Environmental Licensing in Brazil: Revisiting the Borders between State and Civil Society

Ariadne de Oliveira Santiago

Master Program in Political Science, University of Brasilia
ariadne.osantiago@gmail.com

Abstract

If the complex interactions between social and state actors generate a fluid understanding of the distinction between State and social movements, the difference of “challengers” and “challenged” postulated by the classic social movement literature is relativized. This research aims to identify what determines the boundaries between State and society. We maintain that there are structural differences between State and civil society, nevertheless, this separation is considered flexible because of the different political projects that transcend it. In order to understand the boundaries between State and social movements, it is necessary to consider the distinct political projects supported by actors inside the State, considering their institutional context. Through a qualitative case study of an institutional conflict, we have identified two main political projects supported by bureaucracy members of IBAMA – the Brazilian national institution for environment licensing –, and analyzed the institutional constraints they faced to defend their ideas.

Keywords: bureaucracy, environmental licensing, political project, public policy, social movement
Introduction

The literatures of social movements and political institutions define different understandings of the boundaries between the State and the civil society. The contemporary studies on social movements postulate there aren’t clear separations between social movements and the state apparatus, due to the complex interactions of social and state actors. This is evidenced by the transition and the coexistence of actors in both spheres, as well as by the defense of common political projects by them (Dagnino, Olvera, and Panfichi, 2006).

The conflict between “challengers” and “challenged” (Tarrow, 2009), once considered a defining characteristic of social movements, receive less attention by the scholars, due to the relevance of consensus and cooperation between the social and the state spheres, both considered heterogeneous (Lavalle, 2014; Trindade, 2015). We observed, then, that part of the literature about social movements and institutional participatory arenas tends to focus on similarities and juxtaposition between the civil society and the State, rather than to understand their differences and limits. Therefore, the goal of this article is to develop an exploratory analysis of these boundaries, addressing them from inside the State, and willing to answer the following analytical question: considering the context of complex interactions among state and social movement actors, what determines the boundaries between State and civil society?

We suggest that the inherent differences between State and civil society are structural, and what distinguish them are the organizational rules and the access to resources and to power of influence in political outputs. Nevertheless, this is still an aspect that must be further analyzed, in order to understand the limits that social movements face when their ideas reach the structure of the State (Abers and Tatagiba, 2015). Thus, it is proposed that in order to understand the limits of the flexible borders between State and civil society, we need to take into account the political projects supported within bureaucracy, along with an analysis of the institutional framework in which the actors are embedded.

To illustrate this point, we study the case of Oil and Gas Coordination (CGPEG), within IBAMA (the Brazilian national institution for environment licensing), which experiences, especially since 2015, an institutional conflict with the Environmental Licensing Board (DILIC) about the environmental licensing process. We aim to answer the following empirical questions: which political projects were conflictual at CGPEG? And what limited the agency of actors inside this department when defending their ideas? The choice of the aforementioned object stems from the analytical advantages that conflictual situations provide (Trindade, 2015) – it gives greater visibility to the political projects at stake and, in the case of institutions, to the organizational rules and power relations involved. The methodology used is a qualitative and exploratory case study –
based on documental analysis, secondary literature and semi-structured interviews with IBAMA environmental analysts.

The article is divided in four sections. First, the literature of social movement is discussed, from the classic approaches to the conception of the heterogeneity of the State. Then, we present our theoretical framework, based on the dialogue between the contemporary literature of social movement and the field of institutional analysis. We then present our methodology and data applied in the empirical research. Finally, we proceed to the analysis, in which the political projects of CGPEG’s and DILIC’s bureaucracies, as well as the limits faced by the actors inside both departments, are identified and characterized.

Some of our findings are that bureaucratic actors from CGPEG and DILIC defended different ideas in terms of the environmental licensing’s role and of social participation importance in the process. The institutional conflict studied wasn’t limited to Ibama’s borders, considering that different social organizations manifested their support to CGPEG’s work. In terms of the resources used, we found that the hierarchical structure of Ibama played an important role on the institutional conflict. While DILIC used its power resources to limit and undermine CGPEG’s actions, the bureaucrats of this department searched support outside Ibama and manifested its opinion through their professional representation board.

