



# The Welfare State: general characteristics, obstacles and challenges in Latin America\*

## ESTADO DE BIENESTAR SOCIAL: CARACTERÍSTICAS GENERALES, OBSTÁCULOS Y DESAFÍOS EN AMÉRICA LATINA

**Mauricio Godinho Delgado\*\***

Professor of Labor Law

University of the Federal District - UDF (Brazil)

mauriciogdelgado@gmail.com  0000-0001-5883-1438

**Lorena Vasconcelos Porto**

Professor of Labor Law

Universidad Externado de Colombia

Mackenzie Presbyterian University (Brazil)

loreporto@yahoo.com.br

loreporto@yahoo.com.br  0000-0002-3532-1176

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### ABSTRACT

This paper provides an analysis of the organizational model of the political and the civil societies which became prevalent in Western Europe after the Second World War: the Welfare State. It also provides a discussion on the reasons why this model of organization has never been effectively implemented in any Latin American country. To this end, firstly, the text highlights the many and most important characteristics of the Welfare State, with attention to the peculiarities it assumes in specific European countries. Secondly, based on these comparative elements, a typological synthesis of the Welfare States is drawn, considering the range from the most sophisticated examples to those which only meet the minimum relevant criteria of this model of State and social organization. Finally, the reality of Latin American countries is analyzed and it is indicated to what extent they have (or have not) structured something that could be effectively considered a Welfare State. In this framework, it is concluded that, although there are a few Latin American countries showing progress in terms of achieving these characteristics in comparison with the great majority of countries in the region, the obstacles and challenges for the full structuring of a real Welfare State in this region of the globe are still persistent.

### KEYWORDS

Welfare State  
Characteristics of the Welfare State  
Typology of the Welfare States  
Latin America and Aspects of the Welfare State  
Obstacles faced in the effective structuring of the Welfare State in Latin America

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## RESUMEN

Este artículo busca analizar el modelo organizativo de la sociedad política y la sociedad civil que se hizo prevalente en Europa Occidental poco después de la Segunda Guerra Mundial, llamado Estado de Bienestar Social (o Welfare State), y debatir las razones por las que este estándar de organización nunca ha alcanzado una efectiva implementación en cualquier país de América Latina. Para ello, el texto, en primer lugar, destaca las diversas y más importantes características del EBES, salvaguardando las peculiaridades que asume en determinados países europeos. A partir de este conjunto de elementos comparativos, se realiza una síntesis tipológica de los Estados de Bienestar, tomando en consideración desde el más sofisticado hasta el que solo reúne el mínimo de características relevantes a este modelo de organización estatal y social. Finalmente, analiza la realidad de los países latinoamericanos, indicando en qué medida han estructurado (o no) algo que podría considerarse un Estado de Bienestar Social efectivo. En este contexto, concluye que, aunque hay algunos países de América Latina que han avanzado más en el logro de estas características, en comparación con la gran mayoría de los países de la región, aun así, los obstáculos y desafíos para la estructuración completa de un EBES real en esta región del mundo siguen presentes y severos.

## PALABRAS CLAVE

Estado de Bienestar Social (EBES)  
Caracterización del EBES  
Tipología de Estados de Bienestar Social América Latina y rasgos característicos del EBES  
Dificultades para estructurar eficazmente el EBES en América Latina

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## I. INTRODUCTION

This paper seeks to examine the organizational model of the political and the civil societies which became prevalent in the major Western European countries immediately after World War II, known as the Welfare State, and the reasons why it did not achieve its full structuring in the Latin American countries.

To this end, firstly, the text seeks to highlight the main characteristics of the Welfare State, regarding both the political society and the civil society. In this study, nine most relevant characteristics are listed, to which it is added a tenth characteristic, perceived only in more recent periods of the European Welfare States.

Taking these ten main characteristics into consideration, the text provides a typology of the Welfare States, from the most sophisticated pattern of structuring to the minimum standard of organization which still meets its essential criteria of definition.

Once these initial bases for reflection have been established, the paper examines the reality of the Latin American countries, in order to determine to what extent they implement (or not) these main characteristics. Within this framework and on the basis of significant specialized bibliography, the text verifies that, virtually, no country in the region entirely materializes this organizational pattern in the political and the civil societies.

