista formal. Para além da designação de *lingxiu* 领袖 (líder), o pensamento de Xi também foi incluído na constituição e espera-se que permaneça no poder para lá de 2022 (Jash, 2018: 1 e 2). Este desfecho foi possível devido, em grande medida, à grande campanha de combate à corrupção que eliminou diversos dos opositores políticos de Xi e ao centralizar o controlo sobre as Forças Armadas na figura do presidente (Jash, 2018: 3). Desta forma, o presidente Xi consolida a sua posição de líder supremo, abrindo a possibilidade para desenvolver projectos que alarguem o poder chinês no exterior, nomeadamente, a Iniciativa Faixa e Rota e o Banco Asiático de Investimento em Infra-estrutura.

Para a China e em particular para Xi Jinping, trata-se de uma forma de oferecer uma alternativa ao mundo e de alcançar um patamar mais elevado de desenvolvimento através de mecanismos de cooperação. Observamos, no entanto, que as ideias do reino de Zhou e do confucionismo estão presentes na retórica e nas acções políticas da RPC. Tal afirmação encontra fundamento nos conceitos de justiça e de virtude. Este último é de especial destaque. Para Confúcio, trata-se de um dom que o Homem

dos Estados Combatentes (475-221 a.C.) (China Culture, 2021).

recebe do Céu e apenas um governo virtuoso pode garantir que os cidadãos se consigam melhorar a si mesmos:

> *Guide them (the common people) by virtue, keep them in line with the rites, and they will, besides having sense of shame, reform themselves*. (Confucius, II. 3: 63).

Governar com virtude vai derivar do mesmo sistema governativo da Dinastia Zhou. Em traços gerais, os benefícios devem ser universais, ou seja, deve haver uma repartição justa e equitativa dos ganhos obtidos. Para Zhao (2019), trata-se de maximizar os ganhos para todos e não apenas para um grupo restrito de pessoas. Dadas as limitações militares dos governantes Zhou, o investimento numa liderança virtuosa demonstrou ser a melhor opção facto comprovado pela longevidade desta dinastia:

> *The Duke of Zhou's political consciousness discovered a true political concept: rule by force is not politics, but just a way of ruling; true politics is an art that creates universal cooperation and coexistence. In that sense, Zhou's Tianxia system is not merely a political experiment, but also an ideal political concept* (Zhao 2019: 9).

O mesmo conceito aparenta estar a ser promovido pelo actual governo chinês. No comunicado do 4º Plenário do 18º Comité Central do Partido Comunista Chinês vem a expressão "combine the rule of law with the rule of virtue" (China, 2014), numa alusão ao conceito confucionista. A justiça ou as acções justas acabam por derivar do conceito de virtude. Por este prisma, apesar da importância dos interesses nacionais para a China, este não devem ser alcançados através de meios injustos. Contudo, esses mesmos objectivos, alerta Kallio (2016), não devem ser negligenciados. O autor cita Ye Zicheng da Universidade de Pequim que destaca a importância do equilíbrio entre justiça e interesses. Em suma, as acções do país devem ser sempre de acordo com as possibilidades do mesmo, ainda que seja desejável apoiar os mais fracos (Kallio 2016: 5).

Acima de tudo, a China de hoje procura trilhar um caminho em que se apresenta ao mundo como o país mais virtuoso, ao lado dos menos desenvolvidos, em contraponto com os EUA. A forma activa como a RPC se aproxima de diversos Estados africanos, asiáticos e latino-americanos, prometendo benefícios mútuos, acaba por reforçar a ideia de que a sua liderança é virtuosa e capaz de criar as condições para, nas palavras de Xi Jinping, "criar uma comunidade de futuro partilhado para a Humanidade" (Xinhuanet, 2020).

2.2. O *tianxia* e a Política Externa da China

A política externa da China tem sofrido várias adaptações ao longo dos anos. Em 1990 - 1991, Deng Xiaoping assumiu a necessidade de *keeping a low profile*[8] (KLP) dada a

[8] "Não dar nas vistas" ou "ter uma posição discreta" (trad. dos autores).

relativa debilidade da China na época, não querendo por isso levantar suspeitas quanto às reais intenções do Estado chinês. Igualmente, a RPC reconhecia o estatuto de superpotência dos EUA ademais de determinar que não se encontrava em posição de competir com os norte-americanos (Yan, 2014: 155-156). Aquilo que o século XXI trouxe, no entanto, foi uma mudança clara desse pressuposto. Isto leva-nos a pensar se estaremos a assistir à definição de uma estratégia de internacionalização do *tianxia*.

Entre as razões que podem estar na base desta estratégia de internacionalização, podemos destacar, o agravamento da desconfiança face às reais intenções da China no contexto da pandemia da Covid-19, e ainda o aumento da tensão no quadro das disputas territoriais do mar do Sul da China, a partir de 2009 e 2010 (Yan, 2014: 155-156)[9]. No quadro das políticas que estão na base da mesma estratégia, destacamos ainda a chegada do presidente Xi ao poder, adoptando uma política externa assente em *striving for achievements*[10] (SFA) em que a China procura influenciar outros Estados (poder) através de ferramentas para aumentar essa influência (força). Em suma, trata-se de Pequim assumir a responsabilidade de intervir nas questões mais importantes da Humanidade ao mesmo tempo que se comporta com moralidade para atrair mais aliados (Yan, 2014: 163-170).

Para que esta postura tenha êxito, a política externa chinesa tem vindo a criar e desenvolver diversos mecanismos políticos que, apesar de conterem também uma componente económica, servem para reforçar a posição chinesa a nível mundial: em 2013, o presidente Xi apresentou a Faixa Económica da Rota da Seda no Cazaquistão e, posteriormente, a Rota da Seda Marítima do Século XXI na Indonésia (Chatzky & MacBride, 2015). Durante os primeiros seis anos do projecto, cerca de $575 milhões de dólares terão sido investidos, valores que poderão chegar a mais de $8 biliões (Hillman, 2018). Até Janeiro de 2021, 140 países assinaram memorandos de entendimento tendo em vista participar na Iniciativa Faixa e Rota (Nedopil, 2021). A Parceria Regional Económica Abrangente (sigla inglesa, RCEP) deu origem à maior zona de comércio livre do mundo, mesmo com a ausência da Índia (Shotaro, 2020). A crescente influência da China no seio da Organização Mundial de Saúde (OMS) após a saída dos Estados Unidos[11] também deve ser destacada como um sinal de como a China procura através das normas internacionais exercer o seu peso.

Todas estas iniciativas podem ser resumidas naquilo que Zhao (2018: 13) chama de *relational rationality*, ou seja, que a coexistência precede a existência. Ao defender uma forma de universalismo baseado nas relações entre Estados que proteja os interesses não só da China como também da Humanidade, Pequim recentra-se no conceito *zhongyong* (中庸) do confucionismo: sendo impossível eliminar tensão e potenciais conflitos, o fundamental deste conceito é que as duas metades (*yin-yang,* 阴阳) não se eliminem mutuamente e contribuam para que as relações entre os Estados sejam o principal factor a afectar o ambiente internacional (Qin, 2016: 40 e 44).

A internacionalização do *tianxia* está reflectida, pois, num centro de poder que procura administrar os assuntos debaixo do Céu, manter as características de cada Estado que

9 A resposta da administração Obama em seguir uma política mais participativa na Ásia-Pacífico é indicada como um exemplo do fracasso da KLP (Yan, 2014: 156).
10 "Aspirar a resultados" (trad. dos autores).
11 Decisão entretanto revertida pela administração Biden (Morales, 2021).

esteja abrangido por este e promover a interdependência e cooperação entre todos. No entanto, esta visão não está isenta de críticas:

Em primeiro lugar, a concentração de poder na figura de Xi Jinping é um claro distanciamento do caminho traçado por Deng Xiaoping. Temendo a possibilidade de surgir um novo líder que centralizasse o poder no seu cargo e criasse um culto de personalidade (como sucedeu com Mao Zedong), Deng propôs uma liderança colectiva baseada em consensos, na partilha de poder e num esquema de sucessão ordeiro. Aquilo que o presidente Xi alcançou com as suas reformas constitucionais foi um retrocesso até aos tempos de governação assente numa figura incontestável o que limita quaisquer possibilidades de reformas democráticas.

Em segundo lugar, e igualmente relevante, as acções do Exército de Libertação Popular encontram-se condicionadas pela liderança de Xi. Mesmo em questões que se referem ao futuro das forças armadas chinesas, a última palavra será sempre do presidente da RPC (Jash, 2018).

Outra questão fundamental que os críticos colocam é se a China actual é uma representação fiel do *tianxia*. Em parágrafos anteriores, argumentou-se que o regime comunista actual não é mais do que uma continuação natural daquilo que havia sido estabelecido pelo reino de Zhou há 3000 anos, inclusivamente que o próprio *tianxia* é ocasionalmente usado para justificar as ações governamentais.

Com efeito, a dinastia Qing foi capaz de administrar um vasto território multi-étnico. O seu êxito deveu-se à forma como seguiu o *tianxia* e os seus três círculos concêntricos: o círculo central era governado directamente pelo imperador através do sistema burocrático; o círculo intermédio incluía as regiões fronteiriças do império regidas em nome do imperador por vassalos, líderes tribais e outros títulos hereditários; e o círculo exterior era composto pelo sistema tributário em que outras nações prestavam vassalagem ao imperador (Xu, 2015). Mas, este sistema hierárquico não é replicável actualmente e é desejável que a nova forma de *tianxia* esteja assente em valores universais, não sendo suficiente que a RPC transite para um regime democrático:

> *Given China's power, size, and population, once it rises it will be a great power with the capacity to dominate. Even if it becomes an "empire of freedom," it will make neighboring countries fearful, particularly small ones.* (Xu, 2015).

Aquilo que parece faltar à RPC, pois, é um certo universalismo capaz de criar harmonia entre diferentes grupos étnicos e regiões sem criar tensão. Para Xu (2015), o nacionalismo exacerbado hoje presente na China coloca em causa a formação do mesmo *tianxia*. Um aspecto fundamental que exemplifica esse problema é que o Estado-nação faz com que a identidade das diversas minorias se dilua em prol da formação de uma cidadania chinesa baseada na maioria Han. A "unidade na diversidade" de Fei Xiaotong exemplificada na administração Qing foi substituída por políticas que colocam em causa a integridade territorial da China, especialmente, devido ao separatismo de Xinjiang e do Tibete (Xu, 2015).

3. O *tianxia* e o Nacionalismo chinês

Cabestan (2005) aponta diversas formas de nacionalismo que despontaram na China no último século e meio. As primeiras manifestações nacionalistas terão surgido no seguimento da Primeira Guerra do Ópio, em 1840. O autor destaca que o PPC, entretanto procurou implementar a sua própria retórica nacionalista com base no êxito da revolução e triunfo desta ideologia em 1949. Zheng (2019) alarga esta questão ao considerar que o movimento de 4 de maio foi, na verdade, o momento unificador da nação chinesa, tratando-se não só de uma rejeição do domínio colonial imposto ao território chinês, como da própria dinastia Qing. A este nacionalismo centrado no Estado, prossegue Cabestan, junta-se um de cariz mais revanchista e xenófobo que teve algumas das suas expressões mais públicas em 2005 e 2012, por exemplo, aquando dos protestos em massa contra o Japão. A estes junta-se o nacionalismo pragmático, derivado do sucesso económico chinês das últimas décadas.

No entanto, aquilo a que hoje se assiste é a uma mensagem nacionalista voltada para o consumo interno. Wong (2020) afirma que o começo da pandemia da Covid-19 foi o catalisador de muitas das críticas ocidentais dirigidas ao PCC e à falta de transparência em torno da crise pandémica. A resposta do governo chinês tem sido a de considerar essas críticas como uma forma de interferência nos assuntos internos da China, o que alimenta a própria retórica do governo. A tal questão agrega-se uma reacção em muitos casos xenófoba dirigida ao próprio povo chinês[12], tendo sido acusado de ser responsável pela propagação da doença. Os jovens que hoje compõem o corpo diplomático chinês são justamente, segundo Wong (2020) aquilo que a RPC necessita para alimentar este pensamento ao defenderem a posição do seu país em detrimento da melhoria das relações da China com os seus vizinhos. O público-alvo são os "consumidores chineses”:

> *Chinese nationalism is what is sold here, and the new consumers are China’s COVID-battered population.* (Wong, 2020).

Para o autor (Wong, 2020), existem cinco motivos principais para esta alteração na abordagem da diplomacia chinesa:

1) A adopção de uma forma mais beligerante de fazer diplomacia é vista como a mais adequada para a presente situação, sendo que uma atitude mais cooperante, sobejamente conhecida no passado, passou a ser vista como uma fraqueza;

2) A recusa determinada de qualquer envolvimento da RPC na origem da Covid-19 como resposta aos pedidos ocidentais de maior transparência. No começo, esta reacção aliou-se ao envio de ajuda médica a diferentes partes do mundo. Contudo, os seus efeitos não parecem ter sido suficientes, dado que vários Estados não mostraram, de acordo com a opinião pública chinesa, gratidão suficiente pela ajuda de Pequim.

3) O nacionalismo é também usado como forma de desviar as atenções de problemas

[12] Quatro jovens foram condenados em França por insultos de carácter racista e incitamento ao crime no auge da pandemia na China (Poupon & Wojazer, 2021).

mais sérios que afectam a China, por exemplo, o possível colapso demográfico que o país poderá sofrer caso não reverta a trajectória negativa de crescimento dos últimos anos[13].

4) Demonstrações públicas das autoridades chinesas de preocupação pelo bem-estar da população também servem para alimentar essa resposta nacionalista da parte do povo chinês. Um dos casos mais sintomáticos diz respeito à liderança do próprio primeiro-ministro Li Keqiang da *Crisis Response Team* criada no âmbito da pandemia.

5) Finalmente, Wong (2020) destaca o surgimento de ataques xenófobos contra cidadãos chineses no exterior[14], dando não só razões para que exista uma ligação forte com aqueles que residem fora do país, mas também para que os cidadãos se preocupem com a situação da diáspora.

Por outro lado, a chegada ao poder de Xi Jinping também deu lugar a um crescente reforço da retórica ideológica coligada com nacionalismo. Durante as eras de Jiang Zemin e Hu Jintao, a RPC apresentou sinais de maior abertura política e menor rigidez ideológica, como adianta Sahoo (2021). Com a presidência de Xi, o país tem regressado à sua base ideológica desta feita centrada na figura do próprio presidente enquanto líder providencial perante aquilo que são ameaças externas à ascensão da China. O Documento 9, que veio a público em 2013, expõe como Xi percepciona aqueles que são os perigos para o Império do Meio e para o comunismo, nomeadamente, a democracia liberal, a defesa dos direitos humanos e valores universais ou a própria interpretação de eventos históricos, como o massacre da Praça de Tiananmen (China File ed., 2013)[15]. As críticas vindas do exterior em torno de Xinjiang, Hong Kong e da pandemia da Covid-19 são vistas, em traços gerais, como agressões externas que procuram manchar a imagem chinesa internacionalmente. Na celebração dos 100 anos do Partido Comunista Chinês, o presidente Xi enalteceu o esforço do povo chinês na construção da RPC, assim como os esforços para concretizar a completa unificação da China com Taiwan. No entanto, o grande destaque do discurso foram as palavras referentes às ameaças externas:

> *We Chinese are a people who uphold justice and are not intimidated by threats of force. As a nation, we have a strong sense of pride and confidence. We have never bullied, oppressed, or subjugated the people of any other country, and we never will. By the same token, we will never allow any foreign force to bully, oppress, or subjugate us. Anyone who would attempt to do so will find themselves on a collision course with a*

[13] A recente Política de Três Filhos visa reverter essa tendência. O governo receia que as populações activa e a idosa (EAF, 2021) alcancem níveis que comprometam a possibilidade de o país alcançar as suas metas até 2049, as chamadas Global China Initiative 2049 (ODI, 2021).

[14] O "vírus chinês", como designou o então presidente Donald Trump, foi um dos factores determinantes para o aumento dos crimes de ódio racial contra a comunidade chinesa nos EUA (Tavernise & Oppel Jr., 2021).

[15] Para controlar a influência externa, o governo proibiu o ensino à distância de língua inglesa com professores no estrangeiro a menores de 15 anos (Luo, 2021a). A esta medida juntam-se medidas de diferentes governos provinciais que visam a acabar com o uso de manuais estrangeiros nas escolas. Estas medidas afectam, no caso de Pequim, alunos do 1º ao 9º anos de escolaridade (Luo, 2021b).

> *great wall of steel forged by over 1.4 billion Chinese people.* (Xi, 2021).

Trata-se de um momento em que Xi, através de um ataque ao posicionamento político de vários Estados ocidentais em relação à China, fala para os seus apoiantes no país. Em suma, ao adoptar uma postura de defesa aberta dos interesses da China usando uma retórica agressiva e de confronto, acaba por apaziguar as vozes internas que clamam por maior assertividade da parte da RPC.

Contudo, há quem acredite que este nacionalismo exacerbado tem mais consequências negativas do que positivas para a política externa chinesa. Recentemente, tem havido uma tentativa de atenuar alguma retórica dados os receios de conduzir a um isolamento da China no panorama internacional. A *wolf-warrior diplomacy*, crucial no confronto com a administração Trump, é hoje considerada por alguns sectores da política chinesa como prejudicial para a imagem chinesa. Zhang (2021) afirma que é aconselhável para o país que a sua liderança adopte uma linguagem menos agressiva no panorama internacional:

> *China would be unwise to surrender to such temptations, however. Now is not the time to get more forceful in the South China Sea, demand concessions from major trading partners, aggressively reinvigorate the Belt and Road project or engage in a nationalist diplomatic offensive against Western critics. Quite the opposite: China should be pivoting to a quieter, softer foreign policy*. (Zhang, 2021)

É uma questão de grande relevância, uma vez que no seio dos países desenvolvidos a postura de Pequim face às críticas dirigidas a si tem apenas contribuído para a deterioração das relações sino-ocidentais. Por exemplo, o acordo de investimento China-UE encontra-se sem efeito e a Nova Zelândia encetou algumas críticas face ao ocorrido em Xinjiang e Hong Kong (Meyers & Bradsher, 2021)[16]. Em certo sentido, existe o entendimento claro que seguir uma retórica agressiva com laivos nacionalistas poderá ser contraproducente numa altura em que a China procura atingir um estatuto que lhe permita confrontar os americanos.

Considerações finais

Tal como foi aqui definido, o *tianxia* não é sinocêntrico e pode ser replicado por qualquer centro de poder capaz de liderar as terras debaixo do Céu. Trata-se de um argumento válido, dado que não se sabe ao certo se a RPC está ou não a respeitar os pressupostos básicos desse conceito milenar. Se é verdade que procura lidar com os seus parceiros de forma igualitária e sem ostracizar os que seguem regimes políticos diferentes do seu, a presente forma do *tianxia* seguido por Pequim parece mais assente no nacionalismo do que em ideais universais que possam ser seguidos pela Humanidade. A preocupação chinesa em defender a sua integridade territorial sem

[16] A mudança de discurso do governo de Jacinda Ardern é de particular destaque, dado que o seu país tem sido várias vezes elogiado pelas autoridades chinesas pelas suas políticas responsáveis (Meyers & Bradsher, 2021).

aceitar qualquer tipo de crítica externa revela que há diferenças ideológicas que estão em confronto.

Seja qual for o cenário internacional que se configure, o estudo do *tianxia* ajuda-nos a compreender alguns dos fundamentos históricos daquilo que é a RPC hoje. A tentativa de organizar o mundo dentro de uma esfera de valores, um sistema inclusivo que promove o benefício mútuo, foi o modelo ideal a seguir pelas diferentes dinastias.

No que diz respeito à presidência de Xi Jinping, a legitimidade da sua governação advém, em primeira instância da centralização de poder na sua figura, nada de novo na política local, assim como não é novidade a presença de um sistema que procura administrar os Estados que circundam o poder central. As ideias do reino de Zhou e do confucionismo estão presentes também na retórica e nas acções políticas da RPC. No entanto, o que hoje temos é uma China que vai para além da sua área natural de influência, capaz de influenciar outros países a seguir a sua liderança e a promover iniciativas que favorecem os seus interesses a longo prazo. A sua posição de líder tornou-se ainda mais evidente durante esta pandemia quando nos deparamos, inicialmente, pelas falhas nas repostas americana e europeia. O que esta crise nos mostra é que a China está numa posição de potencialmente assumir o comando mundial, cabendo ao Ocidente a responsabilidade de zelar pelos seus interesses ao mesmo tempo que coopera e demonstra que continua a ser um sistema de valores universais com potencial e capacidade suficiente de atracção.

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CHINA'S *TIANXIA* AND FOREIGN POLICY IN THE PANDEMIC CONTEXT

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Abstract

The Covid-19 pandemic as a global threat has made it possible to gain a dynamic perspective on the behavior of States, and some light on the new international scenario. In this context, it has become clear that People's Republic of China (PRC) and the West are competitors in more than one area, and that it will be necessary to cooperate with the Asian giant for global stability/balance. In this article, we propose a retrospective (historical) look at the centralized State of China, and then characterize the current regime in that country. In the context of Chinese theories of International Relations, we propose to develop the concept of *tianxia* as a guide for the definition of a political strategy, considering the criticisms and limitations to the application of that same concept. Still in the pandemic context, we propose a reading of the political actions taken by the Chinese regime. The study of *tianxia,* whatever international scenario is set, may help us to understand some of the historical foundations of what PRC is today.

Keywords

tianxia; universal values; China; Foreign Policy; Covid-19

Resumo

A pandemia Covid-19 enquanto ameaça global tem permitido obter uma perspectiva dinâmica acerca do comportamento dos Estados, e algumas luzes sobre o novo cenário internacional. Neste contexto ficou claro que a República Popular da China e o Ocidente são competidores em mais que uma área, e que será necessário cooperar com o gigante asiático em prol da estabilidade/equilíbrio mundial. Neste artigo propomos um olhar retrospectivo (histórico) sobre o Estado centralizado da China, para depois caracterizar o regime actualmente vigente. No âmbito das Teorias das Relações Internacionais chinesas, propomos desenvolver o conceito de *tianxia* como guia para a definição de uma estratégia política, considerando as críticas e limitações à aplicação desse mesmo conceito. E ainda no contexto pandémico, propomos uma leitura das acções políticas levadas a cabo pelo regime chinês. O estudo do *tianxia,* seja qual for o cenário internacional que se configure, poderá ajudar-nos a compreender alguns dos fundamentos históricos daquilo que é a RPC hoje.

Palavras-chave

tianxia; valores universais; China; Política Externa; Covid-19

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Introduction

The outbreak of the Covid-19 pandemic has brought humanity a double challenge: to immediately control the virus and, in the long run, to reduce inequalities within and between States, appealing to solidarity among them. However, the health crisis has also exposed two assumptions that have been part of collective imagination for some time: first, that PRC is now the main adversary of the West in the economic field, and increasingly in other fields, and that it will be necessary for the latter to cooperate with the Asian giant to achieve global stability.

China's rise has been seen by several authors as a potential destabilization factor of the world order. For Nicholas Spykman, a powerful China would threaten western powers in the "Asian Mediterranean"[1] area, and an alliance between the USA and Japan is crucial to maintain the balance of power in the Asia-Pacific region (Spykman in Sempa, 2019). In the same vein, in the 1960s, historian Arnold Toynbee would warn of the following:

> *(during the Cold War), each of them (the USA and the USSR) will become suspicious of the other, and mutual trust, without which positive cooperation between them would be impractical, would be difficult to establish. Therefore, it was possible that America and Russia would make "the great refusal" and, if they did, they would be leaving the initiative to China. It would then be the turn of the latter to make its attempt to establish the world political organization which, in the atomic era, was humanity's only alternative to the ultimate mass suicide* (Toynbee, Arnold, 1968: 163).

Looking back at the 19th century, China's decline dictated the end of an era of leadership that will have lasted for 90% of the existence of the modern world (García, 2020: 30). Following the natural logic of *tianxia* itself, Chinese rule was replaced first by European colonial expansion, and later by the rise of the United States of America (USA). There are even those who believe that Washington's leadership is an American interpretation of the system originated in China by respecting its base: all land under heaven; a public

[1] Composed of the seas of Japan, East China, and South China. Access to these seas allowed (and allows) China to connect the Pacific to the Indian Ocean (Sempa, 2019).

choice that represents the desires of humanity; a universal political system too (Sempa, 2017). What is certain is that it is increasingly evident that both Chinese academics and the political class itself of that country have sought to reaffirm the position of PRC as not only a world leader, but also one that takes responsibility for the stability of the world. President Xi Jinping has expressed this commitment to political discourse and action: the 2022 Winter Olympics held in Beijing were a moment of Xi's affirmation of power (Buckley, 2022), while cementing China's stance on leading the globalization process (Xi, 2017: 18) and creating a Community with a Shared Future for Humanity[2]. There is thus a challenge for the West in an era that will tend to balance if the Great Powers in competition choose the way of cooperation to resolve their frictions.

For K. Holsti (1995), the external policies of States are defined according to objectives, but there are also visions or ideas that guide and legitimize their behavior (actions and decisions). An objective that might seem to a State a long-term aspiration, for another, at one point, could be considered central to its survival. Theories have clearly contributed to this.

The theories of International Relations and their images of the world have evolved over time and shown a certain vocation for practical action. For China, it has not been different from the rest of the world. In this sense, Arenal (2013) states that the interpretations that appear in the writings of Mecius and Confucius in Ancient China are a clear expression that Theories of International Relations have found their expression in a cultural context distinct from the West.

The Theories of Chinese International Relations, under construction, are clearly based on concepts of classical culture that serve as an instrument for the interpretation of the international scenario.

In this study, we will define the concept of *tianxia* and explain, in the light of theories of authors such as Tingyang Zhao, among others, and through several concrete historical examples, how the ideal model was followed by several dynasties. To understand the actions and decisions of the current Chinese leadership, we will develop the idea of internationalization of *tianxia,* while relating Confucian thinking and political decision making. China's world leadership potential will be analyzed considering the criticism stifled to the application of the concept in Chinese politics.

The *tianxia*: "under Chinese heaven"

One of the identifiable characteristics of the current totalitarian regime in China is its collectivist and/or unitary essence. Since the foundation of the Chinese Communist Party (CCP) in 1921 and especially since the foundation of PRC (1949), an effort has been made by the communist leadership to create a strong collective sense. At the time of the regime's founding act, Mao Zedong proposed mobilizing the masses to bring about the revolution.

Over the past seventy years, several examples of this mindset can be easily identified: the social movement in defense of North Korea during the 1950-1953 conflict (Brown,

2 Included in the Constitution of PRC in 2018, it aims to create a community of States that cooperate with each other to achieve mutual benefit (Mardell, 2017).

2012), the Great Leap Forward (1958-1962) and the disastrous attempt to boost Chinese industrial production[3] or the very theory of The Three Representations of Jiang Zemin. In general, these types of initiatives that serve to bring the population together in favor of an initiative or project are one of the parchments of the CCP. This centrality is one of the crucial elements to justify the party's position today. Nevertheless, it must be clarified that the existence of a central State such as that which exists today is not new in Chinese history.

1.1. The Zhou dynasty and the idea of a central State

The Zhou dynasty (11th-century BC-256 BC) contributed decisively to the establishment of a central State idea based on a centrifugal power of attraction that persists today, serving as justification for the fact that the present State is not merely the product of a 19th-century Western ideological thought adapted to Chinese preferences.

The Zhou State came to power under special circumstances. Not being the one with the largest army or with most resources, this State had to look for other ways to gain, exercise and maintain power. Through a strategy that was the establishment of cooperation relations, the other States of the sinocentric world were attracted into a system that promoted interdependence. This *tianxia*, or "all under heaven", can be seen as a clear attempt to organize the world within a sphere of values or practices that promoted what today could be called mutual benefit.

Zhou State's strategic location in China's central plains region facilitated the kingdom's rise to the position of leader of the sinocentric world. In addition to being an important communications center, Zhao (2019) highlights three elements that characterized this State:

First, the writing used was intelligible to the different peoples who lived on those plains. This form of expression did not have a fixed oral equivalent, i.e., each people had their own pronunciation of Chinese characters, allowing and or facilitating their expansion (Zhao, 2019: 29-31):

> *Owing to their ability to exist and be understood independently from pronunciation as an ideographic writing, Chinese characters can be naturally shared far and wide, thus becoming the common script for many ethnic groups; and the spiritual world in Chinese writing also becomes a common spiritual world for all* (Zhao, 2019: 30).

Secondly, *tianxia* itself was open to anyone. In other words, this system was inclusive since it was the "reflection of Heaven". If we think of heaven as a space shared by all, *tianxia* will be represented in a similar way. This compatibility allows other States to be able to integrate the system without disturbing its functioning or excluding different ethnic groups (Zhao, 2019: 31). The way *tianxia* could embrace different cultures without eliminating them made it the ideal model to follow by later dynasties. For example, the Han dynasty (202 BC-220 AD), when expanding to the western regions, did not seek to alter their customs because their leaders understood that it was easier to maintain the unity of the territory without erasing the unique characteristics of the peoples covered

[3] Dikötter (2010: 333) points out that about 45 million people died in that period.

by their government (Zhao, 2019: 37). The founder of the Yuan dynasty[4], the Mongol Khublai Khan, was regarded by the Confucian thinkers of the time as a defender of Confucius' ideals and as one of "them" (Clements, 2010: 221). The Qing dynasty itself (1636-1911) – now known as the one responsible for the decline of Imperial China in the 19th century – was able to create a period of internal peace and harmony between the Han majority and the different ethnic minorities in a truly cosmopolitan environment (Hang, 2016: 11).

Thirdly and last, but not least, Zhao highlights the existence of a certain political theology evident in the perpetuation of the myth of the succession of *tianxia*. It is essentially a process of adapting to a pre-existing system, as the costs of creating something to replace it are too high and would not get enough support to achieve its objectives (Zhao, 2019: 31).

1.2. *tianxia* and the Republic

Sun Yat-sen, the "father" of Chinese republicanism, understood the difficulty of succeeding a regime that presented itself as inclusive of various ethnic groups and realities. When implementing the Republic in 1912, Chinese nationalism was imbued with anti-Manchu positions that had been essential in the fall of the Qing dynasty. The new Chinese leadership, fearing the collapse of territorial union, declared itself to be the Republic of Five Races or Nationalities (Duara, 1997: 1041). Already in the communist stage of Chinese history, in 1999, the white paper *National Minorities Policy and Its Practice in China* sought to ensure that the country was multi-ethnic since the times of the Qin dynasty (221 BC-206 BC) and that unity had been the norm of Chinese reality (China-UN, 1999).

Successive dynasties, as well as the different governments in China's republican era sought to keep the scrolls of this concept, extending the system to an international and not necessarily Chinese perspective. In this sense, Sun Yat-sen tells us of the "*tianxia weigong*" (天下为公)[5], that is, that *tianxia* belongs to all (Por, 2020). For us to understand the importance of this statement it is necessary to look again at the origins of the concept: whoever had the power (Son of Heaven), had the Mandate of Heaven, and had to rule based on moral norms. These norms should ensure the well-being of the population in favor of the construction of a civilizational moral order (Liang, 2018), that is, the leader would have to rule with virtue. A leader unable to rule morally was in danger of losing his status (Zhao, 2019: 15).

2. On the internationalization of *tianxia*

We find ourselves now at a point that many consider to be a turning point. The idea that the West is under decline is not new: the fall of Western ideals comes not only from external forces or civilizations that threaten their dominance (Huntington, 1993: 3), but

[4] Yuan (元) means "first" or "original". The name suggestion was made by the councilor Liu Bingzhong to mark a new era (Clements, 2010: 101).

[5] Only the most empowered must rule and the throne is not monopolizable, as described in *The Book of Rites* (Kallio, 2016: 6).

also from their own experiences within their political systems that have turned out to be debilitating to the structures that underpin their societies (Mahbubani, 1993: 41).

Before the "Decline of the West", the Chinese response emerges, often seen as being totalitarian. At the 19th National Congress of the CCP, Xi Jinping, through the vote of the Central Committee, eliminated the term limit of the presidency and did not appoint a successor to the Politburo Central Committee. The impact of these measures has become even more relevant because Xi has become the supreme leader of PRC by holding three key positions: secretary-general of the CCP, president of China and chairman of the Central Military Commission of PRC (Stoffey, 2021). This behavior of the Chinese government was interpreted by the international media as a breach of the antecedent proposed by Deng Xiaoping to limit the presidency to only two five-year terms (Huang, 2018; The Economist, 2018; Marschik, 2018).

Another perspective to understand these actions, according to Stoffey (2021), is that it is only an extension of what has been Chinese politics to date: of the six leaders of PRC, only two prepared their succession (Jiang Zemin and Hu Jintao) and ended up respecting the term limit.

In our view, President Xi's decision to extend his governance beyond 2022 is not born of the CCP's influence and position of power, but rather stems from Confucian thinking. Historically, China has gone through long periods of instability that have included wars, famine, and constant rebellions[6], which have fueled the need for a strong leadership:

> *La imagen del no orden, el caos animal, la injusticia humana, tiene como respuesta la creación de un Estado poderoso, unipersonal, capacitado, al cual se le enviste de un poder absoluto, a cambio de su compromiso con la sociedad. El poder central y absoluto se fundamenta en China desde su época de las 100 escuelas[7] y pervive, bajo diversas facetas hasta la presente fecha* (García, 2019: 40).

2.1. Confucian Thinking and Political Decision

In China, the legitimacy of a ruler or, in practical terms, of a dynasty, has always been intrinsically linked to the Mandate of Heaven. Through this creation, the Zhou dynasty sought to justify its takeover of the Shang dynasty. According to the logic of this concept, the Son of Heaven is its ultimate representative, receiving divine legitimacy to rule. However, the Son of Heaven does not, in any form, own the goods and lands of the world, but rather only functions as an administrator of the possessions of Heaven. According to Zhao (2019), the ruling of the Son of Heaven must be fair; in other words, it should ensure the happiness and well-being of those he governs (Zhao, 2019: 7). There is a certain deal with the divine right that in Europe legitimized the power of kings. However, there is a fundamental difference: emperors in ancient China attained their leadership position through their virtue and to the detriment of previous rulers unable to provide good quality of life to their subjects (Zhao, 2019: 7). In essence, the idea that a dynasty can last in time is completely dependent on the merits of its rulers, and there is always

[6] The Taiping uprising (1850-1864) will have resulted in around 20 million people dead (Brittanica, 2021). More recently, Henan's great famine of 1942 has led to around 3 million people dead (Ho, 2013).

[7] The Hundred Schools of Thought emerged in the Spring and Autumn Period (770-476 BC) and in the Combatant States Period (475-221 BC) (China Culture, 2021).

the possibility of loss of legitimacy and a dynasty being succeeded by another. This also applies to the entire Chinese vassal system. The overlord State, through virtuous governance, manages the relations it maintains with its vassals. The latter, in turn, offered different tributes to the Son of Heaven, though it did not mean that they could not take power in the future. Confronted with the loss of legitimacy, an alliance of vassal States had the right to rebel against the overlord (Zhao, 2019: 15). But how are these concepts still present in current Chinese leadership?

As far as Xi Jinping's presidency is concerned, the legitimacy of his governance comes in the first instance from the centralization of power in his personality. In 2018, at the 19th Congress of the CCP, the centralization of power upon him was complete from a formal point of view. In addition to the designation of *lingxiu* 领袖 (leader), Xi's thinking was also included in the constitution and is expected to remain in power beyond 2022 (Jash, 2018: 1 and 2). This outcome was made possible to a large extent by the major anti-corruption campaign that eliminated several of Xi's political opponents and by centralizing control over the Armed Forces in the president's figure (Jash, 2018: 3). In this way, President Xi consolidates his position as the supreme leader, opening the possibility to develop projects that extend Chinese power internationally, namely the Belt and Road Initiative and the Asian Infrastructure Investment Bank.

For China and Xi Jinping, this is a way of offering an alternative to the world and achieving a higher level of development through cooperation mechanisms. We note, however, that the ideas of Zhou's kingdom and Confucianism are present in the rhetoric and political actions of PRC. This statement is founded on the concepts of justice and virtue. The latter is of special prominence. For Confucius, it is a gift that man receives from Heaven and only a virtuous government can guarantee that citizens can improve themselves:

> *Guide them (the common people) by virtue, keep them in line with the rites, and they will, besides having sense of shame, reform themselves*. (Confucius, II. 3: 63).

Governing by virtue will derive from the same governing system as the Zhou Dynasty. In general, the benefits should be universal, i.e., there must be a fair and equitable distribution of the gains that are obtained. For Zhao (2019), it is about maximizing earnings for everyone and not just a restricted group of people. Given the military limitations of the Zhou rulers, investment in virtuous leadership proved to be the best option proven by the longevity of this dynasty:

> *The Duke of Zhou's political consciousness discovered a true political concept: rule by force is not politics, but just a way of ruling; true politics is an art that creates universal cooperation and coexistence. In that sense, Zhou's* tianxia *system is not merely a political experiment, but also an ideal political concept* (Zhao 2019: 9).

The same concept appears to be being promoted by the current Chinese government. In the communiqué of the 4th Plenary of the 18th Central Committee of the CCP comes the expression "combine the rule of law with the rule of virtue" (China, 2014), alluding to the Confucian concept. Justice or just actions end up deriving from the concept of virtue. Under this light, despite the importance of national interests for China, this should not be achieved by unfair means. However, these same goals, warns Kallio (2016), should not be overlooked. The author quotes Ye Zicheng from Beijing University who highlights the importance of balancing justice and interests. In a way, the country's actions must always be in accordance with its possibilities, although it is desirable to support the weak (Kallio 2016: 5).

Above all, today's China seeks to walk a path in which it presents itself to the world as the most virtuous country, alongside the less developed, in counterpoint to the USA. The active way that PRC approaches several African, Asian, and Latin American States, promising mutual benefits, reinforces the idea that its leadership is virtuous and capable of creating the conditions to, in Xi Jinping's words, "create a community of a shared future for humanity" (Xinhuanet, 2020).

2.2. China's *tianxia* and Foreign Policy

China's foreign policy has undergone several adaptations over the years. In 1990-1991, Deng Xiaoping assumed the need for "keeping a low profile"[8] (KLP), given China's relative weakness at the time, not wanting to raise suspicions about the real intentions of the Chinese State. Likewise, PRC also recognized the status of USA as a superpower, in addition to determining that it was not able to compete with the Americans (Yan, 2014: 155-156). What the 21st century brought, however, was a clear change of that assumption. This leads us to wonder whether we are witnessing the definition of a strategy for internationalization of *tianxia*.

Among the reasons that may be the basis of this internationalization strategy, we can highlight the worsening of mistrust of China's real intentions in the context of the Covid-19 pandemic, and the increased tension in the framework of the territorial disputes of the South China Sea, from 2009 and 2010 (Yan, 2014: 155-156)[9]. In the framework of the policies that underlie the same strategy, we also highlight President Xi's coming to power, adopting a foreign policy based on "striving for achievements"[10] (SFA), in which China seeks to influence other States (power) through tools to increase this influence (strength). In short, it is about Beijing taking responsibility for intervening in the most important issues of humanity while behaving morally to attract more allies (Yan, 2014: 163-170).

For this stance to succeed, Chinese foreign policy has been creating and developing various political mechanisms that, although they also contain an economic component, serve to strengthen China's global position: in 2013, President Xi presented the Silk Road Economic Belt in Kazakhstan and later the 21st Century Maritime Silk Road in Indonesia (Chatzky & MacBride, 2015). During the first six years of the project, about $575 million will have been invested, an amount that could reach more than $8 billion (Hillman, 2018). By January 2021, 140 countries have signed memorandums of understanding to participate in the Belt and Road Initiative (Nedopil, 2021). The Comprehensive Regional Economic Partnership (RCEP) gave rise to the largest free trade area in the world, even with the absence of India (Shotaro, 2020). China's growing influence within the World Health Organization (WHO) after USA's "resignation"[11], should also be highlighted as a sign of how China seeks through international standards to exert its influence.

8 "To keep a low profile" or "have a discrete position" (transl. of the authors).
9 The Obama administration's response to a more participatory policy in the Pacific Asia is an example of KLP's failure (Yan, 2014: 156).
10 "Aspire to results" (transl. of the authors).
11 Decision reversed by the Biden administration (Morales, 2021).

All these initiatives can be summarized in what Zhao (2018: 13) calls relational rationality, that is, that coexistence precedes existence. In advocating a form of universalism based on relations between States that protect the interests not only of China but also of humanity, Beijing is resonating on the zhongyong (中庸), a concept of Confucianism: being impossible to eliminate tension and potential conflicts, the fundamental concept is that the two halves (yin-yang, 阴阳) do not eliminate each other and contribute to the relationship between States being the main factor affecting the international environment (Qin, 2016: 40 and 44).

The internationalization of *tianxia* is reflected, therefore, in a center of power that seeks to manage the affairs under heaven, to remain as characteristics of States that are under Chinese influence and to promote interdependence and cooperation among all. However, this view is not without criticism:

First, the concentration of power in the figure of Xi Jinping is a clear distancing from the path traced by Deng Xiaoping. Fearing the possibility of the emergence of a new leader who centralizes power in his charge and creates a cult of personality (as Mao Zedong did), Deng proposed a collective leadership based on consensus, power-sharing and a succession or detonating scheme. What President Xi achieved with his reforms was a setback to the time of governance based on an undeniable figure which limits the possibilities for democratic reforms.

Secondly, and equally relevant, as the actions of the People's Liberation Army flattened themselves conditioned by Xi's leadership. Even on issues concerning the future of the Chinese army, the final decision will always be a responsibility of PRC's president (Jash, 2018).

Another key question that critics present is whether China is a faithful representation of *tianxia*. In previous paragraphs, it has been argued that the communist regime is nothing more than a continuation of the natural content that had been established by the Zhou kingdom 3000 years ago, including that *tianxia* itself is occasionally used to justify governmental actions.

Indeed, the Qing dynasty was able to manage a vast multiethnic territory. Its success was due to the followed form as the *tianxia* and its three concentric circles: the central circle was ruled directly by the emperor through the bureaucratic system; the middle circle included as regions of views of the empire governed in the name of the emperor by vassals, tribal leaders, and other hereditary titles; and the outer circle composed of the tax system in which other nations provided vassal to the emperor (Xu, 2015). However, this hierarchical system is not currently replicable, and it is desirable that the new form of *tianxia* is based on universal values, and it is not sufficient for PRC to move to a democratic regime:

> *Given China's power, size, and population, once it rises it will be a great power with the capacity to dominate. Even if it becomes an "empire of freedom," it will make neighboring countries fearful, particularly small ones* (Xu, 2015).

What seems to be lacking in PRC, therefore, is a certain universalism capable of creating harmony between different ethnic groups and regions without creating tension. For Xu (2015), the exacerbated nationalism present in China today calls into question the formation of the same *tianxia*. A key aspect that exemplifies this problem is that the nation-State causes the identity of the various minorities to be diluted in favor of the formation of a Chinese citizenship based on the Han majority. Fei Xiaotong's "unity in diversity" exemplified in the Qing administration has been replaced by policies that call into question China's territorial integrity, especially due to the separatism of Xinjiang and Tibet (Xu, 2015).

3. *tianxia* and Chinese Nationalism

Cabestan (2005) points out several forms of nationalism that have emerged in China in the last century and a half. The first nationalist demonstrations had arisen in the wake of the First Opium War in 1840. The author points out that the CCP, however, sought to implement its own nationalist rhetoric based on the success of the revolution and triumph of this ideology in 1949. Zheng (2019) extends this issue by considering that the May 4 movement was, in fact, the unifying moment of the Chinese nation, and it was not only a rejection of the colonial rule imposed on Chinese territory, but also of the Qing dynasty itself. This State-centered nationalism, Cabestan continues, is joined by a more revanchist and xenophobic nature that had some of its most public expressions in 2005 and 2012, for example, during the mass protests towards Japan, joined by pragmatic nationalism, derived from the Chinese economic success of recent decades.

However, what we are witnessing today is a nationalist message aimed at domestic consumption. Wong (2020) says the beginning of the Covid-19 pandemic was the catalyst for most of Western criticisms directed at the CCP and the lack of transparency surrounding the pandemic crisis. The Chinese government's response has been to consider this criticism as a form of interference in China's internal affairs, which fuels the government's own rhetoric. This issue is summed to many xenophobic cases reaction towards the Chinese people themselves[12], accused of being responsible for the spread of the disease. The young people who make up the Chinese diplomatic corps today are precisely, according to Wong (2020), what PRC needs to fuel this thought by defending their country's position at the expense of improving China's relations with its neighbors. The target audience is "Chinese consumers":

> *Chinese nationalism is what is sold here, and the new consumers are China's COVID-battered population.* (Wong, 2020).

For the author (Wong, 2020), there are five main reasons for this change in the approach of Chinese diplomacy:

1. The adoption of a more belligerent way of doing diplomacy is seen as the most appropriate for the present situation, and a more cooperative attitude, well known in the past, has come to be seen as a weakness;
2. The determined refusal of any PRC's involvement in the origin of Covid-19 in response to Western requests for greater transparency. In the beginning, this reaction was allied to sending medical aid to different parts of the world. However, its effects do not seem to have been sufficient, as several States have not shown,

[12] Four young people have been convicted in France of racist insults and incitement to crime at the height of the pandemic in China (Poupon & Wojazer, 2021).

according to Chinese public opinion, sufficient gratitude for Beijing's help.

3. Nationalism is also used as a way of diverting attention from more serious problems affecting China, for example, the possible demographic collapse that the country could suffer if it does not reverse the negative growth trajectory of recent years[13].

4. Public demonstrations by Chinese authorities of concern for the well-being of the population also serve to fuel this nationalist response on the part of the Chinese people. One of the most symptomatic cases concerns the leadership of Prime-minister Li Keqiang himself of the Crisis Response Team, created in the context of the pandemic.

5. Finally, Wong (2020) highlights the emergence of xenophobic attacks against Chinese citizens abroad[14], giving not only reasons for a strong connection with those residing outside the country, but also for citizens to worry about the diaspora situation.

On the other hand, the coming to power of Xi Jinping has also given way to a growing reinforcement of ideological rhetoric linked to nationalism. During the eras of Jiang Zemin and Hu Jintao, PRC showed signs of greater political openness and less ideological rigidity, as Sahoo (2021) said. With Xi's presidency, the country has returned to its ideological base this time centered on the figure of the president himself as a providential leader in the face of what are external threats to China's rise. Document 9, which went public in 2013, explains how Xi perceives those who endanger the Middle Empire and communism, namely liberal democracy, the defense of human rights and universal values, or the very interpretation of historical events such as the Tiananmen Square massacre (China File ed., 2013)[15]. Criticism from abroad around Xinjiang, Hong Kong and the Covid-19 pandemic is seen, in general, as an external aggression that seek to tarnish China's image internationally. In celebrating the 100th anniversary of the CCP, President Xi praised the Chinese people's efforts to build PRC, as well as efforts to achieve China's complete unification with Taiwan. However, the great highlight of the speech were the words referring to external threats:

> *We Chinese are a people who uphold justice and are not intimidated by threats of force. As a nation, we have a strong sense of pride and confidence. We have never bullied, oppressed, or subjugated the people of any other country, and we never will. By the same token, we will never allow any foreign force to bully, oppress, or subjugate us. Anyone who would attempt to do so will find themselves on a collision course with a great wall of steel forged by over 1.4 billion Chinese people* (Xi, 2021).

13 The recent Three-Child Policy aims to reverse this trend. The government fears that active and older populations (EAF, 2021) will reach levels that undermine the country's ability to achieve its goals by 2049, the so-called Global China Initiative 2049 (ODI, 2021).

14 The "Chinese virus," as then-President Donald Trump called it, was one of the determining factors in the rise of racial hate crimes against the Chinese community in the USA (Tavernise & Oppel Jr., 2021).

15 To control external influence, the government banned distance teaching of English language with teachers abroad to under 15 years old students (Luo, 2021a). This measure includes measures from different provincial governments aimed at ending the use of foreign manuals in schools. These measures affect, in the case of Beijing, students from 1st to 9th years of schooling (Luo, 2021b).

This is a time when Xi, through an attack on the political stance of several Western States towards China, speaks to his supporters in the country. Overall, by adopting an open-defense stance of China's interests using aggressive and confrontational rhetoric, it ends up appeasing the internal voices that call for greater assertiveness on the part of PRC.

However, some believe that this exacerbated nationalism has more negative than positive consequences for Chinese foreign policy. Recently, there has been an attempt to mitigate some rhetoric given the fear of leading to an isolation of China on the international scene. "Wolf-warrior diplomacy", crucial in the confrontation with the Trump administration, is now regarded by some sectors of Chinese politics as detrimental to the Chinese image. Zhang (2021) states that it is advisable for the country that its leadership adopt a less aggressive language on the international scene:

> *China would be unwise to surrender to such temptations, however. Now is not the time to get more forceful in the South China Sea, demand concessions from major trading partners, aggressively reinvigorate the Belt and Road project or engage in a nationalist diplomatic offensive against Western critics. Quite the opposite: China should be pivoting to a quieter, softer foreign policy* (Zhang, 2021).

It is a matter of great relevance, since within developed countries, Beijing's stance in the face of criticism directed at it has only contributed to the deterioration of Sino-Western relations. For example, the China-EU investment agreement is in effect and New Zealand has drawn some criticism over what happened in Xinjiang and Hong Kong (Meyers & Bradsher, 2021)[16]. In fact, there is a clear understanding that conducting an aggressive rhetoric with nationalist slogans could be counterproductive at a time when China is seeking to achieve a status that will allow it to confront Americans.

Final considerations

As defined here, *tianxia* is not sinocentric and can be replicated by any center of power capable of leading the lands beneath heaven. This is a valid argument, as it is not known for sure whether PRC is respecting the basic presuppositions of this millenary concept. If it is true that it seeks to deal with its partners equally and without ostracizing those who follow political regimes other than their own, the present form of *tianxia* followed by Beijing seems more based on nationalism than on universal ideals that can be followed by humanity. China's concern to defend its territorial integrity without accepting any kind of external criticism reveals that there are ideological differences that clash.

Whatever international scenario is set, the study of *tianxia* helps us to understand some of the historical foundations of what PRC is today. The attempt to organize the world within a sphere of values, an inclusive system that promotes mutual benefit, was the ideal model to be followed by the different dynasties.

[16] Jacinda Ardern's change of speech is of particular importance, given that her country has been repeatedly praised by the Chinese authorities for its responsible policies (Meyers & Bradsher, 2021).

Regarding Xi Jinping's presidency, the legitimacy of his governance comes, in the first instance, from the centralization of power in his figure, which is not new in local politics, just as the presence of a system that seeks to administer the States surrounding the central power is also not new. The ideas of Zhou's kingdom and Confucianism are also present in the rhetoric and political actions of PRC. However, what we have today is a nation-State that goes beyond its natural area of effect, able to influence other countries to follow its leadership and promote initiatives that favor its long-term interests. Its position as leader became even more evident during this pandemic when we initially came across the failures in the American and European responses. What this crisis shows us is that China can potentially take over the world, with the West being responsible for looking after its interests while cooperating and demonstrating that it remains a system of universal values with sufficient potential and capacity for attraction.

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EMIRATI NATIONALISM IN GLOBAL AGE: PURIFYING THE SOCIETY AND CREATION OF EMIRATI IDENTITY

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Abstract

The United Arab Emirates (UAE) gained independence in 1971 through the unity of several sheikhdoms. This unification was initially more of a formality, undertaken to ensure the political independence and recognition of the state. However, once the UAE's federal structure became a reality, the state needed to increase loyalty to the federal state. This study examines why the UAE needed to construct a common "Emirati" identity and how it went about building it. It argues that, like other nation-states, the UAE attempted to create an identity encompassing its citizens by excluding other historical and geographic identities; it aimed to purify its population via an attempt to show that UAE "expats" and "citizens" are completely distinct from each other. Therefore, this study examines both the UAE's pre-independence cosmopolitanism and its post-independence national law and state targets in purifying the nation, a process exacerbated by high-level tension between the federal state and the emirates. Furthermore, this study deals with using symbols in identity construction via state-sponsored initiatives. In the case of the UAE, these symbols include the myth of founding fathers, ethnic symbols, and other heritage matters, all of which are examined with reference to major theoretical works on modern nationalism such as *Imagined Communities, Invention of Tradition, Banal Nationalism,* and *Ethno-Symbolism.*

Keywords

Emirati identity; UAE nation-building project; UAE nation; symbols in the UAE; UAE founding father

Resumo

Os Emirados Árabes Unidos (EAU) ganharam independência em 1971 através da unidade de vários *sheikhdoms*. Esta unificação foi inicialmente uma formalidade, empreendida para assegurar a independência política e o reconhecimento do Estado. Contudo, uma vez que a estrutura federal dos EAU se tornou uma realidade, o Estado precisava de aumentar a lealdade para com o Estado Federal. Este estudo analisa porque é que os EAU precisavam de construir uma identidade comum "Emirati" e como é que a construíram. Argumenta que, tal como outros Estados-Nação, os EAU tentaram criar uma identidade que englobasse os seus cidadãos, excluindo outras identidades históricas e geográficas; o seu objectivo era purificar a sua população através de uma tentativa de mostrar que os "expatriados" e os "cidadãos" dos EAU são completamente distintos uns dos outros. Assim, o estudo analisa tanto o cosmopolitismo pré-independência dos EAU como a sua lei nacional pós-independência e os objectivos estatais na purificação da nação, um processo exacerbado pela tensão de alto nível entre o Estado Federal e os emirados. Além disso, são é estudada a utilização de símbolos na construção da identidade através de iniciativas patrocinadas pelo Estado. No caso dos EAU, estes símbolos incluem o mito dos pais fundadores, símbolos étnicos e outras questões patrimoniais, todos eles estudados com referência a grandes obras teóricas sobre o nacionalismo moderno, tais como Comunidades Imaginadas, Invenção da Tradição, Nacionalismo Banal, e Simbolismo Etnográfico.

Palavras-chave

Identidade dos Emirados; projecto de construção da nação dos EAU; nação dos EAU; símbolos nos EAU; pai fundador dos EAU

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EMIRATI NATIONALISM IN GLOBAL AGE: PURIFYING THE SOCIETY AND CREATION OF EMIRATI IDENTITY

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Introduction

The United Arab Emirates (UAE) was founded as the union of seven emirates in 1971: Abu Dhabi, Dubai, Sharjah, Ajman, Fujairah, Umm Al Quwain, and Ras al Khaimah (Ras al Khaimah joined several months later in 1972). The UAE was established after the British withdrew from the Gulf, ending the protectorate role it had held in various capacities since 1820 (Onley, 2005, 2009; Peterson, 2009). The UAE was designed as a loose federal state, with populations tending to affiliate closely with their individual emirate of residence (Al Abed, 1997; Heard-Bey, 2005). Over time, however, the UAE's federal state gained increasing power at the cost of individual emirates; the strengthening of the federal state created tension between those who supported the centralisation process, led by Abu Dhabi, and those who opposed centralisation, led by Dubai. The issue was partially resolved when the cabinet published a memorandum in 1979 demanding more centralisation (Herb, 2014; MacLean, 2021). Yet the recent citizenship policy led by Abu Dhabi, which has practically seized the right of the individual emirate to grant citizenship according to its will, is proof that the federal/emirate tension is ongoing. Indeed, Lori (2019) argues that this issue of the *bidoon* or *bidoon jinsiyyah,* refers to stateless people in the UAE and other Gulf states who have limited access to basic public services (Beaugrand, 2018), and their limbo status is a manifestation of Abu Dhabi's overtaking of individual emirates' rights in deciding who their citizens are.

The nation-building project of any individual state promotes a sense of togetherness and shared values among its members. Some of these projects require a degree of assimilation, whereas others require the invention of traditions or even fabricated histories. This study explores several theories of nationalism via the question, "how did the UAE as a young state attempt to produce a distinct, non-overlapping, identity that excises its historical and currently multicultural nature"? In addition to documenting the contingency of the UAE, the construction of the current categories of national and expat as two categories are examined (Lori, 2019). This study examines how the UAE created and continues to maintain a national identity which encompasses the citizens of all seven emirates but excludes many inhabitants by refusing them citizenship or keeping them in limbo status. It analyses the logic behind this project since the very foundation of the state, along with all the paradoxes and challenges the UAE has experienced on account of the diverse background of its population.

The creation of a unique national identity involves several paradoxes. The first and most prominent of these lies in the structure of the state, which has both a federal government and emirate authorities. Despite how it was imagined and practised in the first years of the UAE's federation, the federal system is no longer a mere legal and administrative structure but now claims to represent the whole society and its identities (Hightower, 2014). Due to federal policy, some of the UAE's locals who were meant to have a place in the country's national identity have been excluded. Furthermore, the history and status of each emirate have been homogenised, as if they have always shared the same history and characteristic features. Another paradox lies in the different narratives of history and heritage. While some tribes or emirates have nomadic (Bedouin) roots, other peoples in the UAE trace their roots to settler traditions; accordingly, this variation in the actual history sometimes raises contradictions in the UAE's national narrative (Partrick, 2009; AlMutawa, 2016), as the state has promoted the Emirati identity as if it has a homogenously Bedouin legacy. The historical relationships between the tribes and the emirates constitute an additional paradox; the history of their mutual hostilities or rivalries has all but been eliminated in today's national discourse (Freer, 2021).

The UAE qualifies as a good case for such a study. The state and political elites still emphasise citizenship, migration, tolerance, and multiculturalism in installing their national identity. In the UAE, a state where the citizens are in the minority and which is one of the most affluent countries in the world, it could be argued (at first glance) that the state can easily gain its citizens' loyalty. This is, however, not as easy as thought, and it requires intense legitimisation projects, as it would in any other state in the world. The project, again not being an exception, is never-ending, evolving through time to such a degree that it contradicts itself. By examining the UAE case, it will be possible to explain or test many previously created theories and conceptions, which will help future theoretical study and knowledge of the UAE situation.

I conducted this research during my doctoral study that began in 2017 at the University of Exeter. I have conducted three rounds of fieldwork in the UAE, each about one month in duration, between 2018-2019. In doing so, I collected data regarding the UAE's national symbols, including the state's coins, name, flag, and founding fathers. In addition to these sources, I use the memoirs and monographs of Sharjah's (Sultan bin Mahmud al-Qasimi) and Dubai's (Mohammed bin Rashid Al Maktoum) rulers as primary sources, as they present key insights into the evolution of the union. Shedding new light on the paradoxes explained above, this paper is divided into two main parts. The first part explains how, before the union and even in the first years after its introduction, the people of the UAE were not a nation or union at all. Instead, its diverse people's held different loyalties – some to their tribe, some to the land, and some to race. To overcome these obstacles, the union was founded on the motto "Unity through Diversity". Though this initially referred to the diversity between the UAE's constitutive emirates, it is now generally understood as referring to the diverse nationalities and languages in the UAE. Koch (2016a) studies this shift by examining the transformation in how the UAE's motto is understood: while the *words* of the motto remain the same, the *meaning* of diversity is no longer that of diversity among the emirates. Instead, it refers to the diversity in nationalities, languages, and races that have migrated to the UAE (Koch, 2016a).

The second part of this paper explores the methods and processes by which the UAE has constructed a unified national identity, which like any other nation-state, aims to purify the nation. Different theories of modern nationalism, such as *Imagined Communities*, *Invented Tradition*, *Banal nationalism,* and *Ethno-Symbolism*, are applied to the case in this part. Some significant ways of fostering a UAE identity include symbols (such as an emphasis on the founding father, celebrations and national days), and the visualisation of national symbols (via flags, coins, banknotes, and even the state's name). Even though these symbols have, per Hobsbawm, been "invented" and, per Billig and Anderson, "banalise" the "invented" nation, they nevertheless have been implemented through the exercise of legal power, such as the UAE's nationality law, which passed in 1972 and defines the Emirati citizen as "an Arab who was residing in a member Emirate in 1925 or before and who continued to reside therein up to the effective date of this law" (Lori, 2022: 1087).

1. Deconstructing the Myth of Unity: Contingency of the UAE and Subsequent Legal Mechanism of Creating "Citizen"

Founded by international and domestic negotiators in 1971, the United Arab Emirates was established on practical grounds in a deeply pessimistic vein (Al Abed, 2001; Smith, 2004). The process began after the British announced their intention to withdraw from the Gulf, thereby ending their formal protection of the region. Seeking to maintain the benefits accrued to them under British protection, the rulers of the emirates moved to form a federation, aiming to preclude any possible foreign intervention and annexation (William Luce Special Collection, EUL MS 146/1/3/16). The negotiating parties were all more inclusive than today's federation members, including the states of Bahrain and Qatar (William Luce Special Collection, MS EUL 146/1/1/5). Furthermore, even though the British played a role in this unification process, pessimism greeted everyone on all sides (Peck, 1986; Heard-Bey, 2005: 357). Multifaceted security consideration was high on the agenda, as political unity was considered necessary to protect the sheikhdoms against their neighbours, i.e., Saudi Arabia and Iran (Smith, 2004: 78). The UK government encouraged this unification process, providing assistance and maintaining political and material connections to the new state (UK Parliament, HC Deb March 1, 1971, vol 812 cc1227-32). For the sheikhs, a secondary benefit to political unification was the ease of access to UN membership, which required the establishment of a stable and cohesive state (William Luce Special Collection, EUL/MS/ 146/1/3/16; William Luce Special Collections EUL MS 146/1/3/1).

These regional and international considerations were not, however, the sheikhs' only concern. Inter-emirates borders were not as clear-cut as they are today (William Luce Special Collection, EUL/MS/ 146/1/3/16; William Luce Special Collections EUL MS 146/1/3/1). The emirs of each sheikhdom were not negotiating unification as nationalist theorists or anti-colonialist leaders but as representatives of their own (and their respective tribe's) perceived interest (Owen, 1972). For this reason, the sheikhs' preference was for a federal umbrella that would not unduly impair the UAE's individual emirates and their rulers (Taryam, 1987: 197–199). Unity was thus a top-down idea proposed by the leaders of prominent families in the emirates, along with Britain.

Both parties fought for this union for different reasons. On the one hand, Britain aimed to ensure that the region remained stable, hoping to protect its oil interests and create a system that would serve its political and economic interests even after formal withdrawal (Bin-Abood, 1992: 264). On the other hand, tribes and their rulers aimed to keep their autonomy over their respective lands, even as some of the tribes and rulers gained power over others (Schofield, 2016). By the time unification occurred in 1971, the current leaders of the UAE and their tribes had already accumulated a significant degree of power and influence. Their push for unification aimed to keep this power in their hands (Peterson, 1977).

However, the unification process was not a top-down (ruler/elite) project in every respect. Though the people's voice at the time did not have the same political weight as it does today, still, one should remember their frustration and dissatisfaction, not only with Britain but also with their own rulers. Take, for example, the Dubai Reform Movement that emerged in the 1930s, the history of which indicates that Dubai was not segregated from the region but was socially, culturally, and intellectually influenced by the above-mentioned regional shifts (Zahlan, 1978). The Great Depression during the 1930s, the development of the Arab world, and the successful reform movement in Kuwait led Dubai's elites (or merchants) to demand similar reforms (Peck, 1986: 39–40). The Dubai Reform Movement achieved the establishment of a *majlis* (council). The *majlis*, in turn, established institutions and policies which have impacted the state system to the present, including municipal councils, a social security system, schools, and customs (Davidson, 2005: 40–41). The *majlis* and the Dubai Reform Movement were short-lived, as both dissolved in 1939. Still, they constituted an important turning point in the UAE's formative history since they opened the door for similar demands to be made in the 1950s, although then they would be much more nationalist in orientation given the influence of Nasserism, Third Worldism, and the rise of anti-British sentiment (Kanna, 2011: 25).

It was not until the 1820s, when the British started to collaborate with the prominent tribal chiefs in the region, that the territories which later became the UAE began to possess recognised boundaries and legitimate rulers who could exercise a right to speak on behalf of their peoples (Kanna, 2011: 23–24). Britain only dealt with cooperating rulers; the relationship between Britain and the local sheikhs was such that the sheikhs were not allowed to sign any foreign agreement without informing Britain beforehand (Davidson, 2005: 34). Non-cooperating rulers were severely sanctioned, either militarily or economically. For example, if a ruler refused to cooperate with British representatives, they were replaced with more "pro-British" members of the family, as was the case with Sheikh Zayed's takeover from his brother Sheikh Shakhbut in 1966 (Bristol-Rhys, 2009; Razzaq Takriti, 2019). According to the British narrative, Sheikh Shakhbut's negligence in spending oil funds on the people increased anti-British sentiment in the land and thus caused a problem for British state and companies interests (Joyce, 1999; Rabi, 2006; Davidson, 2009). The British implemented a similar policy in Sharjah; when Sheikh Saqr supported the Arab League and adopted increasingly pan-Arabic policies, effectively challenging British interests in the region, he was replaced with Khalid Muhammad in 1965 (Rugh, 2007; Sato, 2016: 1964–67; Razzaq Takriti, 2019; Bradshaw and Curtis, 2022; *Secrets and Deals: How Britain left the Middle East*, 2022).

On the other hand, cooperative rulers and families benefited from the agreements insofar as a close relationship with Britain solidified their own local political position. As Zahlan points out:

> *When they [local sheikhs] first signed the General Treaty of Peace in 1820, the tribal chiefs in the southern part of the Arabian Gulf could hardly have been described as rulers even in the loosest sense of the word, for their respective positions were governed by the vicissitudes of tribal loyalties, which caused an amorphous and fluctuating political structure. As time went by, and the same chiefs, and later their descendants, were drawn into further treaties with Britain, they began to acquire a certain amount of stability and authority as rulers.* (Zahlan, 1978: xi).

This is not at all to claim that local families and Britain were perpetual friends. Nor is it to assert that friction never emerged between Britain and local leaders: Back in the 1800s, major disagreements occurred between Britain and the Qawasim, resulting in the fall of Sharjah and Ras al-Khaimah (Davidson, 2005; Onley, 2009; al-Qāsimī, 2016; Ota, 2018). Rugh (2007: 123) argues that, despite once being the most important power on the coast, the influence of the Qawasim rulers was greatly diminished as a consequence of their "uncompromising stance" against the British. Eventually, the Qawasim's land was either divided among different lineages of the family (today's Ras Al Khaimah and Sharjah are controlled by different branches of Qawasim) or lost to non-Qawasim families (Rugh, 2007). In the long run, Qawasim have never arose as the hegemonic power of the land. The British possessed the authority to determine the fate of individuals and families, exemplified by the Qawasim case as a family or Sheikh Saqr and Sheikh Shakhbut's deposition.

The UAE's identity-building project began by consolidating the families' exclusive right to their land. Various ruling families proclaimed land as their own, insisting that the "real natives" of the emirates were their own respective tribes. As Kanna (2011: 8) mentions with regard to the case of Dubai, even though the Al Maktoum family has ruled Dubai since the 1830s, their history and right to "ownership" are not up for discussion, considering that it is an "eternal" homeland for them.

In relation to this, a brief note on the UAE's geography and network system is needed. There is some scholarly and political controversy as to where the UAE belongs exactly–whether it is part of the Middle Eastern Arab network or of the Indian Ocean system. The UAE currently chooses to present itself as part of the Middle Eastern Arab network. This allows it to claim exclusive ownership rights to the land and to exclude Persians, Indians, and even African natives or inhabitants of the region from citizenship, as if the descendants of these groups are not "real Arabs" or "original Emiratis" (Akinci, 2018a). Kanna (2011: 24–25) suggests that pre-oil, Dubai's elites, rulers, and merchants' identities were far more Arabo-Persian and Pan-Indian Ocean in nature. Onley (2007: 216–217), for example, studies the Gulf States as a frontier of the Indian Empire (British-India), arguing that Arabia had once been an informal part of that Empire. As a matter of fact Anscombe (2004: 21) considers the region as "anational" due to its extreme transnationality, even if he refers more to Saudi Arabia, Qatar, and Kuwait. Yet a shift towards a uniform national identity began by the second half of the 20th century, with the UAE taking European identity as a model. In a sense, the UAE turned itself into a Middle Eastern or Gulf state, with the Arabs in those territories becoming the primary concern of that state. The shift towards becoming an Arab ethnostate did not mean that all other ethnicities were erased, but rather that they now came to be treated as if they were non-locals, or non-natives, of the land. In short, they became "foreign" residents of a land in which they used to be considered local. The state's concern became primarily its own citizens' wealth and welfare, at the expense of those precluded from citizenship (Kanna, 2011: 47). Onley (2014) argues the orientation of the Gulf states to the Arab world at the expense of the Indian community was reinforced by the nationality laws, which negatively affected the Indians and their businesses, as it made them into foreigners. Even when some families do acquire citizenship today, they are not necessarily guaranteed equal or unconditional citizenship (Kapiszewski, 2001; Vora, 2013; Jamal, 2015; Lori, 2019) However, the everyday Oceanic network is still valid (Vora, 2013).

The strict definition of citizenship has a direct link with the migration. Moreover, the dynamic relations between migration and state-society relations is a matter of consideration in migration administration. (Hanieh, 2021, pp. 260–261) argues

> *Because the sale of work permits can be a highly profitable endeavour, citizens compete for access to these rights. Migrants are portrayed in the public sphere in a highly racialised and gendered manner, with government spokespeople and media stressing the 'threat' that migration poses to citizenship in the cultural, linguistic, demographic, sexual, and economic senses. The heavily securitised nature of migration discourse in the Gulf has been accompanied by a downward displacement of everyday migration control to the level of private employers and individual citizens. In this manner, migration shapes the identity of citizens and their positioning vis-à-vis the state and ruling families.*

The UAE's apparent "homogeneity" and "pureness" has not been designed purely through immaterial initiatives as promoting national symbols and creating a shared national heritage. Rather, legal affairs have played a major role, particularly as concerns the UAE's nationality law and other state disciplinary measures. The "Emirate" identity project has aimed to create an "Emirati" national identity based on a purified (federal) citizenship approved by Abu Dhabi and intended to outperform the tribal and sheikhdom allegiances with which most inhabitants were once familiar. This, it was hoped, would facilitate the process of acceptance of the UAE state structure as both taken for granted and natural. And yet, the dynamic of citizenship is worth examining in the UAE, as locals and citizens are not identical, and citizenship cannot be taken for granted.

Jamal (2015) classifies UAE locals into three categories: first, those who can trace their ancestry in the UAE to before 1925 and thus carry a family book "*khulasat al-qaid*"; these are full citizens who enjoy state benefits. Second, those who do not have the family book but have some other documents issued by one of the emirates. And third, those who are legally considered stateless, or "*bidoon jinsiya*". Those in the second group live in precarious limbo; they can either be granted citizenship rights and be integrated into the first group, or they can be treated as stateless, much like the third group. Most interestingly, some others are granted a passport of the Union of Comoros (Lori, 2019). Sultan Qassemi (2010) considers this phenomenon to be Orwellian, in that the system effectively declares that "all Emiratis are equal, but some Emiratis are more equal than others". In essence, possession of a family book decides who is a "real Emirati" and who is not. As the family lineage continues with males, women who marry non-Emirati men are not able to pass their citizenship along to their children, which creates another level in the UAE's already tiered citizenship. Al Hussein (2021) studies the tiering of citizenship through the lens of gender, showing how these women's relationship with their children no longer entitles the latter to inherited citizenship but instead requires sponsorship, as the women are treated as if they are not real citizens.

The nationality law which passed one year after the independence of the UAE requires the person to be Arab and also being able to track family's ancestors to at least 1925. Since 1972, new legal developments occurred which reshaped the belonging as citizenship (Alqadi, 2015; Jamal, 2015; Lori, 2022). The law was amended in 1975 by allowing citizenship to Arab tribes and also "children of Emirati mothers and unidentified fathers" (Alqadi, 2015: 69). In 1982, the passports of some people were not renewed in local emirates (Davidson, 2012; Alqadi, 2015). The *kafala* (sponsorship) system, which require for each foreigner to be sponsored by local person or company, was centralised (Alqadi, 2015). In 2004, a significant legal initiative was made which was issuing an Emirates ID to all citizens and residents. However, the Emirates Identity Authority requests the "family book" as a prerequisite from the citizens. Thus, the locals who had passports but lack of "family book" were effectively shifted to be "foreigners" (Alqadi, 2015; Zacharias, 2018). In 2008, the deadline for Emirates ID was set and the process of offshoring the citizenship began (Alqadi, 2015; Lori, 2019). All of these initiatives are seen as steps toward "Arabizing" the nation, since the state regards anyone without a family book as Persian, Baluchi, and African merchants and slaves who came to the country before the country's independence. Other categories include children of non-Emirati fathers and migrants who arrived in the nation prior to the implementation of the kafala system or tight immigration controls. (Lori, 2019).