Literature Review

The boundaries between civil society and State

The classic studies on social movements give centrality to conflict. The Political Process Theory (PPT) approach is the one that mainly aims at this angle. PPT is characterized by emphasis on conflict as a constitutive element of social mobilization (Alonso, 2009:53). In one of the central works of PPT – Dynamics of contention (DOC) – McAdam, Tarrow and Tilly (2004) suggest that studies of collective action inherently address what they call contentious politics, defined as:

“Episodic, public, collective interaction among makers of claims and their objects when (a) at least one government is a claimant, an object of claims, or a party to the claims and (b) the claims would, if realized, affect the interests of at least one of the claimants” (Tilly et al., 2004:9)

The authors of DOC deal with cases in which the State is challenged, considering social movement as an “interaction sustained between powerful people and non-powerful actors” (Tarrow, Tilly, and McAdam, 2009:21), considering the formers the ones with access to institutions (Tarrow, 2009:19). Another school of theory that concentrates on the contentious process is the Theory of New Social Movements (TNSM), which adds a cultural interpretation for social movements by recognizing diverse elements of action that go beyond structural aspects, such as collective identity (Goodwin and Jasper, 1999; Polletta and Jasper, 2009).
These theoretical perspectives, which deal with contentious politics, are revised by Abers e Bülow (2011). They argue that it is important to consider the groups and the actors that mediate civil society, the market and the State, as well as the transformations across the State (Abers and Bülow, 2011:77). They argue that PTT’s ideas start from the concept of strict separation between State and civil society, considering the State as an enemy of social movements (2011:53). It does not contemplate social movements that do not have the State as interlocutor, non-contentious collective action, and agents that belongs to both spheres. Thus, they part from a monolithic and homogeneous notion of State and disregard the interactions within and across State and civil society (2011:62–64).

Other theoretical standpoints try to deal with this gap, taking into account aspects such as cooperation and coordination among different actors. Such conception is relevant for approaches focused in political outputs and impacts of social movements actions (Almeida, 2006), as well as in participative management theories. In Brazil, part of the literature about participation seeks to understand the relationship between the State and social movements in formal decision-making processes – such as participatory institutions (as management councils, national conferences, participatory budgeting, among others) (Lavalle, 2011). In addition to these approaches, it is pertinent to stress that other studies on the interactions between the State and social movements go beyond the formal participatory decision-making spaces.

Tarrow (2012) himself, later on, investigates the role played by activists and its organizations as “strangers at the gate”, discussing contentious politics that contains not only conflict, but also cooperation. He argues that these actors must deal with the “various facets of the basic ambiguity of being outside of institutional politics but working within the polity” (2012:10). In the same sense, Goldstone presents a study centered in the inter-dependency between institutional and non-institutional politics (2003:2), arguing that not only social movements must be understood as embedded in an institutional context, but also institutional analysis must take into account the constant structuration caused by social movements. The same actors would conciliate time and resources used for social movements and for institutional politics, simultaneously (2003:5). In a similar direction, Abers and Bülow (2011) propose a network approach to social movements in order to observe the multiple ways of interaction between actors involved in collective action and inside the State apparatus, which puts into question aprioristic establishment of boundaries between the social and the institutional sphere (2011:71–72). It permits an understanding of how social movements might seek their goals working from inside the State.

In Brazil, most empirical studies about the insertion of social movements actors in institutions were developed since Luís Inácio Lula da Silva’s government in 2003 (Abers, Serafim,
and Tatagiba, 2014). From then on, many social activists became a part of state institutions, what represented an opportunity to articulate their interests, agenda and practices (Lavalle, 2014:14). As a consequence, other kinds of interaction between State and civil society - besides the contentious ones – gained relevance, which can be called “interaction repertoires”. These are created historically in different sectors of politics, and are also based on the creative experimentation of practices (Abers et al., 2014:328). The historical aspect of these encounters is also considered by Rossi (2015) in his concept of “repertoire of strategies”, defined as a set of historically limited options of collective action (2015:11). They are built on “stock of legacies”, conscious and non-conscious experiences and perceptions about past struggles (2015:22). The interaction between actors would be dynamic and creative, but also limited by historical and institutional aspects. Moreover, these complex interactions impact the organization of both social movements and institutions (Penna, 2013). The institutional permeability would also depend on the profile of decision-makers (2013:12).