However, the article also concludes, in consonance with various texts hereby referenced, that a small group of countries in the region are closer to the Welfare State model, even though they still do not carry its main characteristics. In any case, the remaining countries remain significantly distant from the Welfare State standards.

Item IV of the article concludes, therefore, by examining the main obstacles to the advancement of the Welfare State model in Latin American countries and the main challenges to be faced in order to achieve better results in this field in the countries of this region of the globe.

## II. THE WELFARE STATE: GENERAL CHARACTERISTICS

The Welfare State consists of an organizational pattern for political and civil societies. It has become complex, comprehensive, and sophisticated in the Western European experience, particularly after the end of World War II, in the context of the Humanist and Social Constitutionalism, which has also an essentially European root (Constitutions of France, in 1946; Italy, in 1947; and Germany, in 1949; and later Constitutions of Portugal, in 1976; and Spain, in 1978)<sup>1</sup>.

Naturally, elements of the future Welfare State emerged in Western Europe as early as the second half of the 19th century, with the structuring of institutions and norms regulating labor relations as well as matters of social security and work-related injuries. Such labor and social security elements were further developed in the first decades of the 20th century, with the advent of Social Constitutionalism, in 1919 –introduced, in Europe, by the Weimar Constitution (which inserted in the constitutional framework rules regarding Labor and Social Security Law)– and with the creation of the International Labor Organization (ILO), also in 1919, which conferred a new and differentiated status to Individual Labor Law and Collective Labor Law, as well as to labor unionism<sup>2</sup>.

1. Godinho Delgado, M.: “Constituição da República, Estado Democrático de Direito e Direito do Trabalho”, en Godinho Delgado, M. y Neves Delgado, G.: *Constituição da República e Direitos Fundamentais – dignidade da pessoa humana, justiça social e direito do trabalho*, LTr, São Paulo, 2017, pp. 33-58.

2. In the Americas, Social Constitutionalism was introduced by the Mexican Constitution of 1917, the first constitutional document which included rules of Labor Law and Social Security Law. In Godinho Delgado, M.: “Constituição da República, Estado Democrático de Direito e Direito do Trabalho”, ob. cit., pp. 33-58.

The subsequent institutionalization of a civil and a political society, both respectful towards labor and its institutions as well as towards human beings' physical and mental health, in its various phases of life, by means of a public health and social security system: all these elements would be important characteristic criteria to define the Welfare State which emerged soon after the Second World War in Western Europe.

Other elements of the future Welfare State are the conquest and extension of political rights to non-property owners and to women, with the purpose of achieving effective universal suffrage, without subterfuges and artificial obstacles –a process which also took place in different European countries from the second half of the 19th century on and intensified in the first decades of the 20th century–<sup>3</sup>.

It is also an important part of this historical phase the affirmation of the idea of social rights, in contrast to the simple and excluding idea of strictly individual rights, which arose from early liberalism. At first, social rights merited a rather simple conception, restricted to the notion of economic benefits and services owed by the state to individuals (in which rights to social security as well as to health and education were especially included). Later, social rights began to merit a better-constructed conception, capable of perceiving that the civil society can –and must– also be a provider of social rights to certain less-favored portions of the population (of which labor rights are a perfect example, where the debtor may be the employing company or other possible employing subjects).

In the context of the growing democratization of social, economic and power relations, tending to generate a society which is not only democratic but also truly inclusive –a process which became more sophisticated in Western Europe right after World War II– new social rights have emerged, such as universal and free education, universal and free health care, culture as a social right, mass transportation as a social right, housing as a social right, food as a basic guarantee and social right, along with other elements and values. Naturally, this evolution occurred at different paces in Western European countries (universal public and free education, at least in primary education, for example, preceded the period subsequent to the World War II in different countries). Such evolution, finally, combined into a complex, comprehensive and sophisticated model after the Second World War, with the Humanist and Social Constitutionalism and a well-designed construction of the Welfare State –with attention to the national peculiarities of the different Western European states of that time–.