Thus, the nascent state sought to purify its national identity by centralising migration and citizenship. By doing so, multicultural people from various ethnic, racial, linguistic, and geographic origins were purified and "Gulf Arab" were considered the guardian of Emirati citizenship (Gallois, 2006: 59–61). Furthermore, nationals and expats are now designed to be distinct categories. While the state uses the legal mechanism to achieve this goal, it has also made significant investments in symbols which standardise the heritage and cultural image of the country which are the topic of coming part.

2. Purifying the Nation and Constructing the "Emirati" Identity

The UAE's proposed national identity was based on particular forms of inclusivity and exclusivity. The new nation-state was ostensibly inclusive in that it treated all emirates as if they shared one identity, regarding themselves collectively as Arab, *Khaleeji*, or Bedouin; participation in this collective identity, it was argued, is what makes one an Emirati. Residents from other ethnicities and histories, however, were all excluded– if not in practice, then in recognition as there are "many 'clues' to determine an Emirati's ethnic, sectarian, cultural, linguistic, and geographical origins" (Akinci, 2018a). Considering that the pre-UAE environment had a more localised identity, getting the population to accept the UAE identity itself was challenging (Alexander and Mazzucco, 2021).

The "Emirati" identity was not immediately accepted and internalised by the locals. In its construction of national identity, the UAE thus followed other nation-building projects occurring around the world; it employed symbols to engender a common society and emphasise national unity. Nation-states typically instantiate symbolism in multiple forms, including national holidays, commemorative coins, flags, and national myths. Hightower (2018) argues that the UAE, both at the federal level and individual emirate level, created a harmonised discourse in terms of heritage. Hightower (2014) further argues that most of the UAE's heritage institutions present flexible identities by representing heritage at both the local and national levels, thereby emphasising both identities simultaneously.

Over time, a unique Emirati identity has increased its influence over other long-held identities in the country, much in the way national identities worldwide have overtaken competing markers of identity (Foley, 1999; Alexander and Mazzucco, 2021). The Emirati identity was built on the assumption that UAE nationals are homogeneous, that state diversity is a matter pertaining to the treatment of foreigners, and that the diversity question only arose in the post-oil period– this despite the fact that so-called homogenous nationals share diverse backgrounds stemming from other Gulf states, Persia, Africa, Yemen, and the Indian Ocean (Akinci, 2018b). Onley (2014), AlMutawa (2016), and Akinci (2020) have examined the diversity versus homogeneity narratives at play in the UAE; their work provides strong evidence that the land was socially and culturally diverse long before the UAE's formal independence or the discovery of oil. The misleading image of national homogeneity in the UAE was achieved through state initiatives and power, which includes citizenship law as a significant instrument.

Jones (2017: 1–2) divides the UAE's process of citizen-making into two categories; "citizen 1.0", which is concerned with instilling national identity, patriotism, and providing basic welfare to citizens (she describes these as first-order needs); and "citizen 2.0", which is about creating pro-globalisation, self-sufficient, and tolerant citizens. Citizens 2.0 targets both the minds and hearts of the citizens. Indeed, the process of instilling national identity and patriotism in the UAE's citizenry increased with the Yemeni intervention and Gulf Crises, both of which occurred within the last decade (Diwan, 2015; Freer, 2017; Ardemagni, 2019, 2020; Parvez, 2020; Dogan-Akkas, 2021). Therefore, even as this study agrees with Jones' depiction of the UAE's supposed national homogeneity as occurring as a result of top-down social engineering, it emphasises the importance of ongoing, ever-increasing, state efforts to instil national identity and patriotism.

2.1. Promoting "Emirati" Discourse

After long and intense policy negotiations in 1971, the UAE came into existence as a state and a general "Emirati" identity was promoted. However, neither the federal state nor the nation was appealing to the general population (Alexander and Mazzucco, 2021). It was essential, therefore, for the newly established state to conceive policy solutions which could strengthen national unity and identification. In 1974 Sultan bin Muhammad al-Qasimi (the ruler of Sharjah) chaired a committee to investigate the problems the federation experienced and to suggest ways by which identification with the newly established state might be deepened. However, his ten-page report, prepared over a period of five months, did not bring about significant changes. Another meeting was held in 1975, this time by the UAE's Supreme Council (consisting of the seven rulers chaired by Zayed bin Sultan al-Nahyan, at the time the president of the UAE and Ruler of Abu Dhabi). A further report was prepared by the Ministerial Committee chaired by Maktoum bin Rashid Al Maktoum, the ruler of Dubai (Muḥammad al-Qāsimī, 2012: 79–81). All these efforts demonstrate that the UAE's national identity was not founded upon objective criteria but by top-down decision-making and initiative.

Some national symbols now considered indisputable in the UAE– the flag, capital, and even the word "Emirati"– were the product of top-down efforts to promote them. Even the Emirati flag– which today is on display everywhere in the UAE and even has a commemorative day reserved for it (November 3)– was not raised in the individual emirates for a long time; this change only occurred when the ruler of Sharjah lowered the emirate's banner and hoisted the union flag after the opening of the Sharjah Traffic Department on November 4, 1975. When Sharjah's (Qawasim) flag was replaced with the Union emblem, not everyone from Sharjah was content; opponents of the change considered the act an attack on their very existence as Qawasim or Sharjah. In response, the ruler offered the following justification: the Sharjah flag, he argued, was not an authentic symbol of the emirate but rather had been imposed by the British after the emirate's defeat (Muḥammad al-Qāsimī, 2012: 88–90). This rebuttal won the day: soon after, other emirates began replacing their own sheikdoms' flags (or emphasising the Union flag at the same time) with the federal banner (Muḥammad al-Qāsimī, 2012: 90). Today, the UAE flag is a highly visible national symbol of the UAE. During my fieldwork, one of my interlocutors observed that the frequency of the flag's appearance across the country resembled American-style patriotism. Another interviewee, who has been in the UAE for more than 20 years, stated that the visibility of the flag had increased day by day– particularly in recent years, as the UAE has undertaken a more interventionist foreign policy based on military operations.

The use of the word "Emirati" to denote nationality must also be emphasised as a component of the UAE's nation-building project. Like the raising of the national flag, the labels "the UAE" or "Emirati" were not accepted instantly. It was not until November 6, 1976, that a decision was made to emphasise the unity of the "union" by stating that the name of the state (the UAE) should be used before that of any individual emirate and that the role of any sheikh should be referred to first in terms of his membership in the UAE Supreme Council and only subsequently as the emir of a particular emirate. This custom is still observed (Muḥammad al-Qāsimī, 2012: 130). For example, when mentioning Mohammed bin Rashid by his formal title, one would first state his capacity in the federal state, and then state his capacity in his individual state, as follows: "H. H. Sheikh Mohammed bin Rashid Al Maktoum, Vice-President and Prime Minister of the UAE and Ruler of Dubai".

Since the establishment of the federation, several particular words referring to the UAE (like *Ittihad*, Union, or Emirates) have been intentionally circulated as part of the nation-building project. "Emirates Airlines", for example, a Dubai-owned aviation company, opts for a more inclusive name in order to stress the federal umbrella. The same applies to "Etihad Airways", which is an Abu Dhabi-owned company carrying the name of the "Union". Given their passenger potential and significance in the UAE, naming national carriers after the federation rather than their individual emirates helps naturalise words associated with national identity in daily usage and creates a sense that each emirate considers the union as an essential part of its identity.

The same holds true for many squares and parks in different emirates, such as "Ittihad Square" in Dubai, "Al-Ittihad Park" in Sharjah, and "Etihad Square Park" in Abu Dhabi. Popularising the word "Emirate", "Emirati", and their Arabic translations are considered essential for nation-building in modernist theories of nationalism; such acts amount to a form of *Banal Nationalism*, associating the nation with places people go and things they use in their everyday lives (Billig, 1995: 6, 43–51, 77).

The great emphasis on "Emirati" as a signifier of the nation– whether when referring to the national or in naming particular spaces and institutions– at the same time strengthens and banalises identification with the nation. In this respect, another concrete example of an "imagined" community is the word "Emirati"; the word does not refer to any ethnic or racial group, was coined only after the foundation of the state and is employed to foster a sense of unified national identity.

The role of the capital city triggered another dispute, though more during the pre-independence negotiations (William Luce Special Collection, MS EUL 146/1/3/16). During the negotiations, it was agreed that a new city would build between two emirates which would serve as the capital city. Even though the name was proposed previously as Al Karama, the city was never built, and it was in 1996 that Abu Dhabi became the permanent capital city. Even though the phone code 01 was reserved for the planned capital city, it was never concretised (Ulrichsen, 2017). This may be seen as another phenomenon that had been taken for granted but was not beyond discussion.

2.2.The Myth of Founding Father(s)

Another fact that many have taken for granted is the presidency of the union. The role of president was not given to the ruler of Abu Dhabi in perpetuity, and his position was even challenged by the British when Zayed increased his relationships with the Soviet Union, Libya, Sudan, and Syria. However, it was seen as a big danger for the union either to change the leadership from him to another member of his family or from Abu Dhabi to Dubai as it would create instability and fragility in the union (Muḥammad al-Qāsimī, 2012: 12–14). He was challenged again by other rulers when he proposed a constitution that increased his own (and federal) authority over the power of the individual emirates. Zayed's intentions were questioned, and no consensus was reached when he announced his plan not to renew his role as president. After much deliberating, the other rulers agreed to the demands he had made, such as being given authority over state matters and the right to execute federal powers over individual emirates (Muḥammad al-Qāsimī, 2012: 129–130).

This history of political contestation stands in sharp contrast with the depiction of Sheikh Zayed in the UAE today. Considering the great role that is attributed today to Sheikh Zayed as a founding father of the nation, one can hardly imagine a time in which his position within the UAE was challenged and not secured. Today, Sheikh Zayed is remembered not only simply as a president who served until his death but rather as the founding father of the UAE, whose vision still enlightens the country. His image is visible in all emirates, accompanied by pictures of his sons, Sheikh Khalifa and Sheikh

Mohammed, standing alongside the ruler of the emirate in which the picture was taken. Figure 1 shows an iconic image, widely circulated in the UAE, depicting the founding seven emirs standing together. Figure 2 shows the founding father image as presented in the emirate of Dubai. The three portraits show the current emir of Dubai, the founding father of the UAE, and the current president of the UAE at the time the photo was taken (2020). Figure 3 shows similar portraiture in the case of another emirate, Ajman. In Ajman, the portraits include the UAE's first president, current president, prime minister and emir and the crown prince of Ajman.

Figure 1: Iconic image showing the rulers of the seven emirates with the UAE flag. UAE, 2019

Credits: by author

Figure 2: Sheikh Zayed, Sheikh Khalifa, and Sheikh Rashid (in a hotel in Dubai), Sana Quadri, 2020

Credits: by author

Figure 3: Showing the state leaders with the Ajman Emir and Crown Prince, Ajman, 2019

Credits: by author

National identity was gradually established by consolidating not only state institutions but also by propagating national discourse and images about unity, as exemplified above regarding the flag, the name of the state, and the "founding father" narrative.

Economic integration helped spur this process along: even before the waves of oil money inundated the region, Abu Dhabi had already begun to support the other emirates for the sake of strengthening national unity. For example, in 1972 alone, Zayed funded the construction of 400 houses, ten mosques, five medical clinics, and 200 water wells in Sharjah (Muḥammad al-Qāsimī, 2012: 9). The financial aid of Abu Dhabi has, in turn, always been attributed to the generosity of Sheikh Zayed; this part of his character is now deeply embedded within the official discourse and has contributed to his mythologisation as a founding father figure (Sulṭān ibn Muḥammad al-Qāsimī, 2012; *Zayed the Generous: Icon of Global Charity and Humanitarianism*, 2013; *Sheikh Zayed: His Charitable Deeds Live on*, 2018; *Sheikh Zayed 'Our Role Model in Humanitarian Work', says Ruler of Dubai*, 2022).

As we have seen, the UAE's national identity was not only founded upon objective criteria. Rather, as in the case of most of the world's nation-building processes, it required intense national mythologisation– for example, the decision to overlook the history of Zayed's plan to resign his presidency in favour of casting him as the indisputable founding father of the nation and attributing the success of the union to his leadership (Ahmed, Miller and Al-Sayed, 2016).

In explaining the role of Sheikh Zayed's legacy in shaping Emirati identity, however, one crucial warning is in order: Pointing out Zayed's influence as a renowned political leader– this admiration sometimes even verges on a personality cult– does not in any sense imply the existence of an "Oriental Despotism" in the UAE. Instead, the UAE blended both traditional and modern discourses to elevate Zayed as a symbol, an icon, for the nation. On the one hand, the UAE's traditionalism derives from its admiration of Zayed as a father figure, leader, and symbol of tribal society. On the other hand, the UAE's modernity is based upon the notion of Zayed as a founding father in another sense: he represents for the UAE what George Washington, Alexander Hamilton, and Thomas Jefferson represent for the US, or what Ataturk represents for Turkey. "Western" or "Eastern", "monarchy" or "democracy", nation-states have long traced their legitimacy back to specific founding fathers, which legitimate the state by symbolising the historical struggle for the creation of the contemporary nation (Wallace, 1982).

The discourse of the founding fathers arises in different ways: sometimes, it is established by the leader himself and sometimes by his supporters after his death. Lenin, for example, did not iconise himself to the point of being a cult leader, while Stalin, in order to strengthen his own position and legitimacy, created a joint cult of himself and Lenin. At other times, an existing cult is erased after the leader's death: Hitler, Stalin, and Mussolini were among those whose cults were deleted by their successors. By contrast, Ataturk's legacy was ensured by a new law introduced after his death, which aimed to protect his memory. The same applies to the US; regardless of their moral and human status, the "vision" of the American founding fathers continues to be invoked by American politicians and the public.

The critical role of Sheikh Zayed in forming the union of the UAE's emirates is so visible that Enver Khoury identifies the motivation lying behind the union as "Zayedism" (Davidson, 2005: 72). As Davidson states, "a significant portion of the UAE's ongoing political stability must still be attributed to Zayed's consensus rule and the enormous personal respect he continues to command from the people of all seven emirates" (Davidson, 2005: 72). Both during his lifetime and after his death, he remained a significant symbol shared by the people of emirates and, to a certain degree, by expatriates.

Sheikh Zayed's vision for the UAE has been mythicised via state initiative, with the UAE's stated policies of "tolerance", "women empowerment", "humanitarianism", and care for identity and heritage all attributed to him (Qasimi *et al.*, 1999; Wakefield, 2014; Ahmed, Miller and Al-Sayed, 2016; Antwi-Boateng, 2020). His role as the father of the nation has also been reinforced in the memoirs and books written by the rulers of the other Emirates. Mohammed bin Rashid Al Maktoum (the ruler of Dubai), for example, repeatedly emphasised Zayed's nation-building activities, his vision for the future, and his caring for traditions (Al Maktoum, 2015). Sultan bin Mahmud al-Qasimi also made similar remarks about Zayed, pointing out the founder's care for the UAE''s values and vision (Sulṭān ibn Muḥammad al-Qāsimī, 2012).

Most crucially, in order to strengthen Zayed's role as a symbol, the UAE leadership has made him visible everywhere in the country; many universities, hospitals, bridges, roads, mosques, prizes, and even an entire year are named after Zayed in honour and commemoration of his presidency. Mosques have also played a significant role in constructing the Zayed myth in the minds of UAE nationals. Natalie Koch studied the concept of the mosque and the father of the nation (examining, in particular, the case of Sheikh Zayed Mosque in Abu Dhabi) and concluded that under Sheikh Khalifa bin Zayed bin Sultan Al Nahyan, the new government continues to legitimise its claims to authority by discursively upholding the founding vision of Sheikh Zayed (Koch, 2016: 358–359). Another mosque with the name of Zayed– less known and glorious than the one in Abu Dhabi– exists in Ras al-Khaimah.

In addition to the mosque, a Founder's Memorial– designed by world-famous artist Ralph Helmick and opened in 2018– was installed in Abi Dhabi by the Ministry of Presidential Affairs (now the Presidential Court). Zayed's personality cult as the founding father of the UAE is most clearly indicated by this attempt by the state and society to visualise him ubiquitously, from hanging his picture everywhere (particularly the famous depiction of him standing in the middle of the other six rulers), to reciting his name during Friday *khutbas,* to prizes given out in his name, to an entire year being named after him to commemorate his 100th birthday (Passela, 2018; 'Friday Sermons Archive', no date; 'Sheikh Zayed Sustainability Prize', no date). Among the many prizes given in his memory are the following: the Sheikh Zayed Book Award (one of the most prestigious honours in literature), the Sheikh Zayed Horse Race, the Sheikh Zayed Sustainability Race, and the Sheikh Zayed Environment Prize ('About Sheikh Zayed Book Award', no date; 'The Zayed International Prize for the Environment, no date).

2.3. Symbolising Traditional and Visionary Nation: Emirati Coins

The last symbols to be examined in this study are coins and banknotes. Joseph Galloy considers coins not only according to their purchasing power but also in terms of their material power in shaping "ideas about past, and therefore, identity" (Galloy, 2000: 15–16). Likewise, Cesar (2011: 3–4) states that

> *Images printed on currency condense national history. By analysing the banknotes in the wallet and the coins in the pocket of a common citizen, the foundations of national history and present and past glories can usually be observed. Currency reproduces the historical memory that exalts and distinguishes the nation from other countries.*

As relates to this symbolic, national, value of currency, this article discusses the UAE's coinage in terms of two main groups. The first group of coins deal with "tradition"; the remainder deal with "achievement" and "vision". The first group, non-commemorative coins, which make references to the past, heritage, and tradition, are generally circulated coins. In this respect, the UAE's coinage uses the United Arab Emirates Dirham, divided into 100 fils. Below is a list of the circulating non-commemorative coins, which typically depict images associated with traditional life in the Gulf (Figure 4):

- 1 Fil: Date palms, with inscription in Arabic meaning "To increase the production of food crops"
- 5 Fils: Fish, with inscription in Arabic meaning "Cleaner seas mean more food for humans"
- 10 Fils: Dhow, with no inscription other than the date
- 25 Fils: Gazelle, with no inscription other than the date
- 50 Fils: Three oil derricks, with no inscription other than the date
- 1 Dirham: *Dallah*, an Arabic coffee pot, with no inscription other than the date.

Figure 4: The UAE's Coins, (Global Exchange)

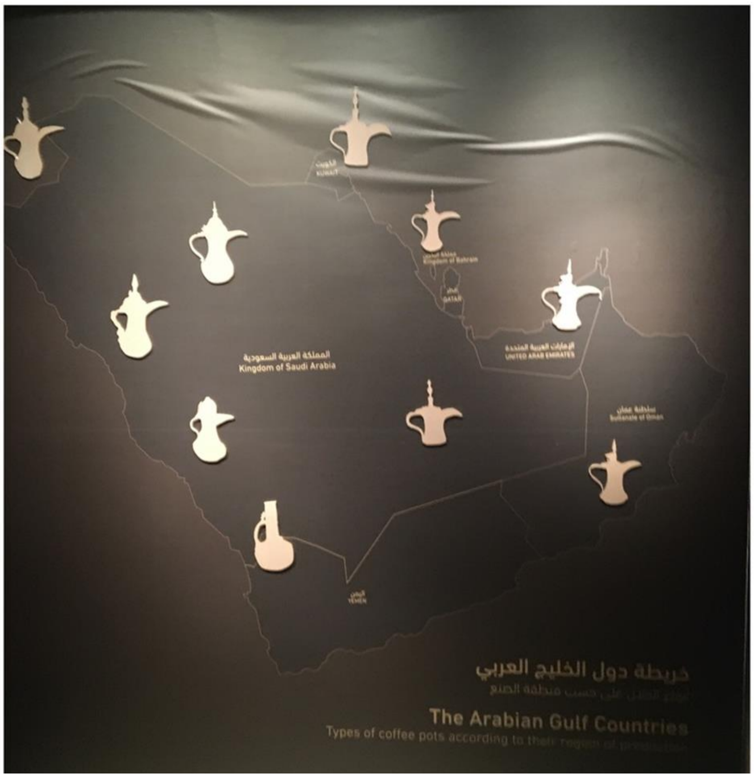
Credits: by author

As mentioned, all these coins depict significant cultural elements with which the UAE has attempted to associate the state and on which it has attempted to build a sense of national identity. Fish, gazelle, dhow, and coffee pots are all symbols frequently foregrounded and promoted by the UAE's national institutions ('HHC celebrates UAE's Year of the 50 at ADIHEX', 2021). Even though the depictions on coins were chosen among the national symbols, the depicted symbols on the coins became the standard ones representing the country. For example, the coffee pot (*dallah*) on 1 dirham becomes the standard *dallah* that represents the UAE's specific currency (Figure 5). While the *dallahs* are shared heritage within the Gulf and Arab world, the image depicted on the *dallah* has become the national one, with some differences from the neighbouring states (Figure 6), resembling Valeri's (2018) concept of othering the (br)other. The sand gazelle on 25 fils is also another national symbol for the UAE (Langton, 2021). The sand Arabian gazelle are considered a part of the national heritage, and efforts have been made to preserve the animal (Bardsley, 2016).

Figure 5: 1-dirham coin, (Numista)

Credits: by author

Figure 6: The Coffee Pot Exhibition, depicting the pots of Arabian Peninsula, 2019



Credits: by author

The drawings on the circulated coins (Figure 4) show the immense political importance of heritage in the UAE. With a possible exception of oil derricks, the rest of the images refer to the land claimed to be part of the UAE's heritage, depicting life in the pre-oil era. The dhow on 10 fils is another artefact that elites have attempted to embed in the cultural heritage of the UAE (Gilbert, 2011; Rab, 2011).

The dhow also refers to a pre-oil lifestyle, referencing both the maritime and slave trade (Gilbert, 2011). The fish depicted on the 5 fils is another carefully chosen symbol; it refers to the pre-oil cuisine and to one of the bases of the pre-oil economy (Blue *et al.*, 2013; Khansaheb, 2021).

On the other hand, commemorative coins contain more visionary and achievement-oriented messages. Since the circulation of these coins is low (with some exceptions, such as the one struck for the Year of Zayed as I have encountered many 1-dirham regarding Year of Zayed in my fieldworks) and coins with denominations higher than 1 dirham are even rarer, only commemorative 1-dirham coins will be studied here (the values of other coins range from 25 to 10,000 dirhams). While coins help the state to transmit its version of history, they also help us understand the aims of that transmission. As Cesar (2011: 3–4) states:

> *Currency is a mirror for the nation; it reflects the past and the image that the nation wants to be projected for posterity….. Currency is an effective means*

> *of transmitting these concepts. The essentials of the nation become portable history, reproduced on millions of examples, circulating in every transaction. Even in the most unimaginable corners of the country, passages of national history are seen, touched, and felt. … it is an instrument of power and as such, subject to the randomness and contingencies of power. In the context of nation-states, the currency has an important political function*. (Cesar, 2011: 3–4).

There are around 40 commemorative 1-dirham coins which can be circulated. These commemorative coins have diverse themes, from the 1986 Chess Olympiad logo to the 10th anniversary of the UAE University, the 35th anniversary of the National Bank of Dubai or the 10th anniversary of the Higher Colleges of Technology. Sometimes the coins commemorate persons who have played a significant role in constructing the Emirati national identity. The most important of these (for this study) is the 2018 commemorative coin of the Year of Zayed as it emphasises the role of Zayed as a father (Figure 7).

Figure 7: 1-dirham coin, Year of Zayed, (Numista)

Credits: by author

Some coins also include awards and programs dedicated to specific figures, such as the 15th Anniversary of the Rashid Bin Humaid Award for Culture & Science, the Selection of Sheikh Zayed bin Sultan Al Nahyan as the Islamic Personality of the Year for Dubai International Award for the Holy Quran in its 3rd Session and Her Highness Sheikha Fatima Program for Excellence and Social Creativity 2017 with Mother of the Nation Logo.

Due to the state's investment in presenting them as heritage, the above symbols are among the first objects that come to one's mind when talking about UAE history. All of them have a special place both for the Gulf and for Arabs: for example, the *Dallah* (coffee pot), an object which once symbolised the Gulf or the Arabs, has been nationalised to represent the UAE as a nation within its own boundaries over time (Baycar, 2020). However, the fact that the UAE chose distinctly *Arab* symbols brings *the invention of tradition* into question. It is at this stage that the modernist approach to nationalism requires criticism as they do not have objective criteria. Therefore, Smith's understanding of symbols (*ethno-symbolism)* with some level of historicity and ethnic background is a balance to other modernist nationalism studies.

All symbols mentioned in this study can be evaluated similarly in their meaning. Zayed, as a founding figure, for example, was initially a symbol that the citizens dealt with through direct experience; today, this has changed. One of the interviewees for this study, a teenage non-Emirati Arab, praised Zayed. "We are here together thanks to Sheikh Zayed," she said nostalgically; and she compared him positively to the current emirs. It ought to be asked, however, how a teenage girl, who was 2-3 years old when Sheikh Zayed died, can accurately compare and even appreciate such a person. It is probable that her view was shaped by her upbringing: perhaps, for example, Sheikh Zayed was widely praised by her family. Another interlocutor stated that the UAE's conception of tolerance was mainly a project of Zayed.

Examining the UAE's national identity project, this study has analysed the ways and methods by which the state eliminated differences between the emirates and created a distinct Emirati national identity. Heritage sports or falconry have been studied, for example, by Sulayman Khalaf and Natalie Koch, both concluding that those were an attempt to create an identity in the sense of Hobsbawm's "invented tradition" (Khalaf, 2000; Koch, 2015). The constitutive elements of this Emirati identity were Gulf-based (*Khaliji),* Arab, and Muslim. The preceding network (in the Indian Ocean), a result of traditional trade and British influence, was shifted to become increasingly Gulf-based and Middle Eastern. However, even within the Khaleeji network, diverse projects took place, as can be seen in two border cities, al-Ayn and al-Buraymi, which were once distinct oases but are now under separate states, the first under the UAE and the second under Oman (Valeri, 2018). This unique identity was strengthened with the empowerment of the federal government. Like any other nation, the state used many different methods to strengthen its identity, undertaking a process described as creating an imagined community, an invented tradition, or a form of ethno-symbolism. Ceremonies, the figure of the founding father, and individual policies were all essential explanatory elements of this first identity project.

Conclusion

The present study has focused on the UAE's national symbols (the founding father, commemorative days and celebrations, and coins) whose meanings have evolved in parallel with the motto of the union quoted above ("Unity through Diversity"). By examining how a nation can be built with only a few nationals, this study provides a critical analysis of the evolution of the UAE's identity project since its foundation in 1971 as a result of the British withdrawal from the Gulf. In its early years, the federation of seven emirates was not as powerful as it is today. Initially, the individual emirates either hesitated or refused to transfer their own powers to the federal government. It was on account of this hesitation and air of political pessimism that the UAE was founded upon the slogan of "Unity through Diversity", referring to the evident diversity between the emirates themselves.

The rulers and political elites of the UAE considered the newly established state to be an infant. Over time, that infant grew into a teenager and later an adult; it became not only a regional power but an international player as well. The ruler and the political elites pushed this process along by following the examples set by other nation-building projects. To be able to create a modern nation-state like any other, the question of "who constitutes the nation" had to be answered. State policies were therefore drafted in order to create the nation's unique identity or "Emiratiness". Competing identities (tribal, religious, and ethnic) were intentionally subsumed within a single "Emirati" nation. In addition to encompassing all citizens, this new national identity excluded perceived internal (Indian and Persian) and external (Pan-Arabism and Pan-Islamism) threats to national unity. From the perspective of today's political situation, it is clear that these nation-building policies were successful. An example of how citizens have internalised their national identity over either that of the Gulf or of Arabness is the Qatar-UAE dispute that occurs between 2017 to 2021. The United Arab Emirates sided with Bahrain and Saudi Arabia against Qatar, which imposed land, sea, and air blockade. Moreover, the states blamed each other for causing instability in the region. Though many people consider the dispute to be politically motivated, football matches between the UAE and Qatar in the Asian Cup have seen many Emirati fans throw plastic cups and shoes at Qatari players (*Football: Qatar thrash UAE amid shoe barrage to reach Asian Cup final*, 2019). This nationalistic reaction shows how the identity-building projects of both states (Qatar and the UAE) have been successful, especially if one takes into account the fact that Qatar was in a similar process of unification when the idea of UAE federation came under discussion.

If one interprets the UAE nation-building project from a constructivist approach, the UAE may be termed an "imagined" or "invented" nation or community. The UAE's identity can be considered in terms of Anderson's thesis of "imagined communities", with its elements such as "the tombs of unknown soldiers" (Anderson, 1991: 9–12). Unlike many other Arab states, the territory of the United Arab Emirates was not officially a colony or under a British mandate. Rather, it had been formally recognised by the British as being under the autonomy of the tribal sheikhs. Therefore, no significant violent confrontation was necessary for the emirates to gain their independence. This bloodless independence failed, however, to stimulate national pride in the birth of the UAE, to encourage citizens to transmit the national story from one generation to another or to increase patriotic feelings toward the homeland. Only in 2015, when the UAE lost several of its soldiers in Yemen, did the UAE's leadership officially announce its first official martyrs' day on November 30– a reference to "the tomb of the unknown soldier". Interestingly, though, the soldiers being commemorated were not killed on November 30, a date which was selected in honour of a different martyr (Salem Suhail bin Khamis) who had been killed by Iranian forces three days before the formation of the UAE in a territorial dispute over ownership of the island of Greater Tunb (Rogers, 2016).

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BUILDING ART DIPLOMACY: THE CONTEMPORARY AMERICAN ART EXHIBITION IN LATIN AMERICA DURING 1941

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Abstract

This article analyzes the visual narrative expressed in the exhibition Contemporary North American Painting during 1941. It was an attempt by the U.S. government to build an image of the United States as a modern and industrialized society on South Americans. Over the last decades, concepts such as cultural diplomacy, soft power, and cultural imperialism have become part of academic analysis. They were used to talk about the relationship between the United States and Latin America. Cultural diplomacy has often been utilized to analyze the United States foreign policy during Cold War, understanding it as a set of cultural strategies that the American government introduced to align Latin American countries against communism in the USSR. One issue that differs between the Second World War and the Cold War is that cultural diplomacy was regarded as a cultural battle against communism and the USSR. In contrast, the Good Neighbor Policy was conceptualized as a paternalistic position from the United States, committed to avoiding intervening in the domestic policy of Latin American countries. Authors such as Gisella Cramer (2012) researched the OCIAA and Roosevelt Politics and revisited aspects and results from the office. Darlene Sadlier (2012), in her book "American All," analyzed the different departments and the importance of Good Will Tours from 1939 to 1945. Also, authors such as Ricardo Salvatore (2006; 2016), in his studies on "Informal Empire," have helped understand the relationship with the representational machinery of the U.S. government. From the art perspective, Olga Herrera's research (2017) on Latin American Exhibition has enormous significance for my analysis. They do not delve into constructing the visual narrative about Latin America as part of the Good Neighbor exhibition complex. The article was based on reading, analyzing, and cataloging primary sources. Likewise, the exhibited works of art were operationalized.

Keywords

Goodneighbor Policy; American Art; OCIAA; Nelson Rockefeller

Resumo

Este artigo analisa a narrativa visual expressa na exposição "Contemporary North American Painting during 1941". Foi uma tentativa de o governo dos EUA construir uma imagem do país como sociedade moderna e industrializada sobre os sul-americanos. Nas últimas décadas, conceitos como diplomacia cultural, soft power, e imperialismo cultural tornara
m-se parte da análise académica. Foram utilizados para apresentar a relação entre os Estados Unidos e a América Latina. A diplomacia cultural tem sido frequentemente utilizada para analisar a política externa dos Estados Unidos durante a Guerra Fria, entendendo-a como um conjunto de estratégias culturais que o governo americano introduziu para alinhar os países latino-americanos contra o comunismo na URSS. Uma questão que difere entre a Segunda Guerra Mundial e a Guerra Fria é que a diplomacia cultural foi considerada como uma batalha cultural contra o comunismo e a URSS. Em contraste, a Política de Boa Vizinhança foi conceptualizada como uma posição paternalista dos Estados Unidos, empenhada em evitar intervir na política interna dos países latino-americanos. Autores como Gisella Cramer (2012) pesquisaram a OCIAA e Roosevelt Politics e revisitaram aspectos do gabinete. Darlene Sadlier

(2012), no seu livro "American All", analisou os diferentes departamentos e a importância das Visitas de Boa Vontade de 1939 a 1945. Além disso, autores como Ricardo Salvatore (2006; 2016), nos seus estudos sobre "Império Informal", ajudaram a compreender a relação com a máquina representativa do governo dos EUA. Da perspectiva da arte, a pesquisa de Olga Herrera (2017) sobre a exposição latino-americana tem um enorme significado para a análise, não se aprofundam na construção da narrativa visual sobre a América Latina como parte do complexo de exposições do Bom Vizinho. O artigo foi baseado na leitura, análise e catalogação de fontes primárias e as obras de arte expostas foram operacionalizadas.

Palavras-chave

Política de Boa Vizinhança; Arte Americana; OCIAA; Nelson Rockefeller

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BUILDING ART DIPLOMACY: THE CONTEMPORARY AMERICAN ART EXHIBITION IN LATIN AMERICA DURING 1941

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Context

During 1940, President Franklin D. Roosevelt created the Office of Inter-American Affairs (OCIAA) to encourage cultural diplomacy in Latin America. At the head of this office was Nelson Rockefeller, who steered the agency towards strategic and propaganda objectives. The office purpose was developing two central strategies. The first to exhibit, which involved constructing a complex of art, ballet, music, advertising, and films to inform the idea of a culture common between the two Americas. The second was collecting art from Latino America. Since the beginning of the 1940s, there has been an increasing interest in completing the exhibition center to introduce Latin American art through a series of exhibitions for Americans to appreciate South American Art.

When the risk of war was confirmed, the American government decided to send public figures from the culture, mass media, and art fields to build a better relationship with Latino America. Franklin Roosevelt's new policy also answered the private sector philanthropists who thought a more inclusive approach was paramount for the United States to be accepted. The political impact was double. On the one hand, due to the widespread introduction of culture as a foreign policy tool and Roosevelt's unique style, which distanced itself from the *realpolitik* that argued that the government only had to worry about taking care of the economy and military forces. According to Frederick Pike, the Good Neighbor policy eventually became successful for both sides: "Latin Americans probably got as many advantages from this bond as the Americans" (1995: XXV).

However, more than relying on accurate information about Nazism penetration, this policy developed specific cultural imperialism strategies. Many authors argued that the informal American empire worked through artistic or intellectual networks. Regional elites joined it and became part of the informal empire process (Salvatore:1996). Cultural diplomacy played an essential and complex role, even though some ideas on American identity promoted by the government were not always accepted. The concept of American culture for exports and Latino culture for domestic consumption in the United States was developed through diverse interactions.

The U.S. government's purpose could be divided into two strategies. The first involved assembling an exhibition center whose main goal was "showing." In order to describe this experience, we will focus on a critical exhibition of the cultural exchange experience by the United States in South America, which is the "Contemporary North American

Painting" exhibition. It was held in 1941, and some of the most outstanding Fine Arts academics participated.

We will also analyze the composition of the exhibition and the curatorial role of Grace Morley. She was in charge of contacting South American museums that would participate in the show. Also, we will discuss the ideas and meaning of the narrative of progress and modernity as a central topic of the exposition.

Exhibiting the nation

From the OCIAA point of view, that art exchange was part of the defense of the Western hemisphere. They believed that the exchanges based on culture, history, and art would inevitably lead to a level of understanding and cooperation with the United States. As was expressed in a memorandum, "in order to win this battle, more than political and diplomatic cooperation between governments and more than the economic cooperation between our industries and productive agencies, we need to feel that we are neighbors closely and personally" (Rockefeller Family Archives, 1942).

The OCIAA's Art Committee was created. It was run by John Abbott, secretary of the MoMA, who invited art representatives from museums such as the Whitney, Brooklyn Museum, the MET, and the American Museum of Natural History. Grace Morley was the only member of the Committee that belonged to an institution outside of New York. She was the one that determined the feasibility of the exhibition and planned its circuit. As she explained to Edward Dodd, the Committee chose her as "the only one in the museum with expertise in Latin American art, who spoke the language and had the necessary connections" (G. Morley to E. Dodd, 1941).

One of the primary purpose's American art exhibition policy was to show that there was no such thing as German or Italian cultural superiority. Rockefeller's cultural envoys knew that much of the art produced in Latin America was based on a Eurocentric conception, where the concept of the high culture was centered on Europe and was indifferent to North American art.

The OCIAA influenced the American high culture network; consequently, many museums began working on the government's cultural projects. The American Alliance of Museums decided to support hemispheric solidarity and cultural exchange initiatives. Moreover, it tried to forge alliances with other institutions like the Pan- American Union and encourage cooperation between museums in North, Central, and South America.

All the cultural exhibition apparatus arranged by the government mainly aimed to prove that the United States could produce Fine Arts with refinement and their own personal traits and had no need to copy European avant-gardes. The New World, as Rockefeller claimed, had the vitality and the dynamism to shape the future. In his letter to Edward Dodd, Morley stated that in Latin America, "everyone is convinced that we build skyscrapers and cars too well to be able to produce any type of art" (Morley to Edward Dodd, April 25, 1941). That is why arranging the exhibition posed a considerable challenge since it was about revealing American art and forging long-lasting bonds with the artists of other Americas.

By the beginning of 1941, Morley's project was approved. In Rockefeller's political circle, there was a substantial certainty that their chosen strategy was the right one, even though some members of the academic elite were not so convinced. Alfred Barr asked her in a letter if an exhibition on American painting had 'any real value.' She replied before the Committee that she had reasons to believe that the exhibition would attain a key geopolitical goal to ensure the United States' position since:

> *It is a very critical time in South America and there is great pressure from the Axis countries which are spending tremendous sums to gain cultural as well as economic and political ascendancy. When the 4th centenary of Santiago was celebrated, Germany gave a huge collection of facsimiles of prints... Italy did something important too, but all Britain did was to present a portrait of an Englishman connected with the history of Chile* (Morley, Minutes: 1941).

The report seemed to confirm Nelson Rockefeller's suspicions and agree with his goal that the exhibition was a propaganda tool that would tend to assimilate the Americas culturally.

Grace Morley traveled for a second time to close cooperation agreements. Between January and March of 1941, she visited the capitals and the main cities and arranged the South American museums' itineraries to offer three series of painting exhibitions from the United States. The project was based on the idea of showing "the kind of American art that Latin Americans would be interested in seeing as part of the exhibition projects" (Morley, Minutes: 1941). She also claimed to have analyzed all the options to get Latin American art and spread it throughout the United States, and reached out to the leading museums and collectors to present an exhibition on American contemporary painting that would paint an accurate picture of the leading artists.

Grace Morley was an enthusiastic participant in the Latin American art exchange. From the beginning of the Good Neighbor Policy, she showed great interest in fostering a successful relationship. When she presented a Latin American art exhibition project before the Art Committee, she said:

> *We are ready to undertake the organization of a contemporary artwork exhibition. I am trying to get watercolors from Ecuador and Chile, and I hope that, in time, my friends will support this initiative* (Morley, Minutes: 1941).

She tried to bring some Latin American painters such as Luis Acuña, Oswaldo Guayasamin, and others to an extensive exhibition. In Argentina, she met with Argentinian senator Antonio Santamarina, the Fine Arts Commission president, who asked her to include a historical section of North American art in the contemporary exhibition. She argued that she could not go through with it for financial reasons but assured him that "the contemporary exhibition had an extraordinary quality" (Morley, 1941d.). It is an example of how Morley efficiently combined her talent and political correctness. She could be enthusiastic and, at the same time, deter her interlocutor from specific ideas that would take her away from her central purpose.

Morley was cautious in her relationship with the politicians and diplomats of the countries she visited. Sometimes, she was also critical of the role the OCIAA intended to fulfill. Morley disagreed with Rockefeller's point of view, who was confident that introducing art as a weapon was the best way to do politics. However, she believed it was a long-term process that entailed building a relationship between countries. Morley's lifelong commitment to Latin American art developed during her two-month trip on behalf of the OCIAA and North American art (Morley, 1941e).

During her trip, she discovered a great interest in an exhibition on American painting, so she informed the Art Committee. She was in charge of choosing the venues where the exhibition would take place and the best settings to advertise it. In her opinion, they had to avoid imposing an American point of view without clearly knowing each country's conditions. She did not trust what she called "wholesale exhibitions," that is to say, unique ones designed without considering the divergences of the areas and the cultural and demographic characteristics. Nevertheless, this opinion was not considered when the Committee planned the exhibition.

The showing was divided into three exhibitions, each with a representative that could be with her and give explanatory interviews and conferences in different places. The **Western exhibition** traveled to the Palace of Fine Arts in Mexico City, the National Museum of Fine Arts in Santiago, the National School of Fine Arts in Lima, and Universidad Central del Ecuador in Quito. The **Eastern exhibition** was held at the National Museum of Fine Arts of Buenos Aires, the Gallery of the Solís Theatre in Montevideo, and the National Museum of Fine Arts of Rio de Janeiro. Finally, the **Northern exhibition** was hosted at the National Library of Bogotá, the National Museum of Fine Arts of Caracas, and the Salón de Pasos Perdidos of Havana's National Capitol building. The Northern and Eastern exhibitions started traveling overseas in July of 1941. In contrast, the Western exhibition began a month before June, and the three exhibitions ended in December. The aim is to simultaneously host the exhibition in three circuits, with a one-year limit.

When the "Contemporary North American Painting" exhibition started its tours in June of 1941, the United States had not entered the war yet. Morley was interested in developing long-lasting relationships with art professionals in South America and the Caribbean. From her standpoint, the project was "the beginning of an exchange," the first step towards "a constant communication with professionals from museums, artists, art critics as well as institutions and organizations" (Morley, Minutes: 1941).

Due to the risk that the artistic and the political area went separate, Alfred Barr advised Morley to cooperate with American ambassadors and colleagues during her trip so that this rift drove a wedge between traditional diplomacy and the cultural envoys not grow. Nevertheless, she insisted on working with local artists and art professionals and explained her point of view to Abbott: "Barr's idea was to work through Americans in each place. Mine is not, but to put the whole responsibility on the professionals in charge. It is much more dignified it seems to me, and I think it will get us farther" (Morley, 1941f). She firmly believed that the best way to advance an understanding through art was to relate with the best-qualified people to find common ground and similar interests. She aimed to build a cooperation network and not just devise export strategies: "rather than simply to export culture through ambassadors and consuls (…) The cultural export," asserted Morley, "must be carefully avoided" (Morley, Preleminary Report, 1941). When she returned from her trip to Latin America and had a meeting with the Art Committee to voice her impressions and recommendations, the questions that the Committee asked her about the continent and its population proved how little they knew about it. Helen Appleton Read, a well-known critic, artist, and author, who would later write an art essay on the exhibition, asked "if it would be possible for the South Americans to keep to the schedule." this was a significant concern. Juliana Force (director of Whitney Museum) asked: "how she thought [Latin Americans] would handle the pictures and whether they would understand their value" (Potter, 2017, p. 152). All those questions revealed the prejudice experts held about Latin America. There seemed to be some points of disagreement in how the expert and the Committee regarded regional art. For the Committee, Latin America was understood as having homogeneous geography and culture.

In contrast, Morley believed they were different countries with various cultural traits and could have diverse views on the exhibition. This is what she told Edward Dodd: "We say, very glibly, South America or Latin America, but the one thing I know well from knowing the countries to the South of us a little— probably a little better than anyone else in the art field just now—is that each country is distinct, has its character, its own personality and that there is as much difference between country and country as there is in Europe" (Morley to Dodd, 1941b). She understood South America as a continent and not as an artistic unit.

Stanton Catlin, in charge of West section, described the general lack of knowledge among the museum professionals as follows: "we were so naive at that particular time that we had no idea about the size of South America… some still are. I guess the majority of us were like that back then" (1941).

In this first step of artistic connection between the United States and South America, Grace Morley had an outstanding role in the tour organization and the data she could gather on Latin America's artistic conditions. Subsequently, her participation on the Committee faded as she started to get disappointed with its policy, even though she honored her commitment to supporting Latin American artists and promoting the knowledge of modern Latin American art in the United States. Consistent with her point of view on the public's diverse approaches to art, Morley used a strong title for the conference she gave at the Montalvo Arts Center in Saratoga, California, in 1941, "Latin America: a diversity, not a geographical unit, in terms of people and artistic background" (Potter, 2017, p. 15).

The "Contemporary North American Painting Exhibition" was considered the first one of a series hosted in South America. It sought to exhibit North American contemporary art samples and express the country's set of cultural ideals.

The exhibition consisted of two hundred and fifty-five paintings structured in three different exhibitions. According to Helen Appleton Read, the exhibition had a double purpose: it was mainly about presenting a general view of art, but it was also crucial to understand "the political, social and spiritual forces that have created the American Civilization of 20th century" (Preliminary Study, 1941, p. 5). Almost all of the paintings belonged to living authors. It was a selection of 112 artists from different trends to represent the country's regions, traversing Maine coasts, Chicago, San Francisco, etc. The show sought a "national flavor" regarding the artists' birthplace and topic selection.

Contemporary North American Painting Exhibition

Even though we cannot reconstruct an accurate tour of the exhibitions, a catalog analysis can give us clues about the type of art exhibited and the exhibition's aim. First, it should be stressed that a significant number of the participating authors reflected modern life experiences: bustling, sometimes puzzling, and challenging. Although they rested upon this rich tradition, they chose to deal with something different from traditional European painting topics. These artists sought a new visual language that could do justice to the realities of their countries and cities.

In second place, the paintings featured in the different exhibitions told the history and the fights of the United States as a country growing with its own traditions, communities, and landscapes. The population painted in those figurative works mainly were poor workers; in some cases, there was a sharp contrast between poverty and growing prosperity. There was a certain glorification of its people's hard work and industriousness in this selection.

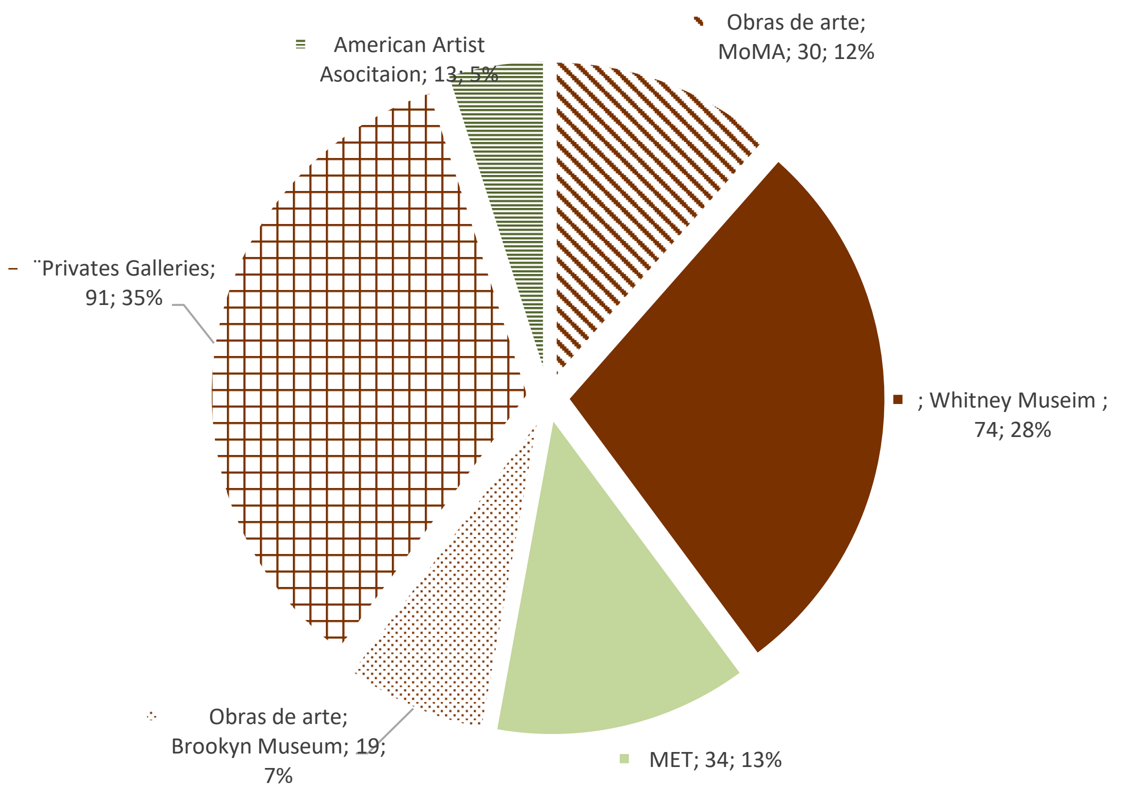
The corpus of the exhibition had to be composed very quickly, so many of the materials came from east coast museums, with a decisive intervention of private galleries and individual collections representing 38% of the works. The art galleries that intervened were some of Manhattan's most representative: Downtown Gallery (whose owner Edith Halper was one of the leading contemporary North American art dealers), Kraushaar Art Gallery, Grand Central Galleries, Weyhe Gallery Julie Levy, among many others. Except for the first two that collaborated with 13 and 8 works, the rest moved from 2 to 5 pieces. The Whitney Museum contributed 21% of the paintings, and the Metropolitan Museum of Art and MoMA with 13%. A few museums sent materials: Cleveland, Pennsylvania, Boston, and Chicago. The tendency of the exhibition was twofold: on the side, the works mostly belonged to institutions in Manhattan, Brooklyn, and New Jersey, and another bias of the exhibition was artistic composition.

Regarding the first bias, it is clear that Nelson Rockefeller's social network was mobilized, so in the world of art collectors and gallerists, the positive response was remarkable and demonstrated the commitment of those who were part of Rockefeller's office. Somehow, everyone got to work to educate Latin American audiences. In 1941, the American Museum Association offered a conference under the title "Museums of Art and Emergency," pointing out the active role in the contest as a cultural war.

The exhibition was filtered by assuming what Latin American audiences could appreciate and understand. No country would see the whole because the corpus was divided into three sections; the election was already fragmented.

The exhibition was one of the devices (or representational machine) that would attempt to spread a coherent and civilizing image of North America in the southern region.

Chart 1 - Works Contemporary North American Painting Exhibition according to Museums



Source: American Contemporary Art, Catalog (1941)

Artists represented a substantial part of the Ashcan School and The Eight. Pieces by Henri, Pendergrast and other painters representing nineteenth-century local art were also included. The aim was to exhibit art related to the direct experience of the typical constant urban change in the United States. Therefore, many works portrayed the feeling of haste and liveliness of New York workers. North American modernism brought about a new visual sense. They were interested in new ways of seeing and being seen in modern New York City: people walking in parks, hookers in the streets, fireworks in boxing venues, and vaudeville reviews, a significant bloom of images due to advances in publications and mass media.

The inclusion of these works provided a sense of report since they caught the scene of a modern, expanding metropolis. These forms of realism expressed the fast and daring changes in urban life, trade, and social transformations. Due to these artists, the exhibition was highly vibrant. At the beginning of the twentieth century, this trend was a challenge for its time. Far from thinking of the city as an elite, they introduced new landscapes and urban and working-class characters of all ages and genders. For the experts, not only did they re-conceptualize art but also the city in itself since they had banished the golden girl in the garden, replacing her with urban realism (Slayton, 2017).

A group of works showed the urban environment, technological advances, and characters from the working world as the central theme. Factories and skyscrapers were symbols of modern American identity. Paintings by Edward Hopper, one of the most influential XX Century artists, produced seemingly worldly but mysterious and troubling images of American life. His compositional style and emphasis on architectural structures about human figures distinguished him from his contemporaries.

In the same way, George Bellows' works were included, which caught the city's energy as epic forces in play. His oil paintings featured *The Sand Cart* (1917) and *Dempsey and Firpo* (1924). Bellows was a renowned realist painter of modern urban life who depicted New York City and its inhabitants in paintings, drawings, and engravings. The second oil painting was the famous boxing fight between Jack Dempsey and Argentinian Miguel Angel Firpo in New York Polo Grounds. He managed to show energy and dynamism through a scene of the most famous sport of that time. It had a particular reference since it was a famous fight with a local boxing idol in Argentina.

Another renowned painter was Ernest Lawson with *High Bridge,* who introduced human presence in architecture and tools as the means to structure the world. The emphasis was on the immediacy of the experience of the modern city insofar as intense and demanding. Lawson focuses on the presence of bridges as symbols of American progress. An example of this symbology is the Brooklyn bridge painting looking onto Manhattan, where a group of buildings of the 1860s takes center stage, including the Fulton ferry terminal. There were contradictions between the nostalgic footprints of the past that faded and became the technological present.

In addition, there was Reginal Mash's artwork, known for his representation of Manhattan as an ordinary, chaotic place. Mash was a renowned urban realist of the Great Depression, creating vibrant images of the big city's most sordid aspects of life, often centering on the worlds of entertainment and leisure. *Gairy Burlesque* –which framed these concepts- was featured. Also, Raphael Soyer's *Office Girl* (1936) was included among those portrayals of the world of work.

However, it was not just about the city. Some paintings told the history of the rural world. The workforce in the countryside could be observed in Ogden Pleissner’s *Railroad Ranch*, where farmers with cowboy hats build a vast and imposing hayloft. Thomas Hart Benton’s painting, *Roasting Ears,* a pioneer mural artist known for his representation of agriculture at a large scale, the industry, Western landscapes, and essential episodes from U.S. history, was also included. Benton sold this work of art to the MoMA in 1939. It is an example of American regionalism that shows the beauty of ordinary people’s work. The image shows an Afro-American young man picking a corncob with a high and green stem, an old tree in the background, and a small cabin further.

Images of the working world filled the exhibition: from the fishers on the pier of Zoltan Sepeshy’s work to Joe Jones' farm scene. Probably, the most unmistakable evidence of the effort to show progress was John Kane's oil painting *Prosperity’s increase* (1934), which represents steel factories, industrial chimneys, and a towbar for riverboats called "prosperity." and hills with tiny houses looking onto the river can be distinguished at the back.

The glorification of industry, progress, and trade was typical in all the exhibitions, and critical works were included, like *The Millionaire* (1938) and *The Syndicate* (1939), painted by Jack Levine. At first glance, they look just like portraits of wealthy men or high-class nightlife, but as we pause to observe closely, we can see how their bodies wrinkle and melt as if they were deflated.

The only exception that showed the life of the upper class was William Glackens' *Girl in black and white* (1914). It was the portrait of an upper-class girl with a nonchalant attitude sitting on a couch. Like the flower arrangements, her bright dress, a crystal vase, and tablecloth with tassels point to her high social status.

The exhibition included just a few abstract compositions, such as *My Egypt* by Charles Demuth (1927) or *House and Street* (1931) by Stuart Davis, which were part of the Eastern circuit. Finally, two of the most daring artists featured in this exhibition were Paul Cadmus and Jared French. Cadmus with *Venus and Adonis* (1936) was described in the catalog as "a heartless and satirical observer of contemporary life. Flawless as an expert, he leads the group of realist youngsters." (Rainey, 1941,p. 14). By that time, Cadmus had done some erotic representations of masculine figures with satirical and dramatic elements, such as *The Fleet's In,* where a group of sailors and prostitutes interacted with homosexuals. In the case of the work included here, the author seems to have based himself on Peter Paul Rubens' work, on canvas, with the same topic, circa 1635- 1640. The modern Adonis plays tennis and holds a racquet in his right hand and two balls in his left hand while he rejects Venus and the crying baby.

Finally, one of Jared French's oil paintings was included. *Summer's Ending* showed a group of youngsters at the beach. Two women were at the forefront, and a group of boys and another woman were in the background. Against the bluebird sky, the sun was going down, and the clouds heralded the end of the summer. The leftovers of a picnic (a bottle of wine) could be seen on a side while the muscled men played, and the women started to leave. By mid-1941, exhibitions began to be mounted in various countries.

The three-section gathered 119 painters and 290 works in total. The artist more represented were the following:

Charles Burchfield	7
Edward Hopper	7
Reginald Marsh	6
Charles Demuth	5
John Marin	5
Maurice Prendergast	5

In the case of Burchfield paintings, two belong to the MET, and two to the Whitney Museum. In the case of Edward Hopper arts, three belong to the Whitney, and one to MOMA. Finally, the Reginald Marsh paintings belonging to Burchfield and Hopper depicted the rural and urban vernacular architecture and the sense of loneliness. Hopper painted American cityscapes and public and semi-public places where people gathered and interacted. However, the sensation of loneliness and individualization remains. His empty streets, storefronts, and isolated figures evoke a powerful sense of mystery and alliance that seem to transcend their particular time and place.

Finally, Reginald Marsh had six works. The social spaces of Harlem represented the possibility of interracial contact. Marsh's paintings depicted a city fundamentally altered by the presence of black people that embody progressive modernity.

Reception in Latin America

Generally speaking, criticism in South American countries seemed satisfied with the exhibition. The reception confirmed the objective proposed by the OCIAA, which was to "reveal the life and thought of the United States, reflected by the work of [its] painters" and promote "an atmosphere of mutual understanding" (Catlin, 1941). However, there were critical voices. In Montevideo, the response was cordial in arguing that the exhibition had put modern painters at the center of cultural attention. However, the Uruguayan painter Joaquín Torres García critically examined the sample's message. The artist, who had lived for several years in New York, noted that the exhibition quality was regular and that the poor quality of much of the work was due to the artists adopting European criteria or reacting to the influence of Europe creating a false Indo-American art. The new American man and the invention of abstract forms that reflect his moral and intellectual character was not seen" (Ramirez, 2012, p. 525). At a conference, Torres García affirmed:

> *[...] the collection includes unforgivable defects, and it is undoubtedly a shame that the selection process has not insisted on a higher standard. We can see a wide range of contemporary art produced by our northern friends, which we could not have done if only the best examples of their work had been shown here.*

Torres García pointed out the American artists that what some critics saw in Argentine or Chilean sustaining works was insipid art that followed the modern trends in Europe. He did not talk about a cultural convergence in American and European art: pointing out the aesthetic similarities between U.S. and European painters but a lack of authenticity and the idea of art with a national specificity.

From another perspective, poet Ernesto Pinto (1941) noted with joy the absence of European themes in the exhibition:

> *Without foreign themes, without streets of Paris, without Roman landscape, without Vienna coffee (...) instead, one finds that the whole theme arises from the vital substance of the country. Even in the most abstract composition, we can see the constructive elements that serve the people and machines of everyday life in the United States.*

He did not share the opinion of Torres Garcia, and he exalted the flexibility of the American canon during this period. There were a variety of 'streams' of American aesthetics: a little abstraction, there were examples of the variety of trends: surrealism, realism, regionalism, personal work, social content, criticism, etc.

The Western Section contained 125 paintings (oil and guaches), traveled to Lima, Mexico, Santiago de Chile, and Quito, and was accompanied by Stanton Caitlin. He reported many newspaper clippings that accounted for their reaping praise. Newspapers in Peru sustained that this was the "first step towards better Inter-American relations by the United States, whose activities so far in this direction had been a mere exercise in rhetoric" (El Tiempo: 1941). Although not all were praised, deeper analyses tended to see too much European influence in the exhibition and too many impressionist works. In Chile, the newspapers emphasized the value of the exhibition: "Paintings from all America worth millions, will be exhibited in Santiago" or "A valuable exhibition of contemporary art" were some of the titles (1941). However, some critics as Antonio Romera reported acids opinions saying that, while in the National Gallery, Mr. Mellon had amassed works by Giotto, Velázquez, and the Greco, which the Americans could appreciate; they sent South America a clean painting aura, without pictorial tradition: "Artists seem disoriented or subjected to the tyranny of multiple American life. Either thing is possible because they both lead us to the same result." (El Nacional, 1941). The reasons for modernity, industrialization and everyday life were seen as puerile, repetitive, and vain.

In Brazil, José Lins do Rego (1941) was satisfied because the industrial themes were the central part of the exhibition: "[...] this expresses the realism of a people who are not only masters of mass production but are excellent for their sensitivity and for their efforts to express themselves as true creators."

Generally speaking, critics celebrated that the paintings showed contrasts and not just an optimistic and happy vision of American life. The exhibition fulfilled its purpose of carrying a wide range of American pictorial models and influencing a judgment on artistic merit. In some cases, it was judged that the quality was uneven. However, while some flattered American artists for their conceptions of techniques and colors, others, as in Cuba's case, had an adverse reaction to the show and judged, in many cases, as a disappointment. The disparity in criticism was due to some essential factors in the context of the sample. The North section was smaller because the spaces could not house more than 39 paintings, while the southern countries (eastern and western sections) had the capacity for more than a hundred paintings. The North traveled to La Habana, Caracas, and Bogotá, and probably the small size involved a limited selection of artists and styles. Lewis Riley, who traveled with the exhibition, felt that the show's unfavorable reception in Havana was due to "some natural sense of competition influenced Cuban writers towards a more critical than normal attitude." (Report, 1942). Cuban critics argued that realistic and regionalist paintings in the United States are "more conventional and less entrepreneurial" (Report, 1942).

The Eastern exhibition was supervised by Caroline Durieux, an American lithographer, who also advised and helped with the exhibition's staging. Durieux had worked with Siqueiros during the 30s and knew some Latin American art trends. The show traveled to Río de Janeiro, Montevideo, and Buenos Aires. In Buenos Aires, the opening was attended by Argentinean vice-president Castillo, the chargé d'affaires of the United States, and the justice ministry, among other government officials. In the Museum of Fine Arts of Buenos Aires, 123 works were exhibited, including Edward Hopper, Georgia O'Keeffe, Stuart Davis, and Thomas Hart Benton. *La Nación* stated, "The New World tried to find itself in the millennial experience it comes from, and it took rules and examples from it, apart from other pragmatic elements of domestic and immediate use (…) North America longed to be known. Together with a huge economic and industrial development, it asserts other values by shedding a pleasant light derived from the spirit of its material greatness" (1941). The president of the National Commission of Fine Arts, senator Antonio Santamarina, started his speech with stressing that "a representative exhibition of contemporary pictorial art in the United States held in our city at times when the American brothers try to strengthen their natural sentimental bonds and turn into reality their common feelings and longings of mutual understanding, which go far beyond the limits of artistic events and make this ceremony extraordinarily moving" (La Nación, 1941). He seemed to make a correct political assessment of the exhibition, even though no one knew if that would tilt the government balance to favor the United States.

If one of the purposes of the U.S. policies was to appear in the South American press linked to culture, it had been achieved. All major national newspapers echoed the art exhibition, regardless.

The exhibition was also a strategy of the U.S. government to improve the inter-American relationship. The OCIAA also tried to obtain information on the political situation of the countries in which it was carried out. Those in charge of the sections submitted reports on the local political situation in this context. Thus, for example, Caroline Durieux completed some ideological reports on the characters she met during her visit. In her final report, she reported the political tendencies of the artists and art representatives with whom she was associated. Grace Morley did not share the idea that the cultural mission overlapped with political information assignments that many envoys fulfilled by gathering information from sensitive sources.

Very different was the vision of Grace Morley on this subject. She wrote a letter to Mr. Philip R. Adams, executive secretary of the Office of the National Defense Council Coordinator, claiming that "one of the functions of the Office of the Coordinator is fostering more Latin American artistic relationships in this country. It always has stroke me as one of the most reliable means to lay future foundations and foster understanding now".

In June 1942, the exhibition returned to the United States. The government estimated a total had seen of 218,089 people in Latin America. The figures were considered significant. Six presidents and 33 editorials had attended the inauguration. Furthermore, 454 articles on the exhibition were written. (NYT 1942). John Abbot pointed to the success of the project and the importance of having installed American art in neighboring countries. The criticisms that the exhibition had aroused had been left behind, and, with renewed power, Nelson Rockefeller was preparing to redouble his commitment to culture by sending to South American countries a man of his trust: Lincoln Kirstein, to lead the task of collecting Latin American works of art to form a section at MoMA.

Conclusions

The Contemporary American Paintings had the intention to document the distinctive qualities of American culture. Despite curators' ambitions for the exhibition, its inclusion into a larger, still-forming canon of American painting, and its use as a political instrument, the choice of works shows that this was an exhibition intended to visualize the values and styles of lives and exceptionalism of American Society.

Morley was the only art specialist on Latin American art, a proper authority on the matter, so her aesthetic decisions and recommendations helped construct a Latin American Art canon.

Convinced of the value of these works and their potential for the future, she understood Rockefeller's policies as an opportunity to create a bridge with the continent's art. It was difficult for her to stick to the goals of the government's strategy, as it did not share the idea of the direct political use of these projects. Despite some misunderstandings, her collaboration on the good neighbor policy project was invaluable.

The political intent of locating cultural convergence in American and Latinoamerican art: pointing out the aesthetic similarities between the Americas impulsed the discussion on the internationalization of American art. Employed as diplomatic agents, the artworks were part of the political strategies to build good relationships with others Americas.

In the following years, the U.S. government developed an integral program culture destined for Europe where "the lifestyle American" and the associated cultural and symbolic capital were prime signals.

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TRANSNATIONAL ORGANIZED CORRUPTION AS A FACTOR OF SOCIAL INSTABILITY

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Abstract

The article examines the scale of involvement of Transnational Organized Criminal Groups (TOCG) in committing acts of corruption, and their related criminal cooperation with Transnational Corporations (TNCs)[1], as well as public relations in this sphere, in particular on the example of Ukraine. It suggests a solution to the problem of transnational corruption crime, in particular, applying the theory of social naturalism. The ultimate goal of the article is to analyze the problem of transnational corruption as a "factor of social instability" and to introduce this term into scientific circulation in this context. The article uses such methods of scientific knowledge as induction and deduction, as well as philosophical and phenomenological methods. According to research, the mafia now operates on the same scale and as effectively as global corporate groups. Corporations can be compared with the governments of states in terms of their influence on the economy of the state and the adoption of appropriate decisions. The authors state that the measures taken by individual states to counter the pressure of powerful TNCs have not yet led to the achievement of these goals. Financial and industrial elites, in turn, with the help of TOCG, try to impose their own order on societies that are not yet ready due to differences in culture, history, laws, social order, mentality, etc. It is emphasized in the article that the level of transnational organized crime and corruption cannot yet be significantly reduced in local societies due to the fact that the goals of elites and certain states simply do not coincide. Nowadays we can note a significant number of symptoms, in particular - the existence of such a phenomenon as transnational corruption, which indicates that we have a crisis of social order in the world. The corruption used by the TNCs is a mandatory feature that allows, among other features, to distinguish transnational organized crime from other types of criminal activity. We can note such a feature of TOCG as a criminal symbiosis with TNCs, which is considered as a violation of public order that leads to a corresponding regression. Progress in minimizing transnational corruption can be achieved, in particular, with the help of social naturalism, through the application of the postulates of which it is possible to counteract the current manifestations of willfulness and illusions that exist today in all spheres of social life, including politics, economics, morality, religion, science, art, law, etc. The study proves that in the modern world, against the

[1] The concept of transnational corporations is given in the Convention on Transnational Corporations, ratified by Ukraine on July 13, 1999, under № 921-XIV.

background of progressive changes, namely the development of new information technologies, in the economy, etc., there have been formed some trends in transnational crime including corruption that continue to deepen further and the given corruption indicates the phenomenon, which the authors define as a "factor of social instability".

Keywords

Transnational corporations; transnational organized criminal groups; corruption; crime; social instability; social naturalism.

Resumo

O artigo analisa a escala de envolvimento de Grupos Criminosos Organizados Transnacionais (TOCG) na prática de actos de corrupção, a sua cooperação criminosa conexa com Corporações Transnacionais (TNCs), bem como as relações públicas nesta esfera, em particular com base no caso da Ucrânia. É apresentada uma solução para o problema do crime de corrupção transnacional, em particular, aplicando a teoria do naturalismo social. O objectivo final do artigo é analisar o problema da corrupção transnacional como "factor de instabilidade social" e introduzir este termo na circulação científica neste contexto. O artigo utiliza métodos de conhecimento científico como indução e dedução, bem como métodos filosóficos e fenomenológicos. De acordo com a investigação, a máfia opera agora à mesma escala e com a mesma eficácia do que os grupos empresariais globais. As empresas podem ser comparadas com os governos dos Estados no que respeita à sua influência na economia do Estado e adopção de decisões apropriadas. Os autores afirmam que as medidas tomadas pelos Estados individuais para contrariar a pressão dos poderosos TNCs ainda não conduziram à realização destes objectivos. As elites financeiras e industriais, por sua vez, com a ajuda da TOCG, tentam impor a sua própria ordem às sociedades que ainda não estão preparadas devido a diferenças culturais, história, leis, ordem social, mentalidade, etc. É enfatizado que o nível de crime organizado transnacional e a corrupção ainda não podem ser significativamente reduzidos nas sociedades locais devido ao facto de os objectivos das elites e de certos Estados simplesmente não coincidirem. Hoje em dia podemos notar um número significativo de indícios, em particular - a existência de um fenómeno como a corrupção transnacional, o que indica que temos uma crise de ordem social no mundo. A corrupção utilizada pelos TNCs é uma característica obrigatória que permite, entre outras, distinguir o crime organizado transnacional de outros tipos de actividade criminosa. Podemos notar tal característica da TOCG como uma simbiose criminosa com as TNCs, que é considerada como uma violação da ordem pública que conduz a uma regressão correspondente. É possível alcançar progressos na minimização da corrupção transnacional, em particular com a ajuda do naturalismo social, através da aplicação dos postulados de que é possível contrariar as actuais manifestações de vontade e ilusões que existem hoje em dia em todas as esferas da vida social, incluindo política, economia, moralidade, religião, ciência, arte, direito, etc. O estudo prova que no mundo moderno, no contexto de mudanças progressivas, nomeadamente o desenvolvimento de novas tecnologias de informação, na economia, etc., foram formadas algumas tendências na criminalidade transnacional, incluindo a corrupção que continua a aprofundar-se e a corrupção indica o fenómeno, que os autores definem como um "factor de instabilidade social".

Palavras-chave

Empresas transnacionais; grupos criminosos organizados transnacionais; corrupção; crime; instabilidade social; naturalismo social.

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TRANSNATIONAL ORGANIZED CORRUPTION AS A FACTOR OF SOCIAL INSTABILITY

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Formulation of the problem

The UN report "The Globalization of Crime: A Transnational Organized Crime Threat Assessment" (Report UNODC, 2010) highlighted the main transnational channels of illicit distribution of drugs, firearms, and counterfeit products. It also highlights an increase in the number of crimes such as the theft of natural resources, the sale of people for sexual exploitation or forced labor, the illegal movement of migrants, maritime piracy, cybercrime, corruption and more. Through bribery and the use of proceeds of crime and threats of force, criminals influence the election results, decisions and actions of certain politicians and military people. It is stated at a high international level that the criminal sphere covers the entire planet. Confirmation of the use of corrupt practices by members of transnational criminal groups (TNCG) can be the United Nations Convention against Transnational Organized Crime (Convention, 2000) which stipulates that each state party shall take such legislative and other measures as may be necessary to recognize it as a criminally punishable when they are committed intentionally. However, it should be recognized that no conventions or numerous laws have brought humanity closer to reducing the manifestations of transnational corruption. We need a fundamentally totally different approach to this global problem. In other words, a new social theory is needed to overcome the crisis of the social order and to embark on the path of social progress.

According to our hypothesis, the "naturalistic" social science allows to adequately respond to the new challenges of the time, which, in particular, contributes to solving the problems that arise in connection with the process of globalization. Social naturalism, which is the worldview of the future, is able to stop social regression by eliminating its root - the "complex" of arbitrariness and illusions that afflicts people nowadays. Social naturalism is a worldview that is capable of counteracting the "complex" of arbitrariness and illusions - the sources of all evil in the world. Becoming the ideology of the New Enlightenment, it can contribute also to the radical "treatment" of various social pathologies. The concept of social naturalism returns the term "naturalism" to its true meaning and not only frees it from anti-social meaning, but also complements it with social meaning. In this form, the concept of "naturalism" opens up new opportunities for understanding the laws by which social phenomena exist. Finding out the factors that determine corruption is a necessary condition for effectively combating it, since it allows understanding the conditionality of such a social phenomenon as corruption.