The discussion above highlights, then, the heterogeneity of institutions, constituted by bureaucrats with plural ideas, involved in multiple connections. In this sense, the concept of “political project” is related to the idea of heterogeneity of the State in a process of democratic consolidation, which is the case of Brazil (Dagnino et al., 2006). It means “a set of beliefs, interests, worldviews, and representations of an ideal life in society which guide the political action” (2006:38). The heterogeneous civil society is the expression of a political, social and cultural plurality of the historical development of Latin America. On the other hand, the heterogeneity of the State comes from the diversity of political moments in which institutions were built, leading to the coexistence of state organizations founded on different organizational principles – both in the vertical (in the different federal levels) and the horizontal perspectives (among the three branches). Such heterogeneity is an expression of the joint action of civil society and state actors defending the same political project, setting “an extraordinarily complex map of possibilities of collaboration and confrontation” (2006:38).

Theoretical Framework: Social Movements and Institutional Analysis

“In general, social life is rife with collective mobilization, and whether these efforts are made by challengers working as outsiders to redefine existing arrangements, insiders seeking change from within, or elites striving to keep existing structures intact, a focus on movements expands our understanding of institutional dynamics.” (Schneiberg and Loulsbury, 2008:657)

The ideas presented above point towards an understanding of the state institutions through a fluid notion of the boundaries between society and State. In order to better elucidate this phenomenon, I suggest a dialog between literatures that deal with social movements and those of the field of institutional analysis.
As a point of departure, it is important to discuss the depiction of the idea of conflict itself. Trindade (2015) emphasizes the relevance of conflict for the study of social movements. He revises the Brazilian literature about participative institutions (PI) that focus on consensus, arguing that it tends to delegitimize disruptive actions and combative social movements (2015:8). He defends that conflict is an essential feature of social movements, and that public institutions tend to deaden conflicts rather than clarify them (2015:12). Trindade approaches direct actions and institutional actions as different, but constitutive of the same dynamics of conflict (2015:13). His arguments propel us to understand contentious politics as including struggle not only in social sphere or inside participative institutions, but also inside other state institutions. His work also calls our attention to the risks of considering the boundaries between State and society as fluid, considering that the main challenge might be rather to better understand the differences between them. In this sense, Trindade emphasizes the analytical relevance of conflict – "[the focus on protest actions] helps us to see elements that hardly come to light otherwise" (2015:11). Thus, the notion of flexible boundaries between State and civil society should not set aside their inherent differences. In face of the complex context of interactions between social and state actors, what marks the border between these two arenas?

We suggest the main differences between the social and the state spheres are related to structural constraints that actors inside institutions face, as well as advantages they have access to – such as organizational rules, access to resources and power to influence other’s agents actions (Abers and Keck, 2013). Nevertheless, there is still a lot to investigate about these differences, considering the complex and subtle dynamics inside institutions depending on the ideas defended (Abers and Tatagiba, 2015). The entrance of actors in the institutional apparatus that proactively defend ideas and values – different political projects – is related to the conception of fluid boundaries between social and state instances.

To understand the limits of these boundaries, it is necessary to comprehend the political projects defended inside institutions by bureaucrats, and the institutional dynamics in which they are embedded. In this regard, observing institutional conflicts is an adequate analytical strategy because it is where aspects of internal institutional dynamics gain visibility and can potentially cause changes, highlighting the political projects, power relations and rules that are at stake. That is why we promote a theoretical dialogue between the theories of social movements and the institutional analysis to assist in the understanding of institutional dynamics.
**Institutional activism**

Some theories on social activism develop analysis addressing not only activities occurring in civil society, but also on actions in political institutions. They consider that the activities of social movements (outsiders) and the activities of conventional politics (insiders) are parallel ways to influence political outcomes often drawn by the same actors, which seek the same goals (Pettinicchio, 2012:506). Thus, insiders, with access to resources and power, who are defending proactively causes corresponding to the ones defended by outsiders are called *institutional activists* – individuals capable of promoting change within organizations and institutions (2012:501).

The studies about institutional activism normally involves different aspects of a bureaucratic agency such as: the causes defended by the state actors; the motive for entrepreneurship, such as personal stories, experiences with the subject, ideology, contacts or career ambition; external relationships; and internal limitations – rules and norms can encourage or inhibit activism inside government. It is noteworthy that institutional activists don’t need to belong to a social movement network – considering activism as “kind of action which aims to promote political or social projects realized by the actor as a public or collective nature” (Abers, 2015:148). Thus, the “fight into the State” can also be made “inside” it, or even promote new mobilization opportunities “from” it.