Evidently, the State cannot –and must not– exclusively meet these relevant human needs. Such exclusivism is not even the focus of the project and the historical and sociological construction of the Welfare State. In fact, several dimensions or, at least, part of these human needs –considered to be part of the list of social rights– tend to be met, for example, by the family (in any of its traditional or new formats, it should

3. About the close correlation between advances in social security, with an “initial nucleus of programs,” and political-electoral advances, concerning the consecration of universal suffrage, including women as well, in several Western European countries, see Lessa Kerstenetzky, C.: *O Estado de Bem-Estar Social na Idade da Razão – a reinvenção do estado social no mundo contemporâneo*, Elsevier, Rio de Janeiro, 2012.

be noted) and, especially, by women throughout history. Let us take education and health as an example, which are partly guaranteed by the family, however, the most relevant part of them is ensured by State institutions in the Welfare State model (universal public health and education system). As to the right to basic nutrition, for example, it may indeed be guaranteed, in a substantial manner, by the economic market itself, provided that public policies ensure a reasonable level of income for individuals through work, employment or social security benefits.

It should be noted, however, that, in a Welfare State structure, public policy makers should be attentive to the generation and reproduction of conditions which can allow people to integrate into this peculiar social dynamic, since this satisfactory and equitable integration comprises a significant dimension of the social interest, of the public interest and of the interest and objective of the Welfare State.

In his renowned work from 1990, "The Three Worlds of the Welfare State", Gosta Esping-Andersen introduced a famous typology of the Welfare State, based exactly on these guidelines<sup>4</sup>. The Nordic author thereby identified three models of the Welfare State: The most sophisticated and egalitarian among them all, in which the prevalence of the State and its public equipment prevails in meeting the relevant human needs (what he calls the "social democratic model", for instance, the one followed by Scandinavian countries); the model that is also significantly egalitarian, but in which the important presence of the family, in addition to the State, stands out in meeting human needs (what the author calls the "conservative-corporativist model", for which Germany stands out); and, finally, the less egalitarian model among the three, in which the relevant presence of the capitalist market stands out along with a modest presence of the State in meeting the needs of the individuals (what the author calls the "liberal-residual model", for which the USA stands out, illustratively) (Esping-Anderson, 1985; Esping-Anderson, 1995)<sup>5</sup>.

Obviously, the second model (called "conservative-corporativist") must generate, concomitantly, public policies which somehow reward the performance of the family –or rather, of women, from a real historical and sociological point of view– otherwise this second model may compromise the civilizing objective of the Welfare State, submitting women to an excessive, unbalanced and excluding labor dynamic. Such critiques were made by important feminist authors to Esping-Andersen's typological construction, leading to an improvement in the Scandinavian author's theoretical elaboration<sup>6</sup>.

4. Esping-Anderson, G.: *The three worlds of welfare state*, Princeton University, Princeton, 1990.

5. See Esping-Anderson, G.: "O futuro do *welfare state* na nova ordem mundial", *Lua Nova*, núm. 35, 1995, pp. 73-111; Esping-Anderson, G.: *Politics against markets – the social democratic road to power*, Princeton University, Princeton, 1985. The analysis of Gosta Esping-Andersen's work was carried out by several authors, which included the critiques made by feminist authors towards his typology. For instance: Pimenta de Faria, C. A.: "Uma genealogia das teorias e tipologias do Estado de Bem-Estar Social", en Godinho Delgado, M. y Vasconcelos Porto, L. (coord.): *O Estado de Bem-Estar Social no Século XXI*, LTr, São Paulo, 2018, p. 33-78; Sátyro, N et al.: "Regimes de bem-estar social na América Latina: uma revisão do debate recente" en Godinho Delgado, M. y Vasconcelos Porto, L. (coord.): *O Estado de Bem-Estar Social na América Latina*, Tirant Lo Blanch, São Paulo, 2021.

6. About this topic, see the chapters mentioned in note 7, immediately before.

It is also obvious that the third model (“liberal-residual”) can become a counterfeit of the Welfare State in case it throws people into the mill of the economic market without public protections and compensations which can effectively fulfill their primordial and inherent needs within the structure and logic of the Welfare State. The truth is that, in general, extreme liberalism –in particular the current that in recent decades has been called neoliberalism– tends to gradually eliminate the State’s responsibilities for the welfare of individuals and the community, transferring all the burden and challenges to a direct relationship between human beings and the economic market. In Esping-Andersen’s typology, it is understood that a real Welfare State will only exist if such extremism and configuration do not effectively take place in historical practice.