Analysis of recent publications and researches

Problems of transnational organized crime have been considered by P. Williams, E. Savona, 1996; D.J. Kenney, J.O. Finckenauer, 1995; J.R. Richards, 1999; M. Edelbacher, 1998; J.D. Torr, 1999; M.D. Lyman, G.W. Potter, 1999; R. Godson, W. Olson, 1999; L. Shelley 1999; M.G. Verbensky, 2010; V.O. Glushkov, E.D. Skulysh, 2012; H.P. Zharovska, 2015; L.V. Strashynska, 2006; S.O. Filippov, 2019 and others, to whom we are grateful for the laid groundwork for further scientific research. Under transnational organized crime, domestic criminologists understand a qualitatively new form of development of national organized crime, one of the highest levels of criminal evolution, the subjects of which are stable criminal organizations, the sphere of influence and activities of which in the form of a criminal trade extends to several states, a group of neighboring states, a region, a continent or the world community (V.O. Glushkov, E.D. Skulysh, 2012).

The aim of the article is a philosophical analysis based on the concept of social naturalism and the problem of transnational corruption as a "factor of social instability." The novelty of the study is that in this aspect the problem of transnational organized corruption has not been yet considered by scientists. The article uses a "naturalistic" social approach, which helps to solve the problems that arise in connection with the process of globalization. The authors introduce into scientific circulation the concept of "factor of social instability" in the context of a social phenomenon - transnational organized corruption. It is proved that transnational corruption as a social phenomenon is unnatural, i.e. it does not comply with the laws of social nature.

1. General trends in transnational organized crime and its relationship to corruption in Ukraine

First of all, let us outline that social relations are only a part of public relations. Social progress includes progressive changes both in the social sphere (relations between classes, interclass changes, etc.) and outside it: industrial, ideological, foreign policy and other relations. Social progress manifests itself in various forms and concerns the social organism of the state (Skvorets V.O., 2011).

When studying corruption crime, criminologists do not always pay attention to the study of society, processes, phenomena that occur in it, but focus their efforts mainly on the criminal law aspects of the problem. Therefore, the study of corruption in post-Soviet countries is so essential for legal science and practice.

Corruption exists in any country, but in Ukraine it has a peculiarity, namely, the ability to nullify any attempts to free itself from the systemic social crisis that has affected its entire society. We can note the increase in social tensions and social conflicts in Ukraine against the background of an unhealthy economic situation, which, if failed to be solved in time, may lead to the interruption of the development of our society (Busol O, Kostenko O., Romanyk B., 2022).

The most influential and powerful transnational organized groups are located in different parts of the world: "La Cosa Nostra" in the United States, "Cosa Nostra" in Europe (Italy), "Triada" in Asia (China) and "Yakuza" in Japan. To this list we can add also some others: the Colombian drug cartels of Latin America, the Jamaican-British, Albanian, Serbian, Israeli, and Mexican mafias.

In the Persian Gulf region, members of Transnational Criminal Groups, namely drug dealers and precursors, terrorist financiers, etc., operate in or through the region, including the United Arab Emirates, taking advantage of its strategic location as a center of regional trade, as well as a financial center and transport hub. Weak or inadequate legislation as for terrorism and corruption is a significant vulnerability in the region, especially in Kuwait.

In the Caribbean states, trade and smuggling routes are leading to an increase in crime, including violence and corruption. For example, the US White House predicts that as the Merida Initiative and the Central American Regional Security Initiative demonstrate success in Mexico and Central America, traders may increase the volume of their smuggling routes in the Caribbean.

From Asia to Canada, multinational organized groups supply chemical precursors for the illicit manufacture of synthetic drugs, primarily ecstasy. Various networks of transnational organized groups smuggle ecstasy and marijuana to the south and cocaine to the north across the Canadian border.

The United Kingdom of Great Britain and Northern Ireland receives a huge economic profit - between $ 32 billion and $ 64 billion – gained from annual large-scale human trafficking, drug trafficking, financial fraud and mass marketing fraud (Manifests Itself).

According to the authors - Ukrainian scientists, Ukraine has also been impacted by the criminal processes that take place on a global scale. In 2017, Ukrainian police identified seven organized groups and criminal organizations with transnational ties. One of the most resonant exposures was a joint Ukrainian-German investigative operation to detain a criminal group of luxury car hijackers from Europe (the National Police of Ukraine). Criminal groups from the CIS countries pose a huge danger in the spread of organized crime for all states. There are currently 6,000 such groups and two hundred unions operating globally (Bauernebel Herbert, 2018). There is now fierce competition between TNCs for markets and spheres of influence. For example, in 2017, 19 drug traffickers of Italian origin were arrested by the Federal Criminal Police and the Palermo branch of the Italian Financial Guard in Villingen-Schwenningen. Goods and money worth 4 million euros were confiscated from them. The detainees were operating in Germany at the behest of the Mondino clan, a Sicilian mafia group from Palermo. The criminal activity consisted of smuggling tons of marijuana and cocaine from Albania to Germany with further laundering of the proceeds from their sale with the help of slot machines, which criminals forced their compatriots - owners of bars and shops - to install under the threat of destroying their businesses. Proceeds from drug trafficking were used to purchase weapons in the Balkans (S. Debrer). Undoubtedly, the fact is that the internationalization of crime, with its structure and dynamics typical for many states, makes it important to take into account general trends that are similar, as well as critically evaluate the national experience of different countries regarding the practice of influencing criminogenic factors.

2. Corruption crime as a transnational phenomenon

The results of the research of Ukrainian scientists indicate that in total, there are currently about 30 multinational corporations in Ukraine, with more than 7,000 representative offices and branches. Some TNCs act as partners of Ukrainian companies. Meanwhile, we can talk about a certain expansion of foreign TNCs in Ukraine, which is accompanied by the use of "mixed" and "disguised" pseudo-investment strategies. Often investment strategies have only nominal nature, since the main reason for their application is not the use of Ukraine's production potential, but the minimization of customs duties. In this case, the amount of capital investment required for pseudo-investment may be incomparable not only with the turnover of the parent company, but also with the turnover of the enterprise established in Ukraine (A.A. Semenov, V.V. Kryzhanivska).

For example, the website of the President of the United States reports that in the Russian Federation and Romania there is a close link between organized crime, dishonest officials and large capital, which threatens economic growth and prospects for democratic governance. These transnational organized criminal businesses have established a monopoly on the energy, telecommunications and precious metals markets (Manifests Itself).

We can note, among others, such distinctive features of TNCs as a planetary vision of markets and global competition; exercising economic and political influence on the states in which TNCs operate. In recent years, there has been a system of world order in which TNCs control about half of world industrial production, 63% of foreign trade, most patents and licenses for new equipment, technology and know-how (Strashinskaya L.V., 2006). In total, there are more than 65,000 TNCs in the world, with about 700,000 foreign branches in more than 150 countries. In the process of transnational corporations' activities, corruption is inevitably committed, because between these TNCs there is fierce competition for the resources of the planet - natural, material, human, financial, informational, technological, etc. Corruption crime, acting at the first stage as a national problem, crosses borders and becomes a transnational phenomenon, one of the main means of influencing organized crime in all spheres of international life. Regarding the spread of transnational corruption, it should be noted that $ 1 trillion per year is just an approximate figure, which gives only a general idea of how much ill-gotten gains are received worldwide - both in developed and developing countries. According to the official publication of the US President, between $ 1.3 trillion and $ 3 trillion a year is laundered worldwide (between 2% and 5% of the world's gross domestic product) (Manifests Itself). According to the World Bank, about $ 80 billion is spent annually on bribing government members and politicians. The total volume of transactions in the drug business exceeds half a billion dollars, and the profits from the "transfers" of illegal immigrants - $ 3.5 billion. Developing countries spend about 14% of GDP on combating crime and corruption, while developed countries spend 5%. At the same time, power and wealth are concentrated with only a small number of people and corporations. In our opinion, it is global competition that prevents multinational companies from paying much attention to social, and even more so, criminological problems, for fear of losing their capital. So far, the world order is not based on social justice. It seems that the benefits for one of the participants in the global market (state or TNC) may not satisfy the other participants, and therefore one should sacrifice a part of its economic benefits for the sake of overall strategic development. However, in recent years, we can notice the tendencies of the undivided domination of the policy of international organizations which support global markets over the activities of organizations that care about ensuring public goods, in particular, preserving peace, protecting the environment, protecting human rights, combating poverty, developing health care, culture, education.

The range of methods of TNC intervention in the affairs of host countries and means of influencing the political and social situation in these states is quite wide. In particular, the criminal world has more than a million independent armed groups. In the case of their criminal conspiracy and coordination, they can affect not only national security but also the state of affairs on all continents. In total, in the 1990s, about 5 million people died in wars over gaining access to natural resources. Another 6 million people migrated to other countries, and 11 to 15 million people changed their place of residence (Michael Renner, 2002).

The fight between corporations for raw materials and markets leads to wars between the states they represent. Military conflicts still occur in the territories of developing states, and such states are often a "bargaining chip" of competing more developed and economically strong states. During military conflicts, corruption schemes are being developed, in which the governments of "interested" states take very active part. An example is Ukraine, where combat operations are actually conducted now in the Donetsk and Luhansk regions. We consider it important to study the problem of the influence of TNCs and the distribution of natural and other resources of these territories among the oligarchs. Thus, according to a sociological survey conducted by the Kyiv International Institute of Sociology, commissioned by the NGO Detector Media and with the financial support of the Embassy of the Kingdom of Sweden in Ukraine, as many as 65% of Ukrainians (which is quite a large number) are convinced that the war in Donbass will not cease because it is beneficial to the Ukrainian government and the oligarchs (Gordonua.com). What really distinguishes one political system from another is the extent to which ruling elites seek to use their power to serve the common good of society or simply by enriching themselves, their friends, and their families (F. Fukuyama, 2016).

It is no secret that influential rich states, using the national resources of poorer states, gain benefits for transnational corporations. TNCs also control the world information space, eliminate competitors and establish world order on terms favorable for them. In this case, the final incomes are received by the owners of these corporations, i.e., ultimately, residents of developed countries.

3. Specifics of actions of organized transnational crime subjects

According to research, the mafia now operates on the same scale and as effectively as global corporations. Its members use the speed and other capabilities of the Internet to coordinate their actions and internal logistics. Criminal networks have also borrowed considerable business experience from the private sector (Bauernebel Herbert), including corrupt practices. One can agree with the conclusion about the existence of a global world network of criminal forces (Bauernebel Herbert). Today, more than ever, corporations can be compared to governments in terms of their impact on the state's economy and decision-making. TNCs are always involved in local political processes and their representatives join national associations of industrialists, so they have the opportunity to get an access to the leaders. Thus, TNCs are quite capable of influencing the internal policy of the state, and up to the implementation of coups d'etat and the inspiration of border conflicts. The TNCs possess quite a decent intelligence and counterintelligence, which is also engaged in espionage, neutralization and physical elimination of competitors (O. Chystyakov).

Transnational Organized Criminal Groups, in turn, support partnerships with TNCs in which they have invested and also with banks into which illegally acquired money has been put. Of course, transnational criminal groups bribe some politicians who are able to maintain a system favorable for them (O. Chystyakov), or to direct the situation in the right direction for them.

One of the characteristic features of modern TNCs is their huge expenditures on research and development. For example, TNCs make a significant contribution to the development of advanced technology through cooperation with universities and research centers. Such centers are created, as a rule, at universities, and they are actively financed by leading industrial corporations (V. Samofalov), which clearly implies undisguised corruption risks.

Transnational criminal organizations can differ significantly from other types of criminal organizations in their structure, capacity, size and geographical scale of activity, or the degree of diversification of their operations. Their common features are participation in legally prohibited forms of business activity, including the sale of illegal goods and services, smuggling of legally produced goods, theft of such goods, or all three types of the above mentioned transactions at the same time. The subjects of organized transnational crime operate in different regions of the world; they have their own specific specialization; they use different methods, techniques, tactics; they have different quantitative and ethnic composition, which is although very often built on a family principle. TNCs have long been very flexible, mobile and able to quickly correct their illegal activities in response to the prevention of criminal actions taken by law enforcement agencies. However, all of them are united by a common goal, i.e. to obtain extremely high profits from the criminal industry, which can be combined with the conduct of formally legal activities (E.D. Skulysh, V.O. Glushkov, 2012), which is carried out in a corrupt way. Thus, corrupt connections in law enforcement and other public authorities are the main characteristic element of the system on the basis of which TNCG operate.

It should be noted that the measures taken by individual states to resist the pressure of powerful TNCs have so far led to the achievement of these goals. Financial and industrial elites, in turn, with the help of TNCG, try to impose their order on societies that are not yet ready due to differences in cultures, history, laws, social order, mentality, etc. We believe that the level of transnational organized crime and corruption cannot yet be significantly reduced in local societies due to the fact that the goals of elites and certain states simply do not coincide.

4. Symptoms of a crisis of social order

Annual reports and analysis of the results of FRONTEX, EUROPOL, EUROJUST confirm the following general trend: the emergence of new or changing the nature of existing challenges, threats and risks of a cross-border nature, the diversification of their global geography (S.O. Filippov, 2019). The central problem of the modern world order is that innovations and creativity of the information society create a new environment in which time and space are not fragmented by enclaves of legal families and state borders, but are subject to new, unknown "waves" of energy impact of funds, images, capital, people, being connected (selectively, but in general) by information memes that organize and direct this movement. Before this phenomenon, the states and the world as a whole proved to be powerless… (V.O. Tulyakov, 2016).

The funds that were obtained by criminal means and then legalized, due to the use of various financial schemes have formed an oligarchic class in Ukraine and people close to it, who actually run the state. The rest of the population has become a sort of donor to transnational criminal organizations, since huge amounts of financial resources are not used for social needs and economic development, but they overpass the state budget and flow directly to the accounts of the criminal-political elite (Zharovska G.P., 2013).

So, nowadays there are several symptoms, in particular - the existence of such a phenomenon as transnational corruption, that indicate we have a crisis of social order in the world. Social arbitrariness and social illusions, which are based on ignoring the natural laws of social life, lead to a crisis in any sphere of social life (political, economic, legal, moral, religious, spiritual, scientific, artistic, etc.). In this context, the special role of the social sciences in ensuring social progress is becoming increasingly apparent, since without the development of the social sciences that shape people's social culture, no any development of the physical and biological sciences could ensure social progress, security and prosperity. In turn, the development of the social sciences can take place on the basis of social naturalism, i.e. the worldview according to which the social is natural. Here, for comparison, it is necessary to cite the postulates of American criminology, which is characterized by the application of sociological theories to explain the causes of crime. Their feature is the view of criminalization as a process of degradation, while the theoretical justification is based on the concept of social disorganization and anomie. For example, according to R.K. Merton's theory of anomie, the means of social culture exaggerate the importance of the goal, and social organization restricts possible access to legitimate means of achieving it. This theory only confirms the fact that the increase in opportunities, such as visa-free travel, affects the increase in volume of cross-border crimes (S.O. Filippov, 2019). However, this is one of the symptoms of the crisis of the social order.

Corruption in Ukraine today has quite a unique character, which distinguishes it from corruption in Western countries not only in terms of quantitative characteristics, but also in qualitative ones. The qualitative difference of this corruption is that it, being a crisis-type corruption, is generated by the social crisis in Ukraine, and, in turn, contributes to this crisis itself (Busol O, Kostenko O., Romanyk B., 2022).

5. Progress and transnational organized corruption as a social regress

"Progress and regression (from the Latin progressus is a translational motion, regressus is a reverse motion) is a quality of real processes, which consists in an upward movement from lower to higher, from less perfect to more perfect progress; in the transition from higher to lower - regress (Philosophical Dictionary, 1986). Under social progress we understand "the ascending development of mankind from the lowest levels of its socio-economic, political and spiritual organization to higher ones; qualitative renewal of public life forms and relations between people; progressive change of general civilization and formational stages of society development" (D.J. Kenney, 1995). We need to note that progressive changes in society, in particular those that can minimize transnational organized corruption, are taking place due to science. The prosperity of nations is ensured by universities, but not by parties, governments or parliaments. As the challenges to humanity become global, social education in universities is doomed to globalization. In our opinion, such globalization of social education is possible only as the convergence of national social education systems based on the approximation of each of them to a "common denominator" - social naturalism, which involves the development of social sciences through convergence with non-social ("natural") sciences.

The social culture of people consists of the following types: political, economic, legal, moral, religious, scientific, technological, rehabilitation, environmental, etc. Crisis-type corruption is also a phenomenon of "crimes caused by a social anomaly". Corruption is a real phenomenon but unnatural one, because it manifests violation of the laws of social nature, with which people's social life should be reconciled.

The dialectic of social development is such that the development of various aspects of social life is very often uneven. Progress in some spheres of public life is carried out against the background of the regression of other spheres (Philosophy, 1985). The life of modern countries testifies to the phenomenon of social progress, as UN research institutions and other research centers have developed a system of development indicators, such as GDP per capita, human development index, living standards, life expectancy and many other social indicators. These indicators characterize the social changes in a particular country, which reflect the progress or regression of social development of this state (Skvorets V.O., 2011).

Given the characteristics of t-ransnational criminal organizations cited by domestic and foreign scholars, also official statistics and information of competent authorities, as well as media reports and citizens opinion on the Internet, it can be stated that transnational criminal groups' corrupt actions are characterized by quite the systemic nature. Thus, the TOCG corruption should be considered as a mandatory feature that allows, among other features, to distinguish transnational organized crime from other types of criminal activity. We can note such a feature of TOCG as a criminal symbiosis with TNCs, *which can be considered as a violation of public order that leads to the corresponding social instability.*

Conclusions

Such a cursory view of the factors that give rise to corruption (including confusion about the causes and conditions that contribute to it) can lead to rather dramatic errors in anti-corruption policy. The result is a hypertrophy of the applied administrative (repressive) instruments, which is inherent in the "police type of a state".

The main feature of modern transnational crime is its politicization. Having corrupt connections with certain representatives of the state, transnational criminal organizations actually rob the state, which in the current economic situation is a factor that brings Ukraine closer to economic collapse. Global transnational crime deepens the crisis situation in the socio-political and economic life of Ukraine; it forms the vectors of foreign trade and forms the basis for a radical stratification of Ukrainian society on the basis of financial capacity.

Through corrupt interactions, legal institutions can become a chain of criminal organizations. Since relations between states are guided by the bureaucracy, their interaction is inevitable. That is, a state in which corruption is highly developed should most likely bring the "virus" of corrupt practices to any democratic state that declares and adheres to non-corruption norms. This is facilitated by the liberalization of customs and border relations, the creation of unified banking systems, offshore zones, the universalization of national currencies, the formation of global financial networks, global markets, global use of modern information technology, and more.

The internationalization of crime, makes it important to take into account general trends (as well as critically evaluate the national experience of different countries regarding the practice of influencing criminogenic factors):

1) The world order is not based on social justice.
2) TNCs establish world order on terms favorable for them. In this case, the final incomes are received by the owners of these corporations.
3) TNCs are quite capable of influencing the internal policy of the state.
4) The level of transnational organized crime and corruption cannot yet be significantly reduced in local societies due to the fact that the goals of elites and certain states simply do not coincide.
5) Criminal symbiosis TOCG with TNCs can be considered as a violation of public order that leads to the social instability.

The significance of social naturalism is that it provides a criterion for distinguishing between progress and regress, and it also equips people with the tools suitable for social progress. According to it, if a social phenomenon is natural, i.e. consistent with the laws of social nature, then it is progressive.

Social progress is a phenomenon that directly affects the historical development and destiny of any nation. In the modern world, against the background of progressive changes, namely the development of new information technologies and in the economy, the tendencies of transnational crime, which includes corruption, continue to deepen, which testifies to the phenomenon that we call *"factor of social instability"*.

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PRIVACY AND SURVEILLANCE CONFLICT: A COMPARATIVE ANALYSIS OF THE LAWS IN THE USA AND INDIA

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Abstract

The Right to Privacy and the need for Surveillance has always remained a contentious issue between citizens and law enforcement agencies. This paper attempts to analyse the various laws relating to Surveillance in the largest and oldest democracies of the world, India and the United States of America. Regardless of vast variances in socio-economic and political realities, these two countries qualify as intriguing focuses for study. Though the Right to Privacy is generally accepted as a fundamental right throughout the nations of the world, the primacy given to 'National Security' and simultaneously balancing it with individual liberties seems to be a recognised phenomenon in both these jurisdictions.

Keywords

Privacy; Surveillance; Unlawful Activities (Prevention) Act 1967; National Security; Kharak Singh v. State of Uttar Pradesh; Telegraph Act; Terrorism and PATRIOT Act.

Resumo

O Direito à Privacidade e a necessidade de Vigilância têm permanecido sempre como uma questão controversa entre os cidadãos e as agências de aplicação da lei. Este documento tenta analisar as várias leis relativas à Vigilância nas maiores e mais antigas democracias do mundo, a Índia e os Estados Unidos da América. Independentemente das grandes variações nas realidades socioeconómicas e políticas, estes dois países qualificam-se como intrigantes focos de estudo. Embora o Direito à Privacidade seja geralmente aceite como um direito fundamental em todas as nações do mundo, a primazia dada à "Segurança Nacional" e, simultaneamente, o seu equilíbrio com as liberdades individuais, parece ser um fenómeno reconhecido em ambas as jurisdições.

Palavras-chave

Privacidade; Vigilância; Lei das Actividades Ilícitas (Prevenção) de 1967; Segurança Nacional; Kharak Singh v. Estado de Uttar Pradesh; Lei do Telégrafo; Lei do Terrorismo e Lei PATRIOT.

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PRIVACY AND SURVEILLANCE CONFLICT: A COMPARATIVE ANALYSIS OF THE LAWS IN THE USA AND INDIA

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1. Introduction and Background

"States are utilizing technology in the most imaginative ways particularly in view of increasing global terrorist attacks and heightened public safety concerns".[1]

Surveillance typically means to closely observe an individual or a group of individuals, especially ones who are suspected by law enforcement agencies.[2] Currently, there exist various types of mechanisms for the government for surveillance. An efficacious government surveillance regime necessitates the assortment and handling of large scale personal data which includes sensitive and crucial information as well. Such laws and programmes raise vital concerns relating to data protection and privacy of millions of citizens which would be at stake. An effective government policy is one which efficiently lays a foundational balance between National Security through strategic surveillance and individual and collective privacy without compromising the rights Constitution provides. While the United States of America considers Electronic Surveillance as search under the Fourth Amendment which provides protection to individuals from unreasonable search and seizure, in India, it is still a growing concern.[3]

It is seen that majority of the people do not deter surveillance, stating they do not particularly have anything to hide. It is the very ideology behind this argument that is typically flawed, considering there is no rational assessment of how surveillance influences the behavior of a human. It is due to this that the "chilling effect" is induced, which makes people behave differently due to the apprehension of being watched, intercepted, or surveilled in any other way.[4] The chilling effect is said to occur when people seek to engage in activities that are well within their rights but are deterred due

1 *Justice K. S. Puttaswamy (Retd.) and Anr. v. Union of India and Others* [2017] 10 SCC 1 503, [585]
2 SAHRDC, 'Architecture of Surveillance' [2014] 49 EPW 10, 12
3 Chinmayi Arun, 'Paper-thin Safeguards and Mass Surveillance in India' [2014] 26 NLSIR 105, 114
4 *Solove, Daniel J, 'The First Amendment as Criminal Procedure' [2007] 82 NYU L Rev 112, 154–59*

to governmental restrictions.[5] Therefore, surveillance directly affects an individuals' rights of essential liberties, like their right to privacy and freedom of speech or expression. Surveillance by the government can lead to curbing legitimate activities and restrain disagreement.[6] Concerns like these tend to startle public peace and must not be allowed in a country like India, which has vibrant democratic ethos.

2. Existing Surveillance Laws in India

One of the gravest breaches and threats to one's right to privacy is by having an individual surveilled. This surveillance can be of different forms, involving physical surveillance, telephonic surveillance, digital surveillance, or any other way to know everything about a person. As correctly pointed out by George Orwell, it leads to situation where the mere fact that an individual is aware of their activities being surveilled by another would cause them to change their conduct.

The two main laws that govern and regulate digital and telephonic surveillance in India are the Indian Telegraph Act, 1885 and the Information Technology Act, 2000. The Indian Telegraph Act, 1885 deals with interception of calls wherein under section 5, the act empowers the Central or the State government to order for interception of messages in case of occurrence of any public emergency or in the interest of public safety. Rule 419 B was included to the Indian Telegraph Rules, 1951 in the year 2007 which authorised an officer (not below the rank of a Joint Secretary to the Government of India) to pass an order for interception in unavoidable circumstances.

The interception of data is dealt with in the Information Technology Act, 2000. Section 69 of the Act empowers the government to intercept, monitor or decrypt any data or information stored on any computer resources for the reason of public safety, public order etc. The Information Technology (Procedures and Safeguards for Interception, Monitoring and Decryption of Information) Rules framed under section 69 of the Act in 2009 explicitly states that only the competent authority can issue an order for interception, monitoring or decryption of any information generated, transmitted, received, or stored in any computer resource which include mobile phones as well.

Section 69A of the Act provides the authority to the government to issue directions to block public access of any information through a computer resource. Section 69B gives the Central government the power to monitor and collect traffic information or data through any resource from the computer.[7] One of the noteworthy amendments to the Information Technology (Amendment) Act, 2008 was the removal of the preconditions of "public emergency" and "public safety" which are laid down in the Indian Telegraph Act, 1885, and extended the Government's power to order the interception of communications for the "investigation of any offense".[8] The Information Technology (Procedures and Safeguards for blocking for access of Information by Public) Rules 2009 prohibits

5 Frederick Schauer, 'Fear, Risk and the First Amendment: Unraveling the "Chilling Effect"' [1978] 58 BU L Rev 693
6 Solove, Daniel J, 'I've Got Nothing to Hide and Other Misunderstandings of Privacy' (2007) 44 SD L Rev 771
7 Ashok Kumar Kasaudhan, 'Surveillance and right to privacy: Issues and challenges' [2017] 3 IJL 73, 81
8 The Information Technology (Amendment) Act 2008

interception or monitoring or decryption of information without authorisation. However, under both these laws, only the government is authorized to conduct surveillance.[9]

Apart from the above major laws on surveillance, there are other statutes which provides for interception of communication and lays grounds upon their usage. The Unlawful Activities Prevention Act, 1967 (UAPA),[10] the prominent anti-terror law in India, proved to be a departure from some of the traditional criminal justice administration system and allowed legally intercepted information as an admissible evidence for an offence under the Act.[11] The Act has tried to strengthen anti-terrorism measures by redefining the term 'Terrorism Act' and providing stringent punishments for the same under sections 15 to18. The Act also conferred special powers for arrest, search, and seizure under sections 43A to 43D.

Section 26 of the Indian Post Office Act, 1898 also authorises the Central and State government to intercept postal articles in case of public emergency or for the interest of public tranquillity; Section 91 of the Indian Code of Criminal Procedure, 1973 monitors targeted access to stored data and information. Under rule 4(2) of the Information Technology Guidelines for Cyber Cafes Rules 2011, cyber cafes are required to retain copies of user identification for a period of one year and rule 5 mandates that the cyber cafes must retain logs of user information and browsing history for a period of one year.

The Personal Data Protection Bill 2019,[12] (PDP Bill) which was introduced in the Lok Sabha on 11th of December 2019 aims at striking a reasonable balance between security and privacy. Section 35 of the PDP Bill assures for an exemption for carrying out surveillance activities by government agencies for the reasons of national security, public order, friendly relations with foreign states, integrity and sovereignty, and for preventing any cognizable criminal offences.[13]

2.1. Analysis of the Indian Laws

Although it has been established that the authority to intercept a telephonic communication is provided under Section 5 of the Telegraph Act, in pursuance to the prescribed procedure, Rule 419A of the Telegraph Rules, 1951 restricts such authority to the Union Home Secretary in case of the Central law enforcement agencies, and the Home Secretary to the State Government, in case of the State law enforcement agencies. However, in unavoidable circumstances, the concerned law enforcement agencies with the permission of its head or the second highest ranking officer who is not below the rank of an Inspector General are permitted to carry out emergency interception. In such cases,

[9] Maria Xynou, 'Policy Recommendations for Surveillance Law in India and an Analysis of Legal Provisions on Surveillance in India and the Necessary & Proportionate Principles' [2015] CIS <https://cis-india.org/internet-governance/blog/policy-recommendations-for-surveillance-law-in-india-and-analysis-of-legal-provisions-on-surveillance-in-india-and-the-necessary-and-proportionate-principles.pdf> accessed 06 March 2021

[10] The Unlawful Activities (Prevention) Act 1967

[11] The Unlawful Activities (Prevention) Act 1967, s 46

[12] Personal Data Protection Bill 2019

[13] Kazim Rizvi, 'Personal Data Protection Bill 2019 and Surveillance: Balancing Security and Privacy', [2020] INC42 <https://inc42.com/resources/personal-data-protection-bill-2019-and-surveillance-balancing-security-and-privacy/> accessed 06 March 2021

the said law enforcement agencies are bound to notify the Home Secretary in not more than three days to explain their quick action.[14]

Considering possible loopholes in the procedure, which may lead to breaching multiple fundamental rights of another, the Telegraph Rules 1951 also prescribe for a review mechanism[15]. The said review committee is headed by the Cabinet Secretary, Law Secretary, and the Secretary Telecommunications in case of Central law enforcement agencies and the Chief Secretary, Law Secretary, and another member other than the Home Secretary, appointed by the State Government in case of the State law enforcement agencies[16]. This committee is entrusted to review the copies of every authorisation of interception as received from the concerned Home Secretary within seven days. In case the review committee finds any authorization unreasonable or wanting, the respective interception is to cease with immediate effect.

On the face of it, these Rules followed by the stringent laws and protections seem comprehensive, having sufficient safeguards. However, on the basis of the Central government's response to various Right to Information (RTI) applications dated back in 2014, the Union Home Ministry annually approves about one lakh (one hundred thousand) requests of interceptions of telecommunications.[17] In this case, if we were to assume an average of about 8,000 requests per month, it would sum up to over 250 requests per day. It is important to note that while considering and reviewing such requests by the law enforcement agencies, the respective authority is to lay emphasis on a possibility to acquire the said information by alternate means, and if not, only then the reasons for such interception shall be recorded in the Order allowing it.[18]

It is apparent that law contemplates a quasi-judicial application of mind while deciding the request of interception and surveillance, and not a mere clerical process of ambiguously rejecting or approving such requests. It is however pertinent to note that the matters allowing jurisdiction to the Union Home Ministry include internal security, border management, affairs pertaining to Jammu and Kashmir and Ladakh, administration of union territories, Centre-State relations, national language, police, human rights, prison management and pensions.[19] However, it is far from imagination as to how one can do justice to all applications requesting to infringe the citizens' essential fundamental rights, considering the large number of such applications along with the variety of affairs of the Home Secretary, on an everyday basis. Furthermore, the fact that how many Home Secretaries have previously had technical competence or legal training to make such important decisions, has also been neglected.

Home Secretaries for the Union and the State are selected from the Indian Administrative Service. Although the extreme intelligence and the level of intellectual experience in

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[14] Stakeholder Report, 'The Right to Privacy in India' [2016] UPR CIS India and Privacy International, <https://www.upr-info.org/sites/default/files/document/india/session_27_-_may_2017/js35_upr27_ind_e_main.pdf> accessed 08 March 2021

[15] Indian Telegraph Rules 1951, Rule 419A

[16] Indian Telegraph Rules 1951, Rule 419A (16)

[17] Zubin Dash, 'Do Our Wiretapping Laws Adequately Protect the Right to Privacy?' [2018] 53(6) E&PW <https://www.epw.in/engage/article/can-government-continue-unhindered-wiretapping-without-flouting-right-privacy> accessed 06 October 2020> accessed 16 February 2021

[18] SFLC, 'India's Surveillance State: Communications Surveillance in India' [2014] SFLC <http://sflc.in/wp-content/uploads/2014/09/SFLC-FINAL-SURVEILLANCE-REPORT.pdf.> accessed 22 September 2020

[19] Ministry of Home Affairs, Government of India, 2020 <https://www.mha.gov.in/departments-of-mha> accessed 06 October 2020

matters pertaining to Home and State pertain in the said candidates, the judicial application of mind while considering requests for interception or surveillance remains missing. The decisions regarding fit cases for interception are not made by the judicial officers, but by a generalist bureaucrat with little to no experience in law enforcement and intelligence gathering. This may not only result in serious violation of rights of the citizens, when taken from the citizens' point of view, but may also result in serious ramifications for the State. For instance, if an officer entrusted with such duty being bereft legal, technical, and judicial training, scared of repercussions like being pulled for sanctioning too many requests for surveillance then chooses to reject other set of applications en masse, it can have grave implication on the security and integrity of the State.

3. Right to Privacy in the Indian Legal Framework

India's journey towards finally having the 'right to privacy' as a recognized fundamental right has rather been a long one. Starting from the roots of the Kharak Singh case,[20] which was decided in 1962, to the 2017 Justice K. Puttaswamy judgment,[21] the right to privacy has finally been declared as an inclusive part of Article 21 of the Indian Constitution.[22] The right to privacy in its full context was considered by the bench for the very first time, in the Kharak Singh case, although it was not recognized to be a right guaranteed by the Constitution.[23] The bench had connected the effect of law enforcement agencies' surveillance mechanisms on the petitioner's right to privacy. However, the bench in the PUCL case[24] pronounced the judgment in support of Justice Subba Rao's dissenting opinion in the Kharak Singh case, which lead to the expansion of the scope of Article 21, to include "right of an individual to be free from restrictions or encroachments on his person".[25]

The Kharak Singh judgment further went on to relate physical restraint with physical encroachment, stating, if the former affects one's personal liberty, the latter is equally set to affect their private life. It clarified that nothing remains more important to an individual holding a calculated interference with their privacy. And in this context, the bench had declared,

> *"we would, therefore, define the right of personal liberty in Art. 21 as a right of an individual to be free from restrictions or encroachments on his person, whether those restrictions or encroachments are directly imposed or indirectly brought about by calculated measures"*.[26]

The Kharak Singh case closely followed the examination of the American Fifth and Fourteenth Amendments, which guarantees life, liberty and property, and is followed by the examination of the Fourth Amendment, which protects a person from unreasonable

[20] *Kharak Singh v. State of Uttar Pradesh* [1964] 1 SCR 332
[21] *Justice K. S. Puttaswamy (Retd.) and Anr. v. Union of India and Others* [2017] 10 SCC 1 503
[22] Constitution of India 1950, a 21
[23] *Kharak Singh v. State of Uttar Pradesh* [1964] 1 SCR 332, [15]
[24] *People's Union for Civil Liberties v. Union of India* [1997] 1 SCC 301, [18]
[25] *Kharak Singh v. State of Uttar Pradesh [1964] 1 SCR 332, [28]*
[26] Ibid 28.

searches and seizures. The Fourth Amendment ambiguously admits that the Constitution contains no like guarantee,[27] but holds nonetheless that

> *"an unauthorised intrusion into a person's home or the disturbance caused to him thereby, is as it were the violation of a common law right of a man - an ultimate essential of ordered liberty"*.[28]

This jurisprudence, however, has been based on the common law of trespass, where a person's property was held sacrosanct, and not open to be trespassed against. Almost four years after the Kharak Singh case was decided, in Katz,[29] the US Supreme Court shifted its own jurisprudence to hold that the Fourth Amendment protected zones where persons had a "*reasonable expectation of privacy*", as opposed to simply protecting listed items. Kharak Singh case was handed down before Katz, yet it expressly showed that the rulings in Katz were well anticipated in expressly grounding article 21's personal liberty right within the meaning of dignity.

In the coming decades, the PUCL case then highlighted the issue of the right to privacy in the context of elevating it to a Constitutional status. The bench, therefore, relied on the decision in R. Rajagopal v. State of Tamil Nadu ('Rajagopal'),[30] which held that the right to privacy was an implicit aspect under the right to life and liberty, as was guaranteed to all the citizens of the country, under Article 21.[31] The Court in Rajagopal's case also went a step forward to expand the concept of the right to privacy, and included the "right to be let alone" and "safeguarding the privacy of another".[32]

The PUCL case, hence, succeeded in showing the evolution of the Supreme Court's conception of privacy. In this way, the 'right to privacy' was expanded beyond the physical realm to include personal communications. It was held that an individual's right to have a telephonic conversation in the privacy of their home or office without any interference could be claimed as their right to privacy.[33] However, in the contemporary context, it can rightfully be understood that this evolving paradigm of privacy equally encompasses online communications under its bracket.

3.1. Indian Judiciary and Surveillance

Indian Judiciary in its various judgements has dealt with surveillance issues, which have been highly prominent in determining the privacy landscape in India. The Indian Supreme Court in *Hukam Chand Shyam Lal* v. *Union of India* interpreted the scope of section 5 of the Telegraph Act and held that the existence of "emergency", which is a prerequisite for the exercise of power to take possession of any telegraphs must be a "public emergency" and not any other kind of emergency. The court further clarified that the scope of "public emergency" relates to the situations contemplated under the sub-section pertaining to "*sovereignty and integrity of India, the security of the State, friendly relations with*

[27] *Wolf v. Colorado* [1949] 338 US 25, [2]
[28] *Kharak Singh v. State of Uttar Pradesh* [1964] 1 SCR 332, [15]
[29] *Katz v. United States* [1967] 389 US 347
[30] *R. Rajagopal v. State of Tamil Nadu* [1994] 6 SCC 632
[31] *R. Rajagopal v. State of Tamil Nadu* [1994] 6 SCC 632, [28]
[32] *R. Rajagopal v. State of Tamil Nadu* [1994] 6 SCC 632, [26]
[33] *People's Union for Civil Liberties v. Union of India* [1997] 1 SCC 301, [18]

foreign States or public order or for preventing incitement to the commission of an offence".[34]

Alongside the same, one other major issue with the prevailing laws on surveillance is its concentration of power exclusively within the executive branch of the government. The Court in *PUCL* v. *Union of India* did not impose the prior requirement of a case-by-case judicial standing for requests of surveillance, and left this important gatekeeping to the executive branch.[35] However, the need to revisit this considering it contravenes the very principle of separation of powers, creating a conflict of interests within the executive, as the executive itself is responsible for both, surveillance of an individual and deciding whether intercepting of that individual's telecommunication would be just in law and reasonable of his fundamental rights. Therefore, with the most basic rights of lakhs of citizens being at stake, which was not arguably the case when the PUCL was decided, it remains important that every application of request of surveillance be evaluated individually with a broader application of judicial mind, to determine whether the said application is legitimate towards justifying an infringement of one's rights or not.

The constitutional validity of Section 69A of the Information Technology Act, 2000 read with the Information Technology (Procedures and Safeguards for Blocking for Access of Information by Public) Rules, 2009, which allows blocking of access to information was upheld by the Supreme Court in the case of *Shreya Singhal* v. *Union of India*.[36]

In *Anuradha Bhasin v. Union of India,*[37] the Hon'ble Supreme Court has reiterated and explained the scope of ban/restriction on Internet imposed by the State and its rationality and constitutionality. The court also laid emphasis and recognized the fact that modern terrorism heavily relies on internet and realized the need to be vigilant and careful in handling such a powerful and effective tool.[38]

The Hon'ble Supreme Court has implicitly upheld selective government action and interception through internet to stop terrorism using the means of internet and its regulation and surveillance rather than to impose a blanket ban on internet over any area or to adopt stringent law for counter-terrorism measures. Even though the Indian Judiciary has felt the importance of imposing reasonable restrictions on the right to privacy and the importance of the evidentiary values of such information obtained through Interception and Surveillance, it has still shown reluctance in realizing the raising need for stringent Surveillance laws in the country to curb the incessant increase in threats to National Security.[39]

[34] *Hukam Chand Shyam Lal v. Union of India* [1976] 2 SCC 128, [13]-[16]
[35] *People's Union for Civil Liberties v. Union of India* [1997] 1 SCC 301, [35]
[36] *Shreya Singhal v. Union of India* (2015) 5 SCC 1, [116], [119]
[37] *Anuradha Bhasin v. Union of India* (2020) 3 SCC 637 [150]
[38] *Anuradha Bhasin v. Union of India* (2020) 3 SCC 637 [43]
[39] *Anuradha Bhasin v. Union of India* (2020) 3 SCC 637 [45]

4. Surveillance Laws in the US and the role of US Judiciary:

"Terrorism is escalating to the point that citizens of the United States may soon have to choose between civil liberties and more intrusive forms of protection".[40]

Ratified in 1791, the Fourth Amendment of the US Constitution provided the basic framework for the protection of citizen's personal communication from intrusion by the government. Right to Privacy was first recognised as a part within the Fourth Amendment in 1886 by the US Supreme court in the case of *Boyd v. United States,*[41] where the court held that it is inappropriate to trespass a person's liberty through inspection of his personal communications.

At first, the US Judiciary did not recognise the need to ensure a proper separation of powers and its role in protecting in the rights of individuals from "unreasonable searches and seizures" from the government as provided by the Fourth Amendment.[42] However, with the raising growth of the field of electronic surveillance, the United States Judiciary realised its role to balance substantial constitutional concerns between the right to personal liberties and privacy of its citizens with the security concerns and interests of the US government.

The US Judiciary initially held that electronic surveillance/eavesdropping was not a search or seizure implicated in the Fourth Amendment in the case of *Olmstead v. U.S (1928)*[43] as the government intercepted information without entering the place of surveillance. The Supreme Court held that due to the essential elements of entry, search and seizure involved in the interception of the communication, the Fourth Amendment did not protect telephonic conversations.[44]

Following the Court's decision in this case, the Congress enacted the Communications Act[45] in 1934, which states that no person (unless authorised) shall intercept any radio communication and divulge or publish the existence, contents, substance, purport, effect or meaning of such intercepted communication to any person, and that anyone possessing such intercepted communication shall not make use of the same for their own benefit or for the benefit of another not entitled thereto. However, in *Katz v. United States,*[46] the Supreme Court overruled *Olmstead* and held that electronic surveillance is constitutional but only when such measures are bound by procedural safeguards which justifies the same and held that the Fourth Amendment protects any place maintainable as an exception of privacy which is reasonable. The Court held that "the Government's activities in electronically listening to and recording the petitioners' words violated the

[40] Col. Thomas W. McShane, 'Life, Liberty and the Pursuit of Security: Balancing American Values in Difficult Times' [2001] PA. LAW 46
[41] *Boyd v. United States* [1886] U.S. 616, [116]
[42] Jie Xiu, 'The Roles of the Judiciary in Examining and Supervising the Changing Laws of Electronic Surveillance' [2003] 28 Seton Hall Legis J, 229
[43] *Olmstead v. United States* [1928] 277 U.S. 438, [465]-[466]
[44] *Olmstead v. United States* [1928] 277 U.S. 438, [466]
[45] Pub. L. No. 73-416, 48 Star. 1064 [1934]; 47 U.S.C. § 605 [2000].
[46] *Katz v. United States* [1967] 389 U.S. 347, [359]

privacy upon which he justifiably relied while using the telephone booth and thus constituted a 'search and seizure' within the meaning of the Fourth Amendment".[47]

As a legislative response to this case, Title III was enacted by the Congress.[48] Pursuant to this legislation, before engaging in activities of surveillance, law enforcement agencies are required to obtain warrants for investigation[49] and for such a warrant to be granted by the judge, he must be convinced that an apparent cause exists and that a grave crime has been or is about to be committed,[50] thus laying a substantial ground of protection against unreasonable searches and seizures. Title III provided a broader scope of not interfering the surveillance activities of the executive over matters of foreign intelligence.[51]

Initiating the establishment of Surveillance Laws in the US, in 1968, Congress passed a federal wiretapping statute in Title III of the Omnibus Crime Control and Safe Streets Act in response to the Supreme Court's criticism of the statute in Berger v. New York,[52] where the court struck down the New York statute which authorized the law enforcement agencies to eavesdrop electronic communications and mounting public awareness of the government's illegitimate use of wiretaps.[53] By passing Title III, the Congress authorized law enforcement officers with the ability to efficiently be vigilant towards anti-governmental activities, while balancing the corresponding privacy of innocent people.[54] In order to keep itself in level with the perpetual advances and improvements made to communication technologies, the Congress continually kept amending Title III.[55]

It was not until 1972, in the case of *United States v. United States District Court,*[56] the US Supreme Court first addressed the problems related to national security and surveillance and allowed the Congress to formulate standards and guidelines for domestic security wiretaps, however holding that the President should exercise his executive authority within the limitations under the Fourth Amendment.[57] The Court, while examining the Fourth Amendment considering the executive authority of warrantless foreign intelligence surveillance, recognised an inherent national security exception in exercising such authority and held it to be constitutional.[58]

The Congress enacted the Foreign Intelligence Surveillance Act of 1978 (FISA), which widened the executive branch's Title III powers for search and seizure with regards to foreign enemies, responding to the inclined threat to national security from abroad.[59] By passing FISA, the Congress authorized the Executive Branch to conduct authentic

47 *Katz v. United States* [1967] 389 U.S. 347, [353]
48 Jie Xiu, 'The Roles of the Judiciary in Examining and Supervising the Changing Laws of Electronic Surveillance' [2003] 28 Seton Hall Legis J, 229
49 18 U.S.C. 1994, s 2518(3)(a)
50 18 U.S.C. 1994, s 2516(1)
51 18 U.S.C. 1994, s 2511(2)(e)(f)
52 *Berger v. New York* [1967] 388 U.S. 41, [44], [51], [59]-[60]
53 Pub. L. No. 90-351, Title 111, 82 Stat. 197, 211 [1968]
54 Barry D. Roseman, 'Electronic Platform, E-mail and Privacy Issues', [2001] SGO16 A.L.I.-A.B.A. 1165, 1166-67
55 Barry D. Roseman, 'Electronic Platform, E-mail and Privacy Issues', [2001] SGO16 A.L.I.-A.B.A. 1165, 1167-68
56 *United States v. United States District Court* [1972] 407 U.S. 297, [299]
57 *United States v. United States District Court* [1972] 407 U.S. 297, [321]-[323]
58 *United States v. Truong Dinh Hung* [1980] 629 4th Cir. 908, [912]-[913]
59 Pub. L. No. 95-604, at 3904, 3916 [1977].

electronic surveillance for foreign intelligence[60] tenacities within the context of the nation's obligation to privacy and individual rights. When such inherent powers given for foreign intelligence activities were challenged based on its constitutional validity in the case of *United States v. United States District Court*,[61] the Supreme Court emphasized on the necessity of judicial interventions in concerned matters of Surveillance conducted for National Security pursuant to FISA and provided more effective checks and balances on the executive authorities. However, the court also provided a discrete justification for surveillance activities nevertheless leaving many issues unanswered.[62]

Title III was further amended by the Congress by passing the Electronic Communications Privacy Act of 1986 (ECPA) which served as a domestic surveillance legislation in response to the increasing technological developments and use of computers, internet and cellular telephones for emails and other communication purposes. The ECPA institutes a judicial controlled procedure to permit surveillance and interceptions for law enforcement purposes.[63] The Act made Title III applicable to trap-and-trace devices, voice mail and e-mail messages, and other forms of electronic and digital communications, such as radio transmissions, telegraphs, wire communications, etc. In its Second Report and Order of 2006, the Communications Assistance for Law Enforcement Act of 1994 (CALEA) mandated the telecommunications companies to cooperate and support all the efforts taken with the targeted electronic surveillance initiatives of the Government and such cooperation may include modifications to the design of equipment, facilities, and services.[64]

On October 26, 2001, United States President George W. Bush signed the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (hereinafter PATRIOT Act)[65] within 6 weeks of the 9/11 terror attacks, which provided autonomy to investigating agencies to employ surveillance measurers to counter anti-national and terrorist activities, while instantaneously dropping judicial regulation and accountability for the same. By expanding the ability and authority of the government for carrying out electronic surveillance, the PATRIOT Act ensured the government's authority to monitor and sabotage indefinable terrorist network groups domestically and across international borders.[66] The PATRIOT Act removed the enforcement barriers for the intelligent agencies by granting additional wiretapping and surveillance authority. For example, section 106 of the PATRIOT Act allows the President to summarily confiscate and sell the assets and property of foreign nationals he determines were responsible for attacks on the United States; section 210 of the Act allows investigators to intercept telephone and ISP records and section 214 allows governmental trap and trace orders.

60 50 U.S.C. 1994, s 1804(a)(4)(A)
61 *United States v. United States District Court* [1972] 407 U.S. 297, [299]
62 Michael F Dowley, 'Government Surveillance Powers under the USA Patriot Act: Is It Possible to Protect National Security and Privacy at the Same Time - A Constitutional Tug-of-War' [2002] 36 Suffolk U L Rev 165
63 18 U.S.C. 2510-2522
64 'Electronic Surveillance', Legal Information Institute, Cornell Law School <https://www.law.cornell.edu/wex/electronic_surveillance#footnote2_nhopdas> accessed 30 August 2020
65 Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), Pub. L. No. 107-56, 115 Stat. 272 [2001].
66 Lt. Col. Joginder S. Dillon & Lt. Col. Robert Smith, 'Defensive Information Operations and Domestic Law: Limitations on Government Investigative Techniques', [2001] 50 A.F. L. REV. 135, 148

Even in its most recent instance, the US Supreme Court in *Timothy Ivory Carpenter v. United States*[67] measured the state's exercise of police powers against a citizen's right to privacy and held that government access of mobile phone records was indeed a Fourth Amendment search, which include the safeguard of certain expectations of a person's privacy. This proves that the US Judiciary felt the need and importance of inculcating stringent measures of Surveillance for protecting the interests of the state and for national security and to balance the same with the individual's right to privacy.[68] Thus, the US government possesses significant amount of authority over matters of national security, public welfare, state's interest, and defence although there exists certain radius of constitutional limitations.[69]

5. The need for the enactment of stringent laws in India

In comparison to the laws in India, the model followed in the United States requires a prior judicial intervention for the authorization of wiretapping, interception or other ways of surveillance. The procedure for the same is followed in similar lines to that of a judge issuing warrants of search or arrests.[70] Although the scheme as followed in the United States can seem to be the most content to protect the rights of the citizens and attractive on the human rights' front, however, it could be debatable to have this followed in the Indian context considering the overburdened segment of the judiciary with higher rates of pendency than ever along with the vacancies.[71]

The purpose for recognizing the US legal system as a frame of reference to equate and analyze the Indian position is primarily because much like India, America has also been facing a tremendous revolutionary change in its legal system with respect to privacy issues and surveillance post the 9/11 attacks, which laid the foundation of the PATRIOT Act. Similarly, post 26/11 Mumbai terror attacks, India observed unprecedented changes in its anti-terrorism measures to provide greater autonomy to the investigating agencies.

5.1. The Menace of Terrorism and absence of effective Surveillance laws

> *"The Internet is a prime example of how terrorists can behave in a truly transnational way; in response, States need to think and function in an equally transnational manner".*[72]

[67] *Timothy Ivory Carpenter v. United States* [2018] 585 U.S.
[68] Nehaa Chaudhari, Smitha Krishna Prasad, 'Carpenter v. United States: State Surveillance and Citizen Privacy' [2019] 13 NALSAR Stud L Rev 129, 133-135, 143-146
[69] Col. Thomas W. McShane, 'Life, Liberty and the Pursuit of Security: Balancing American Values in Difficult Times', [2001] PA. LAW 46
[70] Solove, Daniel J, 'The First Amendment as Criminal Procedure' [2007] 82 NYU L Rev 112, 154–59
[71] Gowda, Sadananda, 'Pending Court Cases: Written Reply by Union Minister of Law and Justice, Government of India in the Lok Sabha, 3 December, 2015, 16th Lok Sabha' [2015] Lok Sabha Debates, Parliament of India
[72] Ban Ki-moon, <https://www.unodc.org/documents/frontpage/Use_of_Internet_for_Terrorist_Purposes.pdf> accessed 04 March 2021

> *"Terrorist organizations have also begun to employ websites as a form of information warfare which disperses inaccurate material which triggers scandalous consequences".*[73]

Contemporary terrorism heavily depends on internet. Operations on the internet are not easily traceable and this funds fallacious proxy wars and an easy inroad to young and impressionable minds. Social media platforms serve as an efficient weapon to reach young minds, to spread anti-national ideologies and recruit members. For example, the Al-Qaeda's websites carry manuals on how to construct explosive devices.[74]

India is devoid of a concrete Surveillance Law to curb this imminent issue. India requires a solid foundational law on Surveillance, which also protects the personal data and information. In fact, the gaps, and loopholes in the National Security ecosystem in India aided as an advantage for the terrorists who attacked Mumbai on 26/11.[75] There is a rising need for a wholesome law in the country, which covers the broader facets of national security and counter-terrorism measures. The laws must meet all the technical requirements based on the available capability and endure for a proper use of all the surveilled material.

The aftermath of Justice K.S. Puttaswamy judgement saw the uprooting of the Personal Data Protection Bill in 2019 which aims at balancing National Security and Privacy and restricted the authority to permit surveillance only to the Home Secretary, Ministry of Home Affairs and to the Government of India.

Richard A Posner, Senior lecturer in law at the University of Chicago, rightly observes:

> *Privacy is the terrorist's best friend, and the terrorist's privacy has been enhanced by the same technological developments that have both made data mining feasible and elicited vast quantities of personal information from innocents: the internet, with its anonymity, and the secure encryption of digitized data which, when combined with that anonymity, make the internet a powerful tool of conspiracy. The government has a compelling need to exploit digitization in defense of national security.*[76]

Comparing the U.S. Supreme Court's decision in *Thomas Ivory Carpenter v. United States* and the Indian Supreme Court's decision in *Puttaswamy v. Union of India,* it is evident to note that the Indian Judiciary has not yet identified a broad exception to the right of privacy corresponding to that of the U.S. Judiciary.[77]

The United States enacted the USA PATRIOT Act sensing the importance of a National Surveillance regime witnessing the aftermath of the 9/11 attacks in 2001. The revelations

[73] Gregory S. McNeal, 'Cyber Embargo: Countering the Internet Jihad', [2007] 39 Case W Res J Int'l L 789
[74] Jason Burke, 'Al-Qaeda launches online terrorist manual, [2004] The Guardian <https://www.theguardian.com/technology/2004/jan/18/alqaida.internationalnews> accessed 30 December 2020
[75] Dhaval D. Desai, Parjanya Bhatt, 'Securing India's Cities: Remembering 26/11, Learning its Lessons', [2019] ORF Special Report No. 92
[76] Richard A. Posner, 'Privacy, Surveillance, and Law', [2008] 75 Uni. of Chicago L Rev. 251
[77] Nehaa Chaudhari, Smitha Krishna Prasad, 'Carpenter v. United States: State Surveillance and Citizen Privacy' [2019] 13 NALSAR Stud L Rev 129

made by Edward Snowden, the whistle-blower, in 2013 tells us about the usage of phone companies by the US Government to collect relevant information on millions of citizens.[78] The disclosures made by Snowden were responsible for exposing the US government's scope of surveillance activities of which it became evident that India was their prominent target.[79]

On December 13, 2001, five terrorists attacked the Indian National Parliament, which resulted in killing of seven persons and placing the country into a heightened state of alert.[80] The Government of India, in March 2002, like its American counterpart, passed the Prevention of Terrorism Act (POTA), to augment India's ability to crack down on conceivable terrorist threats.[81] The Government reiterated that its action was a response to *"an upsurge of terrorist activities, intensification of cross border terrorism, and insurgent groups in different parts of the country".*[82] Section 45 of Act provided for the admissibility of evidences collected through the interception of communication. All evidence collected through the interception of wire, electronic or oral communication were made admissible as evidence against the accused in court during the trial of the case. The act also laid down various safeguards to prevent the misuse of powers by authorities against innocent persons. However, on the 17 September 2004, the act was repealed by the successive government, which came to power after the national elections.

Similarly, considering the 2008 Mumbai terror attacks, India adopted a wide range of schemes and data sharing methodologies for surveillance to enhance public safety and security and to tackle the growing crime and terrorism in the country. The Government of India amended the Information Technology Act, 2000 to provide for the offence of cyber terrorism under section 66F.

A July 2020 United Nations' Report on Terrorism revealed that there are "significant numbers" of Islamic State (IS) terrorists in India.[83] This indicates the need for strong surveillance laws. The contention of the authors is that while the U.S. Patriot Act placed new regulations on the use of governmental surveillance and sought to curtail and avoid future terrorist acts by intensifying the federal government's powers, India is yet to design a strategic framework in shape of a vigilant law to curb such activities against the state.

It is therefore clear that whichever model of governing such concerns is ultimately chosen, either an independent authority or a privacy commissioner as suggested by

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[78] Sriram, Jayant, 'What are the surveillance laws in India?' [2019] The Hindu, <https://www.thehindu.com/news/national/what-are-the-surveillance-laws-in-india/article29993602.ece> accessed 01 December 2020

[79] Glenn Greenwald, Shobhan Saxna, 'India among Top Targets of Spying by NSA' [2013] <http://www.thehindu.com/news/national/india-among-top-targets-of-spying-by-nsa/article5157526.ece> accessed 10 December 2020

[80] Rediff News Serv., 'The Attack on Parliament (2001)' <http://www.rediff.com/news/pat2001.htm> accessed 01 December 2020

[81] Prevention of Terrorism Act 2002

[82] Christopher Gagné, 'POTA: Lessons Learned from India's Anti-Terror Act' [2005] 25 B.C. Third World L.J. 261

[83] PTI, 'U.N. report flags Islamic State threat in Karnataka, Kerala' [2020] The Hindu <https://www.thehindu.com/news/national/kerala/un-report-flags-islamic-state-threat-in-karnataka-kerala/article32189443.ece#> accessed 09 December 2020

Justice A P Shah (Retd.) Committee in 2012,[84] the body shall thread its staff from the law enforcement agencies, civil society, intelligence community and the judiciary. However, while the best model is yet to be examined and designated, it would be wise to have the respective Home Secretaries be provided with a dedicated team of joint secretaries, with prior experience in security, investigations, and intelligence.

6. Conclusion

While the prospect of fashioning a model surveillance framework, which protects the privacy of individuals without compromising national security, continues to be debated, currently this seems to be the only remaining reconciliation possible between the two seemingly conflicting yet necessary ideals.[85] The government of India carries out surveillance by various authorities through its numerous laws and license agreements for service providers under its legal framework. Though the legalised, defensible, and targeted surveillance can be an effective tool in ministering law enforcement agencies in attempting to tackle crime and terrorism, an umbrella surveillance law which encompasses all requisite anti-terrorism mechanisms while adequately safeguarding individual's right to privacy and data protection is the need of the hour in India. Though the Government of India has been deploying various strategies and projects for mass surveillance activities, details of such operations and their legal safeguards are uncertain due to lack of proper verified information and lack of specific statutory backing.[86]

There is a need for a robust and comprehensive law which synchronises synergy between the states and citizens, providing undivided attention to significant problems of composing effective governmental measures and enforcement of the same. While the US has taken cognizance of the impact of technological developments which pose a major threat to national security by framing *"near perfect surveillance laws",*[87] India, on the other hand, has very limited safeguards protecting the privacy of its citizens and relatively less effective surveillance laws to protect its national security.

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[84] Justice A P Shah (Retd.) Committee, 'Report of the Group of Experts on Privacy' [2012] *Planning Commission*, Government of India. Available online at: <https://pib.gov.in/newsite/PrintRelease.aspx?relid=88503> <http://www.planningcommission.nic.in/reports/genrep/rep_privacy.pdf> accessed 03 March 2021

[85] Agnidipto Tarafder, 'Surveillance, Privacy and Technology: A Comparative Critique of the Laws of USA and India' [2015] 57(4) ILI J. 550, 578

[86] Chaitanya Ramachandran, 'PUCL v. Union of India Revisited: Why India's Surveillance Law Must Be Redesigned for the Digital Age' [2014] 7 NUJS L Rev 105

[87] *Timothy Ivory Carpenter v. United States* [2018] 585 U.S., [13]

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A ESTRATÉGIA DA UNIÃO EUROPEIA DE AQUISIÇÃO DE VACINAS PARA A PANDEMIA COVID-19

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Resumo

Este artigo apresenta e analisa a estratégia da União Europeia (UE) para a aquisição de vacinas, no âmbito da pandemia Covid-19, nomeadamente as opções dos seus decisores políticos, o modelo de negociação com a indústria farmacêutica, os diversos momentos chave ao longo do processo, incluindo nas suas conclusões referencias à articulação dessa estratégia com os compromissos assumidos pela UE junto de outras entidades como a Organização Mundial de Saúde (OMS) e a iniciativa internacional COVAX.

A partir da investigação realizada, sustentada através da diversa literatura já existente, dos anúncios públicos e de declarações dos principais responsáveis políticos, verifica-se que a UE desenvolveu uma estratégia de aquisição de vacinas exclusivamente através da contratualização junto de grupos farmacêuticos internacionais, de acordo com o modelo de Parceria Público-Privada (PPP), assumindo as suas eventuais vantagens e riscos.

Ao longo do processo de aquisição e distribuição das vacinas, verificaram-se dificuldades de coordenação entre as instituições europeias e os Estados-membros, atrasos nas entregas e dificuldades na gestão e distribuição das vacinas disponíveis, a par de suspeições em torno do modelo negocial escolhido. Registou-se ainda, no âmbito da iniciativa COVAX, dificuldades de compatibilização entre os compromissos de participação da União Europeia e a sua execução.

Palavras-chave

COVAX; Covid-19; Gavi; União Europeia; Vacinas

Abstract

This article presents and analyses the European Union's (EU) strategy for the acquisition of vaccines, in the context of the Covid-19 pandemic, namely the options of its policymakers, the model of negotiation with the pharmaceutical industry, the various key moments throughout the process, including in its conclusions references to the articulation of this strategy with the commitments made by the EU to other entities such as the World Health Organization (WHO) and the international COVAX initiative.

From the research carried out, supported by a variety of existing literature, public announcements and statements from key policymakers, it appears that the EU developed a vaccine acquisition strategy exclusively through contractual agreements with international pharmaceutical groups, according to the Public-Private Partnership (PPP) model, assuming its possible advantages and risks.

Throughout the process of acquiring and distributing the vaccines, there were difficulties in coordination between the European institutions and the Member States, delays in deliveries and difficulties in managing and distributing the available vaccines, along with suspicions surrounding the negotiating model chosen. In the context of the COVAX initiative, there were also difficulties in reconciling the European Union's commitments to participate and their implementation.

Keywords

COVAX; Covid-19; Gavi; European Union; Vaccines.

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A ESTRATÉGIA DA UNIÃO EUROPEIA DE AQUISIÇÃO DE VACINAS PARA A PANDEMIA COVID-19

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Introdução

Nas primeiras semanas da crise pandémica Covid-19, no espaço da União Europeia (UE), perante uma pandemia de rápido contágio que desconhecia fronteiras entre países, as instituições da UE e os Estados-membros revelaram dificuldades de coordenação numa resposta comunitária aos desafios que enfrentavam. A presidente da Comissão Europeia, Ursula von der Leyen, mostrava-se preocupada: "uma crise sem fronteiras não pode ser resolvida colocando barreiras entre nós. No entanto, esse foi exatamente o primeiro reflexo que muitos países europeus tiveram. Isto simplesmente não faz sentido" (Comissão Europeia, 2020a).

Perante a ineficácia de diversas formas de tratamento clínico experimentadas, o desenvolvimento e distribuição de vacinas para Covid-19 era crescentemente aguardada com expetativa. A imunização através de processo de vacinação, uma das principais medidas de prevenção de doenças infeciosas, não obstante, teria sempre o seu sucesso sujeito a variações no decurso da pandemia segundo fatores como a sua eficácia, rapidez de produção, aprovação e distribuição ou ainda a imunização perante as várias variantes (Tavilani et al., 2021). De qualquer forma, pela importância que assumiam, segundo von der Leyen, as vacinas seriam "um bem comum" a ser "partilhado universalmente, e disponibilizado a todos" (Comissão Europeia, 2020b).

No contexto internacional, em abril de 2020, surgia a iniciativa multilateral COVAX, liderada pela *Gavi, The vaccine Alliance*, pela *Coalition for Epidemic Preparedness Innovations* (CEPI) e pela OMS, destinada a garantir um acesso justo e equitativo a vacinas para a Covid-19, assim que se encontrassem disponíveis. A COVAX pretendia coordenar uma estratégia de distribuição de vacinas mais eficiente que um cenário de aquisição concorrencial entre Estados, distribuindo proporcionalmente à população dos países, mesmo que essa distribuição não correspondesse a alguns princípios éticos como a priorização de grupos específicos ou regiões mais atingidas (OMS, 2020) - apenas uma renegociação poderia alterar critérios de distribuição.

Desde o início da COVAX, a UE afirmou-se como um dos seus principais doadores, assumindo ainda uma complementaridade entre a participação na COVAX e a sua estratégia de aquisição de vacinas, propondo-se a alocar fundos próprios e ainda uma "porção significativa" das suas vacinas (Comissão Europeia, 2020b).

Em junho de 2021 a Comissão Europeia anunciaria a sua estratégia em relação à aquisição de vacinas, nomeadamente os seus objetivos, o decurso das negociações em com a indústria farmacêutica, outros elementos de gestão do processo de contratualização e os respetivos critérios. Confirmando-se assim, o início da formação de uma PPP para a gestão deste relevante dossier.

Métodos

A investigação deste artigo procurou apresentar e estabelecer ligações entre os momentos mais significativos do processo de aquisição de vacinas pela UE, as suas prioridades e opções políticas e económicas nas diversas mesas negociais, e ainda a sua participação no combate global à pandemia. Nesse sentido, a investigação dedicou a sua atenção a um conjunto múltiplo de fontes, com o objetivo de assegurar a sua amplitude, variedade, multidisciplinaridade e diversidade analíticas, assim como a complementaridade, assegurando a sua fidedignidade. Esta recolha de informação foi realizada a partir do segundo semestre de 2021.

Nestes termos, foi realizado um levantamento dos dados disponíveis em fontes como os websites oficiais, nomeadamente das Instituições da UE e da Organização das Nações Unidas (ONU) e da OMS, entre outras instituições internacionais, em artigos científicos publicados entre os anos de 2014 e 2021, notícias e declarações reproduzidas em agencias de notícias e noutros órgãos de comunicação social de referência, com escala internacional, especializados nas áreas de Economia, Política, Saúde e Relações Internacionais, publicadas a partir de março de 2020. Neste processo, foram ainda recolhidas e incluídas referências sobre os impactos económicos e sociais da pandemia Covid-19. A seleção destas fontes é representativa do período temporal compreendido entre março de 2020 e novembro de 2021.

Na revisão de fontes secundárias, quanto à autoria e local de publicação, verifica-se a predominância de origem europeia e anglo-saxónica.

As Parcerias Público-Privadas em Saúde

As PPP no contexto das políticas públicas de Saúde sintetizam-se como uma colaboração entre os sectores públicos e privados, para atingir objetivos comuns, ultrapassando as respetivas limitações. O sector privado, nestes termos é apontado como catalisador de serviços e bens, com maior eficiência, melhor gestão, estratégias mais focalizadas e ainda com melhores bases de recursos materiais e humanos (Thadani, 2014).

Ao longo das últimas décadas, devido ao crescente desencontro entre procura e oferta em serviços de Saúde ou pelas dificuldades económicas de Estados com necessidade de aceder a produtos e conhecimento, o recurso às PPP tem-se generalizado em muitos países da OCDE e de outros de rendimento médio (Thadani, 2014; McKee & Galea, 2014). Também influentes fundações privadas na Saúde, frequentemente também ligadas ao próprio sector privado da saúde (como a *The Bill and Melinda Gates Foundation*) têm apoiado estas parcerias (Thadani, 2014).

Neste sentido, em maio de 2020, pela complexidade, consequências e alarme gerados pela Covid-19, diversos investigadores (incluindo Anthony Fauci, Diretor do *National*

Institute of Allergy and Infectiouss Disesases e Conselheiro da Presidencia nos EUA) alertavam para a necessidade de colaboração entre as companhias biotecnológicas e farmacêuticas, os governos e academias (Corey et al., 2020). Assim, os recursos públicos, privados e filantrópicos precisavam de uma estratégia concertada para o desenvolvimento das vacinas para a Covid-19, tomando como exemplo a PPP criada nos EUA - a ACTIV (*Accelerating Covid-19 Therapeutic Interventions and Vaccines*).

Por outro lado, diversos autores e investigadores consideram que as PPP em Saúde, a par dos potenciais benefícios, comportam diversos riscos, nomeadamente: conflitos de interesses; influencia excessiva de grandes corporações na definição de políticas; ausência de *accountability*; distorção de prioridades sanitárias com agências e governos ou ainda doações inapropriadas a países sem infraestruturas para armazenamento e distribuição (McKee & Galea, 2014).

Se as PPP em Saúde podem aumentar a eficiência de entrega e melhorar a gestão orçamental do sector publico, em contextos negociais de incerteza, podem-se revelar dispendiosas, se por exemplo os seus projetos forem muito exigentes ou sofisticados, se a contratualização estiver incompleta (Buso et al., 2021) ou ainda caso a parte privada possua maior poder negocial - o que geralmente se reflete em taxas altas de retorno financeiro em detrimento da eficiência do projeto - pelo que o equilíbrio entre partes torna-se necessário.

Paralelamente a estas questões suscitadas em relação às PPP em Saúde, surgem igualmente reticências sobre este modelo na relação que gera entre academias e a indústria farmacêutica. Se por um lado, a pandemia Covid-19 poderia ser uma oportunidade para uma colaboração entre a academia e esta indústria - cruzando-se os objetivos de promoção de saúde humana com o interesse de comercialização de terapias comercialmente rentáveis - poderia também verificar-se uma sobreposição dos interesses próprios da indústria farmacêutica (Lexchin, 2020).

Neste contexto, o predomínio dos interesses da indústria verificou-se, por exemplo, quando a Universidade de Oxford após anunciar que doaria os seus direitos numa vacina para a Covid-19 a quem precisasse, acabou por realizar uma contratualização com a farmacêutica *AstraZeneca,* que lhe garantia os direitos de marketing mas sem qualquer garantia de preços acessíveis durante a pandemia, apenas reservando Oxford os *royalties* sobre as patentes no fim da pandemia (Reuters, 2020). Segundo o epidemiologista de Escola Médica de Harvard, Ameet Sarpatwari, "são negócios como de costume, onde os fabricantes obtêm direitos exclusivos e esperamos, com base no sentimento público, que eles precifiquem os seus produtos com responsabilidade" (como citado em Lexchin, 2020).

As várias tipologias de PPP em Saúde carecem do acautelamento de diversos vieses eventuais, por exemplo través de financiamento publico com condução independente e na análise de pesquisa ou pela definição clara por governos e outros financiadores das suas prioridades de pesquisa, não confiando apenas na indústria farmacêutica (Lexchin, 2020). O financiamento público deve exigir que quaisquer terapias eventuais sejam disponibilizadas a preços acessíveis a países de baixos e médios rendimentos, considerando seriamente o financiamento de parcerias para o desenvolvimento de produtos que possam ser sensíveis ao reaproveitamento de medicamentos mais antigos ou genéricos de baixo custo.

Nestes termos, a formação de PPP em matérias de Saúde, concretiza-se sob um conjunto de eventuais oportunidades que concorrem em paralelo com diversos riscos. Assim, a opção da UE de aquisição de vacinas para a Covid-19, através de procuração conjunta, sob modelo de PPP, em que a UE realizava o financiamento e a indústria farmacêutica se encarregava da investigação e produção, importava, entre outros aspetos, a transparência negocial, uma correspondência sinalagmática entre direitos e deveres entre as partes e uma sobreposição negocial clara do interesse público fundamental em causa.