Even institutional activists wielding powers and resources for change face internal constraints to action. Serafim (2014) analyses that participative practices inside an institution varies according to the context of each institution stance, due to “structural limits given by the legacy of sectorial policies and the specific institutional context of the period” (2014:100). Thus, the institutional construction process comprises struggles and strategies for incorporating specific guidelines, through the “dispute between actors within the institutional framework” around different ideas (2014:107). Such disputes are shaped by institutional limits and management practices (2014:109). According to the ability of institutional activists to actualize their ideas through alliances with other actors within and outside the state, based on ideational affinities, they can overcome these institutional limits (2014:116).

The issues raised by Serafim is based on the concept of institution as “commonly accepted way to do things” (Abers and Keck, 2013:3). It is related to the idea of “practical authority”6 (2013:2), which is achieved by institutions when they find space within an institutional “entanglement”. This notion considers the difficulties for action based on ideas inside the state

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6 “The kind of power-in-practice generated when particular actors (individuals or organizations) develop capabilities and win recognition within a particular policy area, enabling them to influence the behavior of other actors” (Abers and Keck 2013:2).
apparatus, which can be used to understand the limits for political projects development inside the state.

In this regard, Schneiberg and Lounsbury (2008) study how theories of social movements and collective action inspire institutional assessments, discussing the tendency of studies on institutions to devalue agency, politics and contestation as explanatory factors for change and origin of institutions (2008:649). The authors (2008) present an analysis model that understands social movements as a political condition for dissemination of institutional practices (2008:662). This depend on the capacity of challenging movements to accumulate political resources, to defend their alternatives and ideas against counterattacks, and to create favorable political context (2008:664–5).

**Institutional work and social skills**

Schneiberg and Lounsbury (2008) relegate most agency power to state actors that promote change and disseminate ideas. The authors care about the ability of institutional actors to mobilize resources and to recruit members, to frame their messages and to take “opportunity structures” (2008:650). The focus on bureaucrat’s agency motivated the production of studies targeted on actors and what they do, as the “institutional entrepreneurs” and “institutional work” (Lawrence, Thomas B., Roy Suddaby, 2009).

The concept of institutional work also considers the state agent as the main vector for institutional practice. One of its key-elements is the consideration of action always inserted in a set of institutionalized rules. Following similar logic, Fligstein (2001) argues that “institutional entrepreneurs” are strategic actors who are able to find ways to bring disparate groups to cooperate (through what he calls “social skill”), by putting themselves in the position of others and creating meanings that attract a large number of actors. The author defends that in some situations where rules and resources are heavily concentrated in powerful groups, “social skills” may be less relevant. On the other hand, in more uncertain and turbulent contexts, they play an essential role. Again, the institutional dynamics influences the actions of the institutional individuals.

Despite the institutional limitations of a given context, actors inside state institutions – defending ideas and specific political projects – are able to create, maintain or change institutions. Thus, the boundaries between State and civil society, from the perspective of political projects defended jointly by actors of social movements and state actors, would be defined by both the

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7 “Aspects of political institutions that determine the dynamics of the movement and its success, as legacy of previous policies, the receptivity of the authorities regarding requests from “challengers”, the concentration of resources in a field and the prevalence of certain cultural models” (Schneiberg and Lounsbury 2008:658)

8 Considered the “purposeful action of individuals and organizations seeking the creation, maintenance or interruption of institutions” (Lawrence, Thomas B., Roy Suddaby 2009)
in institutional framework (rules, resources) in which such actors are embedded, as well as by their ability to influence institutions (power to create, maintain or change them).

Based on these ideas, I seek to answer the following empirical question: how does the study of institutional conflict of Oil and Gas General Coordination (CGPEG) helps us understand the limits of the boundaries between the civil social actors engaged in environmental causes and the institutional framework? Or, more specifically, which political projects were in conflict at CGPEG? And what limited the actors inside this department to defend their ideas?

Methodology and data

We developed a case study about an institutional conflict between environmental licensing board (DILIC) and the General Coordination of Oil and Gas (CGPEG) of Ibama (Brazilian federal environmental licensing institution) around a licensing process in 2015. The empirical research is based on the document analysis – laws, open letters, online manifestos and secondary bibliography – and on three semi-structured interviews made with Ibama’s environmental analysts. First, we present environmental licensing board (DILIC) and the General Coordination of Oil and Gas (CGPEG), its functions and attributes. Then, we describe the institutional conflict which emerged in July 2015, willing to identify the main political projects that were at stake, based on a prior study about “advocacy coalition” in environmental politics developed by Araújo (2007). Our analysis is developed through the observation of the different limits faced by state actors involved in the institutional conflict, as well as the resources mobilized by them.