## A. Summary of the general characteristics

In a previous work, Mauricio Godinho Delgado and Lorena Vasconcelos Porto highlighted the fundamental characteristics of the Welfare State, in its most complex, sophisticated and comprehensive version<sup>7</sup>:

1. “Presence and institutionalization of a multidimensional democracy (political, social, economic, cultural, institutional and legal)” in the respective country and State. For Delgado and Porto, this conception of democracy is, in reality, mistaken for the “constitutional concept of Democratic Rule of Law, inherent to the European Humanist and Social Constitutionalism of the post-World War II period”.
2. “Presence and institutionalization of civil and political rights, however, under a broad, inclusive and anti-discriminatory perspective - as opposed to its restricted, exclusionary and discriminatory conception inherent to the original liberalism”.
3. “Presence and institutionalization of a wide range of individual, social and collective rights (some of them simultaneously bringing together, in themselves, the three dimensions, as occurs with labor rights).” Some of the main rights from this group, generically known as social rights, must be cited: work and employment; health; education; social security; housing; collective transportation; food; culture; leisure. It should be added that, in order to materialize this important characteristic, the Welfare State, in its most sophisticated version, tends to structure public and universal education systems, public and universal health systems and social security systems, also with strong public participation, along with other measures and peculiarities. In addition, by means of full employment or social security benefits, they also tend to ensure other rights, such as access to food.

7. Godinho Delgado, M. y Vasconcelos Porto, L.: “O Estado de Bem-Estar Social (*Welfare State*) no capitalismo contemporâneo”, en Godinho Delgado, M. y Vasconcelos Porto, L. (coord.): *Welfare State – os grandes desafios do Estado de Bem-Estar Social*, LTr, São Paulo, 2019, pp. 23-49.

4. "Presence, guarantee and institutionalization of the status of social movements as established social, economic and political actor, especially labor unions and their institutions". That is, the intermediary institutions representing important portions of the civil society are recognized and respected, including especially the labor union entities, since they act at the center of the economic power of capitalism, mitigating and democratizing this power.
5. "Presence, guarantee and institutionalization of a reasonably balanced, equanimous, independent mass media vehicles, capable of transmitting the diverse perspectives which the countless highlighted problems involve".
6. "Presence and institutionalization of increasing equal participation of women in the various dimensions of the civil and the political societies". As already mentioned in this article, the women's struggle initiated in the 19th century and throughout the 20th century, conquered, in the great majority of European countries –and even in other countries around the globe– the right to universal suffrage, still during the first decades of the 20th century. The women's movement would, since then, have a relevant impact on the process of construction and improvement of the different Welfare State experiences.
7. "Presence and institutionalization of relevant and strategic participation of the State and its institutions in society and the economy". For Delgado and Porto, such presence would not only be an instrument "to guarantee the universality of public policies assuring social rights to the population, but the occurrence of sustainable development in the capitalist economic system".
8. "Presence and institutionalization of a tax policy on the basis of the principle of solidarity, so as to ensure the fiscal good-standing of the State in harmony with the principle of substantial equality, which is essential to the Welfare State ideology". It should be added that the fiscal good-standing of the State can only be reached without unnecessary social sacrifices provided that the characteristics listed in items 7 and 9 –referring to State intervention in the economy– are also observed in the historical experiences of the Welfare State.
9. "Presence and institutionalization of a sustainable and responsive capitalist economic system, which is also able to provide sustainable development, characterized by a capitalist model with social and environmental responsibility (socio-environmental responsibility) and socio-economic reciprocity for the respective population"<sup>8</sup>.

These nine characteristics correspond to a sophisticated, complex, and comprehensive Welfare State pattern, which was not, however, achieved in all post-World War II Western European countries. As a comprehensive set, it was accomplished, essentially, in the countries located in the center and north of Western Europe (for instance, Germany, Austria, Belgium, France, Holland, Italy, the United Kingdom and

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8. Godinho Delgado, M. y Vasconcelos Porto, L.: "O Estado de Bem-Estar Social (*Welfare State*) no capitalismo contemporâneo", ob. cit., pp. 23-49.