Os primeiros movimentos entre Washington e a UE

Em 2 de março de 2020, o Presidente dos EUA, Donald Trump, recebia Daniel Menichella, CEO da farmacêutica alemã *Curevac*, manifestando-lhe a intenção de adquirir o potencial científico que esta empresa produzia com o objetivo de uma vacina para a Covid-19 (Wheaton & Deutsh, 2020). A divulgação deste encontro e das intenções de Trump, alarmaram a UE e von der Leyen, avisava sobre a *Curevac* que "a sua casa é aqui [na Europa]" (Comissão Europeia, 2020c). Simultaneamente, a administração Trump desencadeava a denominada *Operation Warp Speed*, através da *Biomedical Advanced Research and Development Authority*, alocando cerca de 18 mil milhões de dólares para o desenvolvimento de uma vacina (Baker & Koons, 2020). Outros países como a China, Reino Unido, Rússia e Cuba também anunciavam o desenvolvimento das suas próprias vacinas.

Perante este cenário internacional, denominado de "corrida às vacinas", vários Estados-membros da UE, não esperaram pela ação das instituições comunitárias para o desenvolvimento de estratégias próprias. A França e a Alemanha iniciaram negociações com a farmacêutica *Moderna*, juntando-se-lhes posteriormente a Itália e a Holanda, formando a *Inclusive Vaccine Alliance*. No início de junho de 2020, este grupo anunciava já um acordo de encomenda de 300 milhões de vacinas com a farmacêutica *AstraZeneca* (Dellana, 2020).

Apenas um dia antes do anúncio do acordo entre a *Inclusive Vaccine Alliance* e a *AstraZeneca*, os ministros da saúde da UE davam o seu apoio à Comissão Europeia para a compra de vacinas, disponibilizando mais de 2 mil milhões de euros (Martuscelli & Deutsh, 2020). Mas um desconforto com o acordo da *Inclusive Vaccine Alliance* já existia, segundo a ministra da saúde belga, Maggie De Block, esse acordo era "irrazoável" e "enfraquece toda a gente: tanto a iniciativa da Comissão como a vossa própria posição" (Deutsh, 2020). Nestes termos, a UE aparentava-se dividida e as suas instituições meramente reativas. Mas brevemente a UE apresentaria a sua própria estratégia.

A apresentação da estratégia da UE, objetivos, pilares, e as primeiras dúvidas

Em 17 de junho 2020, a Comissão Europeia anunciou a sua estratégia em relação à aquisição de vacinas, estabelecendo quatro objetivos prioritários: assegurar a qualidade, segurança e eficácia das vacinas; assegurar a sua acessibilidade em tempo útil aos Estados-Membros e à sua população, liderando simultaneamente o esforço global de solidariedade; obter um acesso equitativo e acessível assim que possível; e por último, garantir o avanço dos preparativos para a distribuição da vacina, incluindo o seu transporte e a identificação de grupos prioritários. A estratégia da UE assentava em dois pilares: garantir a produção de vacinas na UE e o abastecimento dos Estados-membros e a adaptação e flexibilização do sistema regulatório à emergência (Comissão Europeia, 2020d). Com este anúncio, a *Inclusive Vaccine Alliance* perdia sentido, passando a Comissão Europeia a liderar o processo de produção e aquisição de vacinas na UE.

A UE anunciava a intenção de acordar com as farmacêuticas, o direito à compra de vacinas, através do adiantamento de 2,7 mil milhões de euros, financiados através do Instrumento de Apoio de Emergência, aos quais poderiam acrescer empréstimos do Banco Europeu de Investimento (BEI). Sendo gerida pela Comissão a contratualização final das vacinas, em nome de todos os Estados-membros, como se previra na anterior reunião de ministros da saúde, com o objetivo de conseguir "as melhores condições possíveis" (Comissão Europeia, 2020d), especificamente em matérias como os pagamentos previstos (montantes, calendário e estrutura financeira), as modalidades de entrega, entre outros condicionalismos não discriminados.

A Comissão Europeia liderava o processo, assumindo que o quadro de negociações com as farmacêuticas constituía uma "apólice de seguro transferindo alguns dos riscos da indústria para as autoridades públicas, em troca de garantir aos Estados-membros um acesso equitativo e a preços acessíveis". Entre os critérios de financiamento encontravam-se, entre outros, o rigor da abordagem científica, a rapidez da entrega ou o custo, sendo o financiamento concedido "um adiantamento sobre as vacinas que serão efetivamente compradas" (Comissão Europeia, 2020d).

Sensivelmente um mês depois, em julho de 2021, a Comissão Europeia, precisaria a sua solidariedade anunciando a intenção de partilhar mais de 200 milhões de vacinas com os países de médios e baixos rendimentos, principalmente através da COVAX, além de um apoio à produção de vacinas em África, orçamentado em mil milhões de euros (Comissão Europeia, 2020e).

Pelo outro lado negocial, a indústria farmacêutica sempre preferiu uma relação negocial direta entre as empresas e os Estados (e não com representações de conjuntos de Estados), como confirma, a divulgação da chamada telefónica entre os Comissários europeus da saúde e para o mercado interno, Stella Kyriakides e Thierry Breton respetivamente, com a *European Federation of Pharmaceutical Industries and Associations* (EFPIA), de 9 de abril de 2020, sobre o fornecimento de equipamentos e medicamentos para a Covid-19. Nesta chamada, a EFPIA alegava que: "gostava de continuar a fornecer novos tratamentos através dos canais habituais e não por procuração conjunta" (Corporate Europe, 2020). Contudo, após o anúncio do plano de aquisição de vacinas da UE, a plataforma *Vaccines Europe* (que inclui as farmacêuticas *AstraZeneca*, *CureVac*, *GSK*, *Sanofi Pasteur* e *Janssen)* distanciava-se da posição da EPFIA, aceitando agora uma negociação por procuração conjunta, segundo a *Vaccines Europe*: "nós apoiamos acordos específicos de aquisição antecipada para desafios extraordinários de saúde pública" (Vaccines Europe, 2020)

Pela parte da UE, a negociação com a indústria farmacêutica foi entregue a uma Equipa Conjunta de Negociação, composta por sete negociadores, nomeados pelos governos de Espanha, França, Suécia, Alemanha, Holanda, Itália e Polónia. Por opção da UE, os critérios de seleção e a identidade dos seus negociadores foram reservados – logo suscitando interrogações de deputados do Parlamento Europeu sobre a sua identidade.

No entanto, entre os sete negociadores selecionados, tornou-se conhecida identidade do sueco Richard Bergström. Segundo este, "Eu não vejo necessidade neste sigilo (...) Porque o meu governo pensa que não pode ser segredo que estou a fazer este trabalho" (Peigné, 2021). Esta abertura registou-se após a divulgação da sua identidade, em Agosto de 2020, pelo jornal belga *Het Laatste Nieuws*. Bergström que apresenta no seu currículo profissional relações com diversas empresas do sector farmacêutico, nomeadamente a *Hölzle, Buri & Partner Consulting* e a *PharmaCCX*, e que em vídeo disponível na rede social *Youtube* se apresentou como "porta-voz e principal lobista da Pharma [CCX] em Bruxelas" (Peigné, 2021).

Agravando este quadro de suspeição, em agosto de 2020, o jornal inglês *Financial Times* divulgou o conteúdo de um memorando da plataforma *Vaccines Europe* que defendia um "sistema de compensação abrangente sem culpa e não contraditório, e uma isenção de responsabilidade civil" em relação às suas vacinas para a Covid-19 (Peel & mancini, 2020). Adensando-se dúvidas sobre se uma previsão desta natureza estaria presente na negociação entre a indústria farmacêutica e a UE. Perante a possibilidade desta excecionalidade sobre as responsabilidades das farmacêuticas, Yannis Natsis, da Aliança Europeia para a Saúde Pública, considerou que seria "um grave precedente" que "minaria a confiança das pessoas nas vacinas" e alertado ainda que "os governos precisam de resistir à pressão das farmacêuticas e ser transparentes" (Corporate Europe, 2020b).

Quanto vale uma vacina?

Recuando até 2009, durante a pandemia causada pelo vírus *Influenza*, verificara-se uma disputa entre os Estados-membros da UE pela obtenção de vacinas para esse vírus. Nesse contexto, os Estados-membros, nas suas negociações com as farmacêuticas sujeitaram-se a termos contratuais considerados desfavoráveis, em relação aos preços, à confiança e disponibilização das vacinas. A partir dessa experiência, e procurando melhores condições contratuais e evitar disputas em casos futuros, em abril 2014, a Comissão Europeia formalizou um Acordo de Contratação Conjunta. No mesmo sentido, também a OMS lançou a iniciativa *Market Information for Access to Vaccines,* que procurava tornar públicas as negociações e os termos contratuais nas relações entre farmacêuticas e Estados, permitindo através desta visibilidade combater eventuais opacidades e discricionariedades com vantagem para a indústria farmacêutica.

A transparência das negociações entre Estados e farmacêuticas, ainda em contexto pré-pandémico, era uma necessidade não só de salvaguarda dos países de menores rendimentos, mas também dos riscos de corrupção, preocupações que se prolongavam no contexto da pandemia Covid-19, como receou publicamente António Guterres, Secretário-Geral da ONU.

O modelo de negociação seguido pela UE, com os elementos de opacidade descritos, adensou interrogações e suspeitas entre responsáveis políticos e institucionais, incluindo da sociedade civil, receando que esse modelo fosse causa e consequência de cedência negocial à indústria farmacêutica. Nesse sentido, por exemplo, cinco deputados no Parlamento Europeu iniciaram um processo no Tribunal de Justiça Europeu, para obterem um "acesso transparente aos contratos" - após meses de correspondência trocada com a Comissão, em que esta se recusou a providenciar ao seu acesso - nomeadamente, sobre as quantidades, preços, custos de pesquisa e de desenvolvimento das vacinas e a identificação de negociadores. Segundo, Dolors Montserrat, deputada espanhola do Partido Popular Europeu: "o público deve receber mais informações; isto aumentará a sua confiança nas vacinas e no investimento da UE" (Peseckyte, 2021).

Ainda assim, para a comissária europeia da saúde, Stella Kyriakides, o secretismo das negociações entre a UE e as farmacêuticas justificava-se "devido à natureza altamente competitiva deste mercado global, a Comissão não está legalmente habilitada para disponibilizar a informação contida nos contratos" (Comissão Europeia, 2020f).

Entretanto as negociações entre a UE e as diversas farmacêuticas pareciam arrastar-se (o caráter institucional *sui generis* da UE pode ter contribuído nesta dificuldade), enquanto outros países do "Norte Global" (Canadá, Reino Unido e os EUA) concluíam de forma comparativamente rápida as suas negociações, pelo que a CEO da *Moderna*, Stéphane Bancel, avisava que o prolongamento da negociação com a UE sobre o preço das vacinas poderia consequentemente atrasar as entregas (France 24, 2020).

Apesar da opacidade, em dezembro de 2020, e após um extravio de documentos relacionados com as negociações com a *Pfizer/BioNTech,* por ciber-ataque à Agência Europeia de Medicamentos (EMA), a secretária de Estado do Orçamento da Bélgica Eva De Bleeker, publicou na rede social *twitter*, os alegados preços de todas as vacinas Covid-19 que a UE teria negociado, nomeadamente o seu preço por dose (Bossaert, 2020). Entre fugas de informação e a ligação entre dados que se tornavam públicos, consolidava-se a ideia de que a UE estaria a pagar menos que outros países pelas vacinas. Os dados indiciavam que a UE pagaria cerca de 2 dólares pelas vacinas da *AstraZeneca*, ao passo que os EUA pagavam 4 pelas mesmas, enquanto pelas vacinas da *Pfizer* os EUA pagariam 20 dólares e a Europa menos de 15 (Wheaton & Deutsh, 2020).

A opacidade do processo negocial, com as suspeitas que se geraram, num contexto de crise pandémica e de ansiedade em largas franjas da população, naturalmente criou espaço político para diversas reações e expressões de confronto entre instituições. Como no caso do Primeiro-ministro húngaro Viktor Orbán, que não só responsabilizaria a Comissão Europeia pelos sucessivos atrasos, como se somou às vozes que, e embaraçando a Comissão Europeia, exigiam a divulgação dos contratos: "Os burocratas de Bruxelas falharam, pois assinaram contratos cujos detalhes não podem ser publicados sem o consentimento da outra parte" (Lusa, 2021b).

O início do processo de vacinação

A 21 de dezembro de 2020, com a autorização da primeira vacina na UE, da *Pfizer/BioNTech*, von der Leyen considerou o momento como "uma verdadeira história de sucesso europeia" (Comissão Europeia, 2020g). Ainda que, por comparação com outros países do "Norte Global", a UE estivesse novamente atrasada.

No momento das declarações de von der Leyen, diversos Estados-membros da UE revelavam assimetrias políticas e organizativas nos respetivos planos de vacinação nacionais. A Dinamarca anunciava que o seu plano não esperaria pelos outros Estados-membros, os Países Baixos declaravam-se atrasados por motivos técnicos e a Hungria não possuia ainda sequer um plano nacional. Outros países como a Alemanha, a Eslováquia ou a Hungria começaram a sua vacinação a 26 de dezembro, ao arrepio da proposta da Comissão Europeia, de início simultâneo a 27 de dezembro.

Em janeiro de 2021, com o início dos processos de vacinação, as exigências da indústria pareciam aumentar. A *Pfizer* e a *Moderna* com novos contratos, no sentido do reforço das doses encomendadas e de resposta às necessidades do seu modelo de dupla dosagem, encareciam o custo por dose (Arreigoso, 2021), enquanto outros produtores de vacinas já beneficiavam de apoios junto do BEI através das garantias concedidas pela UE - por via destes instrumentos financeiros, só a *BioNTech* já beneficiava de um acordo de 100 milhões de euros (Comissão Europeia, 2020h).

Após diversas pressões e acusações, no final de janeiro 2021, a UE apresentou publicamente uma versão do seu contrato com a *AstraZeneca*, no entanto, este estava rasurado em vários pontos-chave (Comissão Europeia, 2021a) - a UE faria o mesmo, meses depois, com o contrato com a *CureVac*, novamente rasurando partes (Comissão Europeia, 2021b).

Ainda assim, alguns interessados, usando ferramentas informáticas, terão ultrapassado as rasuras no contrato com a AstraZeneca. Alegadamente, aí estava disposto que UE pagava à *AstraZeneca* cerca de 870 milhões de euros, dos quais 336 milhões, logo cinco dias após a sua assinatura, e suportando ainda os Estados-membros, os custos com transporte, embalamento, distribuição e provavelmente ainda por cada dose recebida. Dias depois a cadeia televisiva italiana *RAI* confirmaria estas informações (Reuters, 2021).

Segundo o contrato com a *AstraZeneca*, qualquer atraso da UE nos pagamentos poderia acarretar o pagamento de juros e a interrupção das cadeias de entrega. Existindo ainda, outras cláusulas aparentemente pouco abonatórias da capacidade negocial dos representantes da UE, nomeadamente no recorrente uso de termos imprecisos, protegendo as posições da *AstraZeneca*. Segundo o advogado britânico Clive Douglas: "em troca da participação nas despesas para o desenvolvimento de vacinas e das condições favoráveis oferecidas às empresas, a UE devia ter reservado o direito de negociar ao longo [da vigência] do contrato (...) por forma a acordar as quantidades precisas e datas de entrega, relacionando-as com penalizações e reduções de preço por incumprimento" (Valentino, 2021).

Outra opção duvidosa apontada à equipa negocial da UE foi a aceitação da divisão dos períodos de entrega de vacinas, entre meses e trimestres. Segundo Guido Rasi, antigo diretor da EMA: "seguramente as entregas trimestrais não facilitam a campanha de vacinação" (Valentino, 2021). De acordo com Rasi, seria preferível um fluxo contínuo de entregas, agilizando o seu armazenamento e uma melhor gestão dos stocks pelas autoridades nacionais, e não uma cronologia de distribuição tendencialmente protetora de penalizações por atrasos.

Ainda a partir do interior da UE chegavam notícias sobre a disputa, entre países potencialmente produtores de vacinas, sobre os investimentos comunitários. Surgiam acusações mútuas entre responsáveis políticos de França e Alemanha, envolvendo as negociações da Comissão Europeia. A Alemanha acusava a Comissão Europeia de preferir a aquisição de vacinas junto da francesa *Sanofi* em vez da alemã *BioNTech* (Atkins, 2021). Simultaneamente, notícias de que a Alemanha estaria a adquirir paralelamente dezenas de milhões de vacinas da *CureVac* e da *BioNTech*, (Deutsh et al., 2021) originavam conversações entre o Presidente francês Emmanuel Macron e a Chanceler alemã Angela Merkel, com a Chanceler a convencer Macron que tal não sucederia. Isto quando já se sabia que negociações paralelas entre a Alemanha e as farmacêuticas já se tinham realizado, em setembro de 2020, e das quais resultara um "memorando de entendimento", cuja execução alegadamente teria sido adiada posteriormente às entregas para a UE (Siza, 2021).

Um processo de distribuição e vacinação entre dificuldades

O início do ano de 2021 e a distribuição de vacinas pelos Estados-membros verificou a acumulação atrasos nas entregas de vacinas, como no caso da *Pfizer*, com quem a UE assinara um contrato de 300 milhões de doses em dezembro anterior - valor que duplicaria para 600 milhões de doses. Diversos países denunciaram também a redução das encomendas entregues, enquanto reformulavam os seus planos de vacinação e procuravam suster as suas opiniões públicas nacionais (BBC, 2021).

Os atrasos mais polémicos, ainda assim, registavam-se com a *AstraZeneca,* por alegadas quebras de produção nas suas instalações na Bélgica e Países Baixos, defendendo-se a farmacêutica com o atraso na elaboração da contratação com a UE. Mas igualmente a vacina da *Moderna*, polemizava-se com a desistência de diversos Estados-membros da sua aquisição, devido aos atrasos previstos nas entregas (Deutsh & Bayer, 2021),

Markus Söder, Presidente do Governo regional da Baviera (Alemanha), acusava a Comissão Europeia de "encomendar tarde demais e ter apostado apenas em algumas empresas, acordando o preço num procedimento tipicamente burocrático da UE e subestimando completamente a importância fundamental da situação" (BBC, 2021b).

Perante esta sucessão de acontecimentos, a UE atrasava o ritmo de vacinação da população (OCDE, 2021) e von der Leyen assumia: "fomos tardios na autorização. Nós fomos demasiado otimistas quanto à produção em massa e talvez demasiado confiantes que o que encomendámos seria entregue atempadamente" (BBC, 2021c), reconhecendo também, dias depois, que "subestimámos a falta de capacidade de produção em massa, de uma produção rápida por parte das empresas farmacêuticas" (Lusa, 2021). Ainda que, meses antes, os responsáveis das grandes farmacêuticas já tivessem avisado da impossibilidade dos seus próprios meios produzirem atempadamente as quantidades de vacinas necessárias (France 24, 2020).

As sucessivas notícias de atrasos nas encomendas agravavam os sinais de fragmentação política na UE e as acusações entre responsáveis políticos nacionais. Vários Estados-membros tomaram posições unilaterais, procurando aumentar as suas vacinas disponíveis, ultrapassando os compromissos assumidos na UE, os procedimentos da EMA e outras barreiras políticas. A Hungria adquiria vacinas da chinesa *Sinopharm* ou da russa *Sputnik V* - por praticamente metade do preço que, alegadamente, a UE pagara pela vacina da *Pfizer* -, a Eslováquia também adquiria vacinas *Sputnik V,* enquanto República Checa e Áustria ponderavam fazer o mesmo e a Polónia encetava negociações com a China (Deutsh & Herzenhorn, 2021). Opções unilaterais fora do plano europeu e que encontravam oposição de outros países, como manifestou o Ministro dos Negócios Estrangeiros português, Augusto Santos Silva.

Entretanto, o Chanceler austríaco, Sebastain Kurz, acusava a existência de desequilíbrios na distribuição de vacinas e a existência de contratos secretos entre Estados-membros e as farmacêuticas, segundo Kurz: "Malta por exemplo, terá três vezes mais doses *per capita* que a Bulgária até ao final de Junho [de 2021]". Ainda segundo Kurz, a partilha destas informações com outros líderes, nomeadamente da Bélgica, da Grécia e da Polónia tê-los-ia deixado "incrédulos" (Gehrke, 2021).

Além dos desafios logísticos e éticos relacionados com a distribuição de vacinas, nos Estados-membros, os ritmos de vacinação distinguiam-se entre países. Ao longo de 2021, com o aumento de disponibilização de vacinas, o desenvolvimento e execução dos planos nacionais de vacinação, a adesão à vacinação entre as populações dos Estados-membros também variou consoante a severidade das vagas pandémicas e os receios sobre a segurança das vacinas (entre teorias de conspiração e outros elementos de perturbação). Mas outros fatores políticos influenciaram ainda essa adesão, nomeadamente a confiança das populações nos respetivos governos, a influência eleitoral de partidos denominados populistas, ou ainda a igualdade de acesso entre a população, particularmente entre os setores mais marginalizados.

Conclusão

A contratação de vacinas entre a UE e a indústria farmacêutica assegurou-lhe um total de 2,9 mil milhões de vacinas, segundo o seu negociador Richard Bergström: "Mesmo se tivermos que revacinar as pessoas após um ou dois anos, devido ao desgaste da imunidade ou a variantes do vírus, ainda haverá um sobreinvestimento significativo" (Usher, 2021). Mas no início de 2021, entre atrasos de distribuição e quebras no fornecimento, as dúvidas em relação à eficácia da estratégia de aquisição de vacinas da UE e da própria qualidade de algumas vacinas contratadas adensaram-se, surgindo acusações de opacidade negocial, incúria na contratação e de favoritismo na sua distribuição, com o retorno a expressões de unilateralismo pelos Estados-membros.

A capacidade de cooperação política no seio da UE, neste contexto de emergência sanitária, e testada através do modelo de procuração conjunta para aquisição de vacinas, ficou aquém das expetativas criadas pelas declarações iniciais dos seus responsáveis. Assim, permanecerão dúvidas sobre a possibilidade de exportação futura deste modelo para outras áreas sensíveis das relações entre Estados-membros. Tal como em momentos anteriores, verificou-se diversa sintomatologia de crise política e de desencontro entre Estados-membros, e até de desconfiança no processo de integração europeu e nas suas instituições (Hooghe & Marks, 2019),

No plano global, ao longo de 2021, a produção global de vacinas aumentou substancialmente, no entanto, as vacinas disponíveis destinavam-se principalmente aos países com rendimentos mais altos. Segundo o Diretor-Geral da OMS, Tedros Ghebreyesus, o mundo encaminhava-se para um "catastrófico falhanço moral" (Nações Unidas, 2021). Apesar do compromisso anunciado de 200 milhões de vacinas doadas ao até ao final de 2021, em Setembro, as doações da UE ainda rondavam apenas as 18 milhões (Chadwick & Ravelo, 2021), na sua maioria da *AstraZeneca*, cuja administração tinha sido limitada ou condicionada na maioria dos Estados-membros (Guarascio, 2021), e realizada sob pressão de diversos países para uma partilha prioritária com países fronteiriços da UE, como a Ucrânia, a Arménia ou a Geórgia (Usher, 2021). Não obstante, e fora do quadro de solidariedade assumido pela UE, diversos Estados-membros partilharam unilateralmente as suas vacinas disponíveis com outros, nomeadamente de África.

A imagem e o prestígio da UE não saíram internacionalmente favorecidas neste processo, segundo o Presidente da organização Médicos Sem Fronteiras, Christos Christou, a UE "gosta de se apresentar como uma campeã da igualdade de vacinas (...), mas a lacuna entre essas belas palavras e as suas ações é constrangedoramente grande". Acusando ainda a UE de continuar a "bloquear iniciativas para ajudar outros países a produzir suas próprias vacinas e terapêuticas e não partilhando as doses de vacina prometidas a tempo" (MSF, 2021).

Após as dificuldades de coordenação na UE, demonstradas ao longo da crise sanitária no primeiro trimestre de 2020, o sucesso da estratégia de aquisição de vacinas para a pandemia Covid-19 poderia ser uma oportunidade de validação e de reafirmação do seu papel no mundo e até de constituir um alicerce para uma denominada União Europeia em Saúde. Mas a estratégia de aquisição de vacinas seguida pela UE, fundada na opção de contratação com um conjunto de farmacêuticas, em modelo PPP, revelou diversas dificuldades no seu percurso, especialmente no primeiro trimestre de 2021 com diversas dificuldades na distribuição das vacinas contratadas, concretizando alguns riscos já identificados no modelo das Parcerias Público-Privadas.

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PRISONERS' RIGHTS ISSUES IN THE ASPECT OF HUMAN RIGHTS PROTECTION UNDER THE CONDITIONS OF THE CORONAVIRUS DISEASE PANDEMIC (COVID-19)

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Abstract

Under the conditions of the global pandemic, the problem of international legal regulation of relations in the field of human rights and freedoms becomes extremely relevant. It must be recognized that the pandemic and its socio-economic consequences will have a disproportionate and detrimental effect on the rights of women, children, the elderly, refugees, migrants, displaced persons and the others in at-risk population group. In this situation, the problem of respect for rights of persons in detention facilities deserves special attention. After all, when a person gets into prison, he actually becomes isolated not only from the society, but also from the opportunity to exercise his constitutional rights and freedoms.

The purpose of this research is to review the problem of human rights and freedoms restriction under the conditions of the global pandemic in terms of the execution of the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950 and the case law of the European Court of Human Rights, as well as identification and delineation of the problem areas such as detention facilities containing prisoners who are in fact an at-risk group for the Coronavirus disease (COVID-19) spread, and in which, despite the relative control of the whole system, it will be very difficult to stop the spread of the disease in case of its spread in these institutions.

Proceeding from this goal, we want to draw attention to the observation of international legal requirements for the legitimacy of human rights and freedoms restrictions in the global pandemic, as well as the Coronavirus disease spread in detention facilities, disclose the content of international legal acts containing specific measures and recommendations, which may be useful in their implementation in the penitentiary institutions practice to prevent the uncontrolled spread of COVID-19.

Keywords

Prisoners' rights; pandemic; COVID-19; Council of Europe; Convention for the Protection of Human Rights and Fundamental Freedoms; European Court of Human Rights

Resumo

Nas condições da pandemia global, o problema da regulação jurídica internacional das relações no domínio dos direitos humanos e das liberdades torna-se extremamente relevante. Há que reconhecer que a pandemia e as suas consequências socioeconómicas terão um efeito desproporcionado e prejudicial sobre os direitos das mulheres, crianças, idosos, refugiados, migrantes, pessoas deslocadas e os outros pertencentes a um grupo populacional em risco. Nesta situação, o problema do respeito pelos direitos das pessoas em centros de detenção merece uma atenção especial. Quando uma pessoa entra na prisão, fica na realidade isolada não só da sociedade, mas também da oportunidade de exercer os seus direitos e liberdades constitucionais.

O objectivo desta investigação é rever o problema da restrição dos direitos humanos e das liberdades nas condições da pandemia global em termos da execução da Convenção para a Protecção dos Direitos Humanos e Liberdades Fundamentais de 1950 e da jurisprudência do Tribunal Europeu dos Direitos do Homem, bem como a identificação e delimitação das áreas problemáticas, tais como as instalações de detenção contendo prisioneiros que são de facto um grupo de risco para a propagação da doença do Coronavírus (COVID-19), e nas quais, apesar do controlo relativo de todo o sistema, será muito difícil parar a propagação da doença no caso da sua propagação nestas instituições.

Partindo deste objectivo, queremos chamar a atenção para a observação dos requisitos legais internacionais para a legitimidade das restrições de direitos humanos e liberdades na pandemia global, bem como a propagação da doença do Coronavírus em instalações de detenção, divulgar o conteúdo de actos legais internacionais contendo medidas e recomendações específicas, que podem ser úteis na sua implementação na prática das instituições penitenciárias para impedir a propagação descontrolada da COVID-19.

Palavras-chave;

Direitos dos prisioneiros; pandemia; COVID-19; Conselho da Europa; Convenção para a Protecção dos Direitos Humanos e Liberdades Fundamentais; Tribunal Europeu dos Direitos do Homem.

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Introduction

The rapid spread of the coronaviral disease has led to the fact that on March 11, 2020. The World Health Organization (WHO) declared a global pandemic. At the request of the WHO, with concerns about alarming levels of the disease spread and the seriousness of the situation, many governments around the world have begun urgent and severe measures to stop the spread of the virus, which considerably restricted human rights and freedoms.

First of all, such restrictions on human rights and freedoms concern the right to respect for private life; restrictions on the right to work and get salary (many people are forced to go on leave of absence, especially parents of young children due to schools and kindergartens closure); restriction of the right to freedom and personal security - forced placement of citizens in observations; restrictions of the civil right to freedom of movement: prohibition for certain categories to move across the state border and check points, cancellation of transport connections; restriction of the right to exercise the freedom of peaceful assembly - prohibition to gather more than a certain number of people; restriction of the right to education - prohibition to attend educational institutions; restriction of the right to freedom of religion - prohibition of religious events; restriction of the right to access to medical care - temporary suspension of planned hospitalization measures and planned operations, except for urgent and acute ones, etc.

The coronavirus pandemic is an unprecedented global emergency. The epidemiologic situation in many countries of the world has forced governments to take unprecedented measures to stop the rapid spread of the disease. But even with stern measures, some facilities are still unnoticed by governments and society, while being one of the most dangerous sources of the disease. Such institutions, first of all, include detention facilities.

Prisoners are considered to be at-high risk individuals of the incidence of the disease, because detention facilities are overcrowded accommodation of people who are recognized as sources of the spread of dangerous infectious diseases such as tuberculosis, hepatitis and AIDS, and now the coronavirus disease (COVID-19).

In order to create and ensure a favorable environment for persons to be held in detention facilities, states must fulfill a number of positive obligations, set out in the relevant international legislation and decisions of the European Court of Human Rights. These obligations should be effective and timely and should be designed taking into account the specific dangers of the coronavirus disease (COVID-19).

Restrictions on human rights according to the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950

Restrictions on human rights and freedoms imposed by the governments of the member states of the Council of Europe have a direct impact on the exercise of rights and freedoms according to the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950.[1]

As a result of the COVID-19 pandemic, 10 states out of 47 member states of the Council of Europe have so far declared their intention to derogate provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950: Latvia, Romania, Moldova, Armenia, Estonia, Georgia, Albania, Northern Macedonia, Serbia and San Marino (the list is updating[2]). Latvia and Romania were the first countries to derogate from the obligations according to this Convention on 16 and 18 March 2020, respectively.

In this case we are talking about a retreat ("derogation" - the contractual right of the state to derogate from certain contractual obligations during armed conflicts and other social dangers threatening the life of the nation[3]) from certain provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950, the possibility of which is provided by its Article 15.[4] The state notifies the Secretary General of the Council of Europe that the measures it takes may derogate from its obligations according to the Convention. Such a derogation is possible only within the limits required by the seriousness of the situation. Providing that such measures do not contradict with its other obligations according to the international law.

However, according to the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950, there are inalienable rights, "derogation" in respect of which is impossible in any case: the right to life (except in cases of death as a result of lawful military activities), prohibition on torture and the other kinds of improper

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1 Convention for the Protection of Human Rights and Fundamental Freedoms / Council of Europe. European Convention on Human Rights. URL: https://www.echr.coe.int/Pages/home.aspx?p=basictexts

2 Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5). Notifications under Article 15 of the Convention in the context of the COVID-19 pandemic. URL: https://www.coe.int/en/web/conventions/derogations-covid-19

3 Khrystova G. Derogation from state's human rights obligations in time of public emergency. Visegrad Journal on Human Rights. 2018. № 4 (2). С. 119-126. URL: https://journal-vjhr.sk/wp-content/uploads/2020/12/Vyshegrad-4_2018_Tom-2.pdf

4 Convention for the Protection of Human Rights and Fundamental Freedoms / Council of Europe. European Convention on Human Rights. URL: https://www.echr.coe.int/Pages/home.aspx?p=basictexts

treatment, prohibition on slavery and forced labor, and prohibition on cruel and unusual punishment.

First of all, while introducing a state of emergency as a result of a "public danger threatening the life of the nation" the state's response has to be based on factual data and not conditioned by political pressure or the need to do something. There must be a clear scientific and medical feasibility for emergency measures.

Equally important is the need to use the legislation to achieve the ultimate goal. It is necessary to prove that the recommendations, soft obligations and rationing arrangements will not work and the enforcement of a qualitative law is necessary.

Proceeding from the case law of the European Court of Human Rights (ECHR) on the violation of such rights in the context of Article 15 of the Convention, whenever an applicant complains that his rights according to the Convention have been violated during the derogation period, firstly the Court examines whether the measures taken can be justified according to the main articles of the Convention; and only if they cannot be justified in this way the Court proceeds to determine whether the derogation from obligations was lawful (for example, Case of Lawless v. Ireland (№ 3, 1961).[5]

In its advice on the application of Article 15 of the Convention, the ECHR stated that due attention was paid to factors such as: the nature of the rights affected by the derogation; circumstances leading to a state of emergency and its duration (Case of Brannigan and McBride v. the United Kingdom, 1993[6] and Case of A. and Others v. the United Kingdom, 2009[7]); whether ordinary legislation would be sufficient to deal with the threat posed by public danger; whether the measures are an actual response to a state of emergency; whether the measures were used for the purpose they were authorized for; whether safeguards against abusive practice were provided.

Therefore, in the context of the human rights and freedoms restriction in the territory of the member states of the Council of Europe and the propriety of the interference limits of such rights, it is necessary to establish whether there was a public danger, whether measures were taken in response to the threat and whether national legislation was sufficient.

It is publicly available and acknowledged, primarily due to the WHO decision, that coronavirus infection is recognized as a pandemic, i.e a threat and a public danger, so it will be less controversial and problematic to prove the existence of one of the elements of Article 15 of the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950.

Taking into account the numerous case law of the ECHR regarding state interference in human rights, the Court notes that in order for the interference to be justified, three factors are necessary:

[5] Case of Lawless v. Ireland (No. 3), 1961 / European Court of Human Rights. URL: https://hudoc.echr.coe.int/eng#{%22itemid%22:[%22001-57518%22]}
[6] Case of Brannigan and McBride v. the United Kingdom, 1993 / European Court of Human Rights. URL: https://hudoc.echr.coe.int/eng#{%22itemid%22:[%22001-57819%22]}
[7] Case of A. and Others v. the United Kingdom, 2009 / European Court of Human Rights. URL: https://hudoc.echr.coe.int/eng#{%22itemid%22:[%22001-91403%22]}

- qualitative law - national legislation must be clear, predictable and properly accessible (Case of Silver and Others v. the United Kingdom, 1983 [1][8]). The requirement of clarity is used to determine the extent of discretionary powers public authorities are vested with. The national law must reasonably and clearly define the amount and manner of relevant exercising of power and authority laid upon public authorities in order to guarantee individuals the minimum level of protection they are given in a democratic society in accordance with the rule of law (Case of Piechowicz v. Poland, 2012[9]);
- a legitimate justified goal - the establishment of specific, measurable, achievable, realistic and time-bound goals to change and improve the situation in the future;
- social necessity **-** the correspondence of the balance of rights of one person with the balance of the rights of the whole nation to the healthy existence and a safe environment. The balance of individual and public health convenience is reflected in the Case of Solomakhin v. Ukraine, 2012[10], where the Court noted that the violation of the applicant's physical integrity can be considered justified by public health considerations and the need to control the spread of the infectious disease in the area.

It should be noted that the ECHR first of all pays attention to the existence of a qualitative law, as its absence automatically indicates non-compliance of a justified goal and social necessity. The conclusion that such a measure does not comply with the law is sufficient for the Court to find that the violation took place. Therefore, there is no need to check whether the intervention pursued a "legitimate objective" or was "necessary in a democratic society" (Case of M.M. v. the Netherlands, 2003[11]).

By the way, there is a point of view that the fight against the pandemic does not require to derogate from the provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950. According to this line of thinking, rationing agreements imposed by states can be justified by reference to the possibility of state interference in the certain rights exercise, which are enshrined in the text of the Convention and repeatedly explained in the case law of the ECHR.[12]

According to Mykola Gnatovskyy, who was the first Vice-President of the Ukrainian Association of International Law and President of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and who now is the judge of the European Court of Human Rights (ECHR), when in the case of the

8 Case of Silver and Others v. the United Kingdom, 1983 / European Court of Human Rights. URL: https://hudoc.echr.coe.int/eng#{%22tabview%22:[%22document%22],%22itemid%22:[%22001-57577%22]}

9 Case of Piechowicz v. Poland, 2012 / European Court of Human Rights. URL: https://hudoc.echr.coe.int/eng#{%22tabview%22:[%22document%22],%22itemid%22:[%22001-110499%22]}

10 Case of Solomakhin v. Ukraine, 2012 / European Court of Human Rights. URL: https://hudoc.echr.coe.int/eng#{%22tabview%22:[%22document%22],%22itemid%22:[%22001-109565%22]}

11 Case of M.M. v. the Netherlands, 2003 / European Court of Human Rights. URL: https://hudoc.echr.coe.int/eng#{%22tabview%22:[%22document%22],%22itemid%22:[%22001-61002%22]}

12 Sean Molloy. Covid-19 and Derogations Before the European Court of Human Rights / Verfassungsblog on matters constitutional. 10.04.2020. URL: https://verfassungsblog.de/covid-19-and-derogations-before-the-european-court-of-human-rights/

COVID-19 pandemic the European Court of Human Rights (if there is such an opportunity) will estimate the correspondence of agreements of the Convention taken both by the states that declared a "derogation" and those that remained silent, the Court is unlikely to appear excessively formalistic. It is more likely that the propriety of taken measures will be assessed first. It should also be remembered that one of the first duties of a state to all persons under its jurisdiction is to protect their lives and health, as the ECHR has repeatedly emphasized in the context of the positive obligations of states according to Article 2 of the Convention on the Protection of Human Rights and Fundamental Freedoms in 1950.

Prisoners' rights protection during the pandemic

The crisis caused by the pandemic instantly reveals weaknesses in all spheres of social life, starting from the organization of public health. And when it comes to people in detention facilities, by definition the situation will be even more acute. Firstly, when a person is placed in detention facilities by a state decision, the state has an increased obligation to care for that person: his life, health and other needs. Everything bad that happens to a person in detention facilities due to the lack of necessary care on the part of the state is the responsibility of the latter. In this regard, the UN Human Rights Committee in its Concluding Observations on Moldova clearly stated that the inability of the state to take positive steps to prevent the spread of infectious diseases in detention facilities would signify a violation of Article 6 (the right to life) and Article 9 (the right to freedom). International Covenant on Civil and Political Rights of 1966.[13] Thus, a state that has ratified the Covenant is obliged to take the necessary measures to prevent the spread of COVID-19 in detention facilities, and any refusal would violate its obligations under the International Covenant on Civil and Political Rights of 1966.

Secondly, detention facilities often have an increased risk of inappropriate treatment of detainees. It is difficult to generalize, because the nature of the problems, such as, with the treatment of detainees on suspicion of committing a crime, taken into custody, those who are on preventive detention and, such as, the treatment of involuntary patients in psychiatric hospitals or residents of psychoneurological institutions have a lot of differences. However, all these problems are united by contempt, sometimes systemic, for the dignity of these people, which creates significant potential for a violation of Article 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950, which prohibits torture, inhuman or degrading treatment or punishment. Access to such closed institutions by independent monitoring bodies, both international and national, is one of the most important means of preventing infringement on the dignity of persons in detention. This access by human rights bodies and organizations must be guaranteed even during an epidemic.

At the same time, human rights defenders and other visitors of detention facilities should take their work responsibly and always be guided by "Do no harm" principle, which is no

[13] Consideration of Reports Submitted by States Parties under Article 40 of the Covenant. Concluding observations of the Human Rights Committee. Republic of Moldova. CCPR/CO/75/MDA. 05.08.2002 / United Nations.
URL: http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d/PPRiCAqhKb7yhsmq1D+4Wvg6LhA1iuk+Ho+UUl/18PqzftybICPY5yac8piWATK8r2LWbh/u4BHKEHg9hC51fvbu3iIbqdvejmeXapVvM/0qY73OwlMa9OJ3P

less important for them than for doctors. For example, the staff of the monitoring body (or other authorized persons) visit the nursing home, where there is a large number of elderly people moreover with various chronic diseases. Even after the pandemic's peak, visiting such people will require special precaution and, if necessary, the use of all necessary personal protective equipment. However, for those involved in detention facilities monitoring, such requirements should be self-evident. After all, even without an epidemic, they must go to places where at-risk people with dangerous infectious diseases or weak immune system are placed. Nobody will cancel the requirements of common sense. However, all detention facilities must remain open for monitoring and external inspections, even during a pandemic or quarantine.

As previously stated, those serving sentences in detention facilities are among the most susceptible to the virus. This is because they are in a high-risk environment: as a rule, such institutions are not adapted to the situation of a large-scale epidemic, and basic protective measures, such as social distance and hygiene rules, cannot be provided at the same level as outside these institutions, exposing prisoners to greater health risks. In addition, in many European countries, the pandemic is spreading in overcrowded detention facilities and poor conditions in cramped collective prison cells with poor health care, as well as higher rates of infectious and chronic diseases among prisoners such as tuberculosis, diabetes and AIDS. Coronavirus infection has already been reported in detention facilities across Europe, and in some cases it was followed by death. Covid-19 outbreaks and deaths from the virus have been reported in detention facilities in many countries, including Belgium, Spain, the United Kingdom, as well as China, Iran, Kenya, India, and others.[14] Tensions in detention facilities have risen since the pandemic crisis outbreak, leading to protests. In some countries, there are even violent protests of prisoners (USA[15], Brazil, Colombia [16,17]; Italy[18]; Iran, Egypt[19]; China, South Korea[20]; Peru[21]; Ukraine[22] etc.). In response, penal administration is taking steps to restrict visits and other forms of leisure in detention facilities.

Chronic overcrowding and underfunding have left prisons around the world vulnerable to being ravaged by coronavirus, criminal justice experts have warned. Prisons in more than

[14] Pandemic potentially a 'death sentence' for many prison inmates, experts warn. / The Guardian. 23.04.2020. URL: https://www.theguardian.com/global-development/2020/apr/23/pandemic-potentially-a-death-sentence-for-many-prison-inmates-experts-warn

[15] Prison uprising put down as US inmates demand protection from coronavirus / The Guardian. 10.04.2020. URL: https://www.theguardian.com/us-news/2020/apr/10/us-prisons-coronavirus-uprising-riot

[16] As Coronavirus Strikes Prisons, Hundreds of Thousands Are Released / The New York Times. 26.04.2020. URL: https://www.nytimes.com/2020/04/26/world/americas/coronavirus-brazil-prisons.html

[17] Prison riots break out around the world as coronavirus spreads / The Telegraph. 01.04.2020. URL: https://www.telegraph.co.uk/news/2020/04/01/prison-riots-break-around-world-coronavirus-spreads/

[18] Death toll rises in Italian prisons as inmates riot over COVID-19 rules / Euronews. 10.03.2020. URL: https://www.euronews.com/2020/03/09/six-dead-as-coronavirus-restrictions-trigger-italy-prison-riots

[19] Amnesty: Iran Joins Syria, Egypt in Seeing Prison Unrest Linked to Coronavirus / VOANEWS. 10.04.2020. URL: https://www.voanews.com/science-health/coronavirus-outbreak/amnesty-iran-joins-syria-egypt-seeing-prison-unrest-linked

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[22] Koronavirus sprychynyv bunt u SIZO Chernivtsiv, ye poraneni / BBC NEWS. Ukrayina.26.04.2020. URL: https://www.bbc.com/ukrainian/news-52431273

100 countries operate above their occupancy rates, with 20 countries at double their capacity limit.

The challenges of a record global prison population of 11 million have been brought to light in a report published by Penal Reform International (PRI) which found that 102 countries have prison occupancy levels of more than 110%.

Social distancing and personal infection control are almost impossible in overcrowded settings where poor ventilation and sanitation are likely increase the speed at which the virus spreads.

Florian Irminger, executive director of PRI, said: «Prison systems globally were at crisis point before the coronavirus pandemic. Now prisons across the world are ticking time bombs set to be devastated by this virus because of overcrowding, lack of basic healthcare, limited access to clean water… and inhumane living conditions».[23]

To prevent a large-scale coronavirus outbreak in detention facilities, some states have initiated the release of certain categories of prisoners: Turkey's parliament adopted a law allowing the temporary release of 45 thousand prisoners; Indonesia - about 30 thousand, Brazil - about 30 thousand, the United States - several thousand [24]; Iran - 70 thousand[25]; Great Britain - about 4 thousand[26]; Bahrain - 1.5 thousand[27], Egypt - about 10 dissidents[28], in Ukraine it is planned to amnesty about 1 thousand prisoners in 2020[29]).

Many other states have begun the process of adapting their criminal justice systems to reduce the number of prisoners, taking various measures, including temporary or early release and amnesty; keeping under arrest at home and commutation of sentences; suspension of criminal investigations and execution of sentences. Thus, the Italian government adopted a decree that, in part, allows for early supervised release of prisoners with less than 18 months left to serve. Germany, which released 40 inmates in Hamburg who were imprisoned because they could not pay a fine for their crime, has delayed incarceration for those facing sentences of less than three years.[30] Israel is

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[23] Pandemic potentially a 'death sentence' for many prison inmates, experts warn. / The Guardian. 23.04.2020. URL: https://www.theguardian.com/global-development/2020/apr/23/pandemic-potentially-a-death-sentence-for-many-prison-inmates-experts-warn

[24] As Coronavirus Strikes Prisons, Hundreds of Thousands Are Released / The New York Times. 26.04.2020. URL: https://www.nytimes.com/2020/04/26/world/americas/coronavirus-brazil-prisons.html

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[28] Amnesty: Iran Joins Syria, Egypt in Seeing Prison Unrest Linked to Coronavirus / VOA VOANEWS. 10.04.2020. URL: https://www.voanews.com/science-health/coronavirus-outbreak/amnesty-iran-joins-syria-egypt-seeing-prison-unrest-linked

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considering transferring 500 prisoners to house arrest, but this rule will not reach Palestinian inmates.[31]

International documents of Council of Europe on protection the prisoners' health

For many years public health authorities at both national and international levels paid little or no attention to health care in prisons. World Health Organization (WHO) in the first four decades of its existence carried out no substantive work and published no documents about health services in prisons or the health of prisoners. Prison health was little studied, did not feature in academic programs and was rarely the subject of published articles in medical journals. Prisons were a "world apart" and the few doctors working in prisons were employed and supervised by the prison administration and had no contact with local or national health bodies, medical schools or other professional bodies.[32]

The basic principles of the health care system organization in detention facilities were developed and integrated in the Recommendation of the Committee of Ministers of the Council of Europe Rec (98) 7 on the ethical and organizational aspects of health care in prisons almost two decades ago.[33] Council of Europe member states are encouraged to take these principles into account when reviewing their own legislation and case law in the field of health care in detention facilities. The Recommendation emphasizes that medical practice in public health service centers out of and in detention facilities should be guided by the same ethical principles, and the respect for fundamental rights of prisoners by providing prisoners with preventive treatment and health care equivalent to those which are provided in the community. Recommendation of the Committee of Ministers Rec (98) 7 remains a fundamental document in this field.

The prisoners' right to receive medical treatment is one of the basic principles of Recommendation of the Committee of Ministers of the Council of Europe Rec (2006) 2 on European Penitentiary Rules, according to which "persons deprived of their freedom retain all rights which they have not been legally deprived of, according to which they are sentenced to imprisonment or taken into custody."[34]

As soon as the scale of the pandemic in Europe became more or less clear, the European Committee for the Prevention of Torture, Inhuman or Degrading Treatment or Punishment (CPT) 20.03.2020 approved a document entitled "Statement of principles relating to the treatment of persons deprived of their liberty in the context of the

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[31] How the coronavirus is igniting riots, releases and crackdowns in world's prisons / The Washington Post. 26.03.2020. URL: https://www.washingtonpost.com/world/how-coronavirus-is-igniting-riots-releases-and-crackdowns-in-the-worlds-prisons/2020/03/25/6ca94494-6aba-11ea-b199-3a9799c54512_story.html

[32] Jörg Pont, Timothy Wilfrid. Harding. Organisation and management of health care in prison. Guidelines / COUCIL OF EUROPE. URL: https://rm.coe.int/manual-organisation-and-management-of-health-care-in-prison-coe-2019/16809e4d87

[33] Recommendation No. R (98) 71 of the Committee of Ministers to Member States Concerning the Ethical and Organizational Aspects of Health Care in Prison: adopted by the Committee of Ministers on 8 April 1998 / Council of Europe. URL: https://rm.coe.int/09000016804fb13c

[34] Recommendation *Rec(2006)2* of the Committee of Ministers to member states on the European Prison Rules: *Adopted by the Committee of Ministers on 11 January 2006 /* Council of Europe. URL: https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805d8d25

coronavirus disease (COVID-19)"[35]. This document, which is the most concise and accessible list of the ten basic principles, has been translated into many languages of the member states of the Council of Europe. These recommendations received positive feedback from both states and relevant international organizations. Interestingly, the detailed recommendations of the World Health Organization (WHO) on the specifics of struggle against the pandemic in detention facilities[36], developed on 13.05.2020 p., fully comply with the viewpoints expressed by the European Committee for the Prevention of Torture.

Statement of Principles of the European Committee for the Prevention of Torture emphasizes the need to take all possible measures to protect the health and safety of all persons in detention facilities and of the staff working there, as these are directly interrelated matters. As the struggle against the pandemic is a global matter, it should be guided primarily by WHO recommendations and national reports based on them. Mobilization, training and creating conditions for staff to work in such conditions is also a necessary element.

Inmates should have access to both coronavirus testing and, if necessary, intensive care units. Increased attention should be paid to the special needs of such persons, in particular vulnerable groups and at-risk groups, namely the elderly, persons with pre-existing conditions, pregnant women and juvenile prisoners. The Committee's principles include maintaining the necessary personal hygiene level (including the availability of soap and hot water), psychological support and human contact for people in medical isolation, and compensating for the lack of access to relatives by telephone and voice connection via the Internet, necessity to be outdoors for at least an hour a day.

According to the Principles, alternatives to imprisonment used by the member states of the Council of Europe is a priority in situations of detention facilities overcrowding, and even more so in states of emergency. The pandemic has created a situation where states must seriously consider urgent measures to "unload" detention facilities. Reducing the number of prisoners throughout Europe is a prerequisite for ensuring effective sanitation and easing growing pressure on prison staff and the penitentiary system as a whole. It is clear that the immediate and unconditional release of human rights defenders, activists, journalists and all those deprived of their liberty for violating human rights standards in some member states of the Council of Europe must also be a priority in this context.

It is clear that close contact between prisoners in overcrowded cells, barracks or wards can quickly turn these places into breeding grounds for infection, dooming to serious illness or even the death of a large number of inmates. In addition, the infection can spread to the whole society, for which prisons, so to say, will play the role of "amplifiers" of the epidemic. Therefore, the European Committee for the Prevention of Torture calls on states to use the alternatives of detention more often, to reduce imprisonment length, parole, reassess the need to continue involuntary hospitalization of psychiatric patients,

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35 Statement of principles relating to the treatment of persons deprived of their liberty in the context of the coronavirus disease (COVID-19) pandemic / Council of Europe. European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. URL: https://rm.coe.int/16809cfa4b

36 UNODC, WHO, UNAIDS and OHCHR joint statement on COVID-19 in prisons and other closed settings / World Health Organization. URL: https://www.who.int/news-room/detail/13-05-2020-unodc-who-unaids-and-ohchr-joint-statement-on-covid-19-in-prisons-and-other-closed-settings

and release or provide community care to persons in social protection institutions, as well as to the refusal, as far as possible, of migrants administrative detention.

Particular attention should be paid to those prisoners who have health problems; the elderly who do not pose a threat to society; and those accused or convicted of minor or nonviolent crimes. At the same time, those released persons in need of support should be provided with adequate access to emergency care, housing and basic services, including health care.

Governments must ensure that the human rights of all those who remain in detention facilities are respected during the COVID-19 pandemic. Any restrictive measures taken against persons in detention must be necessary, proportionate, non-discriminatory, limited in time and under control. The absolute prohibition on torture and ill-treatment should never be violated by measures taken in detention facilities, including in the case of health protection isolation. All measures should be taken to protect the right to life and health of prisoners and prison staff in accordance with the WHO Regional Office for Europe recommendations. As emphasized in the Interim Guidance on COVID-19, inmates should continue to have access to information, legal assistance and independent grievance mechanisms. Mechanisms for monitoring detention facilities should be able to continue to monitor the situation, taking precautions not to put people at risk (the "Do no harm" principle).[37]

In order to effectively solve the problems associated with the spread of the coronavirus in detention facilities, the Council of Europe member states must urgently adopt and start exercising a humane and comprehensive crisis plan based on sufficient human and financial resources, taking into account the needs of those who leaves detention facilities, and those who remains, as well as penitentiary institutions employees. This should be done according to relevant human rights parties concerned, in particular national preventive mechanisms and other independent monitoring bodies, national human rights bodies and human rights organizations.[38]

Conclusion

The Council of Europe member states, like most countries in the world, have introduced safeguard measures to stop or at least significantly slow down the spread of the coronavirus pandemic (COVID-19). They have developed a number of recommendations and measures that are needed to be introduced and exercised within penitentiary institutions, and which should help to take control of the situation and manage it.

From the human rights perspective, first of all it must be remembered that the state has positive obligations to protect the lives and health of all persons under its jurisdiction, including those in detention facilities. Therefore, the failure of the state to take the necessary measures may amount to a serious violation of fundamental human rights and

[37] IASC Interim Guidance on COVID-19: Focus on Persons Deprived of Their Liberty (developed by OHCHR and WHO). URL: https://interagencystandingcommittee.org/other/iasc-interim-guidance-covid-19-focus-persons-deprived-their-liberty-developed-ohchr-and-who

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freedoms, starting with the right to life. At the same time, any human rights and freedoms restriction by the state must be based on the law, be necessary, proportionate, based on respect for human dignity and limited in time. Even during a state of emergency or quarantine, the state must guarantee the human rights and freedoms enshrined in its own Constitution and in its international obligations.

The protection of human rights and freedoms in a pandemic is an activity in which both government agencies and non-governmental human rights organizations must participate. Public authorities must act straightforwardly and clearly, explaining the pandemic policies, and explain why these policies are needed, especially those relating to human rights and freedoms restrictions. Human rights organizations must continue to monitor, document and report on the respect for human rights and freedoms in detention facilities, and advocate for changes in our society aimed at better rights protection of this category of people.

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ECONOMY AND WORLD POWER BALANCES POST PANDEMIC/WAR

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Abstract

The scientific literature has taken up the theme of secular stagnation of economic growth again in the middle of the second decade of the 21st century, many decades after Alvin Hansen's original contribution.

The resurgence of this phenomenon is also accompanied by profound changes at other levels: the world has become more global, digitization is advancing and, in International Relations, the instruments of power change and soft power joins the military and economy components as the fundamental vertices of power.

Meanwhile, a violent pandemic emerged, causing unimaginable loss of life, significant changes in habits and a deep worldwide economic recession. Soon after, war invaded Europe, destabilizing the Old Continent and having very negative repercussions on distribution channels and the world economy.

The pandemic and the war reinforce a very negative expectation about the evolution of the world economy, in a dual scenario in which not everyone reacts in the same way.

Our analysis focuses mainly on the United States and China, currently the two major economic powers. In fact, the latter will most likely become the world's largest economy in the short term, although the US, aware of the relative loss of its supremacy, continues to resist in different ways in which this top position can be played.

The aim of this article is to assess to what extent all these changes in the paradigms of geoeconomics, with the rise of China to the top of the world pyramid, accompanied by a dual phenomenon, that is, an apparent long stagnation of world economic growth in the advanced economies and the maintenance of solid economic growth in emerging markets, may change the balances of world power.

And this eventual change, it seems to us, will probably involve a strengthening of China's position and the loss of the still dominant power, the USA.

Keywords

Secular stagnation; global power; hard power; soft power; pandemic

Resumo

A literatura cientifica retomou o tema da estagnação secular do crescimento económico em meados da segunda década do século XXI, muitas décadas depois do contributo original de Alvin Hansen.

O ressurgimento deste fenómeno é acompanhado também por alterações profundas a outros níveis: o mundo tem-se revelado mais global, a digitalização avança e, nas Relações

Internacionais, alteram-se os instrumentos de poder e o *soft power* junta-se à componente militar e económica como vértices fundamentais dos mecanismos daquele poder.
Entretanto surgiu a mais violenta pandemia em muitas décadas, que provocou perdas de vidas inimagináveis, alterações significativas de hábitos e uma profunda recessão económica mundial. Logo a seguir a guerra invadiu a Europa, desestabilizando o Velho Continente e tendo repercussões muito negativas nos circuitos de distribuição e na economia mundiais.
A pandemia e a guerra reforçam uma expetativa muito negativa sobre a evolução da economia mundial, num cenário dual em que nem todos reagem da mesma forma.
A nossa análise incide preferencialmente nos Estados Unidos e na China, atualmente as duas grandes potências económicas. Aliás, muito provavelmente esta última se tornará a curto prazo a maior economia mundial, embora os EUA, cientes da perda relativa da sua supremacia, continuem a resistir nas diferentes vertentes em que essa posição cimeira pode ser jogada.
O que se pretendeu neste artigo foi justamente avaliar até que ponto todas estas alterações nos paradigmas da geoeconomia, com a ascensão da China ao topo da pirâmide mundial, acompanhada por um fenómeno dual, isto é, uma aparente estagnação muito longa do crescimento económico mundial nas economias avançadas e a manutenção de crescimento económico sólido nos mercados emergentes, pode vir a alterar os equilíbrios do poder mundial.
E esta eventual alteração, parece-nos, passará provavelmente por um reforço da posição da China e pela perda da potência ainda dominante, os EUA.

Palavras-chave;
Estagnação secular; poder global; *hard power*; *soft power;* pandemia

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ECONOMY AND WORLD POWER BALANCES POST PANDEMIC/WAR

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The stagnation of world economic growth: some approaches

Alvin Hansen, an American contemporary of John Maynard Keynes, in a speech entitled "Economic Progress and Declining Population Growth", launched the secular stagnation scientific approach in March 1939. Describing the economic situation at the time of the Great Depression, Hansen said: "This is the essence of secular stagnation, tenuous recoveries that die in their infancy and depressions that feed on themselves and create a hard and seemingly immovable core of unemployment" (Hansen, 1939: 4).

World War II and the economic prosperity that followed condemned the secular stagnation to a long silence, only occasionally interrupted, namely by the North American Marxist school represented by the legacy of Alexander Hamilton, with significantly different assumptions.

This long silence was interrupted when Lawrence Summers relaunched the topic, in 2014, and mentioned the liquidity trap and the imbalance between savings and investment as the main sources of secular stagnation. Summers defines several issues of the process: the difficulty of economic policy in achieving multiple objectives, that is, a good use of productive capacity and financial stability, which, in turn, is closely related to the drop in the interest rate balance and the need for different approaches in economic policies (Summers, 2014: 65-66).

Summers is part of a vast group of economists who highlight the prevalence of demand-side factors as the main determinants of the secular stagnation.

However, even among authors who argue that secular stagnation is essentially the result of demand behavior, the approaches' differences are significant, starting with the diagnosis of the phenomenon, its characterization and even their consequences. Close to Hansen's approach maybe just Samuelson, on the more general assumption that recoveries would be essentially consumption-based, and that therefore would be "short-lived" and would end in a permanent deceleration until another favorable exogenous shock occurs (Samuelson, 2002: 221).

Other authors, more contemporary, establish a conceptual framework similar to Summers´, although with differences in the way they enunciate and/or explain it.

Krugman mentions three reasons that lead him to suspect that secular stagnation is a reality: there is a secular trend of decline in real interest rates; the zero percent cap on official interest rates seems to matter more than previously thought; and there is a strong probability financial deleveraging and demography will weaken future demand (Krugman, 2014: 61-65).

Blanchard associates the weakness of demand, a phenomenon he considers temporary, to the adjustment of economic agents to the expectation of a less bright future (Blanchard, 2017: 2). On the other hand, Bernanke prefers to "shoot" the responsibility of excessive US deficits and the fragility of the US economic growth for countries with excess savings, namely China and Germany, which would be contributing to an environment of excessively low interest rates, to reduce savings and encourage investment (Bernanke, 2015)

Several authors argue that secular stagnation is mainly the result of factors related to supply, also here with differences in approaches. Gordon and Crafts, for example, say that stagnation is an evidence, as long as a strong decrease in long-term potential growth. Thwaites mentions the (falling) evolution of the value/price of investment goods; Rogoff advances the idea of the debt supercycle, associating the economic growth stagnation with the long period of indebtedness of economic agents that would have reached its end and would give rise to a progressive process of financial deleveraging.

Starting with Gordon, he argues that long-term potential growth has been decreasing significantly in recent decades, given the difficulties felt by human capital in view of the evolution of demography and the less expressive effects of technological changes on economic growth (Gordon, 2015: 54). In this context, slower population growth and declining labor-force participation would be reducing the number of working hours, which, together with the decrease in labor productivity, would cause a slower growth in potential output (Gordon, 2015: 58).

Crafts calls secular stagnation a North American hypochondria and a European disease, saying that as during the Great Depression, also post-Great Recession, secular stagnation in the US may be more hypochondria rather than far-sighted prediction (Crafts, 2014: 91).

While acknowledging the existence of "headwinds", namely lower labor growth and uncertainty about the evolution of production factors total productivity and technology, he states that the US economy registers significant growth in gross domestic product and labor productivity. Moreover, this will hardly be compatible with a permanent drop in savings or the constant need for negative real interest rates (Crafts, 2014: 92).

However, the threat of secular stagnation may be much more real for Europe. The reasons for that are the behavior of the economy, demographic conditions less favorable in Europe and productivity growth that will underperform the US productivity. Furthermore, policy responses will also penalize Europe, namely because the fiscal consolidation with high public debt ratio is very heavy - with high debt values, the restoration of fiscal sustainability will lead to cuts in public investment and education, precisely what should be boosted to combat or avoid secular stagnation (Crafts, 2014: 93).

For Thwaites, secular stagnation is the result of the complex interaction between investment goods progressively subject to changes in the production technologies and the life cycle of savings.

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Economy and world power balances post pandemic/war
Henrique Morais

Thwaites identifies new behaviors in the more industrialized countries, namely the increase in housing prices and the consequent greater indebtedness of families, as well as the decrease in nominal investment rates and real interest rates. He mentioned "these movements can be explained by the decline in the price of investment goods and not by factors such as demography, excess savings in emerging markets and the worsening of inequalities that are seen as responsible for the decline in interest rates but which, on the contrary, would lead to higher nominal investment rates" (Thwaites, 2015: 3).

Rogoff is more skeptical about the secular stagnation hypothesis and poses a question: we are living in a period of secular stagnation, or at least low growth in per capita output or, on the contrary, the reduced growth of economies after the financial crisis results from a debt supercycle and it is expected that after deleveraging and debt reduction, the expected growth trends may be higher? (Rogoff, 2015: 1).

Rogoff recognizes the merit of many of the factors pointed out by defenders of secular stagnation to justify the reduced economic growth that followed the 2007/2008 financial crisis, especially with regard to the issue of demographic transition (a decreasing population and more aging, women participating heavily in the labor market) and technological developments. However, he states that the debt supercycle view is much more appropriate, because it is validated by hundreds of year's behavior of economies in similar crises (Rogoff, 2015: 2).

In conclusion, the authors mentioned the possibility of a long period of weak economic growth and certainly below potential in a wide range of economies, namely advanced ones.

When it comes to characterizing any of these economies as being in secular stagnation, hesitations are more frequent, even in cases where the statistical information seems to show this phenomenon. Here, at least in analyzes we have identified uncertainty prevails.

However, both for those who confidently defend the idea of secular stagnation, as for the most skeptical, there is a common conclusion, namely the need to rigorously and carefully monitor some economic and financial indicators that may, in the short and medium term, contribute to a more rigorous characterization of the shape of the world, regional or national economy.

A dual phenomenon with consequences for the balances of world power

Having presented the concept, we think is time to present our main argument in this article: secular stagnation is a dual phenomenon, which is probably only observed in some advanced economies and which, therefore, is likely to contribute to changes in world power balances.

Believing in Nye's description of the three-dimensional chessboard that came to characterize power, and, therefore, not letting us be tempted by the simplistic analysis of unipolar power, even so, with regard to classic military issues, this unipolarity seems clear to us, with US hegemonic power. The US hegemony is not evident in matters such as trade, international investment and financial regulation, among others, in what Nye called the middle board of economic affairs between States or in matters such as terrorism, international crime, climate change and the spread of infectious diseases. Yet, it seems clear to us that US global leadership is now under serious threat, for the first time since the Cold War, by a country, China, which has been preparing for decades to dispute the main role in the power stages with the US (Morais, 2021:95).

In recent decades, however, there has been a significant slowdown in economic growth in the US (as part of a broader process that takes place in advanced economies) and, on the contrary, in emerging markets and, especially, in China, growth remains robust and well above the world average. Although, we can state that a slowdown in recent years is also evident, which is understandable in an economy that for more than thirty years has registered such expressive growth rates.

This strength of the Chinese economy turns China a privileged actor to discuss with the US the hegemony of global power, despite, as we will see later, this power is not only based on the economic component and on the so-called hard power.

Empirical evidence

Three aspects of analysis/dimensions can empirically prove the existence of a phenomenon of secular stagnation.

The first dimension corresponds to the wealth generated by a country or economic zone, in the case of the euro area, and can be measured by gross domestic product (GDP) or by the capacity production, in this case as an advanced indicator of what may happen.

The second dimension is more financial and is related to full employment equilibrium and the possible need for interest rates, in real terms (nominal rate minus inflation) to be at very low (or even negative) levels in order to ensure the fundamental equality between saving and investment.

The third dimension has to do with demography, on other words, the demographic transition that will be hitting advanced economies.

In this article, we will focus on the dimension associated with the behavior of the wealth created, although the indisputable importance of the other three variables.

Table 1 provides information on the average annual growth rate of gross domestic product in a set of countries/economic zones.

In advanced economies, there is a sharp decline in gross domestic product growth between the 1980s and 1990s, when average growth in any of these economies did not exceed 2 percent per year.

In China, on the other hand, only in the last ten years there has been a much more contained slowdown in economic growth, which, moreover, starts from a much higher base, close to or above average annual growth of 10 percent.

Table 1. Gross Domestic Product (constant prices) – annual percentage average growth rate

	1980-1989	1990-1999	2000-2009	2010-2019	2020-2027
World	3,2	3,1	3,9	3,7	2,9
Advanced Economies	3,1	2,7	1,8	2,0	1,6
European Union	2,2	2,0	1,7	1,7	1,5
Eurozone	-	2,0	1,4	1,4	1,3
Emerging Markets	3,2	3,7	6,0	5,1	3,9
USA	3,1	3,2	1,9	2,3	1,8
China	9,7	10,0	10,3	7,7	4,9
Japan	4,4	1,5	0,5	1,2	0,5
Germany	1,9	2,2	0,8	2,0	1,0

Source: International Monetary Fund, World Economic Outlook, April 2022, information plotted by the author. Data from 2022 are IMF projections.

While the US gross domestic product (GDP) decreased its weight in the world context from 29.2 percent in 1999 to 23.9 percent in 2021, China saw the same drop from 3.3 percent to 18.1 percent in the same period[1]. In purchasing power parity, a measure more advisable for international comparisons, the data are even more expressive: China's GDP was, in 2021, of 27.206 billion dollars, already well above the 22.998 billion of the US and the 4,857 billion of Germany[2].

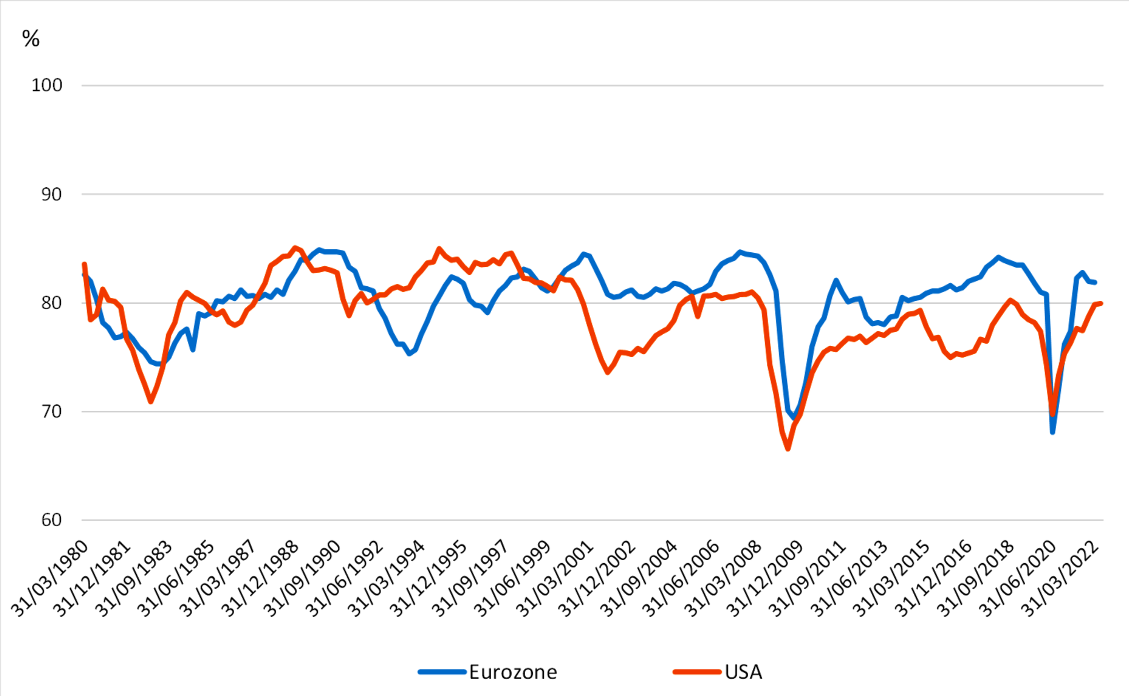
The weight of advanced economies in world GDP has been decreasing, especially throughout the 21st century. Thus, the group that includes, among others, US, European Union and Japan was responsible, at the end of the 20th century, for around 80.3 percent of the world's GDP. Twenty-one years later, in 2021, this weight was only 58.3 percent, with the IMF predicting that in 2027 it will reach around 54.4 percent of world GDP[3].

Two thoughts in this regard. The growth paths between advanced economies and emerging markets are different, as well as between the US and China: in advanced economies, economic growth slowdown (in some cases with growth close to zero percent) has been real, while in emerging economies, and especially in China, a very strong pace of economic growth has been maintained. In addition, advanced economies have had negative output gaps for almost twenty years (economic growth below potential), which is not the case in most emerging economies, including China[4].

Given this scenario, it is useful to observe the degree of capacity utilization, namely because if it is at historically low levels is it likely that the negative output gap will be maintained or even intensified. The following chart shows this even when comparing the US economy and the euro area economy.

[1] According to IMF data (World Economic Outlook, April 2022), nominal gross domestic product (GDP) in China reached, in 2021, about 17.458 billion US dollars, which compares with 22.998 billion for US economy.
[2] The Chinese gross domestic product in purchasing power parity was higher than the US for the first time in 2016 and since then the difference has been accentuating.
[3] According to the IMF (World Economic Outlook, April 2022), world GDP at current prices would be around 96.293 billion US dollars in 2021, with 56.095 billion in advanced economies and 40.20 billion in emerging markets.
[4] A negative output gap over an extended period is a clear sign of stagnant secular economic growth.

Figure 1: Capacity Utilization – US and Eurozone, percentage rate



Source: FED St. Louis and ECB

During the long period presented, the capacity utilization stayed at low levels (also historically), without even approaching values above 85 percent, which reflects the excess of installed capacity. To this extent, the underutilization of productive capacity makes unlikely any increases in investment in the near future, excluding any impulse from the supply side for economic growth, for more robust increases in gross domestic product.

Economic consequences of the pandemic (and the war in Europe)

The SARS-CoV-2 virus, responsible for the Covid-19 disease, has been detected in November 2019 and gave rise to a pandemic with serious consequences, especially until the appearance of vaccines from the end of 2020.