Empirical analysis: Environmental licensing from ideas to practices

The environmental licensing in Brazil is a state management tool for authorization and installation of economic or infrastructure projects with pollution potential, allowing the private use of environmental goods (Serrão, 2012:161–62). It is inherently conflictive, considering that it establishes the limits to economic development and to the public-private relationship. At the same time, it must also deal with many social conflicts of groups in territories affected by big infrastructure projects because it authorizes and legitimizes the exploitation of natural resources by business sectors in them.

In terms of ideas, decisions must be taken in a context in which three political projects are present: the neoliberal, the democratic-participative (Dagnino et al., 2006) and the

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9 List of anonymous interviews:
Interview 1: Environment analyst from COTRA, in Brasília, 19/10/2015.
Interview 2: Environment analyst from CGPEG, by Skype, 05/11/2015.
“developmentalistic”. The latter gained relevance in Brazil because of the high investments in infrastructure by the government in the last years (Gomide, 2015). In order to analyze the different environment political projects, we recalled a study about advocacy coalitions\(^{10}\) in the National Biodiversity and Forests Policy (Araújo, 2007). Despite representing the interests of the specific area of forests and biodiversity, the “belief systems” of each coalition in this sector inform us about the main discourses prevalent in the environmental area as a whole, which represents a combination of political projects. These coalitions are:

- **Coalition 01** – clarified technocrats, with the phrase symbol ‘I advocate environmental protection and believe in the technicans’;
- **Coalition 02** – socio-environmentalists, with two possible sentences-symbols, ‘we miss Chico Mendes’ or ‘we will discuss this democratically’;
- **Coalition 03** – Modern developmentalists, with the phrase symbol ‘I have environmental concerns and I believe in the market’;
- **Coalition 04** – Traditional developmentalist, with the phrase symbol ‘I want old-fashioned economic growth’.” (Araújo, 2007:205)

The term “belief system”\(^{11}\) refers not only to society, but also to the State at all levels of the government, which shows great similarity with the concept of “political project”, but mainly applied in public policy studies. Thus, the categorizations made by Araújo will help us in analyzing the heterogeneity of IBAMA regarding the environmental licensing.

At IBAMA, the Environmental Licensing Board (DILIC) is responsible for implementing the environmental licensing at the federal level\(^{12}\) (see Chart 1 below). The Oil and Gas General Coordination (CGPEG) is linked to DILIC and was created in 1999. It is located in Rio de Janeiro because of the concentration of the oil and gas industry there. Its assignment is mainly to produce previous referrals for decision making process of environmental licensing i.e. a technical report suggesting the license issue’s authorization or denial, assessing the (social) environmental\(^{13}\) viability of the project. The final word regarding the grant of the license is of exclusive jurisdiction of IBAMA’s Presidency. In some critical cases, a commission for Evaluation and Approval of Environmental Licenses may be convened – which is composed by four directors and a prosecutor (Serrão, 2012:177–83).

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\(^{10}\) Actors from a variety of public and private institutions at all levels of government who share a set of basic beliefs (political objectives more causal perceptions and others) and who seek to manipulate the rules, budgets and staff of government institutions (Sabatier e Jenkins-Smith, 1993b \textit{apud} Howlett, Ramesh, e Perl 2013, 93).

\(^{11}\) The concept refers to views about the nature of humanity and the desired end state of facts and events. (Howlett et al. 2013:94).


\(^{13}\) The very use of the term “socio-environmental” refers to a specific political project regarding licensing.
The environmental licensing process developed by CGPEG follows a different structure compared to other DILIC’s departments (2012:184). All interviewees emphasized the autonomy of CGPEG to apply their own procedures seeking an efficient licensing. Some of these procedures are: a post-license monitoring, the optimization of new licenses based on previous results, the regionalization of licensing and the formation of “work groups” for specific topics (2012:187). According to respondents, CGPEG’s autonomy is related to the geographical distance from DILIC, which could result in a lower political pressure around the processes. Moreover, CGPEG experienced a context of institutional construction that favored innovation, as well as the support and accessibility of the directors of environmental licensing until 2012 (2012:184). These elements are identifiable at the interview:

"We had this independence because it was the beginning of Lula’s government – the people who took over the coordination of CGPEG had no previous experience of coordination and our directors listened to us and facilitated our discussions. There was a strengthening project of licensing, and we were far from political interference, (...) We had the opportunity to develop methodologies that lead to discussion of existing power structures" (Interview 2).