In addition to the loss of human life, which is already at 6.5 million people, of which 5.4 million by the end of 2021, the pandemic had brutal economic consequences, namely in 2020, with (almost the whole) world entering a deep recession.

Table 2. Gross Domestic Product (constant prices) – annual percentage average growth rate

	2018	2019	2020	2021	2022	2023
World	3,6	2,9	-3,1	6,1	3,6	3,6
Advanced Economies	2,3	1,7	-4,5	5,2	3,3	2,4
European Union	2,2	2,0	-5,9	5,4	2,9	2,5
Eurozone	1,8	1,6	-6,4	5,3	2,8	2,3
Emerging Markets	4,6	3,7	-2,0	6,8	3,8	4,4
USA	2,9	2,3	-3,4	5,7	3,7	2,3
China	6,8	6,0	2,2	8,1	4,4	5,1
Japan	0,6	-0,2	-4,5	1,6	2,4	2,3
Germany	1,1	1,1	-4,6	2,8	2,1	2,7

Source: International Monetary Fund, World Economic Outlook, April 2022, information plotted by the author. Data from 2022 are IMF projections.

The recovery seen in 2021 seems to have been ephemeral and we would expect that the economic growth indicators in 2022 will be lower than those projected by the IMF in April of this year, as institution itself, in July, carried out a review mid-term decline in world growth forecast for 2022 to just 3.2 percent.

The effects of the War in Ukraine, namely contributing to the shortage of some basic and agricultural products and an even greater growth of inflation, already out of control in the face of the disruption of supply chains following the pandemic, the need for greater restrictions on monetary policy, with rising interest rates and deteriorating conditions for accessing the financial market, especially in advanced economies, and a stronger-than-anticipated slowdown in economic growth in China, given the ups and downs of the pandemic, all this contributes to this new disappointment in world economic growth.

In summary, we have a scenario of high inflation, with forecasts that in 2022 it will reach an average of 6.6 percent in advanced economies and 9.5 percent in emerging economies, and with no prospects of a slowdown, especially if the labor market remains restrictive and "demands" the compensation of these increases. We also have a war in Europe with no end in sight and threatening to cut off gas supplies in autumn/winter and a Covid-19 pandemic still far from allowing a full "normalization" of life worldwide.

All this leads to even the most optimistic forecasts pointing to growth in advanced economies below 2 percent from 2023 onwards, essentially marking a return to pre-pandemic levels that, as earlier mentioned, have re-launched the theme of secular growth stagnation in some economies.

What to expect in the balances of world power?

We saw earlier that economic growth is stagnating in the US and in the advanced economies as a whole, but this is not the case in China or in most emerging economies.

Since the economic dimension is so relevant for global power nowadays[5], this dual scenario may affect global power structures, as we will try to demonstrate in this chapter.

It is thus expected that we can contribute to the perception that the "new normal" in economic growth and, above all, that the clear asymmetry between growth patterns in the US and China is progressively contributing to changes in the organization of global power and the relative strength of its main actors. We have seen a clear rise of China and its global influence and consistent signs of loss of influence, in some aspects even of hegemony, of the US (Morais, 2021: 155).

The phenomenon has several aspects.

First, in the so-called hard power component, the economic and financial dimension stands out. The relative reduction of wealth in the US compared to China and, on the financial side, the US deficits and their potential consequences on financial stability may induce greater inequality in income distribution, which is, in fact, one of the most commonly accepted causes of secular stagnation.

Other hard power indicators, on the military side, corroborate, if not the loss of importance of the US, at least the rise of China: we are talking about the evolution of spending, total arms sales and the component of arms exports, as well as the greater diversification of the destinations of these exports.

Military spending has in the US, by far, its main actor: in 2019 the expenditure reached about 718.7 billion dollars, a figure that exceeds the accumulated of the other countries that make up the top 10 ranking of arms spending[6]. Moreover, in the seventy years to 2019, US military spending increased at an average rate of 2.3 percent per year, higher than any other industrialized country.

If we look only at the behavior of military spending in the 21st century, between 1999 and 2019, US military spending growth was 2.4 percent (slightly above the average of 2.3 percent between 1949 and 2019). However, other countries seem interested in increasing their military power, such as Russia (average growth of 6.8 percent), South Korea (4.1 percent), and Saudi Arabia (4 percent). In China, the growth in military spending overtook all others during the period in question, reaching an impressive 10 percent on average per year.

These data will be even more impressive, particularly as far as China is concerned, if we take into account that, in the last decade of the 20th century, US and Russia saw their military spending fall by an annual average of 3.7 percent and 13.2 percent[7], respectively. In the meanwhile, China was once again the record holder in the universe of the biggest spenders in terms of average annual growth, which stood at 7 percent during this decade. Given this movement, it is not surprising that in 2019 Chinese military spending would already reach about 37 percent of US spending and would be by far the

[5] The idea of the influence of economic power on global power dynamics is heavily analyzed in the literature, and this is certainly not the original contribution of the author of these lines.

[6] That is China, Russia, Saudi Arabia, France, Germany, the United Kingdom, Japan, South Korea, and Canada.

[7] Strictly speaking, in the case of Russia, the comparison refers to the period from 1922 to 1999.

second largest in the world, when at the end of the twentieth century it was only 8.8 percent (Morais, 2021: 199).

When looking at the evolution of research and development (R&D) indicators, it is possible to conclude that there have been some striking movements in recent decades. The first corresponds to the consistent increase in Chinese investment in this area, both when measured in terms of its weight in relation to the gross domestic product, both nominal and per capita, and, rather curiously, also in terms of research and development by the private sector. Secondly, in a specific and cutting-edge sector, information and communication technologies, very important in the digital society that has been solidifying in this century, China today has the primacy of research and development, and this has catapulted the country to the leadership of the export market, with more than a quarter of total world exports. Finally, despite the Chinese rise, it is undeniable that the US remains the great power in research and development. (Morais, 2021: 211).

It is also interesting to observe what the composite hard power indicators tell us, which allow us to measure hard power at the country level and, in this way, make international comparisons based on military, economic and demographic criteria possible. One of the oldest and most renowned indicators of this type is the Composite Index in National Capacity (CINC), created in 1963 by David Singer, as part of the Correlates of War project. This indicator considers military, economic and demographic factors to identify the power of each country, namely, military expenditure and contingent, total and urban population, steel and iron consumption.

This indicator, with observations since 1816, allows us to infer the existence of three distinct periods. The first, which lasted until the end of the 19th century and which shows the superiority of the United Kingdom and the approach, slow but decisive, of the US. The second, between the end of the 19th century and 1971, that is, the beginning of the first oil crisis, in which the superiority of the US is affirmed. Finally, a third period in which the US leadership in this indicator of national capacity is initially challenged by Russia, and, since 1995, China assumed itself as the nation with the greatest capacity at the world level (Morais, 2021: 212).

Not all composite indicators point as clearly as the CINC to the rise of China to the top position, to the detriment of the US, certainly due to the weight that this indicator gives to economic and demographic factors (in addition to the military component, of course). Others, like the global militarization indicator, show these two nations in very modest positions globally, which means that the weight of the military in their societies and economies is more balanced than in much of the rest of the world (Morais, 2021: 224).

In fact, when we look at indicators on the digitalization of economies, Internet development, e-government and cybersecurity, among others, the supremacy of the United States is still evident and China is still very far from even coming close.

Moreover, what do the soft power indicators tell us?

The set of indicators used in the literature to evaluate the soft power of a country and, from there, to make international comparisons is very wide. Within the dimensions, it is very common to find governance, with indicators that measure the effectiveness of governments, the pursuit of individual freedoms and human rights, or even the degree of violence in society. Culture and education are also almost obligatory in the soft power dimensions, the former being evaluated by indicators as diverse as tourist visits, the success of the country's arts and sports, or even its historical heritage. In education level, we may mention the academic production and quality of universities, the country's ability to attract foreign students, or the researchers and awards they manage to obtain at an international level stand out. We also find other dimensions such as diplomacy and the country's capacity for international influence, its attractiveness for international business, its level of digitalization and its reputation (Morais, 2021: 225).

Given the profusion of existing indicators, we have chosen in this article to focus on composite indicators that identify and analyze the dimensions in which the states' capacity for influence and power is translated, evidently through a definition of weights that translates the importance that authors attribute to each of the components, by means of soft power instruments.

This is the case of the Soft Power 30 (SP 30), which encompasses a set of objective indicators, in dimensions such as governance, digitalization, culture, business, commitment and education. The SP 30 presents also indicators obtained in opinion surveys, more subjective, in topics as diverse as local cuisine, technological products, the friendliness of the people, culture, luxury goods, foreign policy and the attractiveness of the country to live, work or study (Morais, 2021: 225).

A similar analysis is provided by the Global Soft Power Index, based on the dimensions of familiarity, influence and reputation, in pillars ranging from business and trade, to culture, governance, education, and science, as well as, among others. And also the case of the Pew Research Center survey, particularly in the assessment made by a very large group of citizens from dozens of countries on the economic power of states and their opinion, more or less favorable, of these states (Morais, 2021: 228).

Contrary to the analysis carried out based on hard power indicators, which were very consistent in affirming the strong growth of Chinese power and the US attempt to resist this evolution, the conclusions regarding the evolution and hierarchy of countries seem less evident with regard to the analyzed soft power indicators.

Although this conclusion is not surprising, it still calls countries, especially those that dispute the leadership of world power, to a constant concern, which must be translated into active policy measures, to prevent that, circumstantially or more structurally, the perception that the world has of them suffers some deterioration (Morais, 2021: 232).

In addition, in the last ten years, from this perspective, two phenomena can be evaluated as very striking. The first was the election of President Trump in the USA. In the year following his election, Transparency International (TI) in its US Corruption Barometer 2017 report showed that 44 percent of US citizens considered corruption to be prevalent in the White House, compared to 36 percent in 2016, while seven out of ten citizens thought that the government was failing in the fight against corruption, compared to only five out of ten in 2016. In fact, among the different institutions and social groups, Trump's cabinet was even the most corrupt, at 44 percent, compared to 38 percent for Congress, 33 percent for federal leaders, and 20 percent and 16 percent for the police and judges and magistrates. All this just one year after Trump's election (Morais, 2021: 232).

The second phenomenon we are still living it and, therefore, its contours are uncertain, corresponding to the Covid-19 pandemic. In a survey conducted in fourteen countries in the summer of 2020, before the second and more deadly wave that began in the fall, Pew showed that 73 percent of respondents considered "good" the way their own countries had dealt with the pandemic. However, that level dropped to only 37 percent in China, which meant that 63 percent considered China's handling of the pandemic "bad," and in the case of the US, that level was even higher, reaching 84 percent (Morais, 2021: 233).

Regardless of these epiphenomena that would influence, as we mentioned, the evaluation of the soft power of states, it still seems that the analysis carried out provides us with a dynamic but sustained vision. That vision is the idea that China has evolved favorably in this eventually increasingly important component of global power, but that the US continues without much doubt to maintain a primacy at this level. In fact, safeguarding the economic "splashes" that this dimension of soft power always ends up also encompassing, eventually the leadership of the US will be followed by the European Union, and not by China, at least judging by most of the indicators that we have detailed here (Morais, 2021: 233).

Conclusion

The empirical analysis shows that the US economy has many of the characteristics that identifies the secular stagnation and that this is not the case with China.

If a significant disruption of the world order does not occur, a scenario more likely with recent events, in particular the war in Ukraine, it is possible to foresee changes in the geography of the world economy, with US leadership being challenged even before the end of this decade by China.

These changes in the hierarchy of countries in economic matters will be more likely the more consistent (and more asymmetric, particularly between advanced economies and emerging markets) the signs of secular stagnation of growth are revealed.

Starting from this economic background, we can envision how these developments may come to influence the balances of world power.

In the classic military dimension, as evidenced for example by military capability and defense budgets, the superiority of the US remains indisputable. In other dimensions of hard power, namely the economic one, we are witnessing some loss of relative influence of the US, which is also evident by some of the soft power indicators analyzed.

Although the superiority of the US remains indisputable in the aforementioned military dimension, in the financial sphere, in multiple composite indicators of hard power, in research and development, but also in social and soft power indicators, what we also see is a growth of China in all those components.

Everything indicates that, progressively and at a very consistent pace, a new actor in the power dynamics is asserting itself.

That actor is China.

In addition, it will be difficult to understand how this process was consolidated, and especially how far it may go, if we do not look at one of the central phenomena analyzed in this article: the stagnation of economic growth that has affected the different countries in a dual manner.

The position that China already occupies today in the geopolitical context and world power would hardly have been reached, or at least so quickly, without Chinese economic strength over the last four decades.

Probably this new global dimension of China will help strengthen its already very powerful economy.

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ECONOMIA E EQUILÍBRIOS DO PODER MUNDIAL NO PÓS-PANDEMIA/GUERRA

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Resumo

A literatura cientifica retomou o tema da estagnação secular do crescimento económico em meados da segunda década do século XXI, muitas décadas depois do contributo original de Alvin Hansen.

O ressurgimento deste fenómeno é acompanhado também por alterações profundas a outros níveis: o mundo tem-se revelado mais global, a digitalização avança e, nas Relações Internacionais, alteram-se os instrumentos de poder e o *soft power* junta-se à componente militar e económica como vértices fundamentais dos mecanismos daquele poder.

Entretanto surgiu a mais violenta pandemia em muitas décadas, que provocou perdas de vidas inimagináveis, alterações significativas de hábitos e uma profunda recessão económica mundial. Logo a seguir a guerra invadiu a Europa, desestabilizando o Velho Continente e tendo repercussões muito negativas nos circuitos de distribuição e na economia mundiais.

A pandemia e a guerra reforçam uma expetativa muito negativa sobre a evolução da economia mundial, num cenário dual em que nem todos reagem da mesma forma.

A nossa análise incide preferencialmente nos Estados Unidos e na China, atualmente as duas grandes potências económicas. Aliás, muito provavelmente esta última se tornará a curto prazo a maior economia mundial, embora os EUA, cientes da perda relativa da sua supremacia, continuem a resistir nas diferentes vertentes em que essa posição cimeira pode ser jogada.

O que se pretendeu neste artigo foi justamente avaliar até que ponto todas estas alterações nos paradigmas da geoeconomia, com a ascensão da China ao topo da pirâmide mundial, acompanhada por um fenómeno dual, isto é, uma aparente estagnação muito longa do crescimento económico mundial nas economias avançadas e a manutenção de crescimento económico sólido nos mercados emergentes, pode vir a alterar os equilíbrios do poder mundial.

E esta eventual alteração, parece-nos, passará provavelmente por um reforço da posição da China e pela perda da potência ainda dominante, os EUA.

Palavras-chave

Estagnação secular; poder global; *hard power*; *soft power;* pandemia

Abstract

The scientific literature has taken up the theme of secular stagnation of economic growth again in the middle of the second decade of the 21st century, many decades after Alvin Hansen's original contribution.

The resurgence of this phenomenon is also accompanied by profound changes at other levels: the world has become more global, digitization is advancing and, in International Relations, the instruments of power change and soft power joins the military and economy components as the fundamental vertices of power.

Meanwhile, a violent pandemic emerged, causing unimaginable loss of life, significant changes in habits and a deep worldwide economic recession. Soon after, war invaded Europe, destabilizing the Old Continent and having very negative repercussions on distribution channels and the world economy.

The pandemic and the war reinforce a very negative expectation about the evolution of the world economy, in a dual scenario in which not everyone reacts in the same way.

Our analysis focuses mainly on the United States and China, currently the two major economic powers. In fact, the latter will most likely become the world's largest economy in the short term, although the US, aware of the relative loss of its supremacy, continues to resist in different ways in which this top position can be played.

The aim of this article is to assess to what extent all these changes in the paradigms of geoeconomics, with the rise of China to the top of the world pyramid, accompanied by a dual phenomenon, that is, an apparent long stagnation of world economic growth in the advanced economies and the maintenance of solid economic growth in emerging markets, may change the balances of world power.

And this eventual change, it seems to us, will probably involve a strengthening of China's position and the loss of the still dominant power, the USA.

Palavras-chave

Secular stagnation; global power; hard power; soft power; pandemic

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ECONOMIA E EQUILÍBRIOS DO PODER MUNDIAL NO PÓS-PANDEMIA/GUERRA

HENRIQUE MORAIS

A estagnação do crescimento económico mundial: algumas abordagens

O tema da estagnação secular foi lançado, em março de 1939 por Alvin Hansen, contemporâneo norte-americano de John Maynard Keynes, num discurso intitulado "*Economic Progress and Declining Population Growth*". Descrevendo a situação económica por tempos da Grande Depressão, Hansen afirmou: "Esta é a essência da estagnação secular, recuperações ténues que morrem na sua infância e depressões que se alimentam de si mesmas e criam um núcleo duro e aparentemente inamovível de desemprego" (Hansen, 1939: 4).

Estava lançado o conceito da estagnação secular que a IIª Guerra Mundial e a prosperidade económica que a ela se seguiu vieram condenar a um longo silêncio, apenas pontualmente interrompido, nomeadamente pela escola marxista norte-americana representada pelo legado de Alexander Hamilton, com pressupostos bem distintos da abordagem inicial de Hansen.

Esse longo silêncio foi interrompido quando Lawrence Summers relança o tema, em 2014, e aponta a armadilha da liquidez e o desequilíbrio entre a poupança e o investimento como fontes principais da estagnação secular. Summers define várias vertentes que caracterizam o processo: a dificuldade da política económica em atingir múltiplos objetivos, isto é, uma boa utilização da capacidade produtiva e a estabilidade financeira, o que, por sua vez, está muito relacionado com a descida da taxa de juro real de equilíbrio e com a necessidade de diferentes abordagens nas políticas económicas (Summers, 2014: 65-66).

Summers integra um vasto grupo de autores que relevam a prevalência dos fatores do lado da procura como determinantes principais do fenómeno da estagnação secular.

Acontece que, mesmo entre os autores que defendem ser a estagnação secular essencialmente resultado do comportamento da procura, as diferenças nas abordagens são muito significativas, começando pelo diagnóstico do fenómeno, sua caracterização e mesmo o elencar das respetivas consequências. Próximo da abordagem inicial de Hansen talvez mesmo só Samuelson, na assunção mais genérica de que as recuperações seriam essencialmente baseadas no consumo, e que por isso teriam "vida curta" e terminariam numa desaceleração permanente até ocorrer outro choque exógeno favorável (Samuelson, 2002: 221).

Outros autores, mais contemporâneos, estabelecem um quadro conceptual semelhante ao de Summers, embora com diferenças na forma como a enunciam e/ou explicam.

Krugman enuncia três motivos que o levam a suspeitar ser a estagnação secular uma realidade: observa-se uma tendência secular de descida das taxas de juro reais; o limite de zero por cento nas *taxas* de juro oficiais parece ter mais importância do que se pensava anteriormente; e existe uma forte probabilidade de a desalavancagem financeira e a demografia provocarem um enfraquecimento da procura futura (Krugman, 2014: 61-65).

Blanchard associa a fraqueza evidente da procura, fenómeno que considera temporário, ao ajustamento dos agentes económicos à expectativa de um futuro menos brilhante (Blanchard, 2017: 2), enquanto Bernanke prefere "disparar" a responsabilidade dos défices excessivos dos EUA e da fragilidade do respetivo crescimento económico para os países com excesso de poupança, nomeadamente a China e a Alemanha, que estariam a contribuir para um ambiente de taxas de juro excessivamente baixas, para reduzir a poupança e fomentar o investimento (Bernanke, 2015)

Noutra dimensão, vários autores defendem que a estagnação secular é sobretudo resultado dos fatores relacionados com a oferta, também aqui com significativas diferenças nas abordagens: Gordon e Crafts, por exemplo, dizem que a estagnação é uma evidência na medida em que se observa uma forte diminuição do crescimento potencial de longo prazo; Thwaites enuncia a evolução (em queda) do valor/preço dos bens de investimento; Rogoff avança com a ideia do superciclo da dívida, associando a estagnação do crescimento económico ao longo período de endividamento dos agentes económicos que teria chegado ao seu final e daria lugar a um processo progressivo de desalavancagem financeira.

Começando por Gordon, este defende que o crescimento potencial de longo prazo tem vindo a diminuir significativamente nas últimas décadas, perante as dificuldades sentidas pelo capital humano face à evolução da demografia e aos efeitos menos expressivos das alterações tecnológicas no crescimento económico (Gordon, 2015: 54). Neste contexto, a desaceleração do crescimento populacional e a menor participação no trabalho estaria a reduzir o número de horas de trabalho do ser humano, o que, em conjunto com a diminuição da produtividade do trabalho, provocaria um menor crescimento potencial das economias (Gordon, 2015: 58).

Crafts apelida a estagnação secular de hipocondria norte-americana e doença europeia, dizendo que, tal como aquando da Grande Depressão, também agora, pós-Grande Recessão, a estagnação secular nos EUA pode ser mais uma hipocondria do que uma previsão à distância (Crafts, 2014: 91).

Embora reconhecendo a existência de "headwinds", nomeadamente o menor crescimento do trabalho e a incerteza sobre a evolução da produtividade total dos fatores de produção e da tecnologia, defende que a economia dos EUA regista crescimentos do produto interno bruto e da produtividade do trabalho significativos, o que dificilmente será compatível com uma quebra permanente da poupança ou a necessidade constante de taxas de juro reais negativas (Crafts, 2014: 92).

Ao invés, a Europa parece mais exposta por razões relacionadas com o comportamento da economia, as condições demográficas e o crescimento da produtividade, bem como pelas respostas de política, na medida em que o ajustamento orçamental num contexto de elevado rácio da dívida pública é muito pesado - com elevados valores de dívida, a restauração da sustentabilidade orçamental provoca cortes no investimento público e na educação, justamente o que se deveria impulsionar para combater ou evitar a estagnação secular (Crafts, 2014: 93).

Para Thwaites a estagnação secular é o resultado da complexa interação entre bens de investimento progressivamente sujeitos a alterações nas respetivas tecnologias de produção e o ciclo de vida da poupança.

Identifica novos comportamentos nos países mais industrializados, nomeadamente o aumento dos preços da habitação e consequente maior endividamento das famílias, bem como o decréscimo das taxas de investimento nominais e das taxas de juro reais, dizendo que "estes movimentos poderão ser explicados pelo declínio no preço relativo dos bens de investimento e não por fatores como a demografia, o excesso de poupança nos mercados emergentes e o agravamento das desigualdades que são apontados como responsáveis pela descida das taxas de juro mas que, ao invés, levariam a taxas nominais de investimento mais elevadas" (Thwaites, 2015: 3).

Rogoff é mais cético quanto à hipótese da estagnação secular e coloca uma interrogação: vivemos um período de estagnação secular, ou pelo menos fraco crescimento baixo do produto *per capita* ou, ao invés, o reduzido crescimento das economias depois da crise financeira resulta de "um superciclo de dívida, esperando-se que após a desalavancagem e a diminuição do endividamento as tendências de crescimento esperadas possam ser superiores?" (Rogoff, 2015: 1).

Rogoff reconhece o mérito de boa parte dos fatores apontados pelos defensores da estagnação secular para justificar o reduzido crescimento económico que se seguiu à crise financeira de 2007/2008, em especial no que diz respeito ao tema da transição demográfica (uma população em decréscimo e mais envelhecida, mulheres a participarem mais no mercado de trabalho) e da evolução tecnológica. Mas afirma que "a visão do superciclo da dívida é muito mais adequada, porque validada por centenas de anos de comportamento similar das economias em situações semelhantes de crise financeira" (Rogoff, 2015: 2).

Em conclusão, todos os autores referenciados apontam a possibilidade de um longo período de crescimento económico muito fraco e seguramente abaixo do potencial num leque alargado de economias, nomeadamente avançadas.

Quando se trata de caracterizar alguma dessas economias como estando em estagnação secular as hesitações são mais frequentes, mesmo nos casos em que a informação estatística para isso parece apontar. Aqui impera a incerteza nas análises que identificámos.

No entanto, tanto para aqueles que com mais segurança defendem a ideia da estagnação secular, como para os mais céticos, existe um denominador comum, ou seja, a necessidade de acompanhar com rigor e cautela alguns indicadores económicos e financeiros que podem vir, a curto e médio prazo, a contribuir para uma caracterização mais rigorosa do(s) estado(s) da economia mundial, regional ou nacional.

Um fenómeno dual com consequências nos equilíbrios do poder mundial

Apresentado que está o conceito é tempo de apresentar o nosso argumento principal neste trabalho: a estagnação secular é um fenómeno dual, que se observa provavelmente apenas nalgumas economias avançadas e que, por isso, é suscetível de contribuir para alguma alteração nos equilíbrios do poder mundial.

Acreditando nós na descrição de Nye sobre o tabuleiro de xadrez tridimensional que passou a caracterizar o poder, e, portanto, não nos deixando tentar pela análise simplista da potência unipolar, ainda assim parece-nos clara essa unipolaridade, no que diz respeito às questões militares clássicas, em que os EUA são a potência hegemónica. E, mesmo que essa hegemonia dos EUA não seja evidente em matérias como o comércio, o investimento internacional e a regulação financeira, entre outras, naquilo a que Nye apelidou de *middle board* dos assuntos económicos entre Estados, e muito menos o sendo nos assuntos como o terrorismo, o crime internacional, as alterações climáticas e a propagação das doenças infeciosas, ainda assim parece-nos claro que a liderança global dos EUA aparece agora fortemente ameaçada, pela primeira vez desde a Guerra Fria, por um país, a China, que se está a preparar há décadas para disputar o protagonismo principal nos palcos de poder com os EUA (Morais, 2021:95).

Ora, nas últimas décadas observa-se um expressivo abrandamento do crescimento económico nos EUA (como parte de um processo mais abrangente que se regista nas economias avançadas) e, ao invés, nos mercados emergentes e, especialmente, na China o crescimento continua muito robusto e bem acima da média mundial, ainda que se possa argumentar ser também evidente um abrandamento nos últimos anos, absolutamente compreensível numa economia que durante mais de trinta anos registou ritmos tão expressivos de crescimento.

Esta força da economia chinesa posiciona-a como um ator privilegiado para discutir com os EUA a hegemonia do poder global, pese embora, como veremos adiante, esse poder não seja apenas alicerçado na componente económica e nas variáveis do chamado *hard power*.

Evidência empírica

A existência de um fenómeno de estagnação secular pode ser comprovada empiricamente por três vertentes de análise/dimensões.

A primeira dimensão corresponde à riqueza gerada por um país ou zona económica, caso da área do euro, podendo ser medida pelo produto interno bruto (PIB) ou pela taxa de utilização da capacidade produtiva, neste caso enquanto indicador avançado daquilo que poderá vir a ocorrer.

A segunda dimensão, mais financeira, está relacionada com o equilíbrio de pleno emprego e a eventual necessidade de as taxas de juro, em termos reais (taxa nominal deduzida da inflação) se situarem a níveis muito baixos (ou mesmo negativos) para que seja assegurada a igualdade fundamental entre a poupança e o investimento.

A terceira dimensão tem a ver com a demografia, ou se quisermos a transição demográfica que estará a atingir as economias avançadas.

Neste artigo vamos centrar-nos na dimensão associada ao comportamento da riqueza criada, sem prejuízo da importância indiscutível das outras três variáveis.

O quadro 1 disponibiliza informação sobre a taxa de crescimento média anual do produto interno bruto num conjunto de países/zonas económicas.

Quadro 1. Produto Interno Bruto (preços constantes) – taxa de crescimento média anual, em percentagem

	1980-1989	1990-1999	2000-2009	2010-2019	2020-2027
Mundo	3,2	3,1	3,9	3,7	2,9
Economias Avançadas	3,1	2,7	1,8	2,0	1,6
União Europeia	2,2	2,0	1,7	1,7	1,5
Área do euro	-	2,0	1,4	1,4	1,3
Mercados Emergentes	3,2	3,7	6,0	5,1	3,9
EUA	3,1	3,2	1,9	2,3	1,8
China	9,7	10,0	10,3	7,7	4,9
Japão	4,4	1,5	0,5	1,2	0,5
Alemanha	1,9	2,2	0,8	2,0	1,0

Fonte: Fundo Monetário Internacional, *World Economic Outlook*, abril 2022, dados trabalhados pelo autor. Os dados a partir de 2022 são de previsões do FMI.

Nas economias avançadas verifica-se uma forte diminuição do crescimento do produto interno bruto entre as décadas de oitenta e noventa e o novo século, em que o crescimento médio não terá ultrapassado em nenhuma destas economias os 2% ao ano.

Na China, pelo contrário, observa-se um abrandamento do crescimento económico muito mais contido, apenas nos últimos dez anos, e que, além disso, parte de uma base bastante superior, próxima ou acima de crescimentos médios anuais de 10%.

Enquanto o produto interno bruto (PIB) dos EUA diminui o seu peso no contexto mundial de 29,2% em 1999 para 23,9% em 2021, a China viu o mesmo passar de 3,3% para 18,1% no mesmo período[1]. Em paridade de poder de compra, medida bem mais aconselhável para comparações internacionais, os dados são ainda mais expressivos: o PIB da China era, em 2021, de 27,206 biliões de dólares, já bastante superior aos 22,998 biliões dos EUA e aos 4,857 biliões da Alemanha[2].

O peso das economias avançadas no PIB mundial tem vindo a decrescer, especialmente ao longo do século XXI. Assim, o grupo que integra, entre outros, os EUA, a União Europeia e o Japão era responsável, no final do século vinte, por cerca de 80,3% do PIB

[1] De acordo com os dados do FMI (*World Economic Outlook* de abril de 2022), o produto interno bruto (PIB) nominal na China atingia, em 2021, cerca de 17,458 biliões de dólares dos EUA, o que compara com 22,998 biliões para a economia norte-americana.

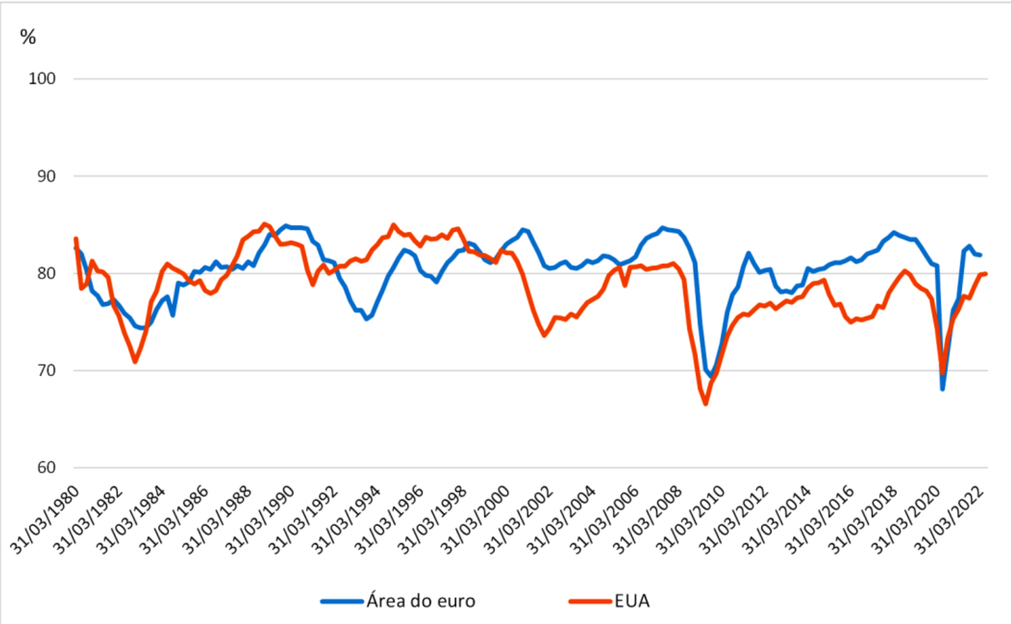
[2] O produto interno bruto em paridade de poder de compra chinês foi superior ao dos EUA pela primeira vez em 2016 e a partir daí a diferença tem-se vindo a acentuar.

mundial. Vinte e um anos depois, em 2021, esse peso era de apenas 58,3%, prevendo o FMI que em 2027 atinja cerca de 54,4% do PIB mundial[3].

Duas reflexões a este propósito: existem trajetórias de crescimento bem distintas entre as economias avançadas e os mercados emergentes e, claro entre os EUA e a China: nas economias avançadas a desaceleração do crescimento económico (nalguns casos com crescimentos próximos de zero por cento) tem sido uma evidência, enquanto nas economias emergentes, e especialmente na China, se tem mantido um ritmo de crescimento económico muito forte. Além disso, as economias avançadas apresentam há quase vinte anos *output gaps* negativos (crescimento económico aquém do potencial), o que não ocorre na generalidade das economias emergentes, incluindo a China[4]

Perante este cenário, torna-se útil observar o grau de utilização da capacidade produtiva, na medida que se este estiver a níveis historicamente reduzidos é provável que se venha manter, ou mesmo intensificar, o *output gap* negativo. O gráfico seguinte mostra isso *mesmo ao comparar a economia norte-americana e a economia da área do euro.*

Figura 1. Taxa de utilização da capacidade produtiva – EUA e Área do euro, em percentagem



Fonte: FED St. Louis e BCE

Durante o longo período apresentado é notória a tendência de manutenção da utilização da capacidade produtiva em níveis baixos (também historicamente), sem sequer se aproximar de valores acima dos 85%, o que reflete o excesso de capacidade instalada. Nesta medida, o subaproveitamento da capacidade produtiva torna improvável que se assista a acréscimos do investimento proximamente, tornando ausente qualquer impulso

3 Segundo o FMI (*World Economic Outlook* de abril de 2022), o PIB mundial a preços correntes rondaria, em 2021, os 96,293 biliões de dólares dos EUA, sendo nas economias avançadas de 56,095 biliões e nos mercados emergentes 40,20 biliões.

4 Um *output gap* negativo durante um período muito alargado é um sinal evidente de estagnação do crescimento económico secular.

do lado da oferta para o crescimento económico, para acréscimos mais robustos do produto interno bruto.

Consequências económicas da pandemia (e da guerra na Europa)

O vírus SARS-CoV-2, responsável pela doença Covid-19, foi detetado em novembro de 2019 e deu origem a uma pandemia com graves consequências sobretudo até ao aparecimento das vacinas a partir do final de 2020.

Além da perda de vidas humanas, que se cifra já em 6.5 milhões de pessoas, das quais 5.4 milhões até final de 2021, a pandemia teve consequências económicas brutais, nomeadamente em 2020, com (quase todo) o mundo a entrar numa recessão profunda.

Quadro 2. Produto Interno Bruto (preços constantes) – taxa de crescimento anual, em percentagem

	2018	2019	2020	2021	2022	2023
Mundo	3,6	2,9	-3,1	6,1	3,6	3,6
Economias Avançadas	2,3	1,7	-4,5	5,2	3,3	2,4
União Europeia	2,2	2,0	-5,9	5,4	2,9	2,5
Área do euro	1,8	1,6	-6,4	5,3	2,8	2,3
Mercados Emergentes	4,6	3,7	-2,0	6,8	3,8	4,4
EUA	2,9	2,3	-3,4	5,7	3,7	2,3
China	6,8	6,0	2,2	8,1	4,4	5,1
Japão	0,6	-0,2	-4,5	1,6	2,4	2,3
Alemanha	1,1	1,1	-4,6	2,8	2,1	2,7

Fonte: Fundo Monetário Internacional, *World Economic Outlook*, abril 2022, dados trabalhados pelo autor. Os dados a partir de 2022 são previsões do FMI.

A recuperação a que se assistiu em 2021 parece ter sido efémera e tudo indica que os indicadores de crescimento económico em 2022 serão inferiores aos apontados pelo FMI em abril do corrente ano, num contexto em que a própria instituição, em julho, procedeu a uma revisão intercalar em baixa do crescimento mundial previsto para 2022 para apenas 3.2%.

Os efeitos da Guerra na Ucrânia, nomeadamente contribuindo para a escassez de alguns produtos de base e agrícolas e um ainda maior crescimento da inflação, já descontrolada face à disrupção das cadeias de abastecimento na sequência da pandemia, a necessidade de uma maior restritividade em matéria de política monetária, com a subida das taxas de juro e a deterioração das condições de acesso ao mercado financeiro, sobretudo nas economias avançadas, e um abrandamento do crescimento económico na China mais forte do que antecipado, perante os altos-e-baixos da pandemia, tudo isto contribui para esta nova deceção quanto ao crescimento económico mundial.

Temos um cenário de inflação alta, com previsões de que atinja em 2022 uma média de 6.6% nas economias avançadas e 9.5% nas emergentes, e sem perspetivas de abrandamento, sobretudo se o mercado de trabalho continuar restritivo e a "exigir" a compensação desses aumentos, uma Guerra na Europa sem fim à vista e a ameaçar interromper o fornecimento de gás no outono/inverno e uma pandemia do Covid-19 ainda longe de permitir uma "normalização" total da vida em muitas paragens.

Tudo isto leva a que mesmo as previsões mais otimistas apontem para um crescimento nas economias avançadas abaixo de 2% a partir de 2023, no fundo marcando um retorno aos níveis pré-pandémicos que, como referido anteriormente, relançaram o tema da estagnação secular do crescimento nalgumas economias.

O que esperar nos equilíbrios do poder mundial?

Vimos anteriormente que se observa uma estagnação do crescimento económico nos EUA e no conjunto das economias avançadas, mas tal não ocorre na China nem na maioria das economias emergentes.

Sendo a dimensão económica tão relevante para o poder global nos dias de hoje[5], este cenário dual pode afetar as estruturas de poder global, como tentaremos demonstrar neste capítulo.

Espera-se, assim, que possamos contribuir para a perceção de que o "novo normal" em matéria de crescimento económico e, sobretudo, a assimetria clara entre os padrões de crescimento nos EUA e na China está progressivamente a contribuir para alterações na organização do poder global e da força relativa dos seus principais atores, com a clara ascensão da China e da sua influência global, acompanhada por indícios consistentes de perda da influência, nalguns aspetos até da hegemonia, dos EUA (Morais, 2021: 155).

O fenómeno tem várias vertentes.

Desde logo, na chamada componente *hard power*, avulta a dimensão económica e financeira. A redução relativa de riqueza nos EUA em comparação com a China e, na vertente financeira, os défices norte-americanos e as suas potenciais consequências na estabilidade financeira, podem induzir uma maior desigualdade na distribuição do rendimento, o que é aliás uma das causas muito comummente aceites para a estagnação secular.

Outros indicadores de *hard power*, na vertente militar, corroboram, se não a perda de importância dos EUA, ao menos a ascensão da China: falamos da evolução das despesas, a venda total de armas e a componente de exportações de armamento, bem como a maior diversificação dos destinos dessas exportações.

A despesa militar tem nos EUA, de longe, o seu principal ator: em 2019 a despesa atingiu cerca de 718,7 mil milhões de dólares, valor que ultrapassa o acumulado dos restantes países que integram o top 10 do *ranking* da despesa em armamento[6]. Além disso, nos setenta anos até 2019, a despesa militar norte-americana aumentou a um ritmo médio de 2,3% ao ano, superior a qualquer outro país industrializado.

Se observarmos apenas o comportamento da despesa militar no século XXI, entre 1999 e 2019, o crescimento da despesa militar nos EUA foi de 2,4% (ligeiramente acima da

[5] A ideia da influência do poder económico nas dinâmicas do poder global é muito profusamente ilustrada pela literatura, não sendo este seguramente o contributo original do autor destas linhas.

[6] E que são a China, Rússia, Arábia Saudita, França, Alemanha, Reino Unido, Japão, Coreia do Sul e Canadá.

média de 2,3%, entre 1949 e 2019). Todavia, outros países parecem interessados em aumentar o seu poderio militar, como são os casos da Rússia (crescimento médio de 6,8%), da Coreia do Sul (4,1%), da Arábia Saudita (4%). Na China, o crescimento da despesa militar ultrapassou no período em causa todos os restantes, atingindo uns impressionantes 10% em média anual.

Ainda mais impressivos serão estes dados, particularmente no que à China diz respeito, se tivermos em conta que, na última década do século XX, os EUA e a Rússia viram as despesas militares caírem, em média anual, respetivamente 3,7% e 13,2%[7], enquanto a China foi novamente o recordista do universo dos maiores gastadores em termos de crescimento médio anual, que se situou nessa década em 7%. Perante este movimento, não surpreende que em 2019 a despesa militar chinesa atingisse já cerca de 37% da despesa norte-americana e fosse de longe a segunda maior do mundo, quando no final do século vinte era de apenas 8,8%. (Morais, 2021: 199).

Quando se observa a evolução dos indicadores de investigação e desenvolvimento (I&D) é possível concluir pela existência de alguns movimentos marcantes nas últimas décadas. O primeiro, corresponde ao consistente aumento do investimento chinês nesta área, tanto quando é medido em termos do seu peso face ao produto interno bruto, como *per capita* e, o que é bastante curioso, também a nível da investigação e desenvolvimento pelo setor privado. Em segundo lugar, num setor específico e de ponta, o das tecnologias da informação e comunicação, muito importante na sociedade digital que se tem vindo a solidificar neste século, a China tem hoje a primazia da investigação e desenvolvimento, e isso catapultou o país para a liderança do mercado exportador, com mais de um quarto do total das exportações mundiais. Por último, apesar da ascensão chinesa, é inegável que os EUA se mantêm como a grande potência em matéria de investigação e desenvolvimento. (Morais, 2021: 211).

Também interessante é observar o que nos dizem os indicadores compósitos de *hard power,* que permitem medir o *hard power* ao nível dos países e, deste modo, viabilizar comparações internacionais baseadas em critérios militares, económicos e demográficos. Um dos mais antigos e conceituados indicadores deste tipo é o *Composite Index in National Capacity (CINC),* criado em 1963 por David Singer, no âmbito do projeto *Correlates of War*. Este indicador contempla fatores de natureza militar, económica e demográfica para identificar o poder de cada país, nomeadamente, a despesa e o contingente militar, a população total e urbana, os consumos de aço e ferro.

Ora este indicador, materializado numa série desde 1816, permite inferir a existência de três períodos distintos: o primeiro, que perdurou até ao final do século XIX e que mostra a superioridade do Reino Unido e a aproximação, lenta mas decisiva, dos EUA; o segundo, entre o final do século XIX e 1971, ou seja, o início da primeira crise petrolífera, em que a superioridade dos EUA se afirma e, finalmente, um terceiro período em que a liderança norte-americana neste indicador de capacidade nacional é inicialmente posta em causa pela Rússia para, desde 1995, a China se assumir como a nação com maior capacidade a nível mundial. (Morais, 2021: 212).

Nem todos os indicadores compósitos apontam tão claramente como o *CINC* para a ascensão da China à posição cimeira, em detrimento dos EUA, certamente pelo peso que

[7] Em rigor, no caso da Rússia, a comparação refere-se ao período de 1992 a 1999.

este indicador atribui a fatores de natureza económica e demográfica (para além naturalmente da componente militar) e noutros, pelo contrário, é notória a manutenção da primazia norte-americana, caso do *Global Firepower* que avalia a força militar convencional aérea, marítima e terrestre (excluindo a capacidade nuclear). Outros, caso exemplar do indicador de militarização global, mostram situarem-se estas duas nações em posições muito modestas a nível global, o que no fundo significa que o peso da vertente militar nas suas sociedades e economias é bastante mais equilibrado do que em boa parte do resto do mundo. (Morais, 2021: 224).

Aliás, quando se observam os indicadores sobre digitalização das economias, desenvolvimento da *internet*, componente de *e-government* e CiberSegurança, entre outros, a supremacia dos EUA continua a ser evidente e a China está ainda muito longe de sequer se aproximar.

E o que nos dizem os indicadores de *soft power*?

É muito vasto o conjunto de indicadores, que são usualmente utilizados pela literatura para avaliar o *soft power* de um país e, a partir daí, proceder a comparações internacionais. Nas dimensões é muito frequente encontrarmos a governação, com indicadores que permitem medir a eficácia dos governos, a prossecução das liberdades individuais e dos direitos humanos ou ainda o grau de violência instalado na sociedade. Também a cultura e a educação são presenças quase obrigatórias nas dimensões do *soft power*, a primeira avaliada por indicadores tão distintos quanto as visitas de turistas, o sucesso das artes e do desporto do país ou ainda a respetiva herança histórica, enquanto na educação avultam a produção académica e qualidade das universidades, a capacidade do país em atrair alunos estrangeiros ou os investigadores e os prémios que conseguem obter a nível internacional. Encontramos ainda outras dimensões como a diplomacia e a capacidade de influência internacional do país, a sua atratividade para os negócios internacionais, o patamar de digitalização em que se situa e a sua reputação (Morais, 2021: 225).

Face à profusão de indicadores existente optamos neste artigo por nos centrar nos indicadores compósitos que identificam e analisam as dimensões em que se traduz a capacidade de influência e de poder dos Estados, evidentemente através de uma definição de pesos que traduz a importância que os autores atribuem a cada uma das componentes, por via dos instrumentos do *soft power*.

É o caso do *Soft Power 30*, que engloba um conjunto de indicadores objetivos, em dimensões como a governação, a digitalização, a cultura, a empresa, o compromisso e a educação, bem como indicadores obtidos em inquéritos de opinião, mais subjetivos, em temas tão diversos como a gastronomia local, os produtos tecnológicos, a simpatia do povo, a cultura, os bens de luxo, a política externa e a atratividade do país para viver, trabalhar ou estudar (Morais, 2021: 225).

Análise semelhante nos é proporcionada pelo *Global Soft Power Index,* alicerçado nas dimensões da familiaridade, influência e reputação, em pilares que vão desde os negócios e o comércio, à cultura, passando pela governança e pela educação e ciência, bem como, entre outros, o inquérito do *Pew Research Center*, nomeadamente na avaliação efetuada por um vastíssimo conjunto de cidadãos de largas dezenas de países sobre o poder económico dos Estados e a sua opinião, mais ou menos favorável, desses Estados (Morais, 2021: 228).

Contrariamente à análise que foi efetuada a partir dos indicadores de *hard power*, muito consistentes na afirmação do forte crescimento do poder chinês e na tentativa dos EUA em resistir a essa evolução, já no que diz respeito aos indicadores analisados de *soft power* as conclusões quanto à evolução e hierarquia dos países parecem menos evidentes.

Não sendo esta conclusão surpreendente, ainda assim convoca os países, mais ainda aqueles que disputam a liderança do poder mundial, para uma constante preocupação, que deve ser traduzida em medidas de política ativa, para evitar que, circunstancialmente ou de forma mais estrutural, a perceção que o mundo tem de si sofra alguma deterioração (Morais, 2021: 232).

E nos últimos dez anos, nessa perspetiva, dois fenómenos poderão ser avaliados como muito marcantes. O primeiro foi a eleição do presidente Trump nos EUA. Logo no ano seguinte à sua eleição, a *Transparency International* (TI) no seu relatório *US Corruption Barometer* 2017 mostrava que 44% dos norte-americanos consideravam a corrupção como prevalente na Casa Branca, o que comparava com 36% em 2016, enquanto sete em dez cidadãos opinavam que o governo estava a falhar na luta contra a corrupção, quando em 2016 eram apenas cinco em dez. Aliás, de entre as diferentes instituições e grupos sociais, o gabinete de Trump era mesmo o percecionado como mais corrupto, nos referidos 44%, que comparava com 38% para o Congresso, 33% para os dirigentes federais ou ainda 20% e 16% para a polícia e os juízes e magistrados. E tudo isto apenas um ano depois da eleição de Trump (Morais, 2021: 232).

O segundo fenómeno estamos ainda a vivê-lo e, por isso, os seus contornos são incertos, correspondendo à pandemia da Covid-19. Num inquérito levado a cabo em catorze países no verão de 2020, antes da segunda e mais mortífera vaga que se iniciou no outono, a Pew mostrava que 73% dos inquiridos consideravam "boa" a forma como os seus próprios países tinham lidado com a pandemia. No entanto, esse nível descia para apenas 37% na China, o que significava que 63% considerava "má" a forma como a China lidava com a pandemia e, no caso dos EUA, esse nível era ainda maior, atingindo 84% (Morais, 2021: 233).

Independentemente destes epifenómenos que condicionam como referimos a avaliação do poder suave dos Estados, parece ainda assim que a análise efetuada nos fornece uma visão dinâmica, mas sustentada, assente na ideia de que a China tem evoluído favoravelmente nesta componente eventualmente cada vez mais importante do poder global, mas que os EUA continuam sem grande dúvida a manter uma primazia a este nível. Aliás, salvaguardando os "salpicos" económicos que esta dimensão do *soft power* acaba sempre por também englobar, eventualmente a liderança dos EUA será seguida pela União Europeia, e não pela China, pelo menos a avaliar por boa parte dos indicadores que aqui detalhámos. (Morais, 2021: 233).

Conclusão

A análise empírica mostra que os EUA apresentam muitas das características que os autores da estagnação secular identificam para a caracterizar e que isso não acontece com a China.

A não ocorrer uma disrupção significativa da ordem mundial, cenário que talvez tenha ganho mais probabilidade com os acontecimentos recentes, em particular a Guerra na Ucrânia, é possível antever alterações na geografia da economia mundial, com a liderança dos EUA a ser posta em causa ainda antes do final da corrente década pela China.

Estas alterações na hierarquia dos países em matéria económica serão tanto mais prováveis quanto mais forem consistentes (e mais assimétricos, em especial entre economias avançadas e mercados emergentes) se revelarem os sinais de estagnação secular do crescimento.

Partindo deste cenário económico de fundo, podemos perspetivar como estes desenvolvimentos podem vir a influenciar os equilíbrios do poder mundial.

Na dimensão militar clássica, evidenciada por exemplo pela capacidade bélica e pelos orçamentos de defesa, a superioridade dos EUA permanece indiscutível. Já noutras dimensões do *hard power*, nomeadamente a económica, assistimos a alguma perda de influencia relativa dos EUA, o que também é sinalizado por alguns dos indicadores de *soft power* analisados.

Embora a superioridade dos EUA permaneça indiscutível na já mencionada vertente militar, na esfera financeira, em múltiplos indicadores compósitos de *hard power*, na investigação e desenvolvimento, mas também em indicadores sociais e de *soft power*, o que também se verifica é uma ascensão muito evidente da China em todas as componentes supracitadas.

Tudo indica que, progressivamente e a um ritmo muito consistente, um novo ator nas dinâmicas de poder se vem afirmando.

Esse ator é a China.

E dificilmente entenderemos como este processo se consolidou, e sobretudo até onde poderá ir, se não olharmos afinal para um dos fenómenos centrais analisados neste artigo: a estagnação do crescimento económico que afetou de forma dual os diferentes países.

A posição que a China já ocupa hoje no contexto geopolítico e do poder mundial dificilmente teria sido atingida, ou pelo menos tão rapidamente, não fora a força da economia chinesa nas últimas quatro décadas.

Provavelmente esta nova dimensão global da China irá ajudar a reforçar a sua já muito poderosa economia.

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PLANET GOVERNANCE – UM NOVO CONCEITO

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Resumo

Apesar de já existirem muitos conceitos relacionados com o desenvolvimento sustentável, apresentamos, neste trabalho, o conceito de "*Planet Governance*", que advém, e se relaciona, com o de *Corporate Governance*.
O presente estudo visa a apresentação de toda a literatura que relaciona a aplicação da estratégia empresarial à economia global, associando os instrumentos de *Corporate Governance* à "Governance Global".
A atual valorização das empresas no mercado, a captação de investimentos, os recursos a financiamentos, em particular das empresas cotadas, estão relacionados com o cumprimento das boas práticas em matéria de *Corporate Governance*. Partindo desta permissa então também o desenvolvimento económico e social dos Estados poderá ser relacionado com as boas práticas ambientais levada a cabo por uma determinada economia. Desta comparação foi evidenciado pelas autoras este novo conceito de "*Planet Governance*".
Com base nos pilares e principais variáveis de governação empresarial, definimos um novo conceito: O conceito de Governação do Planeta. "*Planet Governance* identifica a forma como os governos gerem, sobre os princípios da equidade, transparência, alinhamento de interesses e responsabilidade, os seus recursos económicos de sustentabilidade do planeta com um impacto positivo no desempenho económico do país".
O *Planet Governance* será entendido como um conceito que permitirá em primeiro lugar avaliar os governos de cada país em termos da gestão do planeta (recursos) e também permitirá avaliar o impacto económico e social resultante dessas boas práticas, indo, desta forma, mais além e mais especificamente do que as metas que os Objetivos do Desenvolvimento Sustentável (ODS) abordam.

Palavras-chave

Corporate Governance; Pilares da *Corporate Governance*; Sustentabilidade; Desenvolvimento Económico; Recursos

Abstract

Although there are many concepts related to sustainable development, this paper analyses the concept of "Planet Governance", which comes from, and is related to, Corporate Governance. It aims to present all the literature that relates the application of business strategy to the global economy, associating the instruments of Corporate Governance with Global Governance.

The current valuation of companies in the market, attracting investments, funding resources, in particular from listed companies, are related to compliance with Corporate Governance good practices. Based on this premise, then the economic and social development of states can also be related to good environmental practices carried out by a given economy. From this comparison, this new concept of "Planet Governance" was evidenced by the authors.

Based on the pillars and main variables of corporate governance, we defined a new concept: the concept of Planet Governance. "Planet Governance identifies the way in which governments manage, based on the principles of equity, transparency, alignment of interests and accountability, their economic resources for the sustainability of the planet with a positive impact on the country's economic performance".

Planet Governance will be understood as a concept that will allow, in the first place, to evaluate the governments of countries in terms of the management of the planet (resources). It will also enable evaluating the economic and social impact resulting from these good practices, thus going further and more specifically than the Sustainable Development Goals (SDGs) themselves.

Keywords

Corporate Governance; Pillars of Corporate Governance; Sustainability; Economic Development, Resources

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PLANET GOVERNANCE – UM NOVO CONCEITO

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1. Introdução

É indiscutível os efeitos provocados pela industrialização e pela globalização. Embora esses fenómenos tenham tido um impacto positivo na subsistência das sociedades, a sua dependência social e impacto nos recursos naturais tem aumentado consideravelmente as preocupações mundiais sobre esta transição.

Todas as alterações derivadas principalmente da globalização levam a que os problemas económico-financeiros das empresas sejam levados para outro patamar. O problema passa a um nível global onde, segundo Dragomir e Constantinescu (2018), a preocupação centra-se em harmonizar os problemas económicos, sociais e ambientais, de forma a garantir prosperidade para as gerações futuras. Neste seguimento, da mesma forma que as empresas possuem instrumentos de forma a conseguirem alcançar os seus objetivos, também os governos e, de uma forma mais geral, todo o mundo, deverá possuir instrumentos e medidas que permitam a qualquer momento aferir o alcance dos principais objetivos a nível do desenvolvimento sustentável, nunca esquecendo a necessidade de interação entre a esfera pública e a privada.

No contexto da globalização, o desenvolvimento sustentável é uma questão que é frequentemente considerada pelos decisores políticos, tanto local como globalmente, que se debatem, constantemente, com o desafio de fazer crescer as economias de forma eficiente e sustentável.

Dragomir e Constantinescu (2018) defendem que, dado que as regiões são diferentes e têm necessidades e características diferentes, o processo inerente ao desenvolvimento envolve diversos e diferentes atores, desde os cidadãos, às empresas como as próprias organizações locais ou governamentais. Da mesma forma que os autores apontam diversas caraterísticas inerentes ao desenvolvimento sustentável a nível local, também consideramos a maior parte deles a nível global, são eles: Integridade ecológica, Segurança económica, Responsabilidade e autorização, Bem-estar social. Também defendem que "De acordo com estas componentes, o principal problema é a criação de uma estratégia capaz de afetar positivamente cada domínio e cada momento da vida de uma comunidade." Este o nosso objetivo futuro: definir as estratégias capazes de atingir o desenvolvimento sustentável a nível planetário desenvolvendo um indicador composto, capaz de o medir. Por agora, e neste trabalho, pretendemos chegar a um novo conceito de "*Planet Governance*", sendo este o ponto de partida para a definição de um modelo e dos instrumentos inerentes ao mesmo.

Assim, este artigo tem como principal objetivo expor o novo conceito de "*Planet Governance*". A conceção deste conceito foi feita tendo como base dois polos: (i) a *Corporate Governance*, conceito e âmbito base para a definição do *Planet Governance* e (ii) o papel dos governos, na adoção das boas práticas de *Planet Governance* para alcançar a sustentabilidade ambiental bem como o impacto económico das boas práticas em matéria de *Planet Governance*.

A designação de *Planet Governance* decorre da analogia com o termo *Corporate Governance*. Na atualidade o tema da *Corporate Governance* tem-se destacado pela sua importância no desempenho económico, a avaliação de mercado e a sustentabilidade das organizações. Uma boa *Corporate Governance* tem um impacto positivo nestas dimensões.

Já Guimarães (1997) ao apresentar as diferentes dimensões e critérios operacionais de sustentabilidade, apresenta a "sustentabilidade planetária" como uma das dimensões. Considera ainda as dimensões: sustentabilidade ecológica, ambiental, demográfica, cultural, social, política e institucional. Considera que o objetivo da sustentabilidade planetária tem como principal objetivo "reverter os processos globais de degradação ecológica e ambienta". Ora o nosso objetivo vai um pouco mais além, pois não queremos associar o conceito de *Planet Governance* só à vertente ecológico-ambiental.

Tendo como escopos os governos, também eles deverão ter em conta o desempenho e desenvolvimento económico dos países associados à sustentabilidade do planeta. Assim o *Planet Governance* surge como um conceito associado à boa gestão dos governos de forma a manterem um planeta "saudável", ou seja, a *Global Governance*.

Já Kahn (2015) sobre o estudo e o interesse sobre estas matérias defende que "se pudéssemos comunicar ao público que "sabemos que há muito que não sabemos," mas, ao mesmo tempo, ensinar ao público sobre a metodologia de como criamos novos conhecimentos científicos, então podemos conceder maior margem de manobra para a experimentação e para o estudo e podemos descobrir as estratégias certas para promover o desenvolvimento sustentável global."

2. Revisão de literatura

Neste tópico serão abordados os desenvolvimentos teóricos sobre as matérias que levaram à conceção do conceito *Planet Governance*.

2.1 *Planet Governance* e *Corporate Governance*

O conceito de *Planet Governance* assenta em matérias relacionadas com a *Corporate Governance*, extraindo deste último conceito ideias base para o desenvolvimento do conceito de *Planet Governance* desenvolvido neste estudo.

A *Corporate Governance* na sua aceção mais limitada refere-se a como governar ou comandar uma empresa. Nos últimos anos é um tópico da vida das organizações que desperta os mais intensos debates por estar diretamente relacionado a eventos marcantes que refletem o atual cenário de alta volatilidade que cerca o ambiente empresarial (Quaresma, 2014).

Nos últimos anos, o conceito de governação empresarial desenvolveu-se e ganhou popularidade devido a desenvolvimentos na ciência da gestão. A governação empresarial, que é utilizada na gestão de empresas de modo a obter os maiores benefícios para os seus acionistas e outros interessados, é um dos tópicos frequentemente discutidos na literatura (Çemberci, Basar e Yurtsever, 2022).

Nas suas mais diversas vertentes, as opções de *Corporate Governance* vão determinar a eficiência e a eficácia da gestão das empresas nos desafios da competitividade, da internacionalização e globalização, do acesso aos mercados de capitais e da sua sustentabilidade como organizações integradas numa comunidade específica com *stakeholders* cada vez mais atentos e exigentes e determinados na defesa dos seus interesses (Quaresma, Pereira e Dias, 2014).

De salientar que a governação empresarial é algo completamente diferente das atividades diárias de gestão operacional, dado que vai mais além na sua perceção e operacionalização. É, assim, considerado um sistema de direção e controlo que dita a forma como um conselho de administração gere e supervisiona uma empresa.

São várias as definições de *Corporate Governance* encontradas na literatura. Adam Smith no ano de 1776 na sua obra intitulada "The Wealth of Nations" levantava a hipótese de que com a separação entre a propriedade e o controlo no seio das organizações, estas passariam a ser geridas por pessoas que não teriam o mesmo tipo de interesse e atenção dos que os proprietários (Quaresma, Pereira e Dias, 2014). Mais de um século depois, Berle e Means (1932) analisaram no seu estudo a separação entre a propriedade e o controlo que proporciona aos administradores a possibilidade de perseguirem os seus interesses em prol dos interesses dos proprietários. Jensen e Meckling (1976) enunciam o conceito de Teoria da Agência que refere a separação entre a propriedade (principal) e o agente (gestão) considerando que o gestor poderá atuar no sentido da não maximização do lucro para o acionista, levando a conflito de interesses e a custos de agência associados à monitorização da gestão. Donaldson e Preston (1995) apresentaram a teoria dos *stakeholders* evidenciando que todos os *stakeholders* das organizações, nas suas relações com as organizações procuram obter benefícios e, portanto, não existe desta forma motivos para a escolha de um conjunto de interesses em detrimento de outros, alargando a interação da gestão com todos aqueles que com ela se relacionam e não apenas com os acionistas. Desde então muitos estudos se debruçaram sobre este conceito, no entanto acredita-se que esta separação, propriedade e gestão, torna-se inevitável à medida que os mercados se tornam mais desenvolvidos.

Os vários escândalos financeiros ocorridos no século XX e XXI, que na sua base envolveram atos de má gestão das empresas, levou a uma crescente preocupação dos Estados e Reguladores de Mercado para a emissão de leis (mercados anglo saxónicos) e princípios (mercado europeu) cuja finalidade é conduzir e balizar a atividade das organizações em matéria de *Corporate Governance*. O senso comum sugere que as empresas com uma estrutura de *Corporate Governance* alinhada aos *Best Practices Codes* devem ter uma melhor gestão (Fama e Jesen, 2003). A *Corporate Governance* encontra-se desta forma sobre o escrutínio do Mercado.

Em Cadbury (1992), o Governo das Sociedades é definido como sendo "o sistema pelo qual as sociedades são dirigidas e controladas", desenvolvendo a OCDE um pouco mais este conceito ao indicar que "envolve um conjunto de relações entre a gestão da empresa, o seu órgão de administração, os seus accionistas e outros sujeitos com interesses relevantes. O governo das sociedades estabelece também a estrutura através da qual são fixados os objectivos da empresa e são determinados e controlados os meios para alcançar esses objectivos. Um bom governo das sociedades deve proporcionar incentivos adequados para que o órgão de administração e os gestores prossigam objectivos que sejam do interesse da empresa e dos seus accionistas, devendo facilitar uma fiscalização eficaz." (OCDE, 2004).

Tal como a *Corporate Governance* tem por base leis e princípios que regem a atuação das sociedades nesta matéria, o *Planet Governance* é concebido como um conceito que deverá orientar as boas práticas e políticas económicas dos Estados na matéria do governo do planeta.

2.2. Desenvolvimento sustentável e *Corporate Governance*

O conceito de Desenvolvimento Sustentável é tão antigo quanto a própria ciência económica. Desde o início da existência da Economia, com Adam Smith, que existem as preocupações relacionadas com o desenvolvimento de uma nação. E, no seu seguimento, outros clássicos como Thomas Malthus, David Ricardo e Stuart Mill também deram seguimento a essa preocupação, enunciando alguns elementos do desenvolvimento sustentável. A teoria neoclássica deu enfase às preocupações com a existência do ar puro e recursos hídricos e renováveis (combustíveis fósseis, minérios), manifestando a necessidade de intervenção governamental no caso de externalidades e bens públicos.

Em 1968 reuniram-se em Roma economistas e humanistas provenientes de dez países com o objetivo de melhorarem a situação socio-económica dos países em desenvolvimento, com a preocupação principal sobre a escassez dos recursos, o desenvolvimento económico, os problemas ecológicos e o desenvolvimento económico. Este grupo de indivíduos ficou conhecido como o Clube de Roma.

Klarin (2018) afirma que foi o campo da silvicultura que originou a maior utilização do termo desenvolvimento sustentável, acabando por ser mencionado pela primeira vez na Estratégia de Conservação da Natureza e Recursos Naturais da União Internacional para Conservação da Natureza, publicada em 1980.

Embora inicialmente o desenvolvimento sustentável apontasse principalmente para uma perspetiva ecológica rapidamente acabou por se espalhar para o domínio socio-económico.

A existência do conceito de desenvolvimento sustentável, tal como o abordamos nos nossos dias, é apontada aos anos 70-80 do século passado. Todos os estudos e análise inerentes a este conceito tornam-se mais vincados nos últimos anos, associado a desastres naturais e às alterações climáticas, no entanto este já existe há muitas décadas relacionado não só com estas áreas, mas também com a instabilidade então sentida a nível socioeconómico e também político.

No entanto é entre os anos 80 e 90 que, com a redução da camada de ozono e as mudanças climáticas se começou a encarar seriamente a existência de problemas ambientais, levando a maior preocupação e foco no conceito de "crescimento sustentável".

Segundo Hove (2004), o Desenvolvimento Sustentável é um processo que contribui para alcançar a sustentabilidade, ou seja, o objetivo final de longo prazo. Neste seguimento concluímos que a sustentabilidade acaba por seguir os resultados obtidos usando estratégias de desenvolvimento sustentável. Neste seguimento Dempsey *et al.* (2011) defendem que o processo de desenvolvimento sustentável consiste em ações ligadas a habilidades gerenciais, financeiras, estratégicas e técnicas que ajudam a alcançar a sustentabilidade.

Mais recentemente o termo sustentabilidade vem associado a muitas outras áreas que não só o ambiente e/ou o desenvolvimento, mas também a economia, a tecnologia, os negócios, a agricultura, etc…

Em geral, a sustentabilidade refere-se à criação de uma condição para que o homem e a natureza possam coexistir numa harmonia produtiva que permita o desenvolvimento sócio-económico das gerações actuais e futuras (Nodehi e Taghvaee, 2021).

Vatamanescu *et al*. (2017) defende que "a sustentabilidade está a mudar a forma como a vida é enquadrada e vivida no século XXI. Integra conceitos e modelos teóricos mal antecipados e discutidos no século anterior, que, hoje em dia, conheceram uma dinâmica exponencial."

Klarin (2018) defende que o conceito de desenvolvimento sustentável completo depende da existência equilibrada de três pilares, caracterizados como os pilares da sustentabilidade, são eles:

- a sustentabilidade ambiental, com o objetivo de manter o ambiente saudável, conseguindo conjugar a existência das atividades económicas envoltas da produção, com o bem-estar da população existente com qualidade ambiental;
- sustentabilidade social, com o objetivo de garantir a aplicação dos direitos e igualdade humanos, preservação da identidade cultural, respeito à diversidade cultural, raça e religião;
- sustentabilidade económica necessária para manter o capital natural, social e humano necessário para a obtenção de riqueza.

Gazolla e Pellicelli (2019) assumindo a necessidade da existência de um modelo que procure fomentar o bem-estar do indivíduo, defendem que "há um desentendimento entre o papel central do setor público no desenvolvimento sustentável e sua participação efetiva no empreendimento. A razão por trás disso é a dificuldade de integrar as inúmeras necessidades dos cidadãos e os requisitos de diferentes culturas."

Acredita-se que objetivos globais como os ODS criam uma visão comum e um incentivo para uma maior cooperação entre organizações e instituições internacionais e, por conseguinte, melhoram coerência política (Haas e Stevens, 2017).

Embora as empresas sejam orientadas para o lucro, a crescente pressão da política, a concorrência existente no mercado, os clientes com características diferentes das do passado, e o público em geral, entre outros, os mais diversos setores empresariais começaram a envolver-se com o quadro dos Objetivos do Desenvolvimento Sustentável.

Um bom governo societário deve proporcionar incentivos adequados para que o órgão de administração e os gestores prossigam objectivos que sejam de interesse da sociedade e dos seus accionistas, devendo facilitar uma fiscalização eficaz (OCDE, 2004).Ainda segundo a OCDE (2004), é também mencionado que um bom governo das sociedades deve contribuir para um crescimento sustentável da organização sendo identificados, entre outros, factores que podem contribuir para o sucesso a longo prazo da empresa: a ética profissional e a preocupação com questões ambientais e sociais da envolvente externa em que a empresa se insere. Pelo exposto é possível identificar uma relação entre o tema *Corporate Governance*, ética e questões ambientais e sociais, fazendo o apelo à Sustentabilidade e Responsabilidade Social das organizações, conceitos utilizados para a construção do conceito de *Planet Governance*.

O *Planet Governance* é assim identificado como um conceito que relaciona a atuação dos países e governos com a competitividade e sustentabilidade tendo por base o respeito por todos os cidadãos e recursos naturais do planeta.

A sustentabilidade corporativa (*Corporate Sustainability*) implica a incorporação dos objetivos do desenvolvimento sustentável, ou seja, objetivos que estejam direcionados à busca da equidade social, eficiência económica e desempenho ambiental, em práticas operacionais de uma empresa (Labuschagne, Brent e Van Erck, 2005).

O conceito de Responsabilidade Social das Empresas tem vindo a constituir tema de debate e estudos científicos, estando ligado a algumas teorias, tais como a Teoria dos *stakeholders* e as suas implicações empresariais, pretendendo demonstrar o impacto da governação empresarial sobre todos queles que têm algum interesse na atividade da empresa. Neste sentido, as empresas definem os seus intervenientes estratégicos no planeamento da gestão empresarial definindo uma estratégia específica baseada nas suas expectativas. Assim, no atual mundo em mudança, a Responsabilidade Social tem-se tornado um campo de estudo e que integra, cada vez mais, novas perspetivas para as empresas promoverem o desenvolvimento sustentável.

Para já, a contribuição das empresas para o desenvolvimento sustentável é representada pela integração por parte das mesmas de estratégias de Responsabilidade Social considerando várias atividades que relatam resultados e estão ligadas ao desenvolvimento sustentável.

Gerhards e Greenwood (2021) afirmam que "nas últimas duas décadas assistiu-se ao aumento da utilização e à evolução de formas de instrumentos de governação que procuram promover a sustentabilidade em contextos cada vez mais complexos e variados. Estes instrumentos, principalmente voluntários, combinam orientações sobre estratégia de sustentabilidade e/ou monitorização com informação pública comercializável, tais como certificações, classificações e relatórios, para incentivar a sua utilização."

Song *et al.* (2022) referem que a sua "compreensão do estatuto e do progresso da adoção dos ODS nos sectores empresariais é limitada. Embora muitas empresas tenham mencionado os ODS nos seus relatórios, faltam-lhe ferramentas de avaliação e acompanhamento para avaliar o estado atual e as ações na implementação dos ODS nos sectores empresariais."

Como vimos também outra literatura se preocupa com o tema, mas não com o objetivo da quantificação do alcance aos objetivos que representam a sustentabilidade que cada país terá em cada momento, para isso será necessário partirmos para a definição de um novo conceito e capacidade, de no futuro, medir esse alcance (ou maior, ou menor, distância dos objetivos traçados).

3. Novo Conceito de *Planet Governance*

3.1 Pilares da *Corporate Governance* e *Planet Governance*

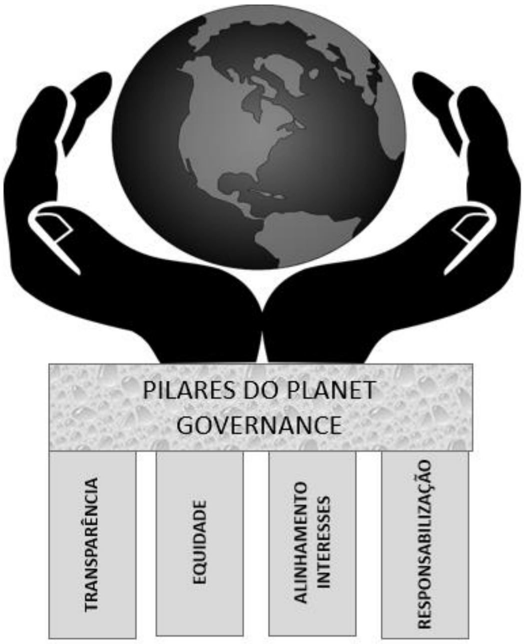
Um adequado modelo de *Corporate Governance* é fundamental para o sucesso da organização. A estrutura de separação de poderes e o sistema de controlo e equilíbrios das organizações devem satisfazer quatro critérios fundamentais, são eles:

1. Equidade: Assegurar a proteção dos direitos de todos os accionistas, com especial atenção para os minoritários sem, contudo, deixar de parte os restantes *stakeholders*;
2. Transparência: Fornecer atempadamente aos accionistas e demais partes interessadas informação adequada e clara (e comparável) sobre o desempenho da organização, nomeadamente nas suas dimensões estratégicas e financeiras e no que se refere ao cumprimento dos princípios de governo societário;
3. Consonância/Alinhamento de Interesses: As normas, os procedimentos e os incentivos na empresa devem assegurar o alinhamento do desempenho dos decisores com os interesses dos *stakeholders*, com especial enfoque nos acionistas;
4. Responsabilização: assegurar a devida responsabilização (accountability) dos decisores (Quarema, Pereira e Dias, 2014).

De salientar que a estes quatro critérios têm-se juntado outros, nas últimas décadas, como a disciplina, a independência e a responsabilidade social (critério em relação ao qual se tem dado maior importância nos últimos tempos). Hoje me dia, uma empresa bem gerida considera as questões sociais, atribuindo uma elevada prioridade aos padrões éticos, não só de não discriminação, direitos humanos e também de questões ambientais. Considera-se que uma empresa obtenha benefícios económicos indiretos, tais como reputação corporativa e uma maior produtividade, tendo esses fatores em consideração.

Com base nos pilares de uma governança corporativa eficaz foi identificado o paralelismo com o conceito de *Planet Governance*. O *Planet Governance* obedece aos critérios enunciados cabendo aos governos a introdução de políticas governamentais que assentem nos princípios de: 1. Equidade no tratamento de todos os cidadãos de forma igual onde as práticas e politicas governamentais em matéria de *Planet Governance* visem o bem estar de todos; 2. Transparência dos governos sobre as politicas e reformas que possam ter impacto no *Planet Governance*; 3. Alinhamento de Interesses dos governos com o bem estar do planeta; 4. Responsabilização dos governos por impactos negativos das politicas e reformas que possam ter impacto no *Planet Governance*.

Figura 1 – Pilares da *Corporate Governance*



Fonte: Elaboração própria

De acordo com a ODCE "A boa governação empresarial ajuda a construir um ambiente de confiança, transparência e responsabilização necessário para fomentar o investimento a longo prazo, a estabilidade financeira e a integridade empresarial, apoiando assim um crescimento mais forte e sociedades mais inclusivas" (ODCE, 2017) então o *Planet Governance* deverá ele também contribuir para que os governos tenham uma maior responsabilização na gestão dos recursos planetários, de forma a garantir um melhor desempenho dos países avaliado por indicadores económicos, contribuindo para um melhor, ou pior posicionamento, dos países em matéria de *Planet Governance*.

O desenvolvimento empresarial é uma visão de negócios de longo prazo que acaba por incorporar as dimensões social e ambiental à estratégia empresarial. Engloba conceitos inerentes à responsabilidade social como ética, transparência, comunicação efetiva, boas práticas de governança corporativa e prestação de contas que são elementos fundamentais desta nova posição.

Small-Warner *et al*. (2018) defendem que "muitos líderes empresariais executam estratégias alinhadas com objetivos de desenvolvimento sustentável global, mas não necessariamente em sincronia com os seus negócios principais."

3.2. Novo conceito de *Planet Governance*

Este conceito de *Planet Governance* tem a sua construção teórica baseada no conceito de *Corporate Governance*, adaptado ao governo dos países exercido pelos Estados com enfoque nas Boas Práticas de Governação do Planeta.

A definição de Governação Planetária surge do paralelismo feito com o conceito de Governação Corporativa. As boas práticas de Governação Corporativa ajudam as organizações a alcançar um elevado desempenho financeiro e económico devido ao impacto na imagem da organização no mercado, sendo um tema chave nos debates de hoje. Ao aproximar a governação do planeta, acreditamos que as boas práticas dos Estados nesta área poderiam ter impactos económicos e financeiros favoráveis nos países. Assim, a Governação do Planeta surge como um conceito associado à boa gestão dos governos, a fim de manter um planeta "saudável", ou seja, a Governação Global.

Após a revisão da literatura, onde se recolheu os construtos para a definição do conceito de *Planet Governance* (quadro 1) torna-se possível realizá-la.

Quadro 1 – Construtos para a conceção do conceito *Planet Governance*

Contributos	***Planet Governance***
Definição de *Corporate Governance*	Analogia da governance das organizações e governance do planeta
Âmbito da *Corporate Governance*	Governos que gerem os Estados com consciência dos recursos ambientais e bem-estar de todos os cidadãos.
Pilares da *Corporate Governance*	*Planet Governance* assenta em princípios de equidade (tratamento de todos os cidadãos); transparência (revelação das políticas económicas tendo em conta os recursos ambientais), alinhamento de interesses (entre os vários governos e o planeta e entre os vários cidadãos e o governo) e responsabilização (penalização ou premiação da atuação dos governos através das suas políticas económicas com impacto no planeta)
Corporate Governance e Responsabilidade Social	Os governos deverão ter preocupações de sustentabilidade do planeta e serem premiados pelas suas políticas que possam ter impacto positivo nesta matéria.

Fonte: Construído pelas autoras com base na informação recolhida

O Conceito de Governação do Planeta pode ser o seguinte: "*Planet Governance* identifica a forma como os governos gerem, sobre os princípios da equidade, transparência, alinhamento de interesses e responsabilidade, os seus recursos económicos de sustentabilidade do planeta com um impacto positivo no desempenho económico do país".

Para tal, e após ter sido compreendido o conceito de Governação do Planeta, torna-se evidente a necessidade de desenvolver um Índice de Governação do Planeta para medir o desempenho dos Estados nesta matéria.

O conceito de *Planet Governance* poderá ser enunciado da seguinte forma:

"*Planet Governance* identifica a forma como os governos gerem, sobre os principios de equidade, transparência, alinhamento de interesses e responsabilização, os seus recursos naturais de forma a manterem a sustentabilidade do planeta com impacto positivo no desempenho económico do país".

As decisões tomadas a nível empresarial, que se traduzirão com impacto na globalidade da Economia, originarão impactos a longo prazo nas gerações futuras e determinarão se as comunidades, algumas já em constantes alterações, se tornarão mais sustentáveis, amigas do ambiente e mais resilientes.

De salientar que ao nível mundial, a forma de gerir e controlar as organizações é necessariamente diferente de região para região, e até mesmo de país para país, fruto de variadíssimos fatores tais como: a cultura; o ambiente externo em termos económico, político, social, tecnológico, etc.; o regime legal; e as influências de outros países próximos.

A futura avaliação do *Planet Governance* será feita através de um Índice, o qual designaremos por Índice de *Planet Governance* cujos indicadores serão construídos com proxies alimentadas por dados macroeconómicos que avaliarão a atuação dos governos em matéria de *Planet Governance*. Um melhor, ou pior, desempenho dos governos avaliado por este indicador deverá ter um impacto positivo, ou negativo, na sua avaliação de Governance Global.

4. Conclusões

O principal objetivo deste estudo que assenta na apresentação do conceito de *Planet Governance* foi devidamente enunciado ilustrando a forma da sua conceção.

A Agenda para o Desenvolvimento Sustentável de 2030 estabelece um novo quadro global para reorientar a humanidade para um caminho sustentável, contemplando um conjunto de 17 objetivos, 169 metas e 232 indicadores propondo um plano de ação para as pessoas, prosperidade e promoção da paz, através do estabelecimento de parcerias entre diversos setores e países. Entre os agentes responsáveis pela implementação desta Agenda, observa-se que a ONU considera que vários atores são protagonistas deste processo, sendo notório o papel desempenhado pelos governos, empresas e sociedade civil no âmbito dos ODS.

Pensamos que com este trabalho, ajudamos a desenvolver a análise e importância que é dada à estratégia associada à nação em busca do desenvolvimento sustentável e à necessidade de considerar o impacto que os seus intervenientes têm no alcance do estado da nação. Já Broman e Robert (2017) defendiam que era necessária mais investigação sistemática e unificada sobre o tema. Neste seguimento, consideramos o nosso trabalho como um grande contributo neste sentido.

Klarin (2018) defende que "as limitações fundamentais da implementação do conceito de desenvolvimento sustentável são o grau de desenvolvimento socioeconómico que muitos países ainda não alcançaram, associado à falta de recursos financeiros e tecnologia, mas também a diversidade de objectivos políticos e económicos à escala global".

Assim, e dado o nível de desenvolvimento que Portugal tem verificado nas últimas décadas, consideramos que será útil, e adequado, o surgimento de uma abordagem e uma postura mais "séria" em relação ao tema. Levando à definição do conceito "*Planet*

Governance" já apresentado e ao futuro desenvolvimento do mesmo em termos de definição estratégicas.

Todos os estudos sobre sustentabilidade e governação ambiental deram contribuições inestimáveis que alargaram utilmente o campo da política ambiental com base na intervenção dos governos. A inclusão de novos agentes e dos seus interesses, mecanismos de governação e fundamentos motivacionais reforçou as análises dos desafios e resultados ao nível da sustentabilidade, nomeadamente ao nível ambiental. Mas, na nossa opinião, a revolução da governação da sustentabilidade continua incompleta.

Assim, e dado que o desenvolvimento sustentável deve privilegiar áreas de abrangência prioritárias de entre as diferentes áreas apresentadas, que formam o processo de aplicação do desenvolvimento sustentável, será necessário envolver, além de planeamento local (com autoridade local, empresas, associações e cidadãos) também será necessário definir estratégias a nível nacional e internacional. Assim, o conceito de "*Planet Governance*" aparece associado à necessidade de se avançar com um projeto de desenvolvimento sustentável eficiente.

Lucci (2015), Reddy (2016) e Satterthwaite (2017) ambicionam que os governos locais desempenhem um papel de liderança na realização dos Objetivos do Desenvolvimento Sustentável, avaliando a situação local, identificando as necessidades e recursos, desenvolvendo parcerias com as partes interessadas, e implementando políticas e projetos apropriados. Os governos locais são reconhecidos como estando numa posição importante para implementar estratégias de intermediação para a localização da agenda global (Gustafsson e Mignon, 2019; Palermo *et al*., 2020). Assim, com base neste conceito onde temos a conceção de um modelo teórico, temos por objetivo a criação de um índice de mensuração de boas práticas governamentais ao nível da gestão dos recursos naturais do país e defesa na preservação do planeta. Através do modelo apresentado será possível aferir, no futuro, um "Indíce de *Planet Governance*" para os Estados.

Bogers *et al*. (2022) defendem que "a necessidade de uma melhor coerência política na governação da sustentabilidade global é indiscutível". Para enfrentar os desafios complexos, interrelacionados e não lineares da sustentabilidade sócio-ambiental que ameaçam as sociedades e os ecossistemas, consideramos necessária não só uma passagem da governação ambiental para uma governação para a sustentabilidade, o que mudará fundamentalmente a forma como o estudo dos desafios sócio-ambientais analisa as causas, processos, resultados e soluções propostas. Neste seguimento será idealizado o índice já referido, cujo modelo para a sua determinação será futuramente desenvolvido pelas autoras, de forma a ser possível atribuir aos governos uma classificação nessa matéria verificando o impacto da adoção das boas práticas de *Planet Governance* nos indicadores macroeconómicos.

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PLANET GOVERNANCE – A NEW CONCEPT

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Abstract

Although there are many concepts related to sustainable development, this paper analyses the concept of "Planet Governance", which comes from, and is related to, Corporate Governance. It aims to present all the literature that relates the application of business strategy to the global economy, associating the instruments of Corporate Governance with Global Governance.

The current valuation of companies in the market, attracting investments, funding resources, in particular from listed companies, are related to compliance with Corporate Governance good practices. Based on this premise, then the economic and social development of states can also be related to good environmental practices carried out by a given economy. From this comparison, this new concept of "Planet Governance" was evidenced by the authors.

Based on the pillars and main variables of corporate governance, we defined a new concept: the concept of Planet Governance. "Planet Governance identifies the way in which governments manage, based on the principles of equity, transparency, alignment of interests and accountability, their economic resources for the sustainability of the planet with a positive impact on the country's economic performance".

Planet Governance will be understood as a concept that will allow, in the first place, to evaluate the governments of countries in terms of the management of the planet (resources). It will also enable evaluating the economic and social impact resulting from these good practices, thus going further and more specifically than the Sustainable Development Goals (SDGs) themselves.

Keywords

Corporate Governance; Pillars of Corporate Governance; Sustainability; Economic Development, Resources

Resumo

Apesar de já existirem muitos conceitos relacionados com o desenvolvimento sustentável, apresentamos, neste trabalho, o conceito de "*Planet Governance*", que advém, e se relaciona, com o de *Corporate Governance*.

O presente estudo visa a apresentação de toda a literatura que relaciona a aplicação da estratégia empresarial à economia global, associando os instrumentos de *Corporate Governance* à "Governance Global".

A atual valorização das empresas no mercado, a captação de investimentos, os recursos a financiamentos, em particular das empresas cotadas, estão relacionados com o cumprimento das boas práticas em matéria de *Corporate Governance*. Partindo desta permissa então também o desenvolvimento económico e social dos Estados poderá ser relacionado com as boas práticas ambientais levada a cabo por uma determinada economia. Desta comparação foi evidenciado pelas autoras este novo conceito de "*Planet Governance*".

Com base nos pilares e principais variáveis de governação empresarial, definimos um novo conceito: O conceito de Governação do Planeta. "*Planet Governance* identifica a forma como os governos gerem, sobre os princípios da equidade, transparência, alinhamento de interesses e responsabilidade, os seus recursos económicos de sustentabilidade do planeta com um impacto positivo no desempenho económico do país".

O *Planet Governance* será entendido como um conceito que permitirá em primeiro lugar avaliar os governos de cada país em termos da gestão do planeta (recursos) e também permitirá avaliar o impacto económico e social resultante dessas boas práticas, indo, desta forma, mais além e mais especificamente do que as metas que os Objetivos do Desenvolvimento Sustentável (ODS) abordam.

Palavras-chave;

Corporate Governance; Pilares da *Corporate Governance*; Sustentabilidade; Desenvolvimento Económico, Recursos

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PLANET GOVERNANCE – A NEW CONCEPT

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1. Introduction

The effects caused by industrialization and globalization are undeniable. Although these phenomena have had a positive impact on the livelihoods of societies, their social dependence and impact on natural resources have considerably increased global concerns about this transition.

All the changes resulting mainly from globalization take the economic and financial problems of companies to another level. The problem moves to a global level where, according to Dragomir and Constantinescu (2018), the concern focuses on harmonizing economic, social and environmental problems, in order to guarantee prosperity for future generations. Consequently, in the same way that companies have instruments to achieve their objectives, governments and, in a more general way, the whole world, must have instruments and measures that allow at any time measuring the reach of the main objectives in terms of sustainable development, never forgetting the need for interaction between the public and private spheres.

In the context of globalization, sustainable development is an issue that is often taken into account by policy makers, both locally and globally, who are constantly struggling with the challenge of making economies grow efficiently and sustainably.

Dragomir and Constantinescu (2018) argue that, given that regions are different and have different needs and characteristics, the process inherent to development involves several and different actors, from citizens to companies as well as local or governmental organizations themselves. In the same way that the authors point out several characteristics inherent to sustainable development at a local level, we also consider most of them at a global level, including: ecological integrity, economic security, accountability and authorization, and social well-being. They also argue that "According to these components, the main problem is the creation of a strategy capable of positively affecting each domain and each moment of the life of a community". This is our future objective: to define strategies capable of achieving sustainable development at world level by developing a composite indicator capable of measuring it. For now, and in this work, we intend to arrive at a new concept of "Planet Governance", which is the starting point for the definition of a model and the instruments inherent to it.

Thus, this article's main objective is to expose the new "Planet Governance" concept. This concept is based on two aspects: (i) Corporate Governance, concept and basis for the definition of Planet Governance and (ii) the role of governments in adopting good Planet Governance practices to achieve environmental sustainability, as well as the economic impact of good practices in terms of Planet Governance.

The designation of Planet Governance derives from the analogy with the term Corporate Governance. Currently, Corporate Governance has been highlighted for its importance in economic performance, market assessment and the sustainability of organizations. Good Corporate Governance has a positive impact on these dimensions.

Guimarães (1997), when presenting the different dimensions and operational sustainability criteria, referred to "planetary sustainability" as one of the dimensions. The author also considered the following dimensions: ecological, environmental, demographic, cultural, social, political, and institutional sustainability. He considers that the main objective of planetary sustainability is "to reverse the global processes of ecological and environmental degradation". Here, our objective goes a little further, as we do not want to associate the concept of Planet Governance only with the ecological-environmental aspect.

As for governments, they too must take into account the economic performance and development of countries associated with the sustainability of the planet. Thus, Planet Governance emerges as a concept associated with the good management of governments in order to maintain a "healthy" planet, that is, Global Governance.

On the study and interest in these matters, Kahn (2015) argues that "if we could communicate to the public that "we know that there is a lot we don't know about," and, at the same time, teach the public about the methodology of how we create new scientific knowledge, then we could allow more leeway for experimentation and study, and we discover the right strategies to promote sustainable global development".

2. Literature review

This topic will address the theoretical developments on the matters that led to the Planet Governance concept.

2.1 Planet Governance and Corporate Governance

The Planet Governance concept is based on matters related to Corporate Governance, extracting from this last concept basic ideas for the development of the Planet Governance concept referred to in this article.

In its most limited sense, corporate governance refers to how to manage a company. In recent years, it has been a topic in the life of organizations that arouses the most intense debates because it is directly related to important events that reflect the current scenario of high volatility surrounding the business environment. (Quaresma, 2014).

In recent years, the concept of corporate governance has developed and gained popularity due to developments in management science. Corporate governance, which is used in the management of companies in order to obtain the greatest benefits for their shareholders and other stakeholders, is one of the topics frequently discussed in the literature (Çemberci, Basar and Yurtsever, 2022).

In its most diverse aspects, corporate governance options will determine the efficiency and effectiveness of the management of companies regarding the challenges of competitiveness, internationalization and globalization, access to capital markets and their sustainability as organizations integrated in a specific community. At the same time, they have increasingly attentive and demanding stakeholders determined to defend their interests (Quaresma, Pereira and Dias, 2014).

It should be noted that corporate governance is something completely different from the daily activities of operational management, as it goes further in its perception and operation. It is, therefore, considered to be a management and control system that dictates how a board of directors manages and supervises a company.

The literature provides several definitions of corporate governance. In 1776, Adam Smith, in his work entitled "The Wealth of Nations" raised the hypothesis that with the separation between ownership and control within organizations, they would be managed by people who would not have the same type of interest and attention as the owners (Quaresma, Pereira and Dias, 2014). Over a century later, Berle and Means (1932) analysed the separation between ownership and control that gives administrators the possibility to pursue their interests in favour of the interests of owners. Jensen and Meckling (1976) detailed the concept of Agency Theory, which refers to the separation between ownership (principal) and agent (management), considering that the manager may act in the sense of not maximizing profit for the shareholder, leading to conflict of interests and agency costs associated with monitoring management. Donaldson and Preston (1995) presented the stakeholder theory, showing that all stakeholders of organizations, in their relationships with organizations, seek to obtain benefits. Accordingly, there is no reason to choose a set of interests over others, expanding management's interaction with all those who have a relationship with it and not just with shareholders. Since then, many studies have focused on this concept. However it is believed that this separation, ownership and management, becomes inevitable as markets become more developed.

The various financial scandals that occurred in the 20th and 21st century, which at their base involved acts of mismanagement by companies, led to a growing concern of states and market regulators for the issuance of laws (Anglo Saxon markets) and principles (European market), whose purpose is to guide the activities of organizations in terms of corporate governance. Common sense suggests that companies with a corporate governance structure aligned with Best Practices Codes should have better management (Fama and Jesen, 2003). Corporate governance is thus under the scrutiny of the market.

Cadbury (1992) defined corporate governance as "the system by which companies are managed and controlled", the OECD developing this concept a little further by indicating that it "involves a set of relationships between the management of the company, its management body, its shareholders and other subjects with relevant interests. Corporate governance also establishes the structure through which the company's objectives are set and the means to achieve those objectives are established and controlled. Good corporate governance must provide adequate incentives for the board of directors and managers to pursue objectives that are in the interest of the company and its shareholders, and must facilitate effective supervision" (OECD, 2004).

Just as corporate governance is based on the laws and principles that govern the actions of companies, Planet Governance is conceived as a concept that should guide the good practices and economic policies of states in terms of governing the planet.

2.2. Sustainable Development and Corporate Governance

The concept of Sustainable Development is as old as economics itself. Since the beginning of the existence of economics, with Adam Smith, there have been concerns related to the development of a nation. And, further on, other classics such as Thomas Malthus, David Ricardo and Stuart Mill followed up this concern, referring to some aspects of sustainable development. Neoclassical theory emphasized concerns about the existence of clean air and water and renewable resources (fossil fuels, ores), expressing the need for government intervention in the case of externalities and public goods.

In 1968, economists and humanists from ten countries met in Rome with the aim of improving the socio-economic situation of developing countries. Their main concern was the scarcity of resources, economic development, ecological problems and economic development. This group of individuals became known as the Club of Rome.

Klarin (2018) states that it was forestry that gave rise to the greatest use of the term sustainable development, ending up being mentioned for the first time in the Strategy for the Conservation of Nature and Natural Resources of the International Union for Conservation of Nature, published in 1980.

Although initially sustainable development aimed mainly at an ecological perspective, it quickly spread to the socio-economic domain.

The existence of the concept of sustainable development, as we approach it today, dates back to the 1970s and 1980s. All the studies and analysis inherent to this concept have become more pronounced in recent years, associated with natural disasters and climate change. However, it has existed for many decades, related not only to those areas, but also to the instability then felt in the socioeconomic and political levels.

However, it was between the 1980s and 1990s that, given the reduction of the ozone layer and climate change, environmental problems began to be seriously addressed, leading to greater concern and focus on the concept of "sustainable growth".

According to Hove (2004), sustainable development is a process that contributes to achieving sustainability, that is, the final long-term goal. As a result, we conclude that sustainability ends up following the results obtained using sustainable development strategies. Accordingly, Dempsey et al. (2011) argue that the sustainable development process consists of actions linked to managerial, financial, strategic and technical skills that help to achieve sustainability.

More recently, the term sustainability has been associated with many areas other than the environment and/or development, also including the economy, technology, business, and agriculture, among others.

In general, sustainability refers to the creation of a condition that enables people and nature to coexist in a productive harmony that allows the socio-economic development of current and future generations (Nodehi and Taghvaee, 2021).

Vatamanescu et al. (2017) argue that "sustainability is changing the way life is framed and lived in the 21st century. It integrates concepts and theoretical models barely anticipated and discussed in the previous century, which, nowadays, have known an exponential dynamics".

Klarin (2018) argues that the concept of complete sustainable development depends on the balanced existence of three pillars, characterized as the pillars of sustainability:

- environmental sustainability, with the objective of maintaining a healthy environment, managing to combine the existence of economic activities involved in production, with the well-being of the existing population with environmental quality;
- social sustainability, with the objective of guaranteeing the application of human rights and equality, preservation of cultural identity, respect for cultural diversity, race and religion;
- economic sustainability necessary to maintain the natural, social and human capital required to obtain wealth.

Gazolla and Pellicelli (2019), assuming the need for a model that seeks to promote the well-being of individuals, argue that "there is a misunderstanding between the central role of the public sector regarding sustainable development and its effective participation in the enterprise. The reason behind it is the difficulty of integrating the myriad needs of citizens and the requirements of different cultures".

Global goals such as the SDGs are believed to create a common vision and an incentive for greater cooperation between international organizations and institutions and therefore improve policy coherence (Haas and Stevens, 2017).

Although companies are profit-oriented, increasing political pressure, market competition, customers with different characteristics from the past, and the general public, among others, are leading the most diverse business sectors to get involved within the framework of the Sustainable Development Goals.

Good corporate governance should provide adequate incentives for the board of directors and managers to pursue objectives that are in the interest of society and its shareholders, and should facilitate effective supervision (OECD, 2004). Also according to the OECD (2004), good corporate governance should contribute to the organizations' sustainable growth, identifying, among others, factors that can contribute to the companies' long-term success: professional ethics and concern for environmental and social issues of the external environment in which the company operates.

Thus, it is possible to identify a relationship between corporate governance, ethics and environmental and social issues, also involving sustainability and the social responsibility of organizations, concepts used to build the concept of Planet Governance.

Planet Governance is thus identified as a concept that relates the performance of countries and governments to competitiveness and sustainability based on respect for all citizens and natural resources on the planet.

Corporate sustainability implies the incorporation of sustainable development objectives, that is, objectives that are directed towards the pursuit of social equity, economic efficiency and environmental performance, in a company's operational practices (Labuschagne, Brent and Van Erck, 2005).

The concept of Corporate Social Responsibility has been the subject of debate and scientific studies. It is linked to some theories, such as the Stakeholder Theory and its business implications, aiming to demonstrate the impact of corporate governance on all those who have an interest in the company's activity. In this sense, companies define their strategic stakeholders in business management planning, outlining a specific strategy based on their expectations. Thus, in the current changing world, Social Responsibility has become a field of study that increasingly integrates new perspectives for companies to promote sustainable development.

For now, the contribution of companies to sustainable development is represented by their integration of Social Responsibility strategies considering various activities that report results and are linked to sustainable development.

Gerhards and Greenwood (2021) state that "the last two decades have seen an increase in the use and evolution of forms of governance instruments that seek to promote sustainability in increasingly complex and varied contexts. These instruments, mostly voluntary, combine guidance on sustainability strategy and/or monitoring with marketable public information, such as certifications, ratings and reports, to encourage their use".

Song et al. (2022) report that their "understanding of the status and progress of SDG adoption in business sectors is limited. Although many companies have mentioned the SDGs in their reports, they lack assessment and monitoring tools to assess the current status and actions in implementing the SDGs in business sectors".

As we have also seen, other literature is concerned about the subject, but not with the objective of quantifying the scope of the objectives that represent the sustainability that each country will have at any given moment. For that, it will be necessary to start with the definition of a new concept and capacity, to enable, in the future, measuring this reach (or greater, or lesser, distance from the outlined objectives).

3. New Planet Governance Concept

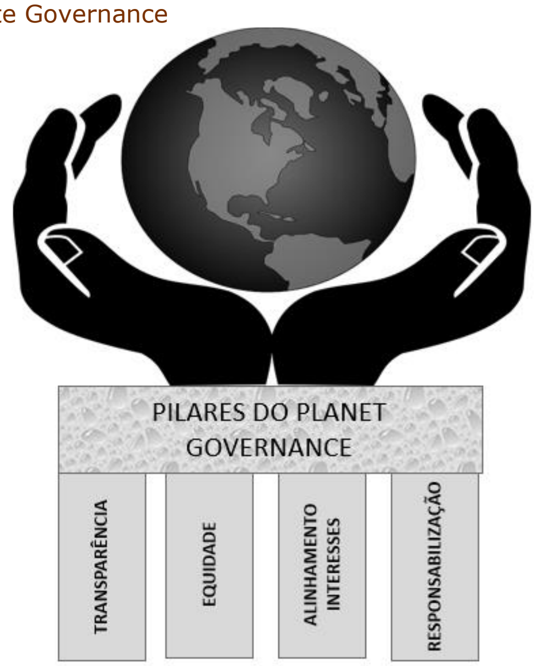
3.1. Pillars of Corporate Governance and Planet Governance

An adequate model of Corporate Governance is essential for the success of organizations. The separation of powers structure and the organization's control and balance system must meet four fundamental criteria, as follows:

1. Equity: Ensuring the protection of the rights of all shareholders, with special attention to minority shareholders, without, however, leaving aside the remaining stakeholders;
2. Transparency: Timely provide shareholders and other interested parties with adequate and clear (and comparable) information on the organization's performance, namely regarding its strategic and financial dimensions and compliance with corporate governance principles;
3. Consonance/Alignment of Interests: The rules, procedures and incentives in the company must ensure the alignment of the performance of decision makers with the interests of stakeholders, with a special focus on shareholders;
4. Accountability: ensuring the appropriate accountability of decision-makers (Quaresma, Pereira and Dias, 2014).

It should be noted that these four criteria have been joined by others in recent decades, such as discipline, independence and social responsibility (a criterion that has been given greater importance in recent times). Today, a well-run company takes social issues into account, giving a high priority to ethical standards, not only non-discrimination and human rights but also environmental issues. A company is considered to obtain indirect economic benefits, such as corporate reputation and increased productivity, if it takes these factors into account.

Figure 1 – Pillars of Corporate Governance



Source: Authors' own

Based on the pillars of effective corporate governance, parallelism with the concept of Planet Governance was identified. Planet Governance complies with the stated criteria, and it is up to governments to introduce governmental policies that are based on the principles of: 1. Equity in the equal treatment of all citizens, where governmental practices and policies in terms of Planet Governance aim at the well-being of all ; 2. Transparency of governments on policies and reforms that may have an impact on Planet Governance; 3. Alignment of governments' interests with the well-being of the planet; 4. Accountability of governments for negative impacts of policies and reforms that may have a bearing on Planet Governance.

According to the OECD, "Good corporate governance helps to build the trust, transparency and accountability environment necessary to foster long-term investment, financial stability and business integrity, thereby supporting stronger growth and more inclusive societies" (OECD, 2017). Accordingly, Planet Governance should also help governments to have greater accountability in the management of world resources, in order to guarantee a better performance of countries evaluated by economic indicators, contributing to a better, or worse positioning, of the countries regarding Planet Governance.

Business development is a long-term business vision that ends up incorporating social and environmental dimensions into business strategy. It encompasses concepts inherent to social responsibility, such as ethics, transparency, effective communication, good corporate governance practices and accountability, which are fundamental elements of this new position.

Small-Warner et al. (2018) argue that "many business leaders implement strategies aligned with global sustainable development objectives, but not necessarily in synchrony with their core businesses".

3.2. New Planet Governance concept

This theoretical construction of the Planet Governance concept is based on the Corporate Governance concept, adapted to the government of countries with a focus on the Governance Good Practices of the Planet.

The definition of Planetary Governance arises from the parallelism with the Corporate Governance concept. Good Corporate Governance practices help organizations to achieve high financial and economic performance due to the impact on the organization's image in the market, being a key topic in current debates. By bringing governance closer to the planet, we believe that good practices by states in this area could have favourable economic and financial impacts on countries. Thus, Planet Governance emerges as a concept associated with good government management in order to maintain a "healthy" planet, that is, Global Governance.

After reviewing the literature, where the constructs were collected to define the concept of Planet Governance (Table 1), it becomes possible to carry it out.

The Planet Governance Concept can be as follows: "Planet Governance identifies how governments manage, based on the principles of equity, transparency, alignment of interests and accountability, their economic resources for the sustainability of the planet with a positive impact on the performance of the countries' economy".

To this end, and after having understood the concept of Planet Governance, it becomes evident that we need to develop a Planet Governance Index to measure the performance of states.

Table 1 – Constructs for the design of the Planet Governance concept

Contributions	***Planet Governance***
Definitions of Corporate Governance	Analogy of the governance of organizations and governance of the planet.
Scope of Corporate Governance	Governments that manage states with an awareness of environmental resources and the well-being of all citizens.
Pillars of Corporate Governance	Planet Governance is based on principles of equity (treatment of all citizens); transparency (revealing economic policies taking into account environmental resources), alignment of interests (between the various governments and the planet and between the various citizens and the government) and accountability (penalizing or rewarding the actions of governments through their economic policies with impact on the planet).
Corporate Governance and Social Responsibility	Governments should have concerns about the sustainability of the planet and be rewarded for their policies that can have a positive impact on this matter.

Source: Created by the authors based on the information collected

The Planet Governance concept can be defined as follows:

"Planet Governance identifies how governments manage, based on the principles of equity, transparency, alignment of interests and accountability, their natural resources in order to maintain the sustainability of the planet with a positive impact on the countris' economic performance".

Decisions made at corporate level, which will have an impact on the economy as a whole, will have long-term impacts on future generations and will determine whether communities, some already in constant change, will become more sustainable, environmentally friendly and more resilient.

It should be noted that at global level, the way of managing and controlling organizations is necessarily different from region to region, and even from country to country, as a result of many different factors, such as: culture; the external environment in economic, political, social, technological terms, among others; the legal regime; and influences from other nearby countries.

The future evaluation of Planet Governance will be done through an Index, the Planet Governance Index, whose indicators will be built with proxies fed by macroeconomic data that will evaluate the performance of governments in that regard. A better or worse government performance assessed by this indicator should have a positive or negative impact on its Global Governance assessment.

4. Conclusions

The main objective of this study, which is based on the presentation of the Planet Governance concept, was duly stated, illustrating its conception.

The 2030 Agenda for Sustainable Development establishes a new global framework to guide humanity towards a sustainable path, comprising a set of 17 goals, 169 targets and 232 indicators proposing a plan of action for people, prosperity and the promotion of peace, through the establishment of partnerships between different sectors and countries. Among the agents responsible for the implementation of this Agenda, the UN considers that several actors are protagonists of this process, and the role played by governments, companies and civil society in the scope of the SDGs is very important.

We believe that with this work, we help to develop the analysis and importance that is given to the strategy associated with the nation in search of sustainable development and the need to consider the impact that its stakeholders have on the state of the nation. Broman and Robert (2017) argued that more systematic and unified research on the topic was needed. Accordingly, we consider our work to be a major contribution in this regard.

Klarin (2018) argues that "the fundamental limitations of implementing the concept of sustainable development are the level of socio-economic development that many countries have not yet reached, associated with the lack of financial resources and technology, but also the diversity of political and economic objectives at global scale".

Thus, and given the level of development that Portugal has experienced in recent decades, we believe that the emergence of a more "serious" approach and stance on the subject will be useful and appropriate. This will lead to the definition of the "Planet Governance" concept already presented and its future development in terms of strategic definitions.

All studies on sustainability and environmental governance have made invaluable contributions that have usefully broadened the field of environmental policy based on government intervention. The inclusion of new agents and their interests, governance mechanisms and motivational reasons reinforced the analysis of the challenges and results in terms of sustainability, namely at environmental level. However, in our view, the sustainability governance revolution remains incomplete.

Thus, and given that sustainable development must select priority areas among the different ones presented, which form the process of implementing sustainable development, it will be necessary to involve local planning (local authorities, companies, associations and citizens) and to define strategies at national and international level. Thus, the concept of "Planet Governance" appears associated with the need to move forward with an efficient sustainable development project.

Lucci (2015), Reddy (2016) and Satterthwaite (2017) defend that local governments should play a leading role in achieving the Sustainable Development Goals, assessing the local situation, identifying needs and resources, developing partnerships with stakeholders, and implementing appropriate policies and projects. Local governments are recognized as being in an important position to implement intermediation strategies to localize the global agenda (Gustafsson and Mignon, 2019; Palermo et al., 2020). Thus, based on this concept where we have the design of a theoretical model, we aim to create a measurement index of good government practices in terms of managing the country's natural resources and defending the preservation of the planet. Through the model presented, it will be possible to assess, in future, a "Planet Governance Index" for states.

Bogers et al. (2022) argue that "the need for better policy coherence in the governance of global sustainability is indisputable". In order to face the complex, interrelated and non-linear challenges of socio-environmental sustainability that threaten societies and ecosystems, we consider it necessary to move from environmental governance to governance for sustainability, which will fundamentally change the way how the study of the socio-environmental challenges analyses the causes, processes, results and proposed solutions. To this end, the aforementioned index will be created by the authors, to be able to assign governments a classification in this matter, thus verifying the impact of the adoption of good practices of Planet Governance on macroeconomic indicators.

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INDONESIA'S ECONOMIC DIPLOMACY IN THE CONTEXT OF THE EU'S PALM OIL EMBARGO: REACHING OUT TO TURKEY AS AN ALTERNATIVE MARKET

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Abstract

Turkey was chosen as an alternative market by the Indonesian government after an embargo from the European Union, as Turkey has a high demand for palm oil from its food and oleochemical industries. In the energy sector, biodiesel extraction material can also not meet the needs. These are solid reasons for the Indonesian government to penetrate economic diplomacy through the Consulate General in Istanbul. In dissecting the performance of the Indonesian Consulate General in Istanbul, this research uses a qualitative method and economic diplomacy theory. This study found that the typology of Indonesia's economic diplomacy (2019) is more developed than it was in previous years.

Keywords

Palm Oil; Economic Diplomacy; Indonesia; Turkey; Trade

Resumo

A Turquia foi escolhida como mercado alternativo pelo governo indonésio após um embargo da União Europeia, uma vez que a Turquia tem uma grande procura de óleo de palma para as suas indústrias alimentares e oleoquímicas. No sector da energia, o material de extracção de biodiesel também não satisfaz as necessidades. Estas são razões sólidas para o governo indonésio entrar na diplomacia económica através do Consulado Geral em Istambul. Ao dissecar o desempenho do Consulado Geral Indonésio em Istambul, esta investigação utiliza um método qualitativo e a teoria da diplomacia económica. Este estudo concluiu que a tipologia da diplomacia económica da Indonésia (2019) está mais desenvolvida do que nos anos anteriores.

Palavras-chave;

Óleo de Palma; Diplomacia Económica; Indonésia; Turquia; Comércio

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INDONESIA'S ECONOMIC DIPLOMACY IN THE CONTEXT OF THE EU'S PALM OIL EMBARGO: REACHING OUT TO TURKEY AS AN ALTERNATIVE MARKET

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1. Introduction

For various reasons, the Indonesian government must confront the prohibition of palm oil exports to the European Union. The vast expansion of palm oil plantations across 25 provinces and over 200 districts in Indonesia is a simple way of showing how impactful palm oil is for Indonesia. Indonesian Palm Oil Association (GAPKI) (2017) disclosed that palm oil has contributed to the regional development, and it can be seen through palm oil's *multiplier output* – reaching the value of 1.71, indicating that the output of palm oil is 1.71 times greater than the average value of other economic sectors. Palm oil also creates a more excellent employment opportunity by 2.6 greater than other sectors. Another thing to add is that the palm oil industry in Indonesia has been known for its inclusivity in terms of employment; as the result of labor-intensive plantation technology, thereby opening up employment opportunities for many sectors of expertise. More than 67% of the workforce education is below high school (GAPKI, 2018). Although palm oil has a large enough role to contribute to the first SDG's point – the No Poverty- the European Union has different angles on seeing Indonesian palm oil. In January 2018, the European Union Parliament supported the European Commission's announcement that palm oil in the form of biodiesel would be prohibited from entering the European continent beginning in January 2021. The European Commission believes that the Indonesian government's palm oil production is incompatible with the Renewable Energy Directives (RED), which seeks to prevent deforestation and peatland degradation (Verdinand, 2019). Internationally, Indonesia has been chastised for the development of its palm oil industry, which has always resulted in social and environmental conflicts. For example, the state of peatlands in Indonesia is debatable because they are frequently converted into oil palm production areas. Peatland clearing is frequently burned, resulting in a smoke haze that can potentially interfere with health problems and threaten biodiversity (Astuti, 2021).

Another issue still being debated in many countries is the standardization of Indonesian palm oil. The ISPO (Indonesian Sustainable Palm Oil) standard in Indonesia contradicts the RSPO (Roundtable Sustainable Palm Oil) standard. According to the RSPO standard, oil palm production must collaborate to prevent deforestation. Meanwhile, the ISPO standard has received domestic and international criticism (Choiruzzad, Tyson and Varkkey, 2021). The European Union is concerned not only with environmental issues but also with the social consequences of oil palm production, such as poverty, land conflicts, and the erosion of indigenous peoples' social rights (Delabre and Okereke, 2020). However, palm oil is Indonesia's most important commodity. As a result, the Indonesian government is attempting to find new market share alternatives for selling palm oil. When it comes to banning palm oil from the European Union, we must first examine how this export commodity is produced in Indonesia. Sumatra and Borneo are the two Indonesian islands with the highest concentrations of palm oil production. Palm oil production from these two islands accounts for approximately 55% of global palm oil production. Indonesia contributed 38.17 million tons of the total global palm oil trade of 58.9 million tons (Suwarno, 2019). Palm Oil Agribusiness Strategic Policy Institute (PASPI) showed that the value of transactions produced by urban areas that are marketed from the community of oil palm plantations (including farmers and employees of oil palm plantations) reached Rp 336 trillion/year (GAPKI, 2018). The ownership of palm oil companies varies as well. State-owned enterprises own around 12% of oil palm plantation producers.

Meanwhile, private companies control 53% of the palm oil management concession. Finally, palm oil production employs approximately 35% of small and medium-sized businesses and is considered the bread and butter for around 19.5 million Indonesians (Larsen *et al.*, 2014; Soraya, 2019). According to data from the Indonesian National Statistics Agency, India is the primary destination for palm oil exports, accounting for 29% of total Indonesian palm oil exports. China is the second-largest importer of palm oil from Indonesia, accounting for 11% of total trade. It was followed by the Netherlands (9%), Malaysia (5%), Singapore (4%), Egypt (3%), and Germany (2%) (Ridwannulloh and Sunaryati, 2018). The European Union imports 7.2 million tons of palm oil, with Indonesian palm oil accounting for roughly 60% of this total (Kurniati, 2020). Regarding the EU's palm oil requirements, the region consumes 27% of total vegetable oil. To counter the EU's move to ban Indonesian palm oil from entering their market, Indonesia had to find a new alternative market. Turkey is one of the potential and feasible alternative countries for palm oil market share. Turkey's population continues to grow yearly and is supported by the high consumption of vegetable oils.

According to Suhaili (2015), Turkish vegetable oil consumption per capita in 2013 was 32 kg, 5 kg higher than the average global community. Consumption continued to rise and touched 2.48 million tonnes in 2014, almost 75,000 tonnes higher than the total consumption in 2013. Although Turkey is also considered a producer of vegetable oils, such as sunflower seeds and cottonseed, domestic production remains inadequate to meet its domestic vegetable oil demands. Suhaili (2015) explained that domestic production in 2014 was around 1.65 million tonnes, while consumption reached 2.47 million. Therefore, Turkey still needs to import more than 1.5 million tonnes of vegetable oil and fat annually. This enormous consumption is partly due to their use as a mixture for food and oleochemical industries. In addition to the food sector, the Turkish government is currently working to promote the use of biodiesel in an effort to improve the country's energy security. Eryilmaz et al. (2016) explained that at least Turkey must import 3.5 million tonnes of sunflowers and spend around 3.75 million dollars per year since the establishment of the biodiesel proliferation program.

Currently, there have not been any existing free trade agreements between Indonesia and Turkey. According to an official press release issued by the Indonesian Ministry of Trade, the two countries are still in the negotiation stage of the Indonesia-Turkey Comprehensive Economic Partnership Agreement (IT-CEPA). This agreement is in its fourth phase and covers commodity trading agreements. Indonesian exports to Turkey totaled $1.81 billion, with a surplus of $639.9 million (Ministry of Trade Republic of Indonesia, 2019a). Turkey's position is quite strategic for Indonesia because, besides being an important trade partner, Indonesia sees Turkey as the main route to enter the Middle East, Southern Europe, and North Africa markets.

Meanwhile, Malaysia, Indonesia's main competitor in the palm oil industry, already has a free trade agreement with Turkey; Indonesia faces enormous challenges in entering the Turkish market (MITI, 2015). Malaysia can market its commodity products at lower tariffs thanks to the free trade agreement. In 2019, according to (Trade Map, 2019), the share of Turkey's palm oil import market came from Malaysia with a total of 94.6%. On the other hand, Indonesia is determined to enter Turkey's market to trade its palm oil commodities. Therefore it is interesting to understand how the Indonesian government is eager to penetrate the Turkish market without the help of free trade agreements, relying on the fate of one of their most essential commodities solely on economic diplomacy efforts through its consulate general in Istanbul. Hence, the authors suggest a research question: **How has Indonesia government develop its palm oil economic diplomacy towards Turkey?**

2. Literature Review

The researchers have compiled several previous studies that summarized Indonesia's diplomacy on the issue of oil palm. The purpose of searching previous research is to find novelty in scientific work (Creswell, 2014). According to Creswell (2014), the steps in looking for previous research are to look for differences in aspects of topics, problems, theories, methodologies, or research scopes. One previous study on the palm oil issue discussed the role of the World Trade Organization (WTO) in mediating disputes between Indonesia and the European Union (Sylvana *et al.*, 2020). When the European Union imposed a ban on palm oil imports into Europe, the Indonesian government took the issue to the multilateral level, enlisting the WTO as a mediator. The WTO's involvement is critical for the Indonesian government because it has an organizational chart tasked with problem-solving, namely the Dispute Settlement Body (Sylvana *et al.*, 2020). The other two studies address the issue of oil palm problems due to state policy. The first study chastised the Indonesian Standard Palm Oil (ISPO) certification for failing to adhere to the Roundtable on Sustainable Palm Oil (Choiruzzad, Tyson and Varkkey, 2021).

Meanwhile, subsequent research explains how the Indonesian government balances the need for oil palm production with the restoration of peatlands. Oil palm production frequently intersects with clearing peatlands via forest fires (Astuti, 2021). Three studies explain the relationship between economic diplomacy and the issue of oil palm in the context of the concept of economic diplomacy. The first study describes the European

Union's economic diplomacy efforts to prohibit importing Indonesian palm oil. The European Union aims to integrate economic growth to reduce carbon emissions (Verdinand, 2019). The second study describes Indonesia's economic diplomacy efforts in response to the ban on palm oil imports by prohibiting raw nickel exports. Nickel is an essential import commodity in Europe (el Qudsi, Kusumawardhana and Kyrychenko, 2020). Simultaneously, the third study examines Indonesia's economic diplomacy in responding to the ban by bolstering aspects of sustainable environmental development, biodiversity, and socioeconomic synergy (Suwarno, 2019). According to the authors' previous research, no scientific articles specifically discuss Indonesia's oil palm diplomacy with Turkey. As a result, the author will examine how Indonesia uses economic diplomacy to increase Turkey's palm oil market share.

3. Theoretical Framework

As a determinant of the direction of research, there must be a conceptual and theoretical framework that can be accounted for academically with all its validity. The right concept to analyze this research case is economic diplomacy. Economic diplomacy is strategically significant for a country to increase its national economic capacity. The economic diplomacy concept that will be used will refer to the analysis of trade promotion by Rana (2007) in the *Economic Diplomacy: The Experience of Developing States* in Bayne and Woolcock (2007) *The New Economic Diplomacy: Decision Making and Negotiations in International Relationship*. In addition to trade promotion, Bayne and Woolcock's (2017) concept will also be explained regarding the importance of the involvement of the private sector in economic diplomacy. Both concepts will identify how the Indonesian Consulate General in Istanbul functions as an actor in Indonesia's economic diplomacy missions in the palm oil trade sector. It is also necessary to analyze Indonesia's typology of economic diplomacy in penetrating Turkey. These will be conducted to see the current form of Indonesian economic diplomacy (in the first period of President Joko "Jokowi" Widodo). The theory that is suitable to be applied is Rana and Chatterjee's (2011) economic diplomacy typology. Secondary data sources used in this research are various research reports and scientific studies conducted before and various books, scientific journals, and news relevant to the topic. Primary data also supported this research through interviews with relevant agencies: the Assessment and Policy Office of the Ministry of Foreign Affairs, the Consulate General of the Republic of Indonesia in Istanbul, and the Indonesian Palm Oil Association.

3.1. Theory and Approach

Economic diplomacy scientifically studies the complex relations of diplomacy and trade, cooperation, and ways to influence external economic policy. Rana (2007) revealed that one of the essential things that can be done to maximize economic diplomacy is through trade promotion activities. These activities include assisting domestic companies looking for overseas markets, market studies, business delegation visits, participation in international trade meetings, and buyer-seller meetings. Some steps that can be taken are (1) *Informing home business associations and individual enterprises on the primary economic conditions in the target country* - informing the economic condition of the destination country to the exporter because this will be related to the level of goods acceptance in the destination country.; and (2) *Analyzing the potential markets for the home country* - In addition to the importance of analyzing market potential, potential competitors must also be identified and analyze how their products can reach that market.

While in Bayne and Woolcock's (2017) analysis of the importance of the involvement of the private sector in economic diplomacy, there is a decision-making process by the government in economic diplomacy with seven stages of the process, namely (1) Taking the Lead (officials and ministers); (2) External Consultation (officials and private sector players); (3) Internal Coordination (officials and regulators); (4) Political Authority (ministers); (5) Democratic Legitimization (legislatures); (6) International Negotiation (officials and ministers); and (7) Ratification of Agreement (legislatures). Of the seven stages, the focus will be on the second stage, namely External Consultation (officials and private sector players). The private sector refers to using think tanks or consultants to formulate economic diplomacy policies. Even though think tanks and consultants usually do not have a role in the negotiating phase, they are as important as state actors. Table 1 below explains the typology/classifications and levels of economic diplomacy, which will be used to see the form of Indonesian economic diplomacy.

Table 1 - Typology and Levels of Economic Diplomacy

No.	Classification	Traditional	Niche-Focused	Evolving	Innovative
1	**External Economic Management**	Handled by the trade & economic ministries; little involvement of MFA	Promotion concentrates on the identified niche	Some coordination between trade and foreign ministries; contestation also likely	Joined-up and other cooperative arrangements
2	**Policy Management**	Limited role for MFA, frequent turf battles	Good internal coordination	Inter-ministry or cabinet-level coordination; tending toward improvement	Institutionalized management, strong teamwork
3	**Role of Non-State Actors**	Episodic depends on the personality	Variable	New procedures, vital networking	Harmonization with all stakeholders
4	**Economic Aid: Recipient**	Handled by economic agencies, seldom coordinated with MFA	Limited coordination	Networking between the aid management agency and MFA	'Graduated' out of aid receipt, or close to that stage
5	**Economic Aid: Donor**	Unlikely to be an aid donor	Unlikely to be an aid donor	The modest program, usually covers technical cooperation	Expanding program, run by MFA in harmony with trade promotion agencies
6	**Trade Promotion**	Often handled by a commercial cadre, outside MFA control	Limited focus on the commercial promotion outside the niche area	Cooperative arrangements, often the integration of political and economic work	Well-coordinated activities, a role model in a range of activities
7	**Investment Promotion**	Handled by domestic agencies, limited role of the diplomatic system	Active use of embassy network	MFAs and embassies work actively with home agencies, often at the individual initiative	Strong team effort, based on institutional arrangements
8	**Regional Diplomacy Role**	Usually reactive	Focused on the preferred niche area	Active	Innovative exploitation of potential

Source: (Rana and Chatterjee, 2011).

Out of Rana's eight economic diplomacy classifications, five types can be identified to refer to Indonesia's economic diplomacy activities in the Turkish market: (1) External Economic Management – related to the practical steps of the Ministry of Foreign Affairs in collaboration with other government agencies; (2) Policy Management, which explains the involvement of the Ministry of Foreign Affairs in the formulation of external economic policies; (3) The Role of Non-State Actors, which emphasizes how the Ministry of Foreign Affairs can to accommodate the role of the private sector to support economic diplomacy; (4) Trade Promotion; and (5) Investment Promotion, which explains the extent of trade promotion and investment promotion carried out by the Ministry of Foreign Affairs.

4. Methods

The author employs qualitative methods in scientific articles to respond to problem formulation. Qualitative methods are commonly used in social science research to answer a social problem using language as scientific thinking (Creswell, 2007). In International Relations studies, the type of research used in this scientific article is a case study, which examines interactions between states and non-states that cross sovereign boundaries. Case study research investigates foreign policy, security studies, diplomacy, and international political economy (Roselle, Spray and Shelton, 2019). The author employs data collection techniques such as interviews and literature studies. The author used structured interviews to collect primary data and a structured interview technique that used interview guidelines as a research instrument (Creswell, 2014). Researchers will direct informants to answer questions based on interview guidelines during structured interviews. The authors intervied three important informants such as: Head of Intra and Inter Europe and American Region Cooperation, Political and Trade Officer at Indonesia Consultae General in Istanbul, and Deputy Chairman of Indonesian Palm Oil Association (GAPKI). The authors consult journals and official documents during the literature review to supplement their research analysis. Creswell explains that in the case of study research, researchers can obtain secondary data in official documents, audio, video, and journal data from databases such as Scopus, PubMed, or Dimensions (Creswell, 2014). Embedded analysis, an analytical technique that focuses on one type of case, is used by the author during the analysis stage (Creswell, 2007). The author will only discuss Indonesia's palm oil economic diplomacy efforts in Turkey in this case study. In addition, the author introduces the concept of reflectivism in this scientific article. In social research, reflectivism means that authors can provide perspectives or views as long as they are supported by valid data (Creswell, 2014).

5. Analysis

5.1. Indonesia's Economic Diplomacy Efforts with Turkey

The performance of Indonesia's economic diplomacy in the context of the oil palm trade has been quite visible in previous years. The reason is that Indonesia's Ministry of Foreign Affairs has begun to be active in paving the way for companies to enter non-traditional countries. The neighboring country, Malaysia, has the Malaysian Palm Oil Board (MPOB), responsible for developing the oil palm plantation and its industry. Funds for MPOB's daily activities come from using taxes on the oil palm plantations and the industry and grants for federal government research. Drawing on Rana (2007), we argue that the Indonesian government has chosen the Consulate in Istanbul as the main point of the economic diplomacy efforts in Turkey because they are harnessing the collaboration between state and private actors to achieve economic interest. Referring to Khalidi (2019), MPOB combines the Malaysian Palm Oil Research Institute and the Malaysian Palm Oil License and Registration Authority. While in Indonesia, export activities appear to be under private control and have minimal government support. As a private actor, Indonesian Palm Oil Association (GAPKI) faces difficulties when accommodating the activities of exporters, such as tariff and non-tariff blocks. The lack of one-stop coordination causes Indonesia's palm oil trade not to be structurally integrated within the ministerial body.[1] Correspondingly, there is still a perception from the government, especially the foreign ministry, regarding "who is interested and who is going to be the buyer," causing oil palm export activities not to go well. Support for promotional purposes is critical to maintaining the stability of a market because this is the main character of economic diplomacy. Economic diplomacy itself is very sensitive and reactive to market changes and developments. In line with Odell's (2019) analysis, economic diplomacy can fail if the market offers more attractive alternatives than the ones we currently have in our pockets. These alternatives can vary regarding investment value, exchange of goods and services, transfer of knowledge and technology, export and import tariff schemes, political support, and historical relations. Therefore, as Rana (2007) previously mentioned, the presence of state actors is necessary to oversee export activities.

5.1.1. Trade Promotions

So what can the embassy, or the consulate office, actually do? Referring to the analysis of Rana (2007), in *The Role of Embassies* chapter, it is revealed that some developing countries interested in taking non-traditional markets will face several problems. First, the exporting country does not have enough knowledge about the culture/condition of the country, which will make it harder to invest. Secondly, regulations regarding investment security and other norms designated by non-traditional markets are challenging to understand in exporting countries. It is feared that this will lead to non-tariff barriers. Thirdly, exporting countries do not have credibility in the eyes of importers. According to Rana, this can give birth to a *chicken-and-egg* syndrome, making it increasingly difficult to penetrate non-traditional markets. Therefore, to deal with various obstacles, embassies and consulates must align diplomatic missions with trade promotion activities, as written below:

a) *Informing home business associations and individual enterprises on the basic economic conditions in the target country* – informing the economic condition of the destination country to the exporter, related to the level of acceptance of the goods in the designated country.

[1] The Indonesian Palm Oil Entrepreneurs Association has members consisting of Government-owned plantations (state-owned enterprises [BUMN]), national and foreign private plantation companies, and oil palm farmer cooperatives.

b) *Analyzing the potential markets for the home country* – This second step is essential to see what products the host country needs. Apart from the importance of analyzing market potential, potential competitors must also be identified, and their products must be analyzed to reach the market. This method is used to explore the Mexican meat market and to export tea products to Egypt.

c) *Credibility is also built when home exporters and manufacturers take part in trade shows in the target country* – exporters' credibility is necessary to increase the interest of potential buyers, and this can be promoted through exhibitions. In addition, the exhibition is also a place for knowledge transfer and supports research and development activities for a company to strengthen its products. Therefore, it is imperative to make the exhibition a success.

d) *Permitting an exporter to hold a small buyer-seller show on the premises of the embassy or consulate* – most embassies now have unique rooms (trade centers) to organize promotional activities. Allowing companies to hold a show or an exhibition will increase their reputation and strengthen the relationship between companies and embassies. Rana explained that the Japanese Embassy was very active in doing this, causing companies to understand the embassy's role fully. Moreover, the state can also provide tariffs for exporters to carry out these promotional activities.

e) *Visits by business delegations are a key method for export promotion and for FDI mobilization* – Approva Srivastava in Rana (2007) explains that a neat and directed visit will change the perceptions of a company's decision-makers. The embassy's professionalism will be seen from the visits, usually resulting in 'one-to-one meetings,' which lead to agreements between buyers and sellers.

At least there are two points, out of the points mentioned earlier, points *a* and *b*, which Indonesia has done as a strategy to increase trade in the palm oil sector with Turkey. This strategy is closely related to the Indonesian government's economic diplomacy efforts in promoting palm oil, precisely when the issue of the palm oil embargo is peaking. The government, through the Indonesian Consulate General in Istanbul, is moving quickly to conduct a so-called event of trade promotion where it was attended by around 60 Turkish entrepreneurs and speakers from Indonesia, such as the Chairperson of the Indonesian Oleochemical Producers Association (APOLIN), who was also the representative of GAPKI (Consulate General of the Republic of Indonesia in Istanbul, 2019). The activities carried out by the Indonesian Consulate General in Istanbul are in line with Rana's analysis:

a) *Informing home business associations and individual enterprises of the basic economic conditions in the target* country. At this point, the Indonesian government's economic diplomacy scheme aligns with Rana's (2007) analysis. Consul General Herry Sudradjat delivered an update on the Indonesian economy and various business opportunities and information in Indonesia, primarily as a source of import for Turkey for several leading commodities such as rubber, tea, coffee, seafood, and textile yarn, and forestry products. The Chairperson of APOLIN, in his presentation, also explained the products of the Indonesian palm oil industry, which are widely imported by the Turkish industry, as well as their environmentally friendly nature. The choice of palm oil products in this business forum is based on the consideration that palm oil is a product that has prospects for the Turkish market in the future. A state representative office must inform the state of its economy so that importers know the country's potential and exporter channels. The Indonesian Consulate General in Istanbul has also been cooperating with several business associations or chambers of commerce that are purely private or affiliated with the government, such as the Istanbul Chambers of Commerce (ICC), Independent Industrialists' and Businessmen's Association (MUSIAD), and Foreign Economic Relations Board of Turkey (DEIK).[2]

b) *Analyzing the potential markets for the home country*. The lack of acceptance of Indonesian palm oil in Turkey is none other because Malaysia has already agreed with the Turkish government. As the leading competitor, Malaysian palm oil exports to Turkey have experienced a considerable surge, almost 50%, accompanied by a decline in Indonesian palm oil on the Turkish market. One way that Indonesia can take is to immediately realize the Comprehensive Economic Partnership Agreement (CEPA), which is expected to be a stimulus to boost Indonesia's palm oil exports. This agreement aims to provide guarantees of legal protection to exporters and investors from discriminatory practices or other adverse actions by the host country's government. Comprehensive Economic Partnership Agreement is also a very comprehensive free trade cooperation with coverage of product liberalization in almost all tariff posts, compared to the Preferential Trade Agreement (PTA), which only liberalizes specific tariff posts in Indonesia's bilateral trade.[3]

5.1.2. External Consultation (Private Sector)

The private sector is a think tank or consulting agency in formulating economic diplomacy policies. These private sector groups are usually absent at the negotiating table but are as important as state actors. Bayne and Woolcock (2017) also emphasized that in the formulation of an economic diplomacy strategy, external consultation is part of the parallel process of the body of the Ministry of Foreign Affairs, which also includes internal consultations. The difference between internal and external consultations lies within the involved actors. If internal consultations target other government departments (cross-sectoral departments), external consultations focus on actors outside the government. A department will carefully consult with the private sector to examine policies and whether they are following market conditions or not (Bayne and Woolcock, 2017). The department also consults with expert opinions, including academics and think tanks devoted to policy issues.

The involvement of private actors in the formulation of decision-making progress was seen in 2018 when the Ministry of Foreign Affairs, through the Policy Analysis and Development Agency (BPPK), approved the MoU of a joint research effort for palm oil market penetration with researchers and academics. The research found various alternative market references that Indonesia can rely on to divert exports to the

[2] This data was obtained when conducting an interview with the Consulate General of the Republic of Indonesia in Istanbul, Herry Sudrajat in October 2019.

[3] The Ministry of Trade is not the only one involved in drafting trade agreements. One thing that can be noted is the performance of the Indian Embassy which has been involved in the preparation and negotiation of single and regional free trade agreements, for further reading see Rana and Chatterjee (2011).

European Union, such as India and Pakistan. The importance of mapping the penetration of the palm oil market continues in 2019 when the Indonesian Consulate General in Istanbul cooperates with consultants in the field of market research, one of which is the recommendation of several selected companies in Turkey that have great potential to import palm oil products (Consulate General of the Republic of Indonesia in Istanbul, 2019). Furthermore, the primary data that the authors obtained from the Indonesian Consulate General in Istanbul revealed that they are currently conducting a market intelligence collaboration with a consulting firm to research opportunities for Indonesian peppercorn and stearic acid products. The scheme is carried out by disclosing several strategic questions to the consulting companies, summarized in Table 2.

Table 2 - Focus Questions

No.	Questions for Market Intelligence Research
1.	What criteria do you want in choosing the type of stearic acid?
2.	What is your annual consumption in tonnage?
3.	What is the average order from one supplier in tonnage?
4.	Who are your current suppliers? How satisfied are you?
5.	What criteria are you looking for from your suppliers?
6.	Are there any requests that have not been fulfilled so far?
7.	What price range do you want?
8.	Who is the sale aimed at (agent or end buyer)?
9.	In which sector is this product (stearic acid) consumed a lot? Do you sell your products to the following sector?
10.	What do you know about suppliers from Indonesia and stearic acid?
11.	Are you willing to become a distributor for goods from Indonesia? Please mention which field you are interested in and explain why.

Source: Interview with the Consulate General of the Republic of Indonesia in Istanbul, 2019.

The prospect of conducting economic diplomacy activities is directly affected by the steps adopted through research with think tanks. Bayne and Woolcock (2017) mentioned that external consultation had a profound effect since adopting a new economic diplomacy strategy. First, market developments are closely monitored by the private sector. Secondly, they master the field and are directly participating or practicing in it, knowing the right spot of locations and how to invest and sell goods and services for the benefit of a country. To improve the performance of economic diplomacy, a group of skilled people in the government and the private sector must understand and negotiate economic and trade issues from a national perspective. Problems in economic diplomacy are often complex and technical; departments cannot bring all the necessary experts. Therefore, economic diplomacy will most likely fail if a scarcity of skilled people who can negotiate has not been overcome yet. Bayne and Woolcock (2017) explained that assistance from academics and think tanks would greatly influence the formulation of a country's economic diplomacy strategy. In many places, there are channels devoted to this, such as panels on Climate Change, which mobilize the best scientific advice; the G20 Summit, which is now surrounded by B20 (for business); Civil 20 (for NGOs), and Think 20 (for academics).

According to an interview with the Deputy Chair of GAPKI, Togar Sitanggang (2019), the Ministry of Foreign Affairs is currently very proactive in conducting economic diplomacy studies in marketing palm oil products in various non-traditional markets. The Indonesian Palm Oil Association saw this as a signal that the Ministry of Foreign Affairs already focuses on economic diplomacy; in contrast, during the leadership of Susilo Bambang Yudhoyono, economic diplomacy was not necessarily implemented. In addition, GAPKI also saw that the Ministry of Trade, which should have been the leading actor in promoting oil palm, did not play an active role (Sitanggang, 2019). The Foreign Ministry's overseas representative offices actively conduct joint studies with GAPKI to be able to formulate a strategy if a problem arises. However, GAPKI did not deny that the Foreign Ministry's response in assessing the Turkish market is considerably slow. The Indonesian Palm Oil Association asked the Ministry of Foreign Affairs to conduct penetration efforts three years ago, but the response was given one year after (Sitanggang, 2019). As Turkey is not the leading destination for palm oil exports and implementing the Ministry of Foreign Affair's 2015-2019 Strategic Plan in the economic diplomacy sector is not an easy effort to conduct, the slow progress is somehow understandable. The typology of Indonesian diplomacy is loaded with the traditional sector, and it requires a long and sustainable time to move on to economic diplomacy because they have to adjust; one of the ways is by training existing diplomats (Sitanggang, 2019).

The Ministry of Foreign Affairs recognizes the existence of the private sector in conducting studies in formulating economic diplomacy strategies. Although studies on the Turkish market are still not visible, the Ministry of Foreign Affairs disclosed that in a few years, Turkey would be a priority country for Indonesian oil palm (Coordinating Ministry for Economic Affairs of the Republic of Indonesia, 2019). The Ministry of Foreign Affairs plays an active role in cooperating with the private sector to conduct studies because oil palm is the priority of Indonesia's economic diplomacy at this time (Windratmo, 2019). Based on an interview with the Head of the European American Intra Region Cooperation Division at the Ministry of Foreign Affairs, Windratmo, he explained that in the next five years, the Ministry of Foreign Affairs would become the frontline of promoting oil palm to several destination countries. Therefore, many studies, seminars, and disseminations invite think tanks and academics to formulate palm oil diplomacy (Windratmo, 2019). Sabaruddin (2017) explained that the Ministry of Foreign Affairs, as the frontline of Indonesian diplomacy, began to realize the importance of including the economic diplomacy agenda as one of the top priorities in Indonesia's foreign policy.

5.2. Indonesia's Economic Diplomacy in Turkey

Adding another set of analyses to identify the types of Indonesian economic diplomacy activities in the Turkish market is necessary to see the current position of the stage in which the Indonesian government is conducting its activities. The set of analyses that will be used refers to Rana's typology of economic diplomacy in developing countries, which can be seen in Table 3 Rana divided the typology of diplomacy into four levels and eight types. The levels are traditional, niche-focused, evolving, and innovative. The types are External Economic Management; Policy Management; Role of Non-State Actors; Economic Aid: Donor; Economic Aid: Recipient; Trade Promotion; Investment Promotion; and Regional Diplomacy Role. Out of the eight Rana economic diplomacy classifications, five types can be identified in reference to the Indonesian government's economic diplomacy activities on the Turkish market (Table 3): External Economic Management; Policy Management; the Role of Non-State Actors; Trade Promotion; and Investment Promotion.

(1) The role of the Ministry of Foreign Affairs in **External Economic Management** has begun to appear; this is due to the collaboration between the Ministry of Trade, and the Ministry of Foreign Affairs in holding a business forum in Turkey. Therefore, the authors analyze that the Ministry of Foreign Affairs has entered the evolving stage, which emphasizes coordination across government agencies. This collaboration was rarely seen in previous years because most diplomacy undertaken by the Ministry of Foreign Affairs was mainly related to borders, traditional security, transnational crime, and other high political issues. In contrast, common political issues are handled by other ministries, such as the Ministry of Tourism and Creative Economy, which handles cultural diplomacy, and the Ministry of Trade, which manages economic diplomacy. Ironically, these agencies also have and educate their so-called diplomats; therefore, it would be hard for the Ministry of Foreign Affairs to offer their diplomats to participate in specific issues these agencies address (Killian, 2012).

(2) Although the role of the Ministry of Foreign Affairs has begun to be seen in External Economic Management, the formulation and governance of policies (**Policy Management**) its role is still limited. This can be seen in the absence of the Ministry of Foreign Affairs as a working partner of the Coordinating Ministry for Economic Affairs in formulating both external and internal economic policies. Per Presidential Regulation No. 8/2015, the Coordinating Ministry for Economic Affairs only cooperates with ten related Ministries, as shown in Table 3.

Tabel 3 - Coordination of Coordinating Ministry for Economic Affairs

No.	Ministries
1.	Ministry of Finance (Sri Mulyani Indrawati)
2.	Ministry of Industry (Airlangga Hartarto)
3.	Ministry of Trade (Enggartiasto Lukita)
4.	Ministry of Agriculture (Andi Amran Sulaiman)
5.	Ministry of Environment and Forestry (Siti Nurbaya)
6.	Ministry of Manpower (Hanif Dhakiri)
7.	Ministry of State-Owned Enterprises (Rini Soemarno)
8.	Minister for Public Works and Human Settlements (Basuki Hadimuljono)
9.	Ministry of Agriculture and Spatial Planning (Sofyan Djalil)
10.	Ministry of Cooperatives and Small to Medium Enterprises (Anak Agung Ngurah Puspayoga)

Source: (Ministry of Trade Republic of Indonesia, 2019b)

(3) At **the Role of Non-State Actors** stage, it is seen that the Ministry of Foreign Affairs has changed a lot and entered the stage of evolving – new procedures and intense networking. The existence of private sectors in formulating economic diplomacy strategy is a new thing for the Ministry of Foreign Affairs and began to be seen in the era of Joko Widodo's leadership, which emphasized that diplomats must be able to become a *salesperson*. So far, diplomats are not yet equipped with

the ability to carry out these tasks, and the Ministry of Foreign Affairs has begun to work with the private sector to realize this. The Ministry of Foreign Affairs currently accommodates many academics and think tanks in formulating a diplomatic strategy for palm oil. The Indonesian Palm Oil Association is one of the participating partners. This was then manifested when the Indonesian Consulate General in Istanbul cooperated with several business associations/chambers of commerce that were purely private business firms and firms affiliated with the government.[4] The results will be used as policy recommendations in determining the number of selected companies in Turkey with great potential for importing palm oil and its derivative products.[5]

(4) Whereas in the **Trade Promotion** and **Investment Promotion** sector, the Indonesian Consulate General in Istanbul has conducted business forum activities between businesses of the two countries to promote palm oil products in 2019. These activities have given a good image to the Indonesian Ministry of Foreign Affairs; DEIK conveyed its commitment to facilitate communication between the Turkish food and cosmetics industry with APOLIN, related to palm-derived oleochemical and stearic acid products. Meanwhile, three Turkish pepper importers are interested in exploring pepper imports from Luwu because of the promotion of pepper that has been carried out in conjunction with the promotion of palm oil, one of the importers even planned to inspect the location of the plantation shortly (Ministry of Foreign Affairs, 2019). This business forum continued in July 2019 when the Ministry of Trade and the Ministry of Foreign Affairs, through the Indonesian Consulate General in Istanbul, led a delegation of Indonesian entrepreneurs to meet with DEIK and Turkish palm oil entrepreneurs.

Table 4 - Indonesia's Economic Diplomacy Efforts in Turkey

No.	Classification	Indonesian Economic Diplomacy Practices	Typology
1.	External Economic Management	The Ministry of Foreign Affairs and the Ministry of Trade have implemented collaborative external economic activities	**Evolving**
2.	Policy Management	In the formulation of external and internal economic policy, the role of the Ministry of Foreign Affairs is minimal; the Coordinating Ministry for Economic Affairs only cooperates with ten ministries	**Traditional**
3.	Role of Non-State Actors	The Ministry of Foreign Affairs has coordinated with the private sector (market research consultant) in the formulation of market penetration strategies in Turkey	**Evolving**
4.	Trade Promotion	Trade promotion is limited to commercial activities and only targets priority commodities	**Niche-Focused**
5.	Investment Promotion	The Ministry of Foreign Affairs, through its representative office in Istanbul, actively carries out investment promotion activities	**Niche-Focused**

4 Through interviews with GAPKI, previously, many studies were conducted between the Ministry of Foreign Affairs and GAPKI in formulating strategic policies to the Turkish market. One of the formulations produced by the results is an analysis that Indonesia must immediately realize Indonesia-Turkey CEPA.

5 In a final report issued in 2011, Killian explained that the Ministry of Foreign Affairs received criticism from the legislature regarding the performance of the Ministry of Foreign Affairs diplomacy on issues that are 'non-political' or in other words issues that are categorized as low politics. This criticism is related to the failure of the Ministry of Foreign Affairs' economic diplomacy which is seen as too 'political,' so that it does not show tangible results for the Indonesian economy.