Additionally, two environmental analysts working at CGPEG in 2015 emphasized the importance of a close dialogue with local communities and organized civil society groups for the environmental licensing process. During the licensing process, CGPEG is opened to suggestions and complaints from stakeholders and civil society movements through informative technical meetings, in a smaller and more informal format, and contact by e-mail and telephone. These are implemented in addition to the formal participatory structure of public hearings. Furthermore, the management made by “work groups” was considered a good practice by the Court of Audit of the Union (TCU) in 2009. Besides being an initiative of forming patterns of action, they released its draft for public consultation during a period, demonstrating an effort for participatory standardization (Serrão, 2012:187).

Another prominent activity of CGPEG was the proposition of guidelines for the Environmental Education Projects (PEAs), required as mitigating/compensatory measures of the
licenses. The environmental education activities aim to minimize the impacts and risks of affected social groups, in order to reduce their vulnerability. Therefore, CGPEG made guidelines for the development of PEAs in 2005 (2012:189). Its central guideline is the need for construction of projects with communities affected by the activity, in order to promote social participation “that considers the self-promotion in the sense of autonomy and self-sustaining, as a process to be lived and conquered” (Saisse, 2012 apud Serrão, 2012:191).

Analyzing the performance of CGPEG, we note that, at least until 2012, the coordination was in institutional building process (Lawrence, Thomas B., Roy Suddaby, 2009), as well as in a process of establishment of practical authority (Abers and Keck, 2013) for diffusion of institutional alternatives to achieve a specific political project. This process was possible because of CGPEG’s autonomy and independence of action. According to Motta and Oliveira (2015), the autonomy of midlevel bureaucracy is marked by a greater or lesser degree of freedom from political pressures and is characteristic of policy building processes – it changes along the bureaucratic performance, depending on the way the bureaucrats are selected and the policy duration.

The predominance of personal trajectories consistent with IBAMA’s field of work characterizes the composition of CGPEG, which is composed by technical and qualified professionals. The experience in CGPEG14 over time allowed the development of a “culture of action” marked by “the paradigm of the dialogue and the primacy of technical quality” – especially when an interviewee says, “we want to do something we believe in”, “we do not want a technically brainless institution”. Thus, the identity is fundamental to their actions, considering collective identity as “cognitive, moral and emotional connection, an individual with a community, category, practice or broader institution” (Polletta and Jasper, 2009:1).

The institutional conflict

In May 2015, the new president of IBAMA Marilene Ramos took office, appointed by the Minister of the Environment. Then, Ramos appointed Thomaz Toledo to take over direction of DILIC. During this period, CGPEG was experiencing a speculative race for licenses for seismic companies. Despite CGPEG's attempts to dialogue with the companies and to maintain the level of demand and of technical quality, respondents reported that the direction of DILIC took arbitrary decisions, to the detriment of their technical considerations. So the bureaucrats of CGPEG felt that the “continuity and progress” (Asibama-RJ, 2015) of their environmental licensing project, developed during the 13 years of the coordination, was under threat.

The main actions of DILIC that led to the mobilization of IBAMA bureaucrats and installed the conflict with CGPEG were: a Technical Cooperation Agreement signed between IBAMA and the Brazilian Petroleum Institute that allowed direct contact from companies with the licensing board; the creation of the “Situation Room for Earthquake” to question the environmental projects proposed by CGPEG; DILIC’s instruction for companies to manifest disagreements about the CGPEG’s technical analysis. These factors resulted in claims for the exclusion of some “environmental conditioning projects”\(^\text{15}\) of the licensing process for seismic in the region. Therefore, the CGPEG maintained its position and the “Evaluation Committee and Approval of Licenses” was convened to examine the case. Since the decision-making in favor of the Norwegian group of seismic surveys “Petroleum Geo-Services” and the exclusion of four environmental projects of the conditions\(^\text{16}\) set by CGPEG, the institutional conflict between CGPEG and DILIC became evident and visible.

By observing the contentious relationship between the CGPEG servers and the direction of the board, it is remarkable that the central motive was the perceived threat against the environmental licensing project developed by CGPEG until then. Thus the mobilization of the servers could be considered a threat-induced mobilization (Almeida 2007:125), that incurs in a defensive collective action. Moreover, that is a case where the “spread” of institutional alternative practices was challenged and therefore requires the mobilization of people, resources and organization to defend them (Schneiberg and Lounsbury, 2008:664–65). I divide the analysis of the conflict into two parts: the understanding of the ideas based on the advocacy coalitions identified by Araújo (2007); and the analysis of actions performed by DILIC and CGPEG.