From Table 4, it can be seen that the typology of Indonesia's economic diplomacy regarding the palm oil trade in the Turkish market has taken a mature form. Four classifications are no longer at the traditional level, which means that the Ministry of Foreign Affairs is already aware of the importance of increasing the capacity of the national economy through economic diplomacy. However, Policy Management is still at the traditional level; this has to get further attention because the Ministry of Foreign Affairs in external policy formulation is necessary to increase market penetration accuracy and maintain market stability. Given the increasingly dynamic global economic competition and other countries competing to protect their national products from being accepted in the industry, tariff and non-tariff barriers have become a hot issue. Therefore, each department or ministry needs to work together as a team.

The authors will discuss two important points related to the implementation of external economic management and the involvement of non-state actors in the Turkish market penetration process, as shown in Table 3 above. According to an interview with the Indonesian Consulate General in Istanbul, the Indonesian Ministry of Foreign Affairs and the Indonesian Ministry of Trade collaborated to achieve Indonesia's national interest, from marketing palm oil commodities to potential markets outside the European Union. Why can we say that this collaboration has evolved? Each agency or ministry is a political and policy engine in intra-government cooperation. The distinction between ministries is no longer relevant in policy formulation, particularly in the economic and political fields. The main reason is that each agency or ministry has overlapping tasks (Yao *et al.*, 2022). In theory, each ministry is free to set its agenda and implement policies. Some of their policy agendas necessitate input from other ministries. The authors contend that the collaboration between ministries in the Indonesian government is no longer fragmented but has synergized. As a result of this collaboration, the government's policies are no longer ambiguous and floaty (Bäck *et al.*, 2022). As a result, the Indonesian government's diplomacy to enter the Turkish market has evolved. Another diplomatic practice that has evolved is the involvement of non-state actors in Indonesia's trade diplomacy.

According to the primary data in this scientific article, the Indonesian government has been working with the Indonesian Chamber of Commerce (KADIN) and private palm oil companies. The Indonesian government invited KADIN and private companies to participate in trade promotions at the 2019 MUSIAD Expo, Turkish and Indonesian entrepreneur business forums, and the 2019 KADIN Business Expo in Istanbul. Non-state actors in this manner include business actors. In terms of work scope, they are in direct contact with the community to understand human needs thoroughly (Jakobi, 2016). Non-state actors in diplomacy, for example, are no longer "second class citizens" but have evolved to become an integral part of the state. Udovič (2011) stated that under the legal umbrella of trade cooperation between countries, business actors in diplomacy are involved in promoting trade and building cooperation with business actors in other countries. Two factors underpin the collaboration of diplomats and business actors in advancing the country's economic interests. Cooperation among business actors can contribute foreign exchange to the state treasury. Cooperation among business actors can improve product competitiveness and access to new markets (Naray, 2011). Looking at the empirical examples above, the involvement of non-state actors demonstrates that the Indonesian government's economic diplomacy practice, particularly in the palm oil sector, has evolved. The most difficult challenge for Indonesia in this issue of palm oil exports is figuring out how to outperform Malaysia. According to an interview with the Indonesian Consulate General in Istanbul, the Turkish government imposed a 21% import tariff on Malaysia because the two countries already had a free trade agreement.

Meanwhile, the Indonesian government received a 31% import tariff. As a result, the Indonesian government has rushed to complete the Indonesia-Turkey Comprehensive Trade Agreement (IT-CEPA) cooperation to avoid high tariffs on Indonesian exports. As previously stated, inter-ministerial collaboration is required to overcome this challenge. The Indonesian Ministry of Trade is a negotiator in developing free trade rules. The Indonesian Ministry of Foreign Affairs was the primary negotiator (Killian, 2021). Furthermore, the Indonesian government must be able to maximize economic diplomacy tools like free trade agreements to market its commodities abroad. The free trade agreement allows Indonesia to make its export commodities known to a larger audience. For example, Indonesia's exports fell from 203 billion to 176 billion dollars between 2011 and 2014 (Sabaruddin, 2017). As a result, the Indonesian government must work hard to implement the IT-CEPA agreement as soon as possible so that Indonesian palm oil export commodities can compete with Malaysian palm oil export commodities. The Indonesian government must consider other critical points when developing an export strategy for palm oil diplomacy. The goal is to boost Indonesia's palm oil commodity's competitiveness in the global market. To boost Indonesian palm oil's competitiveness in the Turkish market, the Indonesian government must first create a comparative advantage for the commodity. One approach is to map export commodity products' quality, benefits, and price(Sudirman, 2016). The Indonesian government can learn about the advantages of their palm oil products compared to other countries through this mapping to compete in the Turkish market. Another critical factor is the certification of this export commodity product in accordance with environmental sustainability norms and principles (Jose, 2021).

The European Union prohibits using Indonesian palm oil products because they are not environmentally friendly. The Indonesian government must certify its palm oil before exporting it to Turkey. In addition to adding value to the product, environmental certification can foster a positive image of this commodity in the eyes of the public by demonstrating that Indonesian palm oil products adhere to sustainability principles. Market mapping is another critical step that the Indonesian government must take. Market mapping is required for various international trade and foreign investment policies. The state can determine the level of consumption and basic needs of the community using this mapping. Of course, companies who want to expand their product lines require this information as part of their marketing strategy (Côté, Estrin and Shapiro, 2020). In this case, the export of palm oil to Turkey, the Indonesian government must provide market intelligence to business actors on the Turkish people's palm oil needs regularly, as well as continue actively cooperating with business actors in the economic diplomacy process so that the Turkish people are familiar with Indonesian palm oil products. It is hoped that through market intelligence strategies and collaboration between state and business actors, Indonesian palm oil products will be able to compete with Malaysian products as part of an effort to mitigate the European Union's ban on palm oil.

4. Conclusion

The Ministry of Foreign Affairs' penetration through economic diplomacy can be seen when the Indonesian Consulate General in Istanbul carefully conducts trade promotions through business forums of the two countries to bring exporters and importers of palm oil together. This step can be considered as one of the first steps in the increasing performance of Indonesia's economic diplomacy to introduce palm oil more comprehensively to importers. The Indonesian Consulate General in Istanbul also conducted external consultations with the cooperation of private sectors such as consultants and think tanks to map potential Turkish companies for Indonesian palm oil exports. Economic diplomacy has also taken a more mature form, only Policy Management that is currently in the indication of traditional level; Trade Promotion and Investment Promotion are at the niche-focus level, and even two other forms – External Economic Management and the Role of Non-state Actors, are at the evolving level. Indeed this is a leap for the Ministry of Foreign Affairs, as well as breaking the assumption that the traditional diplomacy paradigm still adheres to the general practice of Indonesia's diplomacy. However, there needs to be careful attention because, in the Turkish market, tariff barriers that impose on Indonesian exporters a higher price than Malaysia still exist. Other things to keep in mind are reassessing and recertifying Indonesian palm oil's environmental and societal footprint following the global sustainability principles. Market mapping is also necessary to overcome current barriers imposed by any market. These will surely help penetration Indonesian palm oil to an even larger market.

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VIAGEM NA *BELLE ÉPOQUE*: OS PORTUGUESES E O ESTRANGEIRO

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Resumo

O grande movimento de viagem de lazer ocorrido no século XIX chegou tarde a Portugal, muito por influência das vicissitudes geopolíticas da primeira metade de Oitocentos e de que se destaca as invasões francesas e o consequente refúgio da corte portuguesa para o Brasil, bem como a guerra civil liberal subsequente. Nesta atmosfera cambiante, a dimensão do estrangeiro tornou-se, para os nacionais, num imperativo mais desejado e cantado do que vivido, pelo que, só quase no fim do século, se reuniam as condições necessárias para alguns portugueses fazerem as malas e partirem além-fronteiras. Daí os seus testemunhos (literários, artísticos) constituírem registos preciosos de um tempo icónico: a *Belle Époque*.
Este artigo propõe uma reflexão transversal assente no legado deixado por alguns dos portugueses viajantes entre o final de século XIX e o início do século XX cruzando um fenómeno transversal à sociedade ocidental em mutação numa consideração da viagem como elemento de modernidade. Nesse sentido, e reunindo um conjunto de nomes da cultura portuguesa que experienciaram a saída para o estrangeiro, pretende-se perspetivar uma temática de mundividência autoral herdeira da viagem da Expansão Portuguesa cuja genealogia moldou o globo a uma escala planetária e de que o século XXI é herdeiro.

Palavras-chave

Fin-de-siècle, Turismo, Exotismo, Colonialismo, Relatos, Pintura

Abstract

The great leisure travel movement that occurred in the 19th century came late to Portugal, largely due to the influence of the geo-political vicissitudes of the first half of the 19th century, particularly the French invasions and the consequent refuge of the Portuguese court to Brazil, as well as the subsequent liberal civil war. In this changing atmosphere, the foreign dimension became, for Portuguese nationals, an imperative that was more desired and sung about than experienced, so that it was only towards the end of the century that the necessary conditions were met for some Portuguese to pack their bags and set off across borders. Hence, their testimonies (literary and artistic) are precious records of an iconic time: the Belle Époque.
This article proposes a transversal reflection based on the legacy left by some of the Portuguese travellers between the end of the 19th century and the beginning of the 20th century, crossing a phenomenon that is transversal to western society in mutation in a consideration of travel as an element of modernity. In this sense, and bringing together a set of names of Portuguese culture who experienced the journey abroad, it is intended to perspective a thematic of authorial worldview heir to the journey of the Portuguese Expansion whose genealogy shaped the globe on a planetary scale and which the twenty-first century is heir to.

Keywords

Fin-de-siècle; Tourism; Exoticism; Colonialism; Reports; Painting

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Viagem na Belle Époque: *os portugueses e o estrangeiro*
Maria João Castro

VIAGEM NA *BELLE ÉPOQUE*: OS PORTUGUESES E O ESTRANGEIRO[1]

MARIA JOÃO CASTRO

1. Enquadramento histórico

Todos os retratos que são pintados com sentimento
são retratos do artista e não do modelo.
Este (o modelo) é apenas o acaso, a ocasião.
Não é ele que o pintor revela;
é antes o pintor que, na tela, se revela a si próprio.

Basil Hallward em *Dorian Gray* de Oscar Wilde

Sabe-se que variadíssimos estrangeiros visitaram Portugal desde finais do século XVIII: William Beckford (1787-9), James Murphy (1789-90) ou Carl Ruders (1798-1802). Com as invasões francesas dá-se um hiato no fluxo de viajantes europeus para Portugal, condição só superada após o respetivo restabelecimento das relações diplomáticas e de que são exemplos as visitas de Heinrich Link (1808), Lord Byron (1809), Dora Wordsworth (1846) e, mais tarde, Catherine Hannah Jackson (1873) ou Maria Rattazzi (1876). Contudo, sabe-se menos do curso inverso, ou seja, dos portugueses que fizeram a viagem para o estrangeiro visitando e experienciando uma Europa e um mundo frequentemente díspar da realidade portuguesa.

Sabe-se também que, contrariamente ao viajante diletante do *Grand Tour*[2], o viajante romântico procurou privilegiar e obter uma experiência interior decisiva, consubstanciada na procura do outro, do desconhecido e do diferente e não tanto nas culturas herdeiras

[1] Agradecimentos a: Arquivo Municipal de Lisboa; Arquivo Nacional Torre do Tombo; Biblioteca Nacional de Portugal; Museu Carlos Machado, Ponta Delgada, S. Miguel, Açores; .Museu Nacional Soares dos Reis, Porto

[2] Movimento iniciado nos finais do século XVII (e plenamente experienciado durante os séculos XVIII e XIX), consistiu numa viagem final de educação, de complemento e confirmação prático- visual das matérias instruídas a nível académico. Feita inicialmente por jovens aristocratas ingleses ("*gentry*") e depois difundida pela classe média burguesa saída da Revolução Industrial, tinha como destino a Europa (continental) e o seu legado de Antiguidade Clássica, daí incidir em destinos como a Itália e a Grécia alargando-se depois aos demais centros culturais europeus, como Paris. O seu carácter, primeiro avulso (século XVIIII) depois de forma sistemática (século XIX), fez com que se tornasse numa prática e numa moda repetida e plasmada em distintos registos escritos e imagéticos, frequentemente acompanhados de desenhos e em seguida da fotografia.

da Antiguidade Clássica e do Renascimento. Era toda uma nova sensibilidade adquirida, um novo despertar idealizado a partir de uma origem tripartida:

a) O progresso técnico saído da Revolução Industrial que as exposições universais difundiam;

b) Uma "era" imperial europeia a promover a exploração das suas possessões d'além-mar;

c) Uma literatura e pintura que mostrava pela primeira vez, destinos longínquos e exóticos instituindo, entre outras, a moda do Orientalismo.[3]

Se a primeira provocou uma melhoria nos meios de transporte e estruturas de acolhimento locais, a segunda fez com que uma elite metropolitana mergulhasse no universo colonial ao passo que a terceira estimulou o desejo de empreender a viagem por pura fruição e experimentação de um universo ainda mítico e ignoto. É neste tempo único que se assiste não só a uma proliferação de viagens científicas (especialmente de naturalistas), como de expedições com carácter exploratório saídas da Conferência de Berlim de 1884-85 e da consequente "Partilha de África" (como foi o caso de David Livingstone ou dos portugueses *Hermenegildo* Capelo, Roberto Ivens e *Serpa Pinto*). Recorrentemente, este tipo de deslocações incorporou nas suas comitivas artistas e escritores que, no regresso, produziram obras que permitiam visualizar, pela primeira vez, essas terras imaginadas na multissecularidade europeia. E foi assim que a imagem do "outro" se foi construindo e estruturando desenvolvendo-se numa fase posterior com a experimentação efetiva desses destinos por parte primeiro por uma elite de aristocratas (diplomatas, etc.) depois secundada pela nova burguesia saída da Revolução Industrial (que dispunha agora de tempo e dinheiro e ansiava imitar a elite nobre) e, já no século XX, reiterada pela população assalariada e de que o turismo de massas é herdeiro.

Verdadeiramente, a dinâmica do culto da evasão nos finais do século XIX e primórdios do XX fez com que as práticas de um eu que olha o "outro" implicassem a construção de uma alteridade e identidade próprias daí as suas consequências terem sido frequentemente desiguais mas não de somenos importância.

Por outro lado, as inovações tecnológicas inspiraram novas perceções da realidade que cada nação cristalizou à sua maneira numa história a várias velocidades. No que diz respeito aos viandantes portugueses da *Belle Époque* – período balizado entre o último quartel do século XIX e a eclosão da Primeira Guerra Mundial – estes seguiram os seus congéneres europeus na procura de uma mundividência externa se bem que numa prática pouco frequente e inconsequente.

Numa altura em que a viagem ainda não era ligeira e acarretava consigo mais desconforto e imprevistos do suposto à partida, um conjunto raro de intrépidos portugueses propôs-se a fazer da deslocação ao estrangeiro um marco nas suas vidas, trespassando para a sociedade e cultura os ecos e derivas de tal empreendimento.

[3] Note-se que o Oriente Oitocentista compreendia todos os territórios que não fossem a Europa conhecida de então: África, Levante, Médio e Extremo Oriente, assim como as culturas da América.

2. Metodologia

De acordo com Onfray (2009), o estudo da viagem contemporânea pode ser melhor compreendido e perspetivado se agrupado em núcleos sociais e/ou profissionais, uma vez que essa estruturação oferece uma maior perceção das características e derivas tentaculares de cada um.

Neste contexto, e por necessidade de delimitação da pesquisa, o presente capítulo circunscreve-se a uma amostragem de categorias sociais/profissionais que se consideraram significativas tendo em conta um maior impacto na sociedade portuguesa da época. Esta abordagem parcial não deixa de contemplar uma perspetiva integrada e um olhar abrangente da dinâmica viandante nacional além-fronteira, perfazendo um quadro cujas componentes se articulam entre si. A justificação de tal escolha assenta no facto de a estratificação social europeia vigente durante a *Belle Époque* ter permitido condensar em cada classe, as suas aspirações, concretizações e derivas que a definiu sendo um espelho de uma mundividência cujas particularidades caracterizam as sociedades onde se inserem. Ora a portuguesa não foi exceção e, ainda que pouco regular, as suas deslocações ao estrangeiro revestiram-se de singularidades significativas que interessa revelar.

Outro aspeto central da metodologia utilizada no presente estudo é o de se encontrar balizado numa cronologia transversal europeia, ou seja, de relação com os territórios europeus mais próximos tendo em conta a geopolítica à época, nomeadamente no que concerne aos impérios ultramarinos do Velho Continente e à visitação das suas colónias de além-mar.

A última parte do artigo avança com algumas reflexões e considerações perspetivando a relevância e impacto das viagens nacionais ao estrangeiro durante o período estudado correlacionando a vivência nacional com a internacional.

3. *Corpus*

Monarquia

Começando pelo topo da hierarquia social – a corte – a viagem em 1903 da rainha D. Amélia ao Egito foi um catalisador para que uma certa aristocracia lhe seguisse no encalço (nobre e militar) tendo sido posteriormente alargada ao universo cultural-artístico da sociedade intelectual de então (escritores e artistas). A partir do *Álbum* fotográfico[4] da viagem da rainha pode-se ter uma noção precisa não só do itinerário régio como auferir das relações entre Ocidente/Oriente, arqueologia e colonialismo, constituindo um testemunho singular da viagem enquanto fenómeno cultural e elitista

[4] O álbum documenta a viagem realizada pela rainha D. Amélia, o Príncipe D. Luís e o Infante D. Manuel, entre 28 de Fevereiro e 28 de Abril de 1903. O itinerário tinha como destino final o Cairo, com passagem por alguns dos principais portos do Mediterrâneo como Cádis, Gibraltar, Argélia, Túnis, Malta e Alexandria. Na viagem de regresso, o iate aportou em Nápoles e Capri, para uma visita às ruínas de Pompeia. O álbum é constituído, na sua maioria, por fotografias tiradas pelo Príncipe D. Luís, pelo pintor Casanova e ainda pelo Infante D. Manuel. Organizado de forma cronológica e geográfica, o documento apresenta um total 236 fotografias, que foram criteriosamente montadas e distribuídas por 36 páginas, acompanhadas de legendas manuscritas pela rainha, que identificam os registos e os autores dos mesmos.

de domínio imperial. Acima de tudo, esta deslocação a terras de faraós funcionou como elemento de divulgação e disseminação de estereótipos acerca do Oriente, sendo parte integrante e colaborativa na instauração dum conceito ocidental de Orientalismo, que a teoria e crítica histórica contemporâneas têm vindo a dissecar, como é o caso da obra de Edward Said. Desde as invasões napoleónicas de 1798, as ruínas do Egito era marco e símbolo de um culto romântico do belo enquanto decadência. É por isso evidente, quando analisamos o álbum da família real, que os pontos de interesse das ruínas arqueológicas egípcias correspondam a um itinerário que obedecia aos desenvolvimentos das escavações e à sua divulgação no Ocidente, o que era determinante para o modo como aquela civilização era entendida e observada. De modo a capitalizar a viagem de lazer em proveito nacional, a família reinante adquiriu e trouxe para Portugal um conjunto de cerca de 200 peças de antiguidades egípcias, que seriam integradas em 1910 no acervo do Museu Nacional de Arqueologia, cumprindo a tradição das monarquias europeias de trazer para casa relíquias de civilizações "perdidas" e subjugadas. Num certo sentido, e dentro do ecletismo de transição do século, esta visita não visou só a fruição e experiência cultural mas teve uma forte componente colonial e económica de dominação política.[5]

Imagem 1 - Rainha D. Amélia e comitiva no Egito, 1903. Álbum Fotográfico

Fonte: Biblioteca Nacional de Portugal

[5] Convém referir duas viagens régias, antes e depois da viagem de D. Amélia, ainda que uma tenha tido um carácter militar e outra colonial. A primeira, anterior, foi a de D. Afonso Henriques de Bragança (1865-1920) à Índia portuguesa, em 1895, e deveu-se a objetivos militares pelo que constitui uma deslocação com um carácter distinto da que aqui se pretende retratar. Outra, a de D. Luís a África (1887-1908) tem uma índole particular uma vez que foi a única de um futuro monarca português às províncias do império ultramarino. O efémero sucessor do rei D. Carlos I (1863-1908) embarcou em 1907 no navio *África* para uma viagem de estudo e conhecimento dos territórios d'além mar. Foi o primeiro príncipe a visitar as colónias africanas tendo como objetivo a legitimação nacional dos territórios portugueses da África Oriental e Ocidental. Isso significa que, para além de uma viagem de estudo e de compreensão, esta tinha o propósito de consagrar o esforço colonizador português e de mostrar ao futuro rei a importância, a riqueza material e moral dos territórios ultramarinos e das gentes que lá viviam.

Outras viagens régias houve – antes e depois desta de D. Amélia – mas nenhuma para um destino extraeuropeu.[6] Aliás, estava programada uma viagem do seu marido, o rei D. Carlos, em março de 1908 ao Brasil que o regicídio de 1 de fevereiro impossibilitou.

Fora do espaço geográfico português, mas ainda relativo à monarquia portuguesa há a mencionar as viagens de D. Pedro II, imperador do Brasil (1825-1891) em 1876 aos Estados Unidos, Europa e Médio Oriente. Nos diários desta viagem, e após atravessar o Atlântico, o autor refere a sua visita a vários países do Velho Continente, Egito, Líbano, Síria e Palestina. Note-se que D. Pedro II havia já feito uma viagem à Europa e ao Egito em 1871, mas dela não se encontraram cronicas pessoais.

Militares

Numa vertente militar destaca-se a figura de Francisco Afonso Chaves. Naturalista açoriano, Chaves (1857-1926) teve um papel fulcral no desenvolvimento científico, sobretudo na biologia, geologia, geofísica, vulcanologia, sismologia, e meteorologia, mas as suas viagens repercutem muito mais do que o mero conhecimento académico. Efetivamente, Chaves manteve um vasto interesse por outras áreas temáticas que concretizou em viagens de trabalho que perfazem um álbum não só científico, mas que inclui instantâneos de lugares num puro deleite pelas formas do mundo. Dito de outro modo: Francisco Afonso Chaves combina a curiosidade do cientista com a sensibilidade do artista. Visitou Londres e Veneza, Marrocos e Paris, mas foi a sua deambulação africana em 1906 que melhor traduz o seu olhar singular. A bordo do vapor *Lusitânia*, o açoriano visitou Moçambique, África do Sul e Zanzibar numa viagem cujas imagens nos ajudam a construir um olhar atento sobre esses destinos pouco frequentados pelos viajantes nacionais. Fazendo da estereoscopia a sua técnica principal, o seu trabalho fotográfico do Continente Negro é de uma qualidade inusitada como denota o espólio depositado no Museu Carlos Machado em Ponta Delgada, Açores, instituição que ajudou a formar. Assente numa rara interação e até fusão entre arte e ciência, e combinando a curiosidade do cientista com a sensibilidade do fotógrafo, o registo sistemático da paisagem, dos costumes e tradições torna-o um caso único na sua geração. Detentor de uma metódica construção conceptual e formal, Chaves explora formas inovadoras de perceção e imersão visual, como plasmam as imagens do périplo africano expressando uma errância e um testemunho da sua paixão de conhecimento do mundo que complementa com diários de viagem que ajudam a percecionar melhor a sua mundividência completando um olhar cruzado entre escrita e imagem, fruição e erudição.

[6] Para uma elencagem mais completa ver Miguel Ribeiro Pedras. *Viajar com os Reis de Portugal.* A Esfera dos Livros: Lisboa, 2020; António Ferreira Basto. *Viagens por Terra com El-Rei D. Carlos*. Lisboa: Chaves Ferreira Publicações,1997; Filipa Lowndes Vicente. *Viagens e Exposições. D. Pedro V na Europa do Século XIX.* Lisboa: Gótica, 2003.

Imagem 2 - Zanzibar, 1906, Francisco Afonso Chaves (Arquivo) CAC2218

Fonte: Coleção Museu Carlos Machado, Ponta Delgada, Açores.

Há a assinalar igualmente a figura de Adolfo Ferreira de Loureiro (1836-1911), militar, engenheiro, escritor, poeta e político português que, em 1883, foi em Comissão à Índia Britânica, Ceilão, Singapura, China e Macau tendo resultado os dois volumes *No Oriente, de Nápoles à China*, publicados por ocasião da Exposição do Centenário da Índia, em 1898. O seu relato do (Extremo-)Oriente constitui um documento raro onde desenvolve interessantes apontamentos acerca da cultura e sociedade de cada um dos destinos percorridos. O testemunho deste general condensa um olhar transversal ao mundo de finais de Oitocentos que vai muito para além do mero boletim militar, uma vez que o escrito revela não só informações de matriz profissional mas especialmente opiniões de âmbito sociocultural de viajante atento e desperto.

Escritores

Mas seria no registo literário que a cultura viática portuguesa durante a *Belle Époque* concentraria um fulgor de maior pujança. É que, no dealbar do século XX, os testemunhos literários de alguns escritores portugueses constituem um *corpus* de referência do olhar nacional sobre o "outro" sobretudo no espaço extraeuropeu. É o caso de Ramalho Ortigão (1836-1915) nas suas obras *A Hollanda* de 1885 (onde a par da pintura de paisagens e ambientes exteriores ressalta notações estéticas de uma viagem interior), *Pela Terra Alheia* onde relata além das suas jornadas pela Europa, a sua viagem transatlântica a terras da Argentina e do Brasil (1887), onde se encontrava seu irmão.[7]

[7] Ver Jorge Alves, *O Brasil sob o Olhar Europeu de Ramalho Ortigão*, Coimbra, Imprensa da Universidade, 2022. Em linha: https://digitalis-dsp.uc.pt/bitstream/10316.2/42766/1/O%20Brasil%20sob%20o%20olhar%20europeu.pdf

Uma outra figura literária e viandante, comparsa de Ramalho Ortigão foi Eça de Queirós (1845-1900). A sua viagem ao Cairo em 1869 por ocasião da inauguração do canal do Suez resultou numa das suas mais interessantes narrativas, crítica e lúcida sobre o conflito entre a herança cultural e as tensões políticas, económicas e coloniais que se colocavam ao moderno Egito. Publicadas na coluna "Folhetins" do *Diário de Notícias*, as suas crónicas (postumamente compiladas no livro *O Egito. Notas de Viagem*) narram o seu desembarque em Alexandria, o trajeto até Port Said e ao Suez tomando depois a direção da Síria e Palestina. Nestes apontamentos chega mesmo a registar, com algum detalhe, locais por onde não passou, mas que 'visitou' graças às obras de alguns dos mais famosos visitantes do Oriente da época, como Maxime du Camp, Gérard de Nerval, Edmond About ou Théophile Gautier, o último dos quais encontraria no Shepheard's Hotel, no Cairo. Eça foi herdeiro de um filão de literatura de viagens que entretanto lera e o inspirara tendo a consciência estar a percorrer um caminho literário já trilhado por outros mas imprescindível a quem queria estar na frente da modernidade. Anotando as suas impressões em cadernos de bolso, Eça relata os passeios no Cairo, o porto de Alexandria, as viagens de comboio e de barco cujos detalhes lhe serviriam, *à posteriori*, compor e enriquecer a vida das personagens como Teodorico Raposo (em *A Relíquia*) e Fradique Mendes. Terá sido durante esta deambulação pelo Médio Oriente que Eça de Queirós ganhou o gosto pela diplomacia que haveria de levá-lo, mais tarde, à América, nomeadamente nas Antilhas Espanholas (hoje Cuba), onde foi cônsul em 1872. Durante a sua permanência em Havana aproveitou para visitar os Estados Unidos e o Canadá sendo depois transferido para Paris; anteriormente havia vivido em Inglaterra. Foram com toda a certeza as viagens que conferiram a Eça de Queirós o seu humanismo e olhar perspicaz e assertivo à sociedade portuguesa que o tornaram numa figura de proa da literatura portuguesa dos princípios de Novecentos.

Na senda da viagem de Eça ao Egito, em 1876, Ricardo Guimarães (1830-1889) haveria de publicar *De Lisboa ao Cairo. Scenas de Viagem*.[8] São da sua lavra ainda *Impressões de viagem: Cadiz, Gibraltar, Paris e Londres* (1869), *Vienna e a Exposição* (1873) e *Na Itália* (1876) mas é o texto *De Lisboa ao Cairo* o mais incomum uma vez que nele não há uma mitificação do Oriente mas uma descrição pouco idílica e uma necessidade de mudança civilizacional muito comum ao discurso de índole colonialista.

O escritor Jaime de Magalhães Lima (1859-1936) viajou pelo norte da Europa e África numa deambulação registada e publicada em 1880, *Cidades e Paizagens*. Nela, o autor reflete sobre os motivos que podem levar um indivíduo a viajar estabelecendo tipos de viagem numa classificação fundadora.

Joaquim Pedro de Oliveira Martins (1845-1894) foi outro viajante invulgar não pelos destinos percorridos mas pela forma como traduz o pensamento do país visitado. Historiador, político e cientista, Oliveira Martins foi uma figura-chave da historiografia portuguesa contemporânea com uma elevada plasticidade às múltiplas correntes de ideias que atravessaram o século e é essa a sua mais-valia nos escritos viandantes que deixou. Publicado em 1905, o seu escrito *A Inglaterra de hoje. Cartas de um viajante* dá-

[8] Em resultado da sua nomeação como cônsul em Macau em 1868, Ricardo Guimarães partiu para o Oriente mas desistiu a meio da viagem por motivos de saúde tendo regressado a casa. Para além das narrativas de viagem ao estrangeiro, Ricardo Guimarães seria também um entusiasta das viagens no seu próprio país, tendo registado essas impressões em muitos folhetins que foram, posteriormente, coligidos para volume *Leituras do Verão* (1883).

nos conta das impressões recolhidas sobre as paisagens britânicas refletindo sobre questões civilizacionais, culturais e económico-políticas, numa abordagem temática transversal e profundamente agregadora, característica rara às crónicas de viagem da época.

No âmbito feminino, rareiam as escritoras viajantes, muito por força da sociedade conservadora e tradicional de então a não dar espaço às mulheres para terem uma carreira própria, acusando as poucas que o intentaram de moral duvidosa. Daí a singularidade de Guiomar Torrezão (1844-1898), jornalista e autora de *A Grande Velocidade (Notas de Gare*), um escrito publicado anos depois da viagem efetiva à capital espanhola,[9] pelo que abarca uma dimensão ficcionada de uma Espanha lendária, romanticamente exótica e pitoresca. Essas imagens estereotipadas não passam de uma súmula de outras descrições vivazes fixadas por anteriores viajantes, conforme Guiomar Torrezão escreve com os olhos postos nesses livros, como é o caso da descrição da mulher madrilena a lembrar ostensivamente a descrição que Ramalho Ortigão tinha feito das espanholas, alguns anos antes (Ortigão, 1949).[10] De facto, o desenvolvimento industrial, o crescimento das cidades, a explosão demográfica e a rapidez dos transportes diluiria muitas das tradições e da etnografia que os românticos tanto apreciavam. Por outras palavras: a viagem deixara de ser uma aventura existencial que oferecia emoção e entusiamo para se vulgarizar numa homogeneização contrária à que caracterizara a elite finissecular. Mais tarde, Torrezão apanharia o *Sud Express*[11] para a capital francesa, destino último cujos escritos serão publicados em 1888, sob o título *Paris, Impressões de viagem* e dedicado à condessa de Edla.[12] Aí conhece Alexandre Dumas Filho e Victor Hugo naquela que era a cidade-símbolo da *Belle Époque*. A cosmopolita e efervescente Paris entre guerras (a Franco-Prussiana e a Primeira Guerra Mundial) era o exemplo a seguir pelas congéneres europeias liderando as mudanças culturais e sociais, com um clima intelectual nos salões e teatros; e boêmio, nos bailes e cabarés. E foi nessa Paris pré Torre Eiffel que, em 1885, desembarcou Guiomar Torrezão.

Também Maria Amália Vaz de Carvalho (1847-1921) merece ser mencionada. Escritora e colaboradora em diversos jornais (*Diário Popular*) e revistas (*A Ilustração Portugueza, O Occidente*), a sua casa foi um dos primeiros salões literários lisboetas por onde passaram personagens como Eça de Queirós, Ramalho Ortigão, Camilo Castelo Branco e Guerra Junqueiro, entre outros. Em 1896 publica *Pelo Mundo Fora*, uma obra resultante de uma viagem a Paris que a sua educação – muito marcada pela cultura francesa – enalteceu. Isso traduziu-se no facto da viandante se deixar guiar por uma biblioteca mental de artistas que transformou este escrito numa obra de crítica literária anunciada como um livro de viagens. Como refere Maria Amália, "a França, a que minha alma aspirava (...) era a França que desde Jean Goujon até Rodin, e desde o Poussin até Puvis de Chavannes, e desde Froissart até Michelet, e desde Mme. Laffayette até Georges Sand, e desde Balzac até Zola, e desde Pascal até Renan (...) e desde Ronsard até Victor Hugo, e desde Marot até Verlaine, e desde a grande renascença do seculo XVI até ao

9 Para fazer a cobertura do casamento da irmã do Rei de Espanha, Afonso XII, a infanta D. Paz, com o Príncipe D. Luís da Baviera, a 2 de Abril de 1883.

10 Ramalho Ortigão. *Pela Terra Alheia*. Quetzal: Lisboa, 1949, p. 120.

11 O *Sud-Express* foi inaugurado em 1887, assegurando a ligação de Lisboa a Madrid e a Paris, e que se projetara inicialmente como ramo de uma grande linha transcontinental de Lisboa a S. Petersburgo nunca efetivada.

12 https://books.google.pt/books?id=EG8_AQAAMAAJ&printsec=frontcover&hl=pt-PT#v=onepage&q&f=false

magnifico movimento do romantismo, tem enchido o mundo da arte, e da poesia, e da realidade, e da ficção, de obras primas sem conta e sem medida!"[13] Visita museus, atenta na paisagem, distinguindo-se o seu relato pela capacidade de viajar motivada apenas pelos seus próprios interesses, satisfazendo a própria curiosidade em conhecer e experienciar um país, uma cidade e uma cultura que tanto admira.

Imagem 3 - Maria Amália Vaz de Carvalho, 1911

Fonte: Arquivo Municipal de Lisboa.

Há ainda um conjunto lato de civis – burgueses, proprietários rurais, entre outros – que procuram viajar por motivos religiosos, em peregrinações que aliam cultura e devoção, como foi o caso de Pereira Pinto Balsemão. Em 1904, Balsemão publica *Notas de Viagem – Do Porto a Lourdes*, um relato onde se conta a viagem de peregrinação completada com algum excursionismo por várias cidades de Espanha como Salamanca, Valladolid, Burgos, San Sebastian e Biarritz, numa descrição que pretendia "ajudar os viajantes que se decidam por uma viagem cultural onde Lourdes é a etapa especial, motivação e álibi".[14]

[13] Maria Amália Carvalho. *Pelo Mundo Fora.* Lisboa: Parceria António Maria Pereira, 1896, p. 14. Em acesso aberto: https://purl.pt/6306/6/l-41045-p_PDF/l-41045-p_PDF_24-C-R0150/l-41045-p_0000_capa1-capa4_t24-C-R0150.pdf

[14] Sérgio Brito. *Notas Sobre a Evolução do Viajar e a Formação do Turismo*. Lisboa: Medialivros, 2003, p. 353.

Pintores

E é no universo pictórico que talvez se encontre o registo mais representativo de um modo de olhar o "outro", olhar esse fruto das viagens dos artistas portugueses da *Belle Époque*. Com uma ascendência preliminar da literatura de viagens de pendor "orientalizante",[15] a pintura tornou visíveis as paisagens narradas pelos escritores ajudando a formular um ideário no público das metrópoles que o levou a querer viajar para esses destinos do império. Artistas como David Roberts (1796-1864) ou Eugène Delacroix (1798-1863) e foram mesmo mais longe e não se limitaram a pintar um império imaginado mas deslocaram-se até ele para melhor o representarem. Ora essa moda de cariz orientalizante foi largamente mostrada nas grandes exposições universais, mundiais, internacionais e coloniais, iniciadas em 1851 em Inglaterra e logo repetidas em Paris nos anos subsequentes. E foi nelas que o grande público citadino viu, pela primeira vez, esse Oriente remoto que foi depois estendido ao *Salon* e às galerias de arte privada numa confluência temática que viria a ser o motor para as vanguardas europeias.[16]

No contexto português, o cenário foi um pouco distinto e teve as suas particularidades pois foi do meio académico das Belas Artes[17] que saíram os primeiros estudantes bolseiros para pintar o estrangeiro do final de século. Com o intuito de alargar horizontes e apurar técnicas – principalmente em Paris – estes jovens pintores produzirão um conjunto de obras que darão a conhecer territórios senão ultramarinos pelo menos algumas das geografias além-fronteiras.

Em 1879, a poucos meses da inauguração solene dos trabalhos para a abertura da Avenida da Liberdade e a consequente demolição do Passeio Público – símbolo do romantismo e prenúncio de uma viragem estrutural – regressavam a Portugal dois dos primeiros pensionistas de Belas: Marques de Oliveira (1853-1927)[18] e Silva Porto[19] (1859-1893), este último a fundar o *Grupo do Leão*[20], núcleo à volta do qual se agregaria a primeira e a segunda geração de naturalistas nacionais. Nesse mesmo ano, parte para Paris o bolseiro Artur Loureiro (1853-1932) artista que foi mais além no itinerário viandante, partindo em 1884 para a Austrália onde viveu vários anos até regressar ao Porto, sua terra natal. Constituindo um exemplo único da arte e da viagem entre Portugal e os antípodas, Artur Loureiro construiu um percurso de pintor-viajante que gravitou entre a Europa e a Oceânia, mais precisamente Melbourne onde viveu anos até regressar ao Porto, sua terra-natal. De matriz naturalista mas permeável a distintas influências criativas (nomeadamente o Simbolismo), a sua obra reflete a história global, a cultura visual e as itinerâncias que pontuaram uma existência singular.

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15 Integrando obras de autores como Chateaubriand, Lamartine, Nerval ou o precursor de todos eles, Victor Hugo com *Les Orientales.*

16 É o caso de pintores como Paul Gauguin (no Taiti) ou de Henri Matisse (em Marrocos), artistas que se deslocaram às colónias do império – neste caso francês – para melhor as pintar.

17 A Academia de Belas Artes em Lisboa e a Academia Portuense de Belas Artes foram criadas em 1836.

18 Viveu em França como pensionista entre 1873 e 1879 e viajou com Silva Porto pela Bélgica, Países Baixos, Inglaterra e Itália. Participou nos *Salons* de Paris de 1876 e 1878.

19 Estudou na capital francesa entre 1876 e 1877, tendo viajado pelos países limítrofes, como Itália em 1879.

20 Grupo espontaneamente construído em torno de uma mesa de uma cervejaria da Baixa, uma associação livre de artistas que se reuniam para discutir, confraternizar e promover exposições.

Porém, talvez o artista viajante mais inovador no modo como absorveu o estrangeiro tenha sido o jovem Henrique Pousão (1859-1894). A sua brevíssima carreira não impediu que fosse considerado o mais radical da sua geração. Bolseiro em Paris (1881), cidade que trocou depois (1883) por Roma, Nápoles, Capri e Anacapri onde se instala, os seus quadros de viagem definem uma visão pictural muito pessoal onde sobressai uma ousadia do tratamento plástico da paisagem/figura que não teve seguidores. Se as suas "impressões" de viagem não passaram despercebidas à Academia de então, a modernidade da sua obra assenta numa estética própria sem preocupações ilustrativas ou narrativas, antes profundamente abstratas, mostrando o quanto se encontrava à frente do seu tempo. Por entre o seu roteiro do pintor-viajante, a obra de Henrique Pousão condensa um entendimento da pintura que se autonomiza como puro valor lumínico, via de acesso à contemporaneidade de uma obra feita de pinceladas que se tornam numa impressão de viagem não só efetiva mas, acima de tudo, interior.

Imagem 4 - *Fachada de casa Soterrada*, Henrique Pousão, Roma, 1882.

Fonte: Museu Nacional Soares dos Reis, Porto.

Ainda ligado à primeira geração de naturalistas portuguesas convém enunciar o nome de José Júlio de Sousa Pinto (1856-1939) colega de Henrique Pousão em Paris e que se integrou de tal maneira na vida artística parisiense que aí desenvolveu uma carreira sólida, permeada com frequentes visitas a Portugal.

A segunda geração de naturalistas portugueses – composta por artistas como José Malhoa (1855-1933), Rafael Bordalo Pinheiro (1846-1905)[21] e seu irmão Columbano Bordalo Pinheiro (1857-1929)[22] bem como por Veloso Salgado[23] (1864-1945) – viajou de forma intermitente pelo estrangeiro tendo sido poucos os que passaram para os seus quadros as paisagens além-fronteira circunscritas ao eixo europeu França-Itália. Não foi

[21] Visitou Espanha (1873), Rio de Janeiro (onde viveu de 1875 até 1879), Paris (1889 por ocasião da participação na Exposição Universal cujo pavilhão português é por si decorado) e novamente Brasil (em 1899).

[22] Viajou regularmente para Paris.

[23] Nascido na Galiza, Salgado foi bolseiro em Paris, local a partir do qual viajou pela Bretanha e Itália. Em 1898 venceu o concurso das comemorações do Centenário do descobrimento da Índia com o quadro histórico Vasco da Gama perante o Samorim, centrando-se numa pintura histórica herdeira das paisagens naturalistas estrangeiras que conheceu.

o caso de Adriano de Sousa Lopes (1879-1944) que haveria de ir um pouco mais além visitando o norte de África.

Também Aurélia de Sousa (1866-1922) ocupa um lugar próprio na viagem ao estrangeiro da *Belle Époque*. Nascida no Chile e crescida no Porto, frequenta a Academia Portuense e depois a Julian, de Paris, onde passa a residir a partir de 1898. Viaja pela Europa apreendendo as coleções expostas nos principais museus de Bruxelas, Antuérpia, Berlim, Roma, Florença, Veneza, Madrid e Sevilha e que depois a inspirarão a criar uma obra invulgar.

Quanto ao seu conterrâneo Raul Maria Pereira (1877-1933), também aluno da Academia Portuense, foi bolseiro em Roma (1903), local a partir do qual aproveitou para viajar pelos centros artísticos de Itália e da Grécia e de cidades como Viena, Budapeste, Istambul, Munique, Paris e Madrid. Levado pela sua ânsia de viajar e de conhecer novas paisagens, Raúl Maria Pereira atravessou o Atlântico e foi instalar se na República do Equador (1908) e em 1917-18 transferiu-se para o Perú aí desenvolvendo um percurso internacional incomum à época.

Imagem 5 - Damas da *Belle Époque* na Praia das Maçãs com o hotel Royal Bellevue em fundo, 1913.

Fonte: A.N.T.T., Col. *O Século*, Benoliel, lote 8, cx. 1.

Considerações finais

Desde a Época Moderna, Portugal foi um país cujo imperativo da Viagem se enraizou num ideário e numa prática reiterada ao longo das centúrias seguintes e de que a Expansão Portuguesa foi o marco basilar. Porém, com as vicissitudes dos (desa-)acertos da história portuguesa no início de Oitocentos, e já dentro da configuração contemporânea, esta vocação viandante enfraqueceu e diluiu-se numa vivência confinada a intramuros. E este indicador faz perceber que o desenvolvimento das práticas turísticas está intimamente ligado ao processo de construção das identidades nacionais. Numa análise sinóptica veja-se: a monarquia vivia tempos conturbados e a República, quando proclamada, preocupou-se em subsistir nas agitadas águas de um país circunscrito ao território metropolitano. Daí que a da *Belle Époque* portuguesa não tenha correspondido a uma verdadeira "Época Dourada", pelo menos no que à viagem diz respeito: o estrangeiro ficava longe e os meios (físicos, monetários, culturais) para a concretização da viagem ociosa escasseavam num país que se situava na ponta de uma Europa a desenvolver-se a várias velocidades. Os poucos a saírem, preferiram um estrangeiro moderno e próximo – eurocêntrico (Paris, principalmente) – sendo que só um punhado se aventurou a ir mais longe experimentando o exótico (África, Médio Oriente, Ásia) em consonância com a política hegemónica de legitimação dos territórios imperiais europeus. Para os portugueses de final de Oitocentos, a miragem oriental – essa espécie de antídoto à monotonia de uma sociedade cada vez mais industrializada e uniforme bem como a procura de autenticidade e pureza ("Bom Selvagem") que decorre da não contaminação pelos vícios do Homem europeu, burguês e urbano – encontrava-se a anos-luz da realidade nacional que, isolada, se escapava para uma literatura de viagens a devolver-lhe parte do "Élan" da deslocação efetiva. Deste modo, e numa época charneira, os registos deixados resultam de um itinerário externo a traduzir percursos singulares e solitários numa prática pouco incentivada presa ao tardar do país em acompanhar o progresso tecnológico e consequente abertura intelectual e de mentalidade. Daí que de entre as diferentes linguagens (escrita, pictórica, fotográfica) dos viajantes nacionais para o estrangeiro na passagem do século XIX para o XX, a que se evidenciou foi a da escrita e, no registo interno, a pictórica.

Cristalizando a reflexão proposta verifica-se que o apelo do exterior é distante, fragmentado, num Portugal anacrónico que resiste ao avanço da modernidade europeia como que suspenso num tempo fora da ribalta do progresso a granjear por grande parte das metrópoles do Velho Continente. Nele sobreviveram modos de vida e ofícios antigos preservando uma ruralidade pré-industrial de vocação e raiz campestre. Numa Europa então em completa mutação, os ecos e derivas da viagem em solo nacional ancoraram-se num provincianismo multissecular, característica que conferiu à *Belle Époque* portuguesa uma especificidade e um tom a ignorar os "ismos" do final de Oitocentos e início de Novecentos correspondentes às vanguardas europeias: impressionismo, fauvismo, cubismo, abstracionismo, futurismo, expressionismo. Nessa altura, e a fechar o grande final da *Belle Époque*, Portugal via surgir a obra pictórica de Amadeo de Souza-Cardoso (1887-1918) a distanciar-se das artes tradicionais para aderirem ao ritmo das vanguardas que a Primeira Guerra inviabilizaria, se bem que fossem precisos mais de 50 anos após a sua morte para se começar a reconhecer a grandeza dos seus trabalhos artísticos.

Em suma, nas suas múltiplas vertentes e especificidades, para os portugueses na *Belle Époque* fossem eles aristocratas, militares, escritores ou artistas, a viagem efetiva para o estrangeiro foi um acontecimento lateral ainda que provocador de uma escrita e de uma arte, entendidas aqui como um programa estético e plástico próprio. Os poucos que se aventuraram para lá da fronteira circunscreveram-se maioritariamente a uma Europa ocidental a ano-luz da realidade nacional tendo sido raríssimos os que ousaram ir mais além (Oriente, Extremo-Oriente, África, América). Em todo o caso, os relatos que deixaram – escritos e pictóricos – devolvem "o ar do tempo" não só dos espaços visitados, mas principalmente, e tal como a epígrafe deste texto enuncia, "se revelam a si próprios".

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BRITTLE GUINEA-BISSAU:
A QUEST FOR POLITICAL AND ECONOMIC STABILITY

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Abstract
This research paper analyzed a fundamental challenge facing the Republic of Guinea-Bissau (GB) — political instability. Since GB declared independence on September 24, 1973, the African Party for the Independence of Guinea and Cabo Verde (PAIGC) has failed to bring political stability to what is now one of the poorest countries in the world. Reviewing GB's political history from its first head of state Luís Cabral (1974–1980) to 2022, we see that there have been 16 heads of state, 30 heads of government, a considerable number of ministers, numerous failed national economic development plans, a year-long civil war, two suspensions of the constitution, and at least four successful coups d'état (and numerous failed attempts). Today, GB remains one of the least developed countries in the world with poor spatial development initiatives, is located in a challenging regional environment, and has a politically relevant diaspora. However, GB is home to approximately two million inhabitants, holds a remarkable range of fauna and flora, and has a unique immaterial heritage that must be protected — which can only be achieved with political stability. The protection of this heritage was an important reason that, in 1996, UNESCO classified the Bolama-Bijagós region as a World Biosphere Ecological Reserve. Considering all of these aspects, we posed and answered the following research question: How can Guinea-Bissau overcome its governance instability as a condition to disentangle itself from its impoverished status? This research question is particularly important in the context of avoiding being exposed to the economic interests of

external actors. Methodologically, we use Dahl's democracy model (2015) and a qualitative approach in the context of a data triangulation involving primary sources, official sources, and media reports.

Keywords

Guinea-Bissau; Factionalism; PAIGC; Semi-presidential System; Political Instability; Least Developed Country

Resumo

Este trabalho de pesquisa académica analisa um desafio fundamental enfrentado pela República da Guiné-Bissau (GB) - a sua endémica instabilidade política. Desde a independência da GB, em 24 de Setembro de 1973, o Partido Africano para a Independência da Guiné e Cabo Verde (PAIGC) não conseguiu criar, afirmar e sustentar uma estabilidade política duradoira, naquele que é hoje um dos países mais pobres do mundo. Revendo a história política da GB desde o seu primeiro chefe de Estado Luís Cabral (1974–1980) até 2022, verificamos que assumiram funções 16 chefes de Estado, 30 chefes de governo e um número considerável de ministros, tendo existido diversos e infrutíferos planos de desenvolvimento nacional, uma guerra civil, duas suspensões da constituição e, pelo menos, quatro golpes de Estado bem-sucedidos (e inúmeras tentativas fracassadas).

A GB continua a ser um dos países menos desenvolvidos do mundo, com um número de iniciativas de desenvolvimento espacial por implementar, localizada em um ambiente regional difícil e com uma diáspora politicamente relevante. Nos dias de hoje, a GB abriga cerca de dois milhões de habitantes, possui uma notável diversidade de fauna e flora, bem como um património imaterial (e material) único que deve ser protegido — facto que só pode ser alcançado com estabilidade política. A proteção deste património esteve na base da decisão da UNESCO que, em 1996, classificou a região de Bolama-Bijagós como Reserva Ecológica Mundial da Biosfera. Considerando todos estes aspetos, colocamos e respondemos à seguinte pergunta de investigação: como pode a Guiné-Bissau superar a sua instabilidade governativa, como condição para se desvencilhar da sua situação de empobrecimento endémico? Esta pergunta de investigação é particularmente importante no contexto de evitar que a GB seja exposta aos interesses económicos de actores externos. Metodologicamente, utilizamos o modelo de democracia de Dahl (2015) e uma abordagem qualitativa no contexto de uma triangulação de dados envolvendo fontes primárias, fontes oficiais e, para colmatar a falta de dados oficiais, um número de reportagens publicadas na comunicação social nacional e internacional.

Palavras chave

Guiné-Bissau; Faccionalismo; PAIGC; Sistema Semipresidencial; Instabilidade Política; País em vias de desenvolvimento

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Francisco José Leandro, Paulo Gonçalves

BRITTLE GUINEA-BISSAU: A QUEST FOR POLITICAL AND ECONOMIC STABILITY

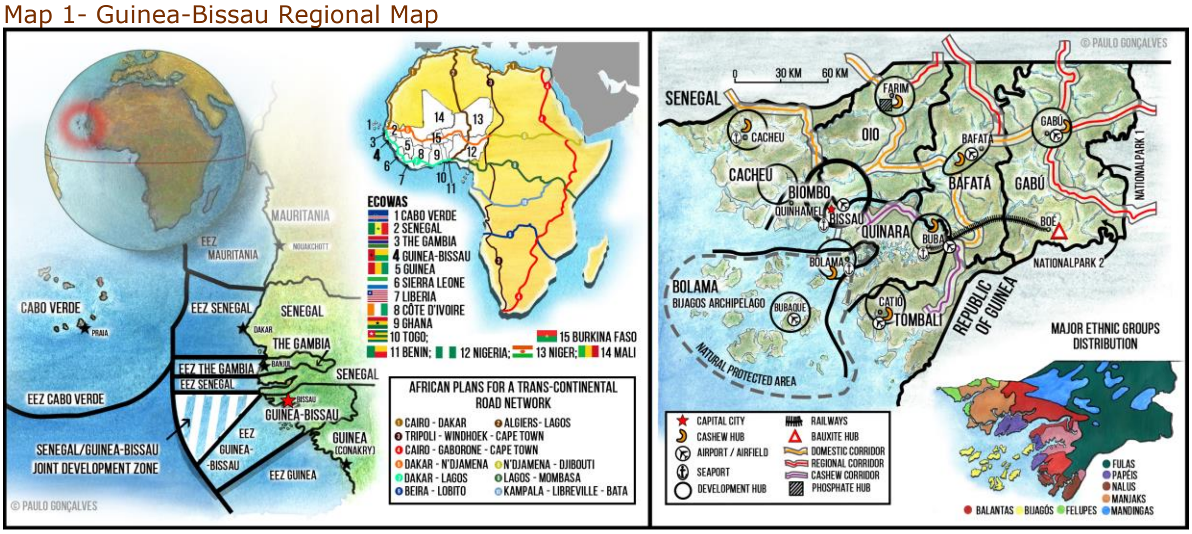
FRANCISCO JOSÉ LEANDRO

PAULO GONÇALVES

1. Introduction

Guinea-Bissau (GB) is a small (slightly smaller than Switzerland) coastal, archipelagic state, covered by lush vegetation, located in the westernmost part of the African continent, halfway between the Tropic of Cancer and the Equator. The country is heavily irrigated by rivers and marshy areas, with more than 80 islands and islets forming what is called the "Bijagós Archipelago" (only 17 out of the 80+ islands are inhabited) just a short distance off its coast. GB is bordered by the Republic of Senegal to the north (341 km), the Republic of Guinea (421 km) to the south and east, and the Atlantic Ocean to the west (with 350 km of coastline).

Map 1- Guinea-Bissau Regional Map



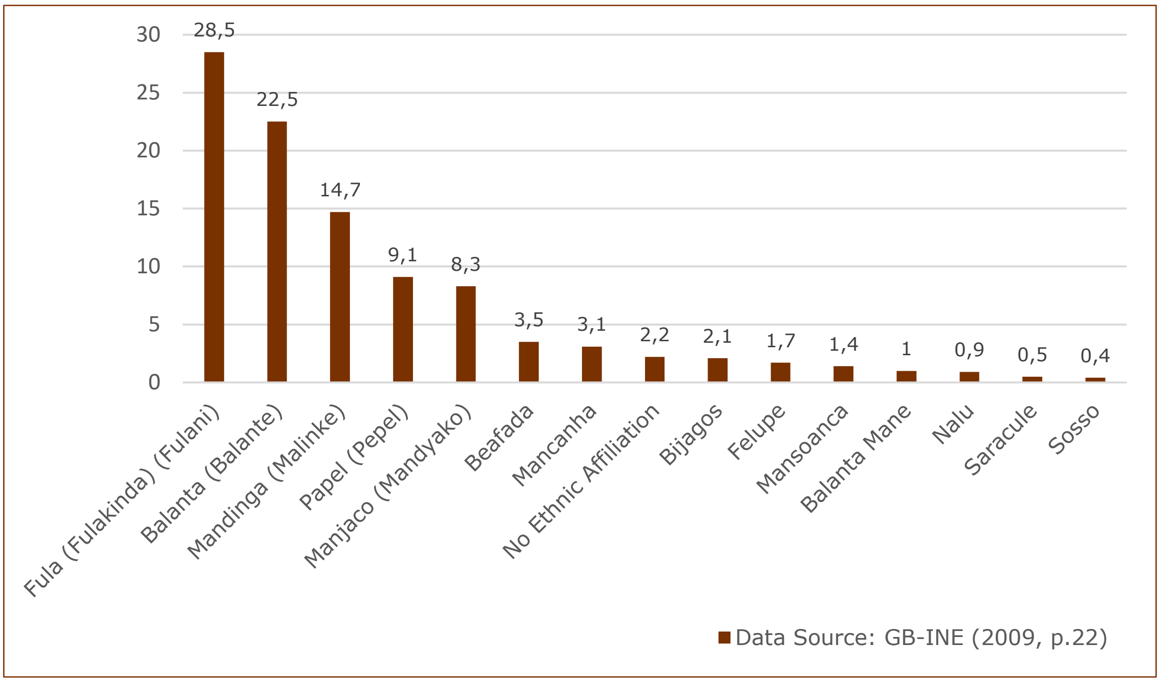
Source: Paulo Gonçalves (2022)

Regrettably, this Portuguese-speaking state is internationally known for its high political-military instability, and has been characterized as a "failed state" and a "narco state"

(Clarke, 2017). In an early essay on the power struggles and consolidation of political power in GB, Forrest stated the following: "Guinea-Bissau's greatest strength is precisely the diversity and energy of its people, who constitute the 'human silver lining' piercing through the harsh reality of pervasive poverty and unceasing political conflict" (1992, p. 2).

Ethnicity is an important aspect of the GB identity, and is especially relevant in the context of political affiliation. Guinea-Bissau's population is dominated by more than 20 African ethnicities, including the Balante (one of the largest ethnic groups), and the Fulani and its numerous subgroups (Diola, Nalu, Bijagó, Landuma, Papel (Pepel), and Malinke). Chart 1 presents a partial breakdown of the GB population according to ethnicity. The Fulas are GB's most populous ethnic group (28.5%), followed by the Balantas (22.5%) and the Mandingas (14.7%). The Papel and Manjaco ethnicities correspond to 9.1% and 8.3% of the population, respectively. There is also a small part (2.2%) of the population that does not belong to any ethnicity. People belonging to the Nalu, Saracole, and Sosso ethnic groups account for proportions below 1% (GB-INE, 2009).

Chart 1 - Guinea-Bissau Ethnic Groups



The basis of our theoretical model is Dahl (2015, pp. 146–147) where he distinguishes between conditions that are essential and those that are favourable to the stability of democracy. The essential conditions include: (1) democratic control of the armed forces and police, and (2) democratic beliefs and political culture; favorable conditions include: (3) a modern market economy and society, and (4) either weak or outright absence of cultural conflicts (p. 149).

To understand the instability of GB's governance, one must first look at its political and economic history after the PAICG was founded in 1956. According to Chabal (2003, p. xiii), Amílcar Cabral "was not just one of the many nationalists from Lusophone Africa. He was a dominant member within the CONCP (Conferência das Organizações Nacionalistas das Colónias Portuguesas), which coordinated their activities." We therefore pose this research question — How can GB, by overcoming its governance instability, provide the conditions to disentangle itself from its impoverished status? Answering this question requires that we learn the root causes of the political instability in GB as a post-colonial Portuguese-speaking state. We therefore examine its political and economic timeline since its declaration of independence in 1973.

2. Discussion and Analysis

The foundation of the leading political formation in GB, the PAIGC[1], was enshrined with a vision designed to achieve economic and political sovereignty of a bi-national state (GB and Cabo Verde). Since its inception, despite having had a stranglehold of the political leadership and obtaining, with a single exception in 1999, parliamentary majorities (some of which absolute majorities) and an overwhelming number of HoS[2] mandates, PAICG failed to either ensure political stability or lay down the foundation for sustainable development.

Table 1 - Guinea-Bissau Selected Socio-political Indicators (2022)

	Indicator	Observations	Comments and Sources
1	Population	2,064,921 (estimate)	(WM, 2022)
2	Population Median Age Young Literacy (15-24 Years old)	18.8 Years old 60.4% (2019)	(WM, 2022). Literacy rate for adult male population is 71.78% (UNESCO, 2022)
3	Male and Female Distribution Life Expectancy at birth	Female 50.4 % and Male 49,6 % Male 46.8 and Female 50.7 years	(UN, 2022)
4	Current Type of Political System	Multi-party Semi-Presidential	Since the Constitution of 1991, there was an evolution from a presidential to a semi-presidential system.
5	Parliamentary Representation Ratio	102 Seats and 1seat/19,755 voters	(IPU, 2022)
6	Constitution and Amendments	1973 1984, amended in 1991	1984 amended in 1993, 1996, 1996 and 2001 (not promulgated)
7	Presidential and Parliamentary Elections		Refer to Table 2
8	Gender Parliamentary Representation Total Fertility Rate	14 Seats/13,73% (2022); No electoral quota for Women; No electoral quota for youth (IPU, 2022). 4,4 (UNESCO, 2022)	
9	Specialized Permanent Commissions	Eight	(GB Assembleia Parlamentar, 2022)
10	Ibrahim Index of African Governance	41.4 (out of 100)	Comparative Overall Performance GB ranks 41 out of 54. Cabo Verde ranks 2 out of 54. Absolute trend since 2010 = +2.8 (IIAG, 2022)

Source: Authors

Tables 1 and 2 offer an overview of GB's major socio-political indicators, clearly indicating the existence of a poor, young, and illiterate population, a majority of women, and efforts

1 PAIGC – African Party for the Independence of Guinea and Cabo Verde (Partido Africano para a Independência da Guiné e Cabo Verde).
2 HoS – Head of State or President of the Republic of Guinea-Bissau.

to improve the constitution towards a more democratic system. Also shown are a high frequency of elections, gender imbalance, and poor levels of governance.

Table 2 presents the three overall phases through which GB developed its political systems, and a timeline of electoral events since its formal recognition as a sovereign state. From 1974 to 1980, during Luís Cabral's term as HoS, GB's political elite was very much focused on keeping their unity and, at the same time, on a sort of ideological bi-national socialist vision for the state and the economy, based on a centralized, planned economy. During this period, the political leadership attempted to engage the country in a process of industrialization, particularly in areas of agriculture, vehicles, dairy, lumber, plastic, and steel (Sucuma, 2012, p. 135). Forrest (2002, p. 239) refers to this process as a "rudimentary form of African Socialism" run by state officials and grounded in nationalized production and distribution centres. The model failed, due to poor decision-making, shortage of goods, and general corrupt practice among government officials. As a result, GB became increasingly dependent on foreign aid.

Table 2 – The Evolution of the Political System and Presidential Elections in GB

<table>
<tr><th colspan="3">1974-1980
Independence Consolidation and Bi-national State Project</th><th>1984-1993
Centralism and Transformation</th><th colspan="8">1993-2022
The Democratic Project</th></tr>
<tr><td colspan="3" rowspan="2">1973 Constitution</td><td rowspan="2">1984 Constitution</td><td colspan="8">The 1984 Constitution, amended 4 times
1991, 1993, 1995 and 1996</td></tr>
<tr><td colspan="2">Suspended in 1998/99</td><td colspan="2">Suspended in 2003</td><td colspan="4">The 2001 Amendment has not been promulgated</td></tr>
<tr><td colspan="12">Presidential Elections in GB (HoS)</td></tr>
<tr><td>Year</td><td rowspan="2"></td><td>1984</td><td>1989</td><td>1994</td><td>2000</td><td>2005</td><td colspan="2">2009</td><td>2014</td><td colspan="2">2019</td></tr>
<tr><td>Majority</td><td>PAICG</td><td>PAICG</td><td>PAICG</td><td>PRS</td><td>PAICG</td><td colspan="2">PAICG</td><td>PAICG</td><td colspan="2">Madem G-15[3]</td></tr>
<tr><td colspan="12">Parliamentary Elections in GB (HoG)</td></tr>
<tr><td>Year</td><td>1977</td><td>1984</td><td>1989*</td><td>1994</td><td>1999</td><td>2004</td><td colspan="2">2008</td><td>2014</td><td>2019</td><td>2022</td></tr>
<tr><td>Majority</td><td rowspan="2">PAICG</td><td rowspan="2">PAICG</td><td rowspan="2">PAICG</td><td>PAICG</td><td>PRS</td><td>PAICG</td><td colspan="2">PAICG</td><td>PAICG</td><td>PAICG</td><td>TBD[4]</td></tr>
<tr><td></td><td colspan="8">HoG</td></tr>
<tr><td colspan="3" rowspan="2">Single-party system</td><td>Presidential</td><td colspan="8">Semi-presidential System</td></tr>
<tr><td colspan="9">Multi-party system</td></tr>
<tr><td colspan="12">*From 1989 to 1991 the position of HoG did not exist.</td></tr>
</table>

Source: Authors based on IPU, 2022

The coup d'état of November 14, 1980 resulted in Luís Cabral being imprisoned, and all existing state institutions overthrown and replaced by a Revolutionary Council composed predominantly of military personnel. This also triggered the formation of a new party — the African Party for the Independence of Cabo Verde (PAICV), thereby effectively ending the bi-national project, which Munslow (1981, p. 109) considered to be "a serious set-back both for Pan-Africanism and for socialism on the continent." The leading causes of this action were the political alienation of the reality, abject poverty, bureaucracy, the ethnically-motivated political divide, the democratically-elected government's failure to grasp the problems relating to the armed forces and to keep them under control. Munslow

[3] MADEM G-15 – Movement for Democratic Alternation, Group of 15 (Movimento para a Alternância Democrática, Grupo dos 15).

[4] TBD (To Be Determined) - Media has announced 18 December 2022 as the new election date, as the country faces logistical and economic challenges (source: https://lejournaldelafrique.com/en/lack-of-money-the-Guinean-legislative-elections-postponed/)

continued to state: "Rice shortages, the swallowing up of resources by the capital and neglect of the rural zones in the south and a wastage of resources on a few large scale development projects were only some of the economic difficulties experienced" (1981, p. 109). As regards the armed forces, Munslow added:

> *A further internal cause of the coup was discontent within the Armed Forces over the provisions made for demobilisation, which included schemes for ex-soldiers to work on farms opening up the most remote regions of the country […] The system of promotions introduced with the ranking of the Armed Forces was another grievance, with the lesser educated Guinean fighters considering that those better educated but with less combat experience were being promoted over them*" (1981, pp. 111–112).

Munslow concluded his research by saying that "there [was] no doubt that there [would] be many continuing internal struggles by those wishing to return to the political line of Amílcar Cabral" (1981, p. 113). In the same vein, Forrest (1992, p. 55) suggested the existence of a sort of "extended clienteles," stating that the real political opposition "was no longer a brutal foreign power but rather individual competitors within the ruling political elite" (p. 56). Forrest named "intergovernmental factionalism," "behind-the-scenes interpersonal antagonisms," and "the claims of Balanta soldiery ignored by the President" as the leading causes of the successful coup d'état of November 14, 1980.

"Nino" was the guerrilla's name of João Bernardo Vieira (Pepel by ethnicity), who was regarded as a leading figure in the armed struggle against the Portuguese colonial presence. "The war preparations conducted by Cabral from Conakry also entailed military training abroad for the liberation fighters, particularly in the communist countries of the People's Republic of China (PRC), the USSR, and Cuba. The first batch of ten young fighters departed for the PRC in February 1961 to train at the Nanjing Military Academy. They included João Bernardo "Nino" Vieira, Osvaldo Vieira, Domingos Ramos, Francisco "Tchico Te" Mendes, Constantino Teixeira, and Vitorino da Costa" (Mendy, 2019, p.117). Indeed, Nino Vieira was trained in China and became the leader of the Catió area in the Tombali region. After GB's unilateral proclamation of independence in September 1973, elections were held in the liberated areas, and Nino became president of the national assembly. After GB's independence was formally recognized in 1974, Nino became Minister of Defence, and in 1978 took on the post of HoG[5] (PAIGC's principal commissioner). It is believed that Nino was behind the crisis that led to the end of Luís Cabral's presidency. What triggered the crisis was the president's attempt to eliminate the position of principal commissioner, occupied at the time by Nino. After the deposition of Luís Cabral in 1980, Nino was the next strong political figure to lead GB and the father of the so-called "Readjustment Movement"[6]. The preamble of the 1984 GB constitution mentioned that "With the Movimento Reajustador of November 14th, the Party has reoriented its actions, correcting the mistakes that were hindering the edification of a united, strong and democratic society." Such a political scenario prompted the country to adopt a development plan that resulted in an Economic Stabilization Program in the years 1983–1984 in order to encourage agricultural production and economic growth.

[5] HoG – Head of Government or Principal Commissioner or Prime-Minister of the Republic of Guinea-Bissau.
[6] Readjustment Movement" (Movimento Reajustador).

Forrest (2002, pp. 240–241) mentioned the beginning of a number of privatization reforms backed by the International Monetary Fund (IMF). The development strategy was organized in three phases: economic-financial stabilization; rebalance of the economy, and, finally, autonomous economic development (Sucuma, 2012, p. 139). However, after Nino came into power, there were several armed coup attempts, such as in March 1982, June 1983, and November 1985. In addition, the 1984 constitution eliminated the position of a HoG, thereby concentrating all political power within the presidency of the State Council. The conflict within PAIGC continued, and in 1986, General Paulo Correia (of Balanta ethnicity) along with six others were executed, accused of staging a coup, and the State Council Vice-president Vitor Saúde Maria escaped in exile to Portugal (Forrest, 1992, pp. 58–62). In the following year (1987), approximately 200 armed forces officers were arrested and convicted for conspiring against the regime. The economic situation did not improve, so in 1986–1987, the GoGB[7] presented a new Structural Adjustment Program with the aim to continue with the liberal development policy supported by the IMF and World Bank (Sucuma, 2012, p. 139). This new program included promotion of private enterprises, reduction of governmental spending, and cuts on food subsidies. As Forrest (2002, p. 241) mentioned, the GoGB received US$ 31.2 million from the IMF between 1987 and 1990 as an incentive to proceed with the reforms. But, despite all of these measures, general discontentment continued to spread in the public and private sectors, caused by the formation of conflicting groups of interest. Along this line of reasoning, Forrest (1992, p. 62) once again asserted that "factionalism continued to pervade the government ministries between 1987 and 1990…"

After the fall of the Berlin Wall in 1989, Nino accepted the idea of a transition for a multi-party system. In January 1991, during the II Extraordinary Congress of the PAIGC, Nino announced the beginning of the democratization process, with amendment to the constitution to accommodate political pluralism, freedom of expression, association, meeting, and press. Between 1992 and 1993, several political parties appeared, and 13 legalized parties ran for the 1994 legislative elections. Interestingly, of these, only two — the National Liberation Front of Guinea (FLING) and the Resistance Guinea-Bissau–Báfatá Movement (RGB-MB[8]) — did not result from splits or dissidence from the PAIGC, nor were created by former militants or leaders (Sangreman et al., 2008, p. 15). The cashew production peaked in 1992–1993 at 30,000 tonnes, when the world prices were still reasonably good, but declined thereafter (Forrest, 2002, p. 242). Remarkably, in the context of the establishment of new political formations, Sangreman et al. asserted:

> *[…] in the struggle and construction of the nation, everyone considers the cleavages of ethnic origin as enemies of this process […]. However, in the interviews carried out, the reasoning of the ethnic motivation of the vote is always present in the predictions and in the analysis of the results. Of the parties with the most votes in the legislative elections, the term 'Balanta party' applied to the Social Renovation Party (PRS) is a generalized designation, and only the PAIGC appears as the formation that addresses all ethnicities, along with some parties made up of urban cadres such as the*

[7] GoGB – Government of Guinea-Bissau.
[8] RGB-MB – Resistance of Guinea-Bissau – Bafatá Movement (Resistência da Guiné-Bissau- Movimento Bafatá).

> *Union for Change (UM) and the United Social Democratic Party (PUSD).* (2008, p. 7)

Interestingly, the previously mentioned Vitor Saúde Maria returned to GB from exile toward the end of the year 1990, and in 1992, established the PUSD[9]. He ran for president in 1994, but was not elected. He led the PUSD until his assassination in 1999.

Bearing in mind that the 1984 constitution had established a presidential system on a single-party basis, it was expected that a completely new constitution would be prepared. Instead, the PAIGC put forth a proposal to amend the existing constitution by creating a multi-party system and the position of HoG (1991). Forrest observed that the state-society de-linkage and the leaders' lack of attention to issues of social concern continued to "be manifested by repeated incidents of bureaucratic illegality" (1992, p. 65). Despite the new legal provisions, abuse of office, clienteles, bribes, and corruption on the banking system, in the ministries, in the armed forces, and in international aid distribution were frequent and tolerated. Unfortunately, the persistent arrears in the payment of the country's debt service convinced the IMF to halt its provision of financial payments to the GoGB between 1990 and 1994 (Forrest, 2002, p. 244).

In 1993, the constitution was amended for a second time, with a more democratic design, under the semi-presidential model, recognizing the principle of separation of powers and a bill of fundamental rights (which abolished the death penalty). In December 1994, the GoGB obtained a total of US$ 357 million during a Special Donors' Round Table held in Geneva. In 1995 and 1996, under Nino Vieira's presidency, the GB constitution was again amended to create the municipalities and to allow GB's accession to the CFA franc zone, respectively. With Nino as GB's HoS, on July 17, 1996 in Lisbon (Portugal), GB became one of the founding members of the Community of Portuguese-speaking Countries (CPLP).

In May 1997, GB became the eighth member of the West African Economic and Monetary Union (UEMOA), adopting the CFA franc, with the political purpose of bringing economic stability and attracting foreign investment. On June 2, 1998, the first headquarters of the National People's Assembly, the "Colinas de Boé," was inaugurated in the industrial area of Brá, built from scratch with funding from the government of Chinese Taipei.

The year of 1998 was particularly troublesome for GB. During the VI PAIGC Congress held that year, Nino was re-elected president of the party. However, in the sequence of military incidents related to the Casamance (Senegal) (Casamance was part of the Portuguese Guinea until 1886), separatist group ousted Chief of the Army Staff General Ansumane Mané on grounds of corruption and illegal trade of weapons (to Casamance separatists), alongside problems related to the organization of the parliamentary elections and the popular dismay with Nino's poor economic leadership over the last 18 years (E-Global, 2018), another coup d'état was staged. In addition, the fact that the Senegalese government was convinced that Ansumane Mané was in fact supporting the separatists led to Senegalese troops getting involved in support of Nino. The period is known as the June 7, 1998 armed conflict, which terminated on May 10, 1999, in the sequence of the Abudja Peace Agreement (Nigeria) (November 1, 1998), with the support

[9] PUSD – Social Democratic United Party (Partido Social Democrático).

of the Economic Community of West African States (ECOWAS), the United Nations, Gambia, Angola, and Portugal. According to Forrest (2002, p. 256), in July 1998, Senegal and Guinea-Conakry sent troops to support the regime of Nino Vieira. The massive popular support to Mané, and the rural base of recruitment of the GB army, the failure of the Senegalese troops, and the demise of the Nino government led to the occupation of Bissau by troops loyal to Mané. Nino fled, first to Gambia, then to Portugal. In September 1999, Nino Vieira was expelled from PAIGC at a party congress for, allegedly, "treasonable offences, support and incitement to warfare, and practices incompatible with the statutes of the party."

The Abudja Peace Agreement established the organization of parliamentary and presidential elections in 1999, and based on it, the UN Security Council approved the establishment of the UN Peacebuilding Support Office in Guinea-Bissau (UNOGBIS) on March 3, 1999. The mission was actually deployed on June 25, 1999. On January 1, 2010, it was replaced by the UN Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS), which completed its Security Council mandate on December 31, 2020. The June 7, 1998 armed conflict had partially destroyed the national parliament, and during this period, the 1984 constitution (revised in 1993) was suspended, and in 1998, the World Bank recorded the lowest gross national income (GNI/per capita) in GB, measured between 1990 and 2020.[10] Following the June 7, 1998 armed conflict, general parliamentary elections were held for a second time on November 28, 1999, with a presidential runoff on January 16, 2000. With the popular dismay relating to the long-term PAIGC leadership, Kumba Yalá defeated the PAIGC candidate and Acting President Malam Bacai Sanhá, who had taken office (interim) to replace Nino (Table 4). For the first time, a new political party, the Party for Social Renewal[11] (PRS), emerged as the largest party in the parliament, but held only 38 of the 102 seats, which fell short of a majority (Table 3). Nevertheless, the PAIGC finished third (with 24 seats) behind the Resistance of Guinea-Bissau–Bafatá Movement (RGB-MB) (with 29 seats), and for the first time in GB political history, the opposition parties had a parliamentary majority.

Table 3 – GB Parliamentary Elections (1994-2019)

Number of seats, Proportional representation											
Main Political Parties	**1994** 7/8	Main Political Parties	**1999** 28/11	Main Political Parties	**2004** 28/3	Main Political Parties	**2008** 16/11	Main Political Parties	**2014** 13/4	Main Political Parties	**2019** 10/3
PAIGC	62	**PAIGC**	24	**PAIGC**	45	**PAIGC**	67	**PAIGC**	57	**PAIGC**	47
RGB/MB	19	**PRS**	38	**PRS**	35	**PRS**	28	**PRS**	41	**G15**	27
PRS	12	**RGB/MB**	29	**PUSD**	17	**PRID**	03	**PDC**[12]	02	**PRS**	21
Others	07	**Others**	11	**Others**	3	**Others**	02	**Others**	02	**Others**	07
Total	100	**Total**	102	**Total**	100	**Total**	100	**Total**	102	**Total**	102
Electoral system - 100 seats are elected from multi-member constituencies, with one single-member constituency representing citizens living abroad in Africa, and single-member constituency representing citizens living in Europe (102). Voters are required to be at least 18 years old and hold Guinea-Bissau citizenship, whilst candidates had to be at least 21 years old.											

Source: IPU and CNE, GB (2022)

[10] Retrieved in July 2022, from https://data.worldbank.org/indicator/NY.GNP.PCAP.PP.CD?locations=GW
[11] PRS – Party for Social Renovation (Partido para a Renovação Social).
[12] PDC – Party for Democratic Convergence (Partido de Convergência Democrática).

The victories of President Kumba Yalá (2000–2003) and the PRS started a new political cycle. In 2001, a draft was prepared to once again amend the 1984 constitution (there had been a revision in 1996). The draft proposed changes to the composition and powers of the Council of State. According to the proposed changes, the Council's members would include ombudsmen and former presidents of the republic who had not been removed from office. As for powers, the text proposed that the Council of State should be consulted when the President wished to dismiss the government, as had already been the case in the dissolution of the parliament. To end governmental instability, the dissolution of the government by the President should be set out in detail. The changes proposed in the 2001 text (from UNIOGBIS's standpoint) were steps in the right direction, in particular regarding consultation with the Council of State in the event of a desire to dissolve the government. The dissolution of the organs of the state, such as the parliament and the government, should only occur in exceptional circumstances, and the requirement of prior consultation of a body comprising the highest state authorities should help to ensure an appreciation for these exceptional circumstances. Although opinions were not binding upon the President of the Republic, the views of other state representatives and the general interests of the nation should have an influence on his decision (UNIOGBIS, 2018, p. 7). On April 5, 2001 the amendments were adopted, but were never promulgated by President Kumba Yalá. In 2003, in support of a Chinese initiative, GB also became a founding member of the Forum for Economic and Trade Cooperation between China and Portuguese-speaking Countries (Forum Macao).

Unfortunately, this cycle (2000–2003) was also marked by worsening economic and social crises, the loss of credibility of GB at the international level, the decline of institutions to perform as part of an organized state, disrespect towards the constitution, and an open and unceasing conflict between the presidency, the parliament, and the courts. This scenario led to the September 14, 2003 coup d'état, staged by General Veríssimo Seabra, which brought Henrique Rosa temporarily to the presidency. The 1984 constitution (revised in 1996) was suspended again. In this context, legislative elections were held on March 28, 2004, and the presidential elections on July 24, 2005. Interestingly, as mentioned previously, Nino Vieira was ousted at the end of the June 7 war (1998–1999) and went into political exile in Portugal. However, in 2005, he made a comeback, winning the presidential election, this time as an independent candidate. In 2005, a new building of the parliament was inaugurated with support from the government of the People's Republic of China.

According to official results (Table 4), Nino Vieira officially defeated Malam Bacai Sanhá in the run-off on July 24, 2005 with 52.3% of the votes and was sworn in as president on October 1, 2005. A few days later, the new elected president announced the dissolution of the government, led by Prime Minister Carlos Gomes Junior (PAIGC), elected on March 28, 2004, and appointed Aristides Gomes (PAIGC until 2008, and PRID[13] ever since).

[13] PRID – Republican Party for Independence and Development (Partido Republicano para a Independência e Desenvolvimento).

Table 4 – GB Six Presidential Elections 1994-2019 (Two-rounds system)

After the 1993 amendment of the 1984 Constitution											
1994		**2000**		**2005**		**2009**		**2014**		**2019**	
7/8		**16/1**		**24/7**		**28/7**		**20/5**		**29/12**	
Nino Vieira (PAIGC)	52%	Malam Bacai Sanhá (PAIGC)	27%[14]	Nino Vieira (Independent)	52,3%	Malam Bacai Sanhá (PAIGC)	63,1%	José Mário Vaz (PAIGC)	61,9%	Domingos Simões Pereira (PAIGC)	35,4%
Kumba Yalá (PRS)	48%	Kumba Yalá (PRS)	69%	Malam Bacai Sanhá (PAIGC)	47,6%	Kumba Yalá (PRS)	36,7%	Nuno Gomes Nabiam (APU-PDGB)	38,0%	Umaro Sissoco Embaló (G-15)	64,6%

Source: IPU and CNE, GB (2022)

In March 2007, PAIGC organized a three-party coalition with the PRS and the United Social Democratic Party (PUSD) to form a new government. The new political arrangement led to a successful no-confidence vote against Prime Minister Aristides Gomes, who resigned soon after. On April 9, 2007, the coalition advanced a new name for the position of HoG — Martinho Ndafa Kabi (PAIGC). Later, after PAIGC withdrew from the three-party alliance to protest Kabi's actions, Nino Vieira once again dissolved the parliament. Later, on August 5, 2008, President Nino announced the dissolution of the parliament to replace Kabi with Carlos Correia, who became GB's 12th serving Prime Minister since 1980, following the 15-month term of Kabi's government (The New Humanitarian, 2008).

Despite all these facts, PAIGC held the majority of the seats in the parliament, but had no confidence in Nino, an antagonism compounded by the party of Kumba Yalá (PRS), which drew strong support from the Balanta ethnic group (some 30% of the population). The Balanta people, who had been one of the main bulwarks of the war against the Portuguese, became Nino's main opponents. These tensions, as well as the inability of the government to control the influence of Colombian drug barons, who were using Bissau as a transit point, led to several plots against Nino (Guardian, 2009). On November 16, 2008, amidst political instability and physical violence, a parliamentary elections took place, in which PAIGC won an absolute majority of the seats (Table 3). However, soon after the elections, the instability turned into physical violence, and there was yet another serious coup attempt. An increasing feud with Army Commander General Batista Tagme Na Waie and some of his Balanta supporters led to the events of March 1–2, 2008, in which First General Waie was killed by a bomb at the army headquarters. Hours later, Nino, too, was shot dead (Guardian, 2009).

The 2009 political assassinations plunged GB into a new period of turmoil and led to the call for an early presidential election. On July 28, 2009, Malam Bacai Sanhá won the second round with 63.1% of the vote. Though Sanhá passed away on January 9, 2011 in Paris, he has always been considered the one president who made a real effort to establish better institutional relations, particularly with the armed forces. Furthermore, Sanhá attempted to exercise an influence in the fight against corruption, drug trafficking, and other forms of organized crime. He also took the opportunity to send a message to the armed forces, a major destabilizing element in the country: "It is not the Government

[14] Rudebeck (2001, p. 71).

that is at the service of the Armed Forces, but the Armed Forces that are at the service of the State." This achievement reduced considerably any possibility of a coup d'état or violation of the constitutional order.

On January 9, 2012, Raimundo Pereira, a member of the PAIGC, became GB's interim HoS, based on his experience as the speaker of the parliament. On April 12, 2012, on the eve of the start of the campaign for the second round of the presidential election, the military, led by Major General Mamadu Ture Kuruma, occupied the national radio and the PAIGC headquarters, and attacked the residence of the outgoing Prime Minister Carlos Gomes Júnior. Interim President Raimundo Pereira was arrested at his residence by the military, as was Prime Minister Carlos Gomes Júnior. These events were consequent of the 2010 military conflict and 2011's failed coup attempt (The Telegraph, 2011). In light of these events, Manuel Serifo Nhamadjo, a PAIGC dissident and vice-speaker of the GB parliament at the moment of the April 12, 2012 coup, became President on May 11, 2012.

José Mário Vaz (PAIGC) won the 2014 presidential election. In the first round, held on April 13, 2014, Mário Vaz received 40.9% of the vote, and entered into a runoff with second-place vote-getter, Nuno Gomes Nabiam (APU-PDGB[15]). Gomes Nabiam is believed to have majority support of the armed forces. In the second round, on May 20, 2014, Mário Vaz received 61.9% of the vote. Gomes Nabiam initially contested the result, but conceded the election on May 22. 2014. Remarkably, Mário Vaz was the only president to be able to finish his five-year term. During the election, Mário Vaz promised to focus on reducing poverty and increasing investment in agriculture. He also promised pardons for participation in the sorts of criminal activities that had turned Guinea-Bissau into a haven for drug traffickers (Dabo, 2014). President José Mário Vaz and the government of Prime Minister Domingos Simões Pereira, with support from OECD, designed the first serious developing plan for the country. According to the World Bank (2015), "Terra Ranka" (fresh start) was a strategic and operational plan for 2015–2020, issued by the Republic of Guinea-Bissau based on the vision of a positive Guinea-Bissau, to achieve political stability through inclusive development, good governance, and preservation of its biodiversity. On March 25, 2015, the GoGB convened an international donor conference in Brussels in order to lay out its new strategic vision 2015–2025 "Terra Ranka." The conference's final communiqué spoke of a pledge of over 1 billion euros to support the country to transition out of fragility and build the necessary resilience for development (AfDB, 2015).

On June 27, 2019, four days after the end of his term, José Mário Vaz was replaced by the president of the parliament, Cipriano Cassamá, who, until the elections, had remained as acting president. On June 29, 2019, ECOWAS decided that Mário Vaz would stay in office until the elections. Mário Vaz ran for office again as an independent in the 2019 elections but received only 12% of the vote in the first round and failed to advance to the second round.

The latest political developments in GB have not been encouraging. In fact, General Umaro Sissoco Embaló (leader of the Madem G-15 party) won the 2019 presidential elections with 64.6 % in a controversial environment, in an open (political) conflict with

[15] APU-PDGB – Assembly of the People United – Democratic Party of Guinea-Bissau (Assembleia do Povo Unido – Partido Democrático da Guiné-Bissau).

the country's Prime Minster, amongst a constitutional law amendment process. During his mandate in 2020 and 2021, on several occasions, Sissoco Embaló engaged in political decisions supposedly to be on the sphere of the government and the parliament, allegedly acting as if GB would have a full presidential regime. Moreover, he took steps to make sure the armed forces were under his direct control. Within this scenario, relations between the government and the presidency deteriorated. On May 17, 2022, Umaro Embaló dissolved the parliament, took control of the country with a government of presidential initiative, and called for legislative elections, to be held on December 18, 2022.

Table 5 - Guinea-Bissau Selected Economic Indicators (2022)

<table>
<tr><th colspan="2">Indicator</th><th colspan="9">Observations and Comments</th></tr>
<tr><td>1</td><td>Dimensions and international agreements for the delimitation of EEZ[16]</td><td colspan="9">Land: 28,120 Km2; Coastline: 350Km - The Maritime Border between GB and Guinea, was established by the Arbitral Tribunal Award on the Maritime Delimitation between Guinea and Guinea-Bissau, February, 14 1985 - Senegal Guinea-Bissau Joint Development Zone was created in 1993 following an agreement that was signed in Dakar on October 14, 1993.</td></tr>
<tr><td>2</td><td>Population</td><td colspan="9">Rural Population 56% (UNESCO, 2022). 5.3 % of total population established themselves overseas. 41% has moved to European Union and 30,570 to Senegal; 28,905 to Portugal, 13,792 Gambia, 5,562 Spain and 5,263 Cabo Verde (EUTF-IOM) (2010).</td></tr>
<tr><td>3</td><td>GNI per capita</td><td>2,060 (2021)</td><td colspan="8">WB, 2022 (Overall positive trend since 1991)</td></tr>
<tr><td>4</td><td>Human Development Index</td><td>0.480 (175) (2019)</td><td colspan="8">GB HDI value for 2019 is 0.480 — which put the country in the low HDI - positioning it at 175 out of 189 countries and territories. The rank is shared with Democratic Republic of the and Liberia. Between 2005 and 2019, Guinea-Bissau's HDI value increased from 0.403 to 0.480, an increase of 19.1 percent, but remained in approximately the same global ranking (UNDP, 2022)</td></tr>
<tr><td>5</td><td>Social Progress Index</td><td>158 out of 168</td><td colspan="8">Tier 6 - Tier 6 countries are generally low income, and several are fragile states where instability has hindered social progress (SPI, 2021).</td></tr>
<tr><td rowspan="2">6</td><td rowspan="2">Doing Business Index</td><td rowspan="2">174 (190)</td><td>Start Business</td><td>Permits</td><td>Getting Power</td><td>Register Property</td><td>Getting credit</td><td>Taxes</td><td>Trade across borders</td><td>Enforcing Contracts</td></tr>
<tr><td>161</td><td>177</td><td>182</td><td>132</td><td>152</td><td>155</td><td>146</td><td>171</td></tr>
<tr><td>7</td><td>Least Developed Countries</td><td>Included in 1981</td><td colspan="8">GB is part of the economies with a very high percentage of the population, living in extreme poverty (≤50%) (UNCTAD, 2021, p. 97). GB is not expected to graduate from LDC status soon (UNDESA, 2022)</td></tr>
<tr><td>8</td><td>Regional Economic Integration</td><td>0,32</td><td colspan="8">The Africa Regional Integration Index measures the extent to which African countries meet their commitments under various Pan-African integration frameworks, such as Agenda 2063 and the Abuja Treaty. ARII covers five dimensions of regional integration: trade integration, productive integration, macroeconomic integration, infrastructural integration, and the free movement of people. GB is a low performer as the score is below the average of ECOWAS states.</td></tr>
<tr><td rowspan="2">9</td><td rowspan="2">Exports Imports Profile</td><td colspan="9">(2020) Exports GB: Coconuts, Brazil Nuts, and Cashews ($130M), Non-fillet Frozen Fish ($8.2M), Refined Petroleum ($1.49M), Other Oily Seeds ($1.11M), and Gold ($833k), exporting mostly to India ($127M), Democratic Republic of the Congo ($5.19M), South Korea ($2.09M), Portugal ($1.99M), and Turkey ($1.11M).</td></tr>
<tr><td colspan="9">(2022) Imports GB: Rice ($52.2M), Refined Petroleum ($35.2M), Wheat Flours ($9.95M), Soups and Broths ($8.58M), and Beer ($7.33M), importing mostly from Portugal ($83.9M), Senegal ($57.1M), China ($51.4M), Pakistan ($25.2M), and Netherlands ($19.8M).</td></tr>
<tr><td>10</td><td>Fragile States Index</td><td>27 91.3 (179)</td><td colspan="8">-0.7 when compared with 2021. Countries that score between 90.0 and 120.0 are classified in the red "Alert" category. All countries in the red, orange, or yellow categories display features that make significant parts of their societies and institutions vulnerable to failure.</td></tr>
</table>

Source: Authors

[16] EEZ - Exclusive Economic Zone.

As summarized in Table 5, we believe that the current economic status of GB is strongly associated with the protracted political and institutional instability. The best way to depict the economic situation of GB is perhaps to quote the following passage from the World Bank Report (2015, p. xii):

> *Guinea-Bissau is one of the poorest countries in the world. It is also one of the most fragile. In 2013, the Gross National Product per capita was US$ 590. Poverty in terms of purchasing power parity of US$ 2 is above 70% and extreme poverty is around 33%. The economy is poorly diversified and dominated by the production of unprocessed cashew nuts. Average annual growth has barely kept up with population growth, which is partly due to a difficult governance environment, often interrupted by political turmoil, including military coups […] Political fragility in Guinea-Bissau has constrained private sector–led growth and poverty reduction.*

3. Conclusion

Based on Dahl's theoretical model (2015, pp. 146–147), we have observed a failure to exercise (1) democratic control of the armed forces and police; (2) a general disregard for the institutionalizing policies of a standing democratic culture, often we observe a sort of ethnic political clientele-exclusivism; (3) an inability to establish the grounds of modern market economy where the private sector can operate and invest; (4) and perhaps more worrying, there are protracted cultural conflicts backed by an enduring ethnic divide. Looking back to GB's political history, it seems clear that the dominance of PAICG, at the level of the HoS and the parliament, over three phases: unipartyism with a socialist economic model; multi-party presidential system adjusting the political and economic model; and multi-party semi-presidential system coping with a global market economy. This political dominance was interrupted between 2000 and 2001 by the PRS, and again in 2019 with the election of President Embaló (Madem G-15). However, it appears that the transformation process into a democratic system has not yet been concluded, as the latest attempts to amend the constitution failed, and, above all, there is no rationale of political equity, tolerance, or inclusiveness.

This research paper has envisaged to answer this question: How can Guinea-Bissau overcome governance instability as a condition to disentangle itself from its impoverished status? The answer seems both simple and complicated. On one hand, it is simple because it is based on the need to avoid past challenges which have brought GB to economic dismay, bringing hardships to its people and danger to the protection of its heritage. Among these challenges were frequent, unjustified dissolution of parliament, unilateral replacement of the HoG, designation of the interim HoS, suspension of the constitution; military coups d'état, and political assassinations. On the other hand, it is complex because identifying those political challenges and implementing remedies is far more problematic. In the course of this paper, we have reiterated *three challenges* that can and should be avoided: Firstly, we have noticed a persistent political ethnic-factionalism, particularly within the GB's leading political party PAIGC, with sub-factions and power blocks tailored to their own clientele and political agendas. Most of the conflicts have stemmed from this first challenge. In the GB political society is a certain level of political-economic tribalism which is often backed by the different ethnic groups and generates political nepotism and political clientele. Such political clientele function as indirect links to illegal activities, namely narcotics and weapons trade.

Secondly, competition among GB elites, as well as the different degrees of presidential authoritarianism failed not only to pursue the promotion of an institutional balance (especially between the presidency and the parliament), but also to establish successful democratic control over the armed forces. Likewise, the armed forces need to improve their democratic culture, and being able to economically sustain themselves, without any other economic involvement. Again, the non-politization of the armed forces and their ethnically-balanced composition, the better representation of women in parliament and in all state institutions, and the ability to establish institutional mechanisms to "decide by consensus" (Dahl, 2015, p. 153) are perceived as strong contributors to stability.

Finally, the level of human social capital associated with the abject poverty and social inequality has pushed social groups into easy political associations, as a quick means to profit from those in position of power, namely to obtain their complacency to illicit activities, which brings short-term economic relief. In this area, the fight against illiteracy, the urgent relief of poverty, and the creation of ethnic equity are absolutely decisive for ending the easy formula of the ethnic political nepotism. The economic recovery of GB must be the top priority and involve both the public and private sectors, as well as relevant international partners, and it must be perceived as transversal to all political factions, and be seen as the top national interest.

GB's political stability is probably the major national interest, a decisive achievement that helps the state, namely to regain international trust, to promote better regional integration, and to attract sustainable investments. All of these must be built on greater inter-ethnic cooperation. It is indeed the best way to protect the material and immaterial heritage and Guinea-Bissau's greatest strength — diversity and energy of its people.

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NOTAS E REFLEXÕES

REFLEXÕES SOBRE A GUERRA NA UCRÂNIA: NOVAS ILUSÕES OU VERDADEIRAS PROMESSAS PARA A SEGURANÇA EUROPEIA?

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No dia 24 de fevereiro a invasão da Ucrânia pela Rússia coloca fim a um período de três décadas de uma 'paz fria', como descrito por Bugajski (Bugajski 2004). Na realidade, após o fim da guerra fria, o Oriente e o Ocidente distanciaram-se sistematicamente. Entre 1999 e 2020 a OTAN (Organização do Tratado do Atlântico Norte), desconsiderando as promessas verbais que a administração americana sob a liderança de George Bush tinha dado à Rússia de que a Organização não iria ultrapassar a fronteira oriental de uma Alemanha unida, avança para um grande alargamento, inclusive integrando países que fazem fronteira com a Rússia, como a Letónia e a Estónia. Por sua vez, Putin inicia uma estratégia sistemática e de longo prazo para recuperar a influência russa sobre os seus antigos satélites e limitar a presença e influência ocidentais em regiões consideradas chave para sua segurança.

Neste cenário, a União Europeia (UE) tem permanecido 'uma bela adormecida', utilizando o termo que o ex-Presidente da Comissão Europeia, Jean-Claude Juncker, empregou para caracterizar a 'Cooperação Estruturada Permanente' entre Estados Membros da União, isto é, não tendo demonstrado esforços análogos aos desafios que a rodeiam no domínio de segurança e defesa (Juncker 2017).

A União depara-se, assim, com uma nova realidade trágica e inesperada, ou como Timothy Gardon Ash, o conhecido historiador e professor de Estudos Europeus da Universidade de Oxford relata, 'vestida apenas com os fragmentos das nossas ilusões perdidas'. No seu artigo publicado um dia após a invasão, Timothy Gardon Ash coloca uma pergunta, simples, mas ao mesmo tempo desafiante devido a problemática que expõe: porque é que nós, os europeus, cometemos sempre o mesmo erro?

Após o fim das guerras dos Balcãs (1912-1913) considerámos os conflitos terminados, mas logo um ano mais tarde enfrentámos a Primeira Guerra Mundial. Em 1938, a anexação da Checoslováquia por Adolf Hitler também não nos alarmou, mas na realidade estávamos a caminhar para uma Segunda Guerra Mundial (Ash, 2022). Desde 1990, a Rússia apoiou diretamente ou indiretamente o surgimento de várias regiões étnicas separatistas na Eurásia (Transnístria na Moldávia, Crimeia, Lugansk e Donetsk na Ucrânia, Ossétia e Abkhazia na Geórgia e Nagorno-Karabakh no Azerbaijão) (Mankoff 2022). Todavia, a invasão da Ucrânia no dia 24 de fevereiro veio surpreender de novo os europeus, marcando o início de uma nova era de insegurança e instabilidade na Europa.

A União revelou unidade e determinação, algo que não tem sido o padrão normal da sua atuação face aos seus desafios externos. Decisões e ações inéditas, sucederam-se num curto prazo e em domínios considerados 'tabu' para a integração europeia, isto é, no domínio da Política Externa e de Segurança Comum (PESC) e da Política Comum de Segurança e Defesa (PCSD). A Alemanha ao enunciar o envio de armamento para a Ucrânia reverte a sua política pós-Segunda Guerra Mundial, que impedia o país de enviar armas letais para zonas de conflito. Duas outras nações tradicionalmente não alinhadas, Finlândia e Suécia, também não hesitaram em enviar armas para apoiar a resistência ucraniana contra a invasão russa. Países esses que assinaram protocolos de adesão à OTAN no passado dia 05 de julho. Igualmente, a Alemanha e vários outros países da Organização, comprometeram-se a investir 2% do Produto Interno Bruto (PIB) no controverso domínio de defesa, e a Dinamarca demonstrou intenção de integrar a PCSD, permitindo que o país participe tanto em operações militares conjuntas como no desenvolvimento e aquisições militares no quadro da União.

Será então a União a avançar com um novo paradigma securitário e de integração?

Neste crítico momento é importante refletir sobre os verdadeiros poderes da UE, para não cair de novo em ilusões e expectativas falsas. Com efeito, a União desempenha um papel de protagonismo como ator regional. Todavia, como isso foi conseguido e o que significa na prática?

O conceito de uma "defesa coletiva" para a Europa surge em 1948, antes da criação da OTAN, até antes da Declaração de Robert Schumann de 1950. O Reino Unido, a França, a Bélgica, o Luxemburgo e a Holanda assinam o Tratado de Bruxelas, estabelecendo uma base de ação coletiva e de garantia de que os países signatários teriam o apoio militar por parte dos demais em caso de agressão. Abriu-se assim o caminho para a organização transatlântica, e a nível europeu para a criação da União da Europa Ocidental (UEO) em 1954 e que permaneceu ativa até 2011.

Na realidade, porém, desde a falhada tentativa de criar uma Comunidade Europeia de Defesa nos anos ´50 e o fracasso dos planos Fouchet (I e II) nos anos ´60 para incluir a defesa no quadro da integração europeia, os países da Europa Ocidental demonstraram que a cooperação no domínio da defesa materializou-se sobretudo dentro do contexto da OTAN.

As Políticas Externa, de Segurança e de Defesa, enquanto áreas de ação política da integração europeia, seriam retomadas pelos Estados Membros apenas em 1992, com o Tratado de Maastricht. Na conferência de Maastricht os então doze Estados Membros decidiram pôr em prática uma Política Externa e de Segurança Comum, incluindo o compromisso, a prazo, de uma política comum de defesa. Mas como afirmam Keukeleire e Delreux, a PESC '*was a panicked response to turbulent geopolitics* (Keukeleire e Delreux 2022, 111)".

De facto, o Tratado de Maastricht foi assinado num período marcado por um contexto internacional próprio, após o fim da Guerra Fria. A UE embarcava para um ambicioso aprofundamento e alargamento, incluindo uma União Económica e Monetária e de uma moeda única em três etapas. Os Estados Unidos por outro lado estavam a desviar cada vez mais a atenção para a região Ásia Pacífico, começando a exigir aos europeus o *burden sharing* - partilha justa dos encargos - para com a responsabilidade do continente europeu. Tragicamente, a Guerra Civil Jugoslava revelou a vergonhosa incapacidade da UE de garantir a segurança e a estabilidade de países membros da 'família' europeia.

Na realidade, o Tratado de Maastricht tinha permitido uma eventual 'cooperação sistemática' entre os Estados Membros e a realização de 'ações comuns' nos domínios que os mesmos teriam interesse em cooperar. Quanto ao sistema de decisão desta atuação, o Conselho Europeu, composto pelos Chefes de Estado ou de Governo dos países membros, fixavam por consenso as linhas gerais da PESC. O Conselho de Ministros por sua vez decidia, por unanimidade, se uma questão concreta deveria ser ou não objeto de uma ação comum. Em caso afirmativo, o Conselho decidia sobre os domínios em que as decisões complementares poderiam ser tomadas por maioria qualificada.[1] Nestes termos, as decisões importantes permaneciam nas mãos dos governos europeus. Assim, antes da União conseguir 'falar com uma única voz', teria de concertar múltiplos interesses geoestratégicos divergentes.

O Tratado de Amesterdão assinado em 1997 após a entrada da Áustria, Finlândia e Suécia, veio introduzir inovações nos domínios da PESC, de forma a dar resposta aos desafios externos, procurando facilitar e reforçar a cooperação entre os parceiros europeus. A título de exemplo, o novo Tratado criou a possibilidade de uma 'cooperação reforçada' entre Estados Membros no quadro dos Tratados, utilizando procedimentos e meios da União. Criou também a possibilidade de 'abstenção construtiva' por parte de Estados minoritários que não quisessem participar em 'estratégias comuns' europeias, mas com direito de veto por razões de interesse nacional vital. Igualmente, o Tratado estabeleceu um Alto Representante para a PESC e introduziu os Acordos de Petersberg destinados a missões humanitárias ou de restabelecimento da paz. Do mesmo modo, introduziu o recurso à UEO para executar decisões neste quadro (JO C 340). A UEO permanecerá, no entanto, separada da União em virtude da oposição do Reino Unido e da Dinamarca, apoiados pelos países neutros, à integração daquela organização na União. Um ano mais tarde, após iniciativa Franco-britânica assinava-se a declaração de St. Malo; Declaração essa que criaria as bases para o lançamento de uma Política Europeia de Segurança e Defesa em 2000.

[1] Título V Disposições Relativas à Política Externa e de Segurança Comum, JO C 191.

O início do novo século foi marcado pelos ataques terroristas em Nova York e Washington em 11 de setembro 2001 e pela subsequente guerra no Afeganistão. Estes acontecimentos tiveram um efeito tanto divisivo como revigorante para a UE e a sua relevância como ator regional e global. Num processo de continuo aprofundamento do projeto europeu e preparando-se para o seu maior alargamento com dez novos países: da Europa Central e Oriental, Chipre e Malta em 2004, a União procurou reforçar e facilitar de novo os mecanismos e métodos de cooperação entre os seus Estados nos domínios em questão. Neste contexto, o Tratado de Nice de 2003 veio introduzir novas modificações para otimizar o processo de decisão inclusive no domínio da segurança e defesa. A título de exemplo, as funções de gestão de crise da União da Europa Ocidental ficaram incorporadas na UE.

As guerras do Afeganistão e do Iraque, e também o alargamento de 2004, vieram destacar ainda mais a necessidade de a União reforçar mais as suas capacidades no domínio da política externa, segurança e defesa. Com o Tratado de Lisboa, assinado em 2007, a UE adquiriu personalidade jurídica, e a PCSD torna-se parte integrante da PESC. O Tratado de Lisboa também criou o Serviço Europeu para a Ação Externa e instituiu o Alto Representante da União para os Negócios Estrangeiros e a Política de Segurança, de forma a apoiar na execução dessas políticas. Do mesmo modo, introduziu a 'cooperação estruturada permanente', isto é, a possibilidade de determinados países da União reforçarem a sua colaboração no domínio militar através da criação de uma cooperação estruturada permanente (CEP) (artigo 42.°, n.º 6 e do artigo 46.° TUE). Hoje, todos os Estados membros da UE participam na CEP, com exceção da Dinamarca e Malta. Quanto a questões de crises ou agressão contra um Estado Membro, de acordo com o artigo 42.7 do TUE, os seus parceiros "devem prestar-lhe auxílio e assistência por todos os meios ao seu alcance, em conformidade com o artigo 51.o da Carta das Nações Unidas" (Artigo 42.º, n.º 7 TUE). A importância da OTAN como principal fiador da defesa coletiva e como instância própria para a concretizar é também destacada no mesmo artigo. Importa referir que o Tratado de Lisboa veio abolir a construção assente em três pilares, mas manteve a PESC sob o controlo dos governos nacionais, não alterando fundamentalmente o sistema de decisão puramente intergovernamental; confirmando assim que *old habits die hard* (Keukeleire e Delreux 2022, 126).

Na prática, desde 2003 a UE realizou 36 operações e missões em três continentes. Desde maio de 2021, estão a decorrer 17 missões e operações da PCSD, das quais 11 são missões civis e seis militares, com a participação de cerca de 5.000 militares e civis da UE (Legrand, *vide* sítio eletrónico oficial do PE). Todavia, estes desenvolvimentos, independentemente da relevância que possam ter, não significam que os Estados Membros têm abdicado das suas soberanias, deixando o poder de decisão e ação a Bruxelas. A política 'comum' é 'comum' em nome, mas não em substância.

A invasão russa da Ucrânia *ipso facto* obrigou a União Europeia a abandonar os seus 'tabus' sobre Segurança e Defesa. Ursula von der Leyen descreve este momento como um 'momento de viragem', afirmado que "a Segurança e Defesa evoluíram mais nos últimos seis dias do que nas duas últimas décadas" (Discurso, 1 de maio de 2022). No entanto, parece que quando falamos sobre o acordar de uma União mais 'bélica' após invasão da Ucrânia estamos a falar sobre mais instrumentos, cargos, respostas funcionais, no fundo respostas reativas a esta crise. A União, porém, já se deparava com uma série de serviços e agências e um modelo de decisão basicamente intergovernamental, apoiado pelo 'aparelho eurocrata', e 'sem a participação responsável dos povos europeus' (Morreira 1999, 232-233); no fundo sem o reconhecimento do 'primado do político' no projeto da integração europeia, e sem o qual não poderá existir uma verdadeira política 'comum' entre os povos europeus.

Se a Europa continuar a ser apenas forjada nas suas crises e ser a soma das soluções adotadas para essas crises, como considerava Jean Monnet, correrá o risco de enfrentar crises perpetuas. A União parece então a necessitar de um 'novo paradigma político' na sua atuação, e não um padrão *déjà vu*.

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NOTAS E REFLEXÕES

REFLEXÕES SOBRE UM DEVER DE PROTEÇÃO DIPLOMÁTICA

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Em 1996, a Assembleia Geral das Nações Unidas convidou a Comissão de Direito Internacional (CDI) a examinar o tema da proteção diplomática. No ano seguinte, foi estabelecido um Grupo de Trabalho para indicar a direção inicial e as principais áreas de concentração que deveriam ser endereçadas à Comissão em matéria de proteção diplomática. O texto final do projeto de artigos sobre a proteção diplomática só foi adotado, contudo, no ano de 2006, uma década após de ter sido considerado pela Assembleia Geral pronto para a codificação e desenvolvimento progressivo.[1]

Por certo, a CDI enfrentou sérias dificuldades para o alinhamento e consecução dos trabalhos. O desenvolvimento dos direitos humanos, o papel dos mecanismos de resolução de litígios e o surgimento de fóruns internacionais diretamente acessíveis aos indivíduos colocaram em pauta a necessidade e a adequação da proteção diplomática na estrutura da proteção do nacional no estrangeiro. Questionava-se, sobretudo, a própria eficácia da proteção diplomática no cenário internacional contemporâneo.

Segundo o Juiz Bennouna, primeiro Relator Especial da CDI em matéria de proteção diplomática, já não era possível manter intacta a natureza jurídica da proteção

[1] Nos termos do artigo 15 do Estatuto da CDI, a expressão "desenvolvimento progressivo do direito internacional" é usada como significando a preparação de projetos em assuntos que ainda não regulados pelo direito internacional ou em relação aos quais a lei não foi suficientemente desenvolvida pela prática dos Estados. Já a expressão "codificação do direito internacional" é usada para a formulação mais precisa e sistematização de normas de direito internacional em domínios em que já houve extensa prática estatal, precedentes e doutrina. Zieck, 2001: 210-211. Ver também: Nações Unidas, 1996; Nações Unidas, 1997.

diplomática como havia sido formulada pela jurisprudência Mavrommatis. Recordamos que a concepção clássica da proteção diplomática assenta sob uma ficção jurídica. Para Bennouna, porém, essa prática ilustrava uma característica insuficiente e arcaica. Apelava-se por uma transformação real da instituição da proteção diplomática a fim de bem adequá-la às exigências contemporâneas dos direitos humanos.[2]

O Juiz Mohamed Bennouna serviu na CDI até a sua nomeação para o Tribunal Penal Internacional da antiga Iugoslávia. Antes disso, porém, ele entregou um relatório preliminar sobre a proteção diplomática, onde destacou o aspecto ultrapassado e desigual do instituto. Bennouna foi sucedido pelo professor John Dugard, que se manteve na função de relator especial até a aprovação do texto final de artigos pela Comissão.[3]

Dugard rejeitou, entretanto, a abordagem pessimista do seu antecessor e apresentou a proteção diplomática como uma instituição tradicionalmente forte e de função mais ampla do que nunca. Ele também sublinhou que não compartilhava da indiferença adotada por Bennouna com relação às ficções jurídicas e lembrou que a maioria dos sistemas legais reconhece e faz uso desse método para alcançar a equidade. Segundo DUGARD, a proteção diplomática é uma instituição plenamente aceita pelo direito internacional costumeiro e avança como um potencial recurso de proteção dos direitos humanos, em sintonia com os valores da ordem jurídica contemporânea.[4]

O primeiro relatório de Dugard à CDI suscitou, porém, controvérsias. Principalmente no que se referia à proposta de artigo 4º. Esse artigo impunha ao estado de nacionalidade da vítima a obrigação de exercer a proteção diplomática em caso violação grave de normas de *jus cogens.* Para Dugard, a prática recente dos Estados, textos constitucionais e a doutrina jurídica revelavam sinais favoráveis à ideia de que os Estados têm o direito e a obrigação de proteger seus nacionais no estrangeiro. O projeto de artigo 4º procurava dar, portanto, efeito aos sinais dessa evolução através do seu desenvolvimento progressivo e da codificação.[5]

As normas de *jus cogens* expressavam, na opinião de Dugard, os valores mais fundamentais da comunidade internacional e por isso mereciam uma proteção internacional diferenciada. Também, para Dugard, parecia incoerente que um Estado que faça parte de uma convenção relativa aos direitos do homem tenha a obrigação de assegurar a todos sob a sua jurisdição uma proteção eficaz e recursos adequados contra a violação de direitos consagrados naquela convenção e deixe, por outro lado, de proteger seus próprios nacionais quando gravemente violados no estrangeiro em seus direitos mais fundamentais. O Estado de nacionalidade teria, portanto, a obrigação jurídica de agir através da proteção diplomática quando o prejuízo sofrido por seu nacional no estrangeiro constituísse uma violação grave de uma norma de *jus cogens.*[6]

Deve-se mencionar que a filosofia empregue no primeiro relatório apresentado por Dugard foi essencialmente orientada pela questão transversal dos direitos fundamentais do indivíduo. Inclusive, em ensaio posterior, Dugard reconheceu que a sua aspiração original era a de fazer uma ligação direta entre a proteção dos direitos do homem e a

[2] Nações Unidas, 1998: 21;47; Bennouna, 1998: 249. Acórdão da Corte Permanente de Justiça Internacional de 30 de agosto de 1924, p. 12.
[3] Nações Unidas, 2004: 42.
[4] Nações Unidas, 2000: 9;21;68.
[5] Nações Unidas, 2000: 87.
[6] Nações Unidas, 2000: 89.

proteção diplomática. Logo, pode-se concluir que o processo de construção e reflexão do primeiro relatório de Dugard foi articulado em torno da questão da existência de um eventual direito do homem à proteção diplomática e de um dever proteção estatal correlato ao indivíduo.[7]

O primeiro relatório de Dugard manteve, contudo, o reconhecimento ao Estado de uma grande margem discrição na realização do seu dever de proteção diplomática. Assim, o Estado de nacionalidade da vítima ficaria isento da obrigação se comprovado que o exercício da proteção diplomática colocava seriamente em risco os interesses superiores do próprio Estado ou dos seus cidadãos.[8]

No mesmo sentido, haveria a desobrigação do ônus de proteção diplomática pelo Estado de nacionalidade se comprovado que a pessoa lesada dispunha de meios diretos para apresentar uma reclamação internacional pelo prejuízo sofrido. Ou seja, se o Estado responsável pelo prejuízo fosse parte num instrumento internacional relativo aos direitos do homem que oferecesse ao particular lesado um recurso perante um tribunal ou outro organismo competente, o Estado de nacionalidade da vítima não teria a obrigação de exercer a proteção diplomática.[9]

Igualmente, se um outro Estado já exercia a proteção da pessoa lesada ou se a vítima do dano tinha um vínculo precário de nacionalidade com o Estado, faltaria razão para impor o dever de proteção diplomática. Nesses dois casos, segundo primeiro relatório de Dugard, o Estado de nacionalidade da vítima também seria absolvido do encargo da proteção diplomática.[10]

Ainda restou previsto por Dugard, que a decisão discricionária do governo que recusasse o exercício da proteção diplomática deveria ser submetida ao controle de um tribunal nacional ou de outras autoridades competentes. Esse também foi, aliás, o posicionamento apresentado por Orrego-Vicuña ao Comitê da Proteção Diplomática da Associação de Direito Internacional. Naquela ocasião, Orrego-Vicuña defendeu a necessidade de submissão judiciária das decisões discricionárias do governo que recusam agir através da proteção diplomática.[11]

Entretanto, apesar da inegável pertinência das justificativas a favor da redução do caráter discricionário da proteção diplomática em caso de violação grave de norma de *jus cogens*, a proposta de Dugard não foi acolhida pela CDI. O artigo 4º do primeiro relatório de Dugard também recebeu críticas por parte da doutrina, que reconheceu no enunciado uma perspectiva de *lege ferenda* improvável de se verificar na prática. Esse artigo foi, assim, classificado como uma disposição ilusória com aparência de revolucionária. Duvidou-se do alcance real da própria oferta de Dugard, avaliada como demasiado intervencionista e, ao mesmo tempo, limitada por uma série de condições.[12]

A admissão de condições à regra da proteção diplomática em caso de violação grave de norma de *jus cogens* foi, aliás, considerada como uma verdadeira "clause échappatoire attrape tout". Para a doutrina dominante, as exceções à regra tinham o fim de

[7] Dugard, 2005: 75-91.
[8] Nações Unidas, 2000: 90.
[9] Nações Unidas, 2000: 91.
[10] Nações Unidas, 2000: 92.
[11] Orrego Vicuña, 2000: 8-26. Ver também: Orrego Vicuña, 1977:138-141.
[12] Flauss, 2003b: 49; 55-61; Flauss, 2003: 30-31. Ver os cometários críticos de: Kooijmans, 2004: 1975-1984; Gattini, 2006: 431.

salvaguardar os interesses vitais do Estado através da relativização da obrigação de intervenção.[13]

Na opinião de Jean-François Flauss, a imposição de uma "clause échappatoire attrape tout" permitia ao estado de nacionalidade se subtrair da obrigação de proteção diplomática por razões políticas, como no caso do sério perigo aos interesses nacionais. A previsão de uma cláusula derrogatória geral entrava, na visão do autor, em contradição com princípio estabelecido no caput do artigo 4º. A admissão de condições tinha, portanto, o efeito de relativizar a obrigação através de uma espécie de reintrodução disfarçada da discricionariedade do estado nacional na matéria da proteção diplomática.[14]

Outro ponto contestado pela doutrina menciona o fato do artigo 4º do primeiro relatório de Dugard retratar a proteção diplomática como um mecanismo substituto e não complementar. O artigo 4º do mencionado relatório subordina o dever de proteção diplomática em caso de violação grave de *jus cogens* à inexistência de meios jurisdicionais disponíveis à pessoa lesada. Assim, obrigação de proteção diplomática só nasceria para o estado caso a vítima do dano não tivesse acesso direto a uma corte ou um tribunal internacional competente para resolver a lide.[15]

O próprio relator especial desfez, posteriormente, esse equívoco ao esclarecer que os regimes da proteção diplomática, dos tratados bilaterais de investimentos e dos tratados relativos aos direitos dos homens são mecanismos complementares e não concorrentes. Ou melhor, entre eles existe associação e não exclusão mútua.[16]

A oposição doutrinária mais expressiva ao artigo 4º do primeiro relatório de Dugard firmou-se, todavia, contra a própria noção de *jus cogens*. Para autores e membros da Comissão, a noção de *jus cogens* permanecia incerta e discutível. Segundo Taxil, inclusive, a alusão ao *jus cogens* teria sido o principal motivo da rejeição desse artigo pela CDI. Por outro lado, a indeterminação de um conteúdo concreto para o *jus cogens* remetia aos Estados o encargo de se pronunciar sobre a matéria. O artigo 4º do primeiro relatório de Dugard terminava por reeditar a competência discricionária dos Estados em razão do caráter geral da obrigação imposta.[17]

Com o propósito de esclarecer sobre a natureza do direito em causa, o governo italiano sugeriu, sem sucesso, a inclusão de dois parágrafos ao artigo 2º do projeto de Dugard. A Itália reconheceu que a regra do exercício da proteção diplomática é um direito discricionário do Estado. Porém, em certas circunstâncias particulares e limitadas, dever-se-ia fazer exceções a essa regra. Para o governo italiano, portanto, o Estado teria o dever jurídico de exercer a proteção diplomática do seu nacional em caso violação grave dos direitos fundamentais do homem e, mais precisamente, do direito à vida, de interdição da tortura, de tratamentos degradantes e desumanos, de interdição da escravidão e de discriminação racial.[18]

Na sequência das críticas e associações de difícil constatação prática, porém, o relator especial decidiu reconhecer que propôs o artigo 4º do seu primeiro relatório de *lege*

[13] Nações Unidas, 2000: 22; Flauss, 2003b: 57; Flauss, 2003: 31.
[14] Flauss, 2003: 31.
[15] Nações Unidas, 2000: 22.
[16] Nações Unidas, 2000: 43.
[17] Taxil, 2005: 489-490; Flauss, 2003: 33.
[18] Nações Unidas, 2006: 38.

ferenda. Ou seja, numa tentativa de desenvolvimento progressivo do direito internacional. Segundo Dugard, a questão do dever de proteção diplomática em caso de violação de normas de *jus cogens* ainda era imatura para ser discutida e apreciada pela CDI. A prática dos Estados e a jurisprudência internacional teriam, entretanto, que avançar bastante até que essa questão pudesse ser novamente posta a exame.[19]

A CDI foi, dessa forma, cautelosa na adoção do texto final do projeto de artigos submetido à Assembleia Geral no ano de 2006. O projeto de artigo 2º enfatizou o direito do Estado de exercer a sua proteção diplomática sem mencionar o direito do nacional de ser protegido. O comentário desse artigo sublinha, todavia, que certas legislações nacionais e decisões judiciárias assinalam que Estado tem a obrigação de proteger seus nacionais no estrangeiro quando direitos fundamentais tenham sido gravemente violados. E acrescenta que o poder discricionário do Estado deve ser compreendido à luz do projeto de artigo 19º.[20]

O projeto de artigo 19º faz, por sua vez, três recomendações ao Estado nacional: 1) que o Estado tome em consideração a possibilidade de exercer a sua proteção diplomática, particularmente, quando um prejuízo importante foi causado; 2) que o Estado leve em conta, tanto quanto possível, as opiniões das pessoas lesadas quanto ao recurso à proteção diplomática e à reparação; 3) que o Estado transfira à pessoa lesada toda indenização obtida do Estado responsável, sob reserva de deduções razoáveis.[21]

A primeira das três recomendações sugere que os Estados considerem a possibilidade de exercer a sua proteção diplomática em benefício de um nacional que sofreu um prejuízo importante. Assim, considerando a proteção diplomática o recurso mais antigo e eficaz para defesa internacional do indivíduo, o poder discricionário do estado deve, quando

[19] Nações Unidas, 2000. Devemos recordar, todavia, que ainda não existem critérios concretos de identificação do *jus cogens.* Como já foi dito, a Convenção de Viena de 1969 não definiu, nem mostrou como reconhecer uma norma imperativa de direito internacional. Cabe aos Estados e tribunais internacionais a tarefa de proceder progressivamente à determinação das normas imperativas. Enquanto isso não ocorre, todavia, só nos resta recorrer ao artigo 53 da Convenção de Viena de 1969, que define o *jus cogens* como uma norma aceita e reconhecida pela comunidade internacional de Estados como todo. O Projeto de Conclusão sobre o *jus cogens* adotado em 2019 pela CDI esclareceu, todavia, que a aceitação e o reconhecimento pela maioria dos Estados já eram suficientes para fins de determinação de uma norma de *jus cogens.* A questão de se interpretar a comunidade internacional de modo a incluir entidades distintas dos Estados, como organizações internacionais, organizações não governamentais e os próprios indivíduos não foi, contudo, recebida nesse Projeto de Conclusão. Para o Relator Especial DIRE TLADI, a prática e o comportamento dos agentes não estatais para a identificação de uma norma de *jus cogens* não era irrelevante, mas o estado material do Direito Internacional ainda incumbia exclusivamente aos Estados a tarefa de determinar e reconhecer as normas imperativas. Do artigo 53º da Convenção de Viena de 1963 e do Projeto 17 [18] de Conclusão sobre Normas Imperativas de Direito Internacional Geral da CDI resulta, porém, uma certeza: toda norma de *jus cogens* está associada a uma obrigação e*rga omnes.* São, contudo, obrigações *erga omnes* aquelas em que todos os Estados poderão ser considerados como tendo interesse jurídico para protege-las. Ou melhor, que devido a importância dos direitos em causa um Estado poderá ter uma obrigação internacional em face de todos os outros Estados. Tudo diferente das obrigações do Estado que nascem cara a cara e são regidos por uma linha bilateral. Como é o caso, segundo a CIJ no julgamento do caso Barcelona Traction, da proteção diplomática. Em que não se pode dizer que todos os Estados têm um interesse jurídico a que seja respeitada. Desde aquela oportunidade, a CIJ deixou claro que a demanda através da proteção diplomática só poderia ser formulada pelo Estado violado. Isso aumentou, contudo, o desentendimento a respeito de um direito de proteção diplomática em caso de violação de *jus cogens. Ver:* Almeida, 2009: 138-139*;* Shaw, 2003: 117-118*;* Rezek, 2015: 153-154*;* Jo, 2000: 112. Para uma visão mais crítica do tema, ver: Glennon, 2006: 529-539*;* Nações Unidas, 2017: 69-72; Nações Unidas, 2019: 4; Acórdão da Corte Internacional de Justiça de 5 de fevereiro de 1970, p.32, par. 33; Weil, 1992: 284-287; Nações Unidas 2000b: 130, par. 451; Nações Unidas, 2019: 6. Ver também: TOMUSCHAT, 2006: 425-436.

[20] Nações Unidas, 2006: 29-30.

[21] Nações Unidas, 2006: 29-30.

menos, compreender o encargo de tomar em consideração a possibilidade de exercer a dita proteção.[22]

A segunda recomendação do projeto de artigo 19º propõe que os estados recorram, tanto quanto possível, à opinião das pessoas lesadas no que se refere ao recurso à proteção diplomática e à reparação a ser reclamada. Como a proteção diplomática leva em conta as consequências morais e materiais do prejuízo causado, é natural caber ao próprio prejudicado a tarefa de decidir a forma de reparação a ser adotada através dessa proteção. Ou seja, se por satisfação, por restituição ou por meio de indenização.[23]

A última das recomendações do projeto de artigo 19º completa as anteriores, pois aconselha aos Estados a transferir à pessoa lesada toda indenização obtida do estado responsável. Apesar de não ser obrigado a transferir ao nacional lesado as somas obtidas através do exercício da sua proteção diplomática, o Estado é aconselhado a fazê-lo. Recordamos que o conceito clássico de proteção diplomática teve origem na jurisprudência Mavrommatis, estabelecendo-se na decisão do caso Barcelona Traction.[24]

Por fim, cumpre mencionar que as três recomendações do projeto de artigo 19º não têm força impositiva, mas devem ser adotadas como práticas desejáveis. Afinal, elas também constituem o atributo necessário da proteção diplomática, além de reforçá-la como instrumento de proteção dos direitos do homem. Assim, apesar do projeto de artigo 2º da CDI deixar claro que não descreve uma obrigação correspondente ao direito do Estado de proteção diplomática, espera-se que o Estado siga atentamente as instruções do projeto do artigo 19º. O que significa que o projeto de artigo 19º já é uma regra do direito costumeiro ou, pelo menos, deve ser considerado como algo relevante para o desenvolvimento progressivo do direito internacional.

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NOTES AND REFLECTIONS

THE NEW WORK CULTURE OF THE GIG ECONOMY - AN ANALYSIS OF HOW THE GIG ECONOMY IS ALTERING EMPLOYMENT PROSPECTS AND EXTENDING TALENT POOLS

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Introduction

India has a sizable population that engages in the gig economy, which is supported by a developing digital platform. The gigs consist of temporary, freelance, or sharing economy positions. But the gig economy is expanding as a result of the epidemic and the growing trend of working from home. There is no sign that it will slow down when it integrates into the larger economy. It is the outcome of a sizable technological, artificial intelligence, and machine learning progress. As of 2019, some of the most popular platforms in India include Zomato, Swiggy, Uber, BigBasket, and Foodpanda.

In 1920, musicians who received payment for their performances popularised the phrase "gig economy." Startups started creating websites and apps in the 1990s with the introduction of Internet services. Finally, the gig economy underwent fresh developments and alterations when Uber was introduced in 2010. Gig workers, often referred to as independent contractors or on-call workers, sign a formal contract with on-demand businesses in order to offer services to the businesses' clients. The gig economy, which has currently given the majority of India's young jobs in the form of part-time or full-time labour, is supported and acknowledged by the Indian government.

In order to boost social services during the epidemic, the federal and state governments negotiated memorandums of understanding (MOU) with a number of gig platforms. The gig economy's greatest benefit is that it promotes job growth, entrepreneurship, and skill development. Ola and Uber have poor gig-work circumstances, whereas Flipkart ranks highest in India for fair work. The fair work India grade is based on fair compensation, fair conditions, fair contracts, fair management, and fair representation. Due to allowances and low compensation, gig workers in India have had to overcome several obstacles and put in an extra 8 to 9 hours of work each day in order to make ends meet. There is minimal to no job security and little perks compared to other employment in the sector.

Literature Review

The supply of gig work often comes from developing nations like India, the Philippines, Pakistan, and others, while demand typically comes from developed nations like the United States, United Kingdom, Australia, and Canada. But when it comes to employment, affluent nations rely on their own citizens, whereas underdeveloped nations receive 90% of their gig work from other nations (Roy and Shrivastava, 2020). The gig economy is significantly contributing to the rise in the GDP of the nation as there are more jobs available online. In India, there are 15 million independent contractors, which is promoting the expansion of new businesses. India has the second-largest market for independent contractors after the United States (Kasliwal, 2020)

Many Indian women now have the opportunity to work remotely and on digital platforms. Women now have thousands of work opportunities thanks to the gig economy alone. Due to social or familial constraints, women who were previously unable to work outside the home can now do so while sitting at home, juggling paid and unpaid work at the same time. However, a major obstacle to women's engagement in the gig economy is a lack of computer literacy or unequal access to these platforms (Kasliwal, 2020)

Women's participation in the work force has declined from 30.27 percent in 1990 to 20.8 percent in 2019, according to World Bank statistics (Nain and Kasliwal, 2021). Social security, societal norms, and family allowances all play a significant role in how much women participate in the workforce. Inequality against women is rife across the Indian subcontinent. Women only have potential in the gig economy in urban areas, they need computer literacy, and males need to embrace them as equal members of contemporary society where they are needed in the labour to advance a nation. Digital workers are now eligible for benefits, including employment injury benefits, old age protection, provident fund, maternity benefits, and many more, according to the new labour codes of 2020, which introduced the social security bill.

People are eligible but not guaranteed the rights, according to the bills. Gig workers frequently struggle with difficulties like viability, identity challenges, and career insecurity (Caza, Reid, Ashford and Granger, 2021). The COVID has been problematic for the gig workers. The delivery order cost for Swiggy was decreased from 35 to 10 per delivery charge with 19 individuals working day and night to reach out to the public and supply food goods and essential ancillaries.

Although they are not required to work in a specific area or for a set amount of time, gig workers do not receive fixed pay. Because there will be more jobs in the gig economy for both men and women, it is essential that these employees have access to security insurance. For example, owing of their poor wages, these delivery guys who work for Zomato, Uber Eats, Swiggy, and other companies often put in longer hours each day.

In this industry, there is no set salary. The same problems affect Uber drivers as well. Because neither is allocated evenly and these workers' rights are not protected, they must work two jobs to make even the minimum wage for survival. Although it appears to be a win-win scenario, the actual situation is quite different. Platform-enabled gig economy workers, who fall into two categories — highly skilled gig workers and low-skilled gig workers — are one of the main issues. Because they are less numerous than the low-skilled gig workers, the highly skilled gig workers have more negotiating power and more clout.

Research Methodology and Objective

For the exploration of these subjects, secondary data was gathered from a variety of journals, websites, and an interview in which delivery staff from Swiggy and Zomato were questioned about their jobs and the challenges they encounter in this industry with the aim to

1. A study of the gig economy and the rising demand for it;

2. What obstacles gig workers must overcome and what opportunities exist for women in the gig economy;

3. Future of the gig economy.

Result and Discussion

Why more people are working as gig workers today

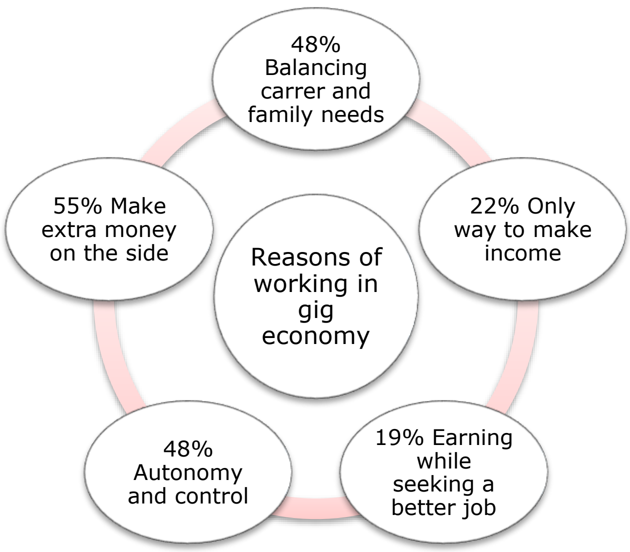
Today's gig economy has given us the opportunity to work as per our requirements, time and days, and from any place. This is primarily due to the trend of remote working that has been made possible. The 10 to 5 daily routine, the office shift that one has been following for ages, working 5 days a week, and even something called the graveyard shift, earlier these questions had no answers.

During the gig economy era, a gig was an artist's performance; however, in the modern age, a gig is any Talent's performance. A lawyer or financial consultant, but you collaborate with the firm on a specific project, presentation, or piece of work as an outside resource rather than joining the firm. In the United States, 57.3 million people currently work gigs; by 2027, gig workers will make up half of the labour force. There are 15 million gig workers in India, the gig economy in the UK has doubled in size over the last three years, and by 2023, the gig economy will be worth $455 billion globally.

There are 24 million persons in the European Union who have reportedly worked jobs at least once. Uber drivers and delivery personnel are not usually gig workers. Any person who works can be a gig worker, including journalists, writers, photographers, realtors, wedding planners, software engineers, and others. A gig worker might be an independent contractor, a project-based worker, a freelancer, or an employee who both works full-time and works as a gig worker.

In order to participate in the gig economy, you must have a smartphone and fast Internet access. There are many sites available now that connect gig workers to complete this task for us. Project, presentation, or day rates are used to pay gig workers. In general, freelancers bill about $ 21 per hour. Some independent contractors make $100,000 annually, according to US figures.

Figure 1 : Indicates some of the facts why people prefer to work as gig workers



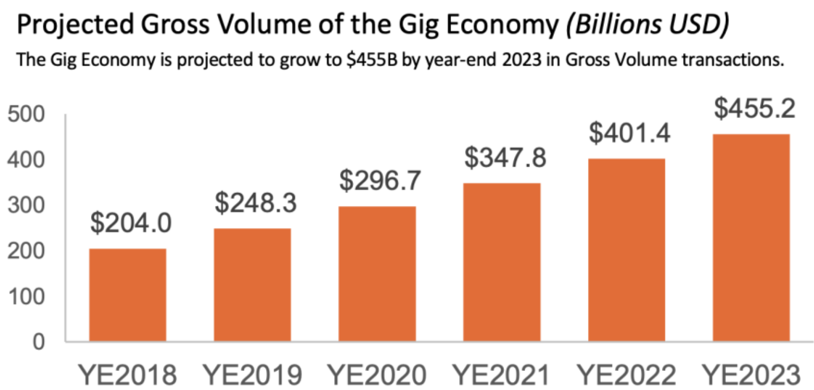
Source: Authors

The employment market nowadays is changing as well since no one stays in one position for very long and because there are so many opportunities. Talent abounds as well, and social media has connected the two. Digitalization has led to a rise in the popularity of the gig economy. Everybody aspires to be their own boss. Time is more significant than stability in the modern society. Gigs are preferred by most people over corporate 10-5 or 9-5 jobs. Because it offers flexibility and long-term work balance, the gig economy, according to 26% of millennials, is more secure than traditional employment.

Work-life balance is no longer negotiable, and the gig economy promises it through technology with no time restrictions. Because of the ability of technology to connect teams in different time zones, gig workers have relatively flexible work schedules. The telecommuting era has arrived.

A Deloitte survey found that 64% of adults desire to take up side employment to increase their income. Gig Workers receive pay dependent on how well they work. In the Philippines, 62% of all freelance employees are women. Women's economic empowerment and income maximization are being aided by the gig economy. We increasingly use services from the gig economy in our daily lives, and the term has grown popular among young urban entrepreneurs. In the US in 2018, 36% of the workforce participated in the gig economy.

Figure 2 : Show the rise in Gig economy in the world



Source : World Economic Forum

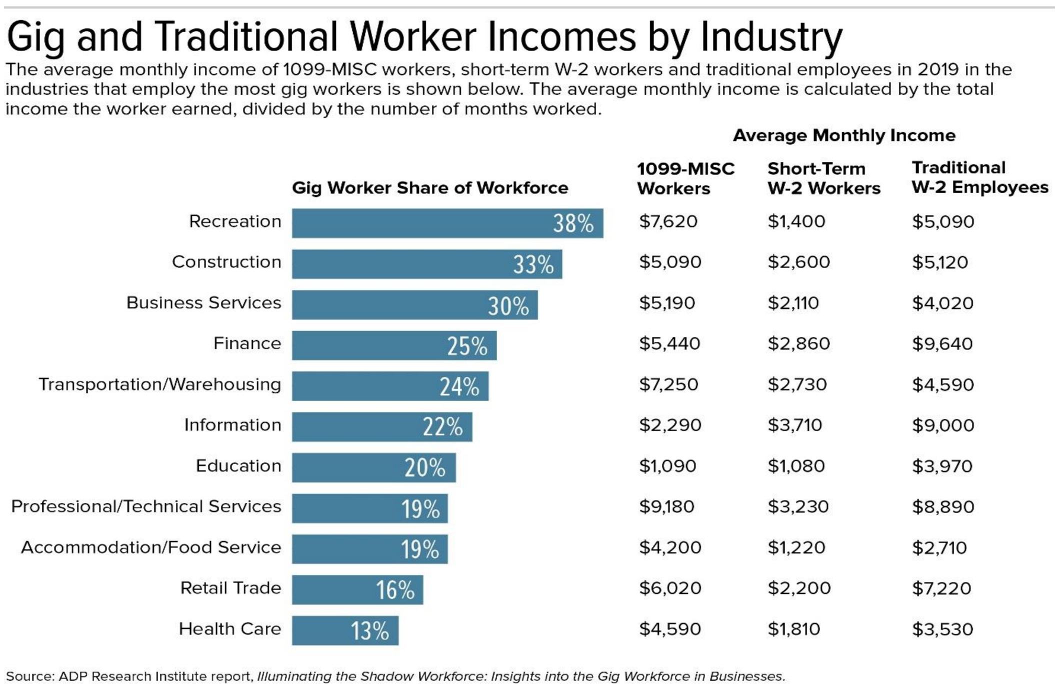
The majority of people move to countries like Saudi Arabia, Germany, and the United States in quest of better prospects. There is a sizable Indian Diaspora, and the bulk of people move to the US in pursuit of better prospects. The gig economy is also helping to put an end to colonialism in India; Bharat is a nation that values innovation and entrepreneurship. The gig economy now provides the primary, secondary, and tertiary sectors with a supplementary job environment. The employer-employee barrier, which is pervasive in Indian office culture, is eliminated by this new working system (Nanda, 2021).

Over the past twenty years, the concept of work from anywhere, from home, has progressively gained traction, allowing more women to become entrepreneurs around the globe. Urban women play a significant role in the gig economy, working as independent contractors, advancing women and putting them on an equal footing with men. The Indian government has introduced new programmes for the digital empowerment of women in both rural and urban areas, and rural women can also participate in the gig economy. Due to the fact that anyone in the globe can contact you via a digital platform, the gig economy knows no borders.

The effectiveness, efficiency, and work performance in the gig economy are higher than those of workers in a stable economy; they also save money and resources in terms of benefits, training, and office space; they are more cost-effective for employers because they hire people for specific projects instead of hiring full-time employees; and retired people can avoid active retirement by working as gig workers with limited travel.

The emerging ecosystem of start-ups is currently looking to hire skilled technology freelancers in fields such as data science and engineering to boost Tech Platform. MNCs are also looking for contractual hiring, which is contributing to the gig culture in India. The gig economy reduces the hectic lifestyle of traditional workers in India with a flexible outlook. Platforms for freelance employment like Upwork, Truelancer, and Guru help the gig economy expand.

Figure 3 : Shows the gap in income for gig workers and traditional workers in different industries



Source : ADP Research Institute Report

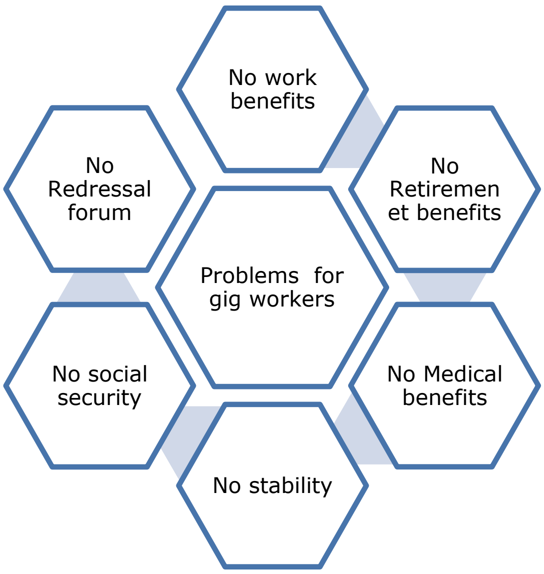
Gig workers face inequality when it comes to income and a number of provision compared to regular job workers. However if we look at the upwork side, the buyers on the Upwork side are companies or small business which are looking for someone to do search engine optimization work, web development, translation things and many more, if we look at the zip code where those people who are buying services are they are very rich zip codes, the average income in the zip code of a buyer on the Upwork site is 36% greater than the average income for the US as a whole, so upwork is helping to reduce inequality for the gig workers in a way.

A gig worker make 6% less per year and make 15% more per hour compared to a regular job worker and our independent workers. Moreover the instability in the income of gig workers can be recovered faster as it differs from month to month and weak to week, where as in the case of regular workers, the impact of an economic loss is way longer.

From 80 in 2009 to 330 in 2021, the number has increased. The time and effort model comes in second place to the fixed-fee model in terms of popularity. 135 million Indians lost their employment during the pandemic, which is anticipated to cause a shift in the full-time labour force to the gig economy, where individuals are placing a greater emphasis on gaining skills and practical knowledge than on theory.

Ever more people prefer to work in this new work culture, but there are significant drawbacks, including lack of work perks, retirement benefits, medical benefits, stability, and a forum for dispute resolution (Kapoor, 2021). A gig economy lacks stability, which is an issue in many nations. For instance, it is impossible to obtain a loan in France without a job contract, and it is challenging to locate an apartment.

Figure 4 : Indicates the problems associated with gig economy



Source: Authors

Standard employee contracts do not apply to gig workers. (Banik, 2022). If a worker is unable to execute their job because of something like illness or a general economic crisis that affects business, there is no room for sympathy. Due to the commoditization of labour, gig workers are susceptible to changes in demand. For gig workers, matters are made worse by the lack of social security. People who work gigs full-time are not even firm workers, therefore they are not eligible for benefits like health insurance, paid time off, family leave protection, etc. that are offered to employees.

Future of gig economy

To create social impact and gain widespread support for different labour policies, we must reframe a number of labour regulations. By using an advanced statistical data analysis method to examine past and present law enforcement practices and the effects they had on labour society, it is possible to provide a concise report on how such changes were received by the general public. Create a dedicated commission for labour pay to assure wages and other payments without impeding production and industrial progress. We must improve the labour management system to create effective contractual labour agencies that will give workers multiple possibilities to work for both public and commercial organizations.

Digitalization must be available to everyone, regardless of gender. To inform people about the use of technology and cellphones, special programmes and workshops should be organized in each district as well as in villages with internet connection. The digital economy and all actions that come from digitization must be known to the public. The gig economy should be embraced in rural India. There should be career counselling, possibilities for students in the gig economy, specialized courses on gig working, and openings in a range of industries. Since this is the age of technology and gigs and the majority of people in India will be gig workers by 2025, entrepreneurship and management courses should be offered in schools for a deeper understanding.

We must adopt labour laws, social security, and benefits (medical, retirement, and insurance) for gig workers since the gig economy is the future. Uber and Ola have experienced severe problems in India. Due to a lack of funding or unfair treatment, Zomato and Swiggy frequently go on strike. Today, gig workers play a significant role in our daily lives. For those who consistently place food orders, food delivery services are necessary (older people and college students). The gig economy, especially in the domain of jewellery creation where internet connectivity is available, can support rural women's economic emancipation.

Conclusion

Modern technologies and the gig economy are in full swing. The culture at work is changing. Flexibility is regarded less than stability. The majority of people do not want to go back to the previous system of doing things. The latest societal tendency is to work remotely, from anyplace. The gig platform enables people to discover their potential and work accordingly because the world is full of talented people. But even in the twenty-first century, some ways of thinking — like discrimination against women — remain the same. Because most women are excluded from this type of labour, especially in South Asia, the gig economy is expanding in one way. For instance, if we look at the number of nations where women drive for Uber, the majority only have 2–4% of them (Bansal, 2021). Lack of computer literacy among women is a significant obstacle to their participation, and this constrained viewpoint has an impact on a nation's economy as a whole, not just on women. The unemployment rate in India is going down. The epidemic has led to a large number of job changes and entry into the gig economy. The number of startups and entrepreneurs is increasing.

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