**Ideas**

The role of environmental licensing considered by CGPEG is “an achievement of the whole society, the possibility of breaking with the perverse logic where polluters individualize profits and impose the losses on society”; “should provide the public debate about the social and environmental viability of potentially polluting activities and their impacts, as provided in the Constitution” (Asibama-RJ\(^\text{17}\), 2015:1). The CGPEG oppose the idea that environmental licensing

\(^{15}\) All licensing process has a set of “conditionings measures” i.e. a set of practices for environmental protection that the entrepreneurs must implement to compensate or mitigate environmental and social impacts of their project.

\(^{16}\) The Management Board decided to exclude: i) Beaches Monitoring Project; ii) Project Monitoring Marine Mammals by Air Sense; and iii) Larvae Mortality Assessment Project Lobster in Response to Earthquake Impacts. Besides these, the Seismic Vessels in Poultry Management Plan was also cut in the final License forwarded by the Presidency of IBAMA, without justification (Asibama-RJ, 2015).

\(^{17}\) Asibama-RJ is the servers’ association in the environmental area in Rio de Janeiro. Considering that CGPEG is the only Ibama’s coordination in Rio, it is mainly composed by its bureaucrats. All documents presented here were accessed at Asibama’s website: [http://asibamarrio.blogspot.com.br](http://asibamarrio.blogspot.com.br). Accessed on 12/12/16.
is “too slow, bureaucratic, complex, discretionary, expensive, a major obstacle to development” (2015:4).

Regarding the best ways to perform the environmental licensing, CGPEG’s public servants defend that: it should consist of work built with dialogue and technical basis, to ensure the legitimacy and legal security for licenses issued; it should have tools to ensure effective participation of actors “historically excluded from decision-making”; be “judicious and democratic with the implementation of control and mitigation measures in the conditions of the licenses”; must have public character, allowing social control; and needs to remain independent of political and economic pressures. On the opposite side would be an uneven prioritization of few groups’ interests, prioritizing economic development. Heterogeneity of IBAMA and the permeability of the border between the institution and civil society is evident in the following excerpt:

“We are very sorry for this mistaken position within IBAMA itself and hope that society understands that within the environmental agencies there is also a daily contest between different projects for the country. On the one hand servers committed to an environmental licensing process, which consider the interests of all groups involved in the process, and others who try every way to prioritize the interests of certain groups.” (Intervenção na coordenação geral de petróleo e gás, 2015)

“What is at stake are the interests not just of these servers, but the general society.” (Letter of support to Asibama-RJ, 2015)

Several civil society entities, as public institutions, private organizations, trade unions, universities, non-governmental organizations of environmental, labor unions and students, social movements and control bodies supported CGPEG. The “Letter of support to Asibama-RJ was signed by 39 (thirty-nine) organizations – from other associations of IBAMA servers, national and international NGOs and traditional communities’ organizations.

Asibama-RJ also received sixteen public expressions of support, such as from research laboratories, specialists, server groups of environmental area and worker’s unions in general. A page called "In Defense of CGPEG" was created in Facebook (it has around 530 likes) whose description is: "We will report all cases that compromise the actions of CGPEG. We have to fight for the achievements of the environmental licensing of oil and gas.” Thus, the institutional conflict established within IBAMA clearly goes beyond the state borders.

Based on the theory of political projects of Dagnino et al. (2006), we can infer that CGPEG and the organized civil society defend the democratic-participatory project – whose guiding principle are the search for deepening democracy and social participation in decision-making processes (Serrão, 2012:256) – while the direction of DILIC and the business community would be in favor of a neoliberal project – based on the principles of efficiency and market modernization (2012:257). We can note some similarities between the speeches analyzed for the oil and gas sector

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and those observed by Araújo (2007) regarding the advocacy coalitions of biodiversity and forests sector. According to “belief systems”, CGPEG’s views draw near what Araújo calls “social-environmentalists”, due to: “emphasis on democratic and participatory processes of government decisions”; “high concern with the peculiarities and regional and local interests”; and the “position of caution regarding the involvement of the private sector in solving environmental problems without coming to dismiss it”. However, CGPEG also approaches the discourse of modern developmentalism, because of the “prioritization of technical and scientific knowledge, sometimes joint with traditional knowledge and cultural aspects.” On the other hand, the direction of DILIC can be associated to two approaches, so-called “modern developmentalism” and one called “traditional developmentalism”.

Practices

We can now turn to the aspects of actions performed to deal with conflict. First, the actions of CGPEG sought visibility of the events, publicizing their discontent and seeking support, through the union of IBAMA’s employees – Asibama-RJ. According to respondents, they developed a strategy because of fear of personal retaliation by the DILIC. On the other hand, the mechanisms used by DILIC’s direction apparently focused on the centralization of licensing procedures. Among its actions were: the limitation of communication of CGPEG servers with other bodies; revocation of the police power of environmental analysts; exoneration of CGPEG General Coordinator; threat of creation of a “Licensing Center for Oil and Gas” in Brasilia that would undermine CGPEG’s duties; limiting servers’ work travels (Interviews 2 and 3); constant meetings with companies; attempt to prevent public hearings (Interview 2); threats of removal from the actual sector (Interview 1), among others.

CGPEG’s actions are markedly defensive, seeking the protection of a licensing project based on technical and social arguments. Thus, it can be considered a movement induced by threat

19 I recognize here the bias of my analysis, to have fogged my analysis primarily on information provided by the CGPEG servers.
20 Proximity to the “beliefs”: defense of a minimal state; “emphatic appreciation of economic instruments for environmental policy”; “somewhat ambiguous position regarding the rights of traditional populations, ranging from default account when discussing conflicts with environmental preservation and disregard when discussing conflicts with economic interests”; “defense of the broad participation of the private sector in the solution of environmental problems” (Araújo 2007:208–9).
21 Mainly because of the belief: “little regard for participatory decision systems or, at most, admission relevance of participation in government decisions, representatives of selected civil society groups” (Araújo 2007:209–10).
23 Due to his explicit defense of CGPEG, a server from Brasilia received personal threat that he would be removed from his team.
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(Almeida, 2007). The high level of autonomy of the licensing board (DILIC) and the political support of the IBAMA Presidency give it greater power for action.

The barriers faced in the development of environmental licensing political project advocated by the CGPEG, state and civil society actors are perceived by the servers’ limitation in terms of autonomy of action. The autonomy of a bureaucrat can be curtailed by structural aspects, such as work overloading, budget limitation and excessive bureaucratic rules. Even more, it depends on the institutional context and the correlation of forces prevailing at a given moment, since the hierarchal resources are manageable and can be used strategically. Analytically, such contextual and structural aspects could be understood as the “institutional opportunity structure” (Schneiberg and Lounsbury, 2008:660) that delimits the flexible boundaries between state and civil society that this research sought to analyze.

Conclusion and future research

Based on this research, it is evident that the institutional analysis and the study of social movements have many points of convergence. The agency power attributed to the state bureaucrats allows us to understand institutional dynamics beyond tight and streamlined rules. This also allows us highlight the heterogeneity of institutions and the discretion of the actors, evident on the study of an institutional conflict.

The empirical case study of CGPEG had much to add in both theoretical and empirical terms. First, the article sought to understand the boundaries between State and civil society in a complex context of multiple interactions between both spheres. It was possible to understand the boundaries between State and civil society in terms of the political projects that pervade them, in addition to structural differences. Due to the fact that the institutional context is determined by organizational rules, the various state actors are endowed with different levels of autonomy. Thus, the correlation of forces of the institutional context in which actors defending a given political project are embedded is central to understand the mutability of State-society boundaries.

The present work advances in different political science literatures. First, it contributes to the operationalization of Paul Almeida’s (2007) concept of social movement driven by threat by looking how such conflicts inside institutions operate. It also advances on the comprehension of the environmental policies themselves, which can be deeply understood through conflict analysis (Alonso and Costa 2002). The literature on state bureaucracy is also discussed in this article, considering that it handles with important aspects such as discretion and autonomy of actors in public implementation processes. Finally, our analysis could be helpful to the progress of the
literature on “institutional activism”, focused on three aspects: ideas, the mobilization of resources and the limits faced by bureaucratic activists.

On the other hand, the empirical research could be improved and broadened in different ways. For example, it could be extended in order to apprehend a deeper notion of the political projects defended by the bureaucrats – specially the ideas defended by the ones located at DILIC. The analysis of ideas inside IBAMA could also be enriched by the development of a specific framework of “coalitions of advocacy” for the environmental licensing. A further interesting study would be the investigation of the relation between the actors involved in the institutional conflict and their interactions with actors inside and outside the State. This would help us understand this conflict in a holist way, not restricted to the institutional aspects.
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