Switzerland, as well as the Nordic countries –Denmark, Finland, Iceland, Norway and Sweden–), amounting to 13 countries and a population of over 200 million. However, it has reached, to a significant extent, other European countries, despite the slower pace (as is the case of the two Iberian countries, Spain and Portugal, for example).

Regardless, a tenth characteristic must be added to this list. It consists in the presence and institutionalization of growing equal participation of minorities in the various dimensions of the civil and the political societies (women, as we know, cannot be considered effective minorities; even though they have always been discriminated against in history). It should be added that, in several Western countries, ethnic segments other than those of European origin represent a significant number of people, and are growing, in fact, even in Western Europe itself. In the Americas, the issue of discrimination and exclusion of people belonging to certain ethnic groups is quite manifest and severe (reaching the point of racism, as we know), as occurs, for example, in the USA, Brazil, Colombia, El Salvador, Ecuador, Mexico, Panama and Peru<sup>9</sup>.

It is true that, during the period of construction of the Welfare State in Western Europe, this tenth characteristic did not figure as something sociologically significant, in view of the great ethnic homogeneity of the European countries that built the Welfare State at that historical moment. This aspect, however, has always been relevant in the history of the countries of the Americas, from the US to Latin America, since the formation and independence of these countries (18th and 19th centuries). In Western Europe itself, however, the theme began to gain prominence, importance, and strength in the last decades of the 20th century and up to the present day.

It is clear that the struggle against discrimination (any discrimination, it should be noted, including that based on sex, sexual orientation, origin, status, color, age, etc.) is a primary part of the Democratic Rule of Law, a component of the Humanist and Social Constitutionalism, and is included, evidently, in topics 1, 2, 3, 4 and 6, mentioned above. However, due to its notable relevance, this fight must be hereby highlighted.

The Welfare State, with its peculiarities and limitations, has been present in other parts of the world, such as Oceania, particularly in Australia and New Zealand. With introductory elements from the late nineteenth century on (for instance, a somewhat

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9. The North American author Jennifer Pribble, referring to the work by Van Cott, 2000, identifies serious problems of ethnic or racial discrimination in different countries of the Americas. Along with the USA (which is not the subject of this paper), she points out, in Latin America, at least seven countries with this profile, emphasizing that this fact has influenced (or still influences) negatively the construction of public policies of human and social risks prevention (such as universally accessible health and education, for example) and human and social risks management (such as social security benefits). Such countries are the following: Brazil; Colombia; El Salvador; Ecuador; Mexico; Panama; Peru (for methodological reasons concerning data, the author does not advance the analysis into Bolivia and Venezuela, in which case there is no way to insert, for example, either country in the present list - although it is known that Bolivia also faces severe problems of discrimination due to ethnic factors). Naturally, the analysis proposed by Jennifer Pribble is not restricted to these factors –as will be seen in item IV of this article–, although she insists that they are important in the study of the obstacles and challenges that the Welfare State implementation faces in Latin America. In Pribble, J.: “Mundos apartados: regimes de política social na América Latina”, en Godinho Delgado, M. y Vasconcelos Porto, L. (coord.): *O Estado de Bem-Estar Social na América Latina*, Tirant Lo Blanch, São Paulo, 2021. About racism in the USA and its various repercussions in the civil and political societies, see the documentary “13th” by Netflix.



comprehensive and sophisticated labor system), the Welfare State remained a standard of socioeconomic development in these two countries, especially after World War II.

The Welfare State is also present in the Americas, both in Canada and the US, observing the Esping-Andersen typology. In any case, it seems appropriate to place Canada in the Comprehensive Welfare State model, while the US fits the Strict Welfare State model. The difference between the two countries is justified, for example, in view of the superiority of the Canadian health care system, which is universal and free, as opposed to the US system, which is mostly private and quite costly; the differentiation is also justified by the fact that Canada's educational system, at the university level, is more universal and inclusive than the US standard.

As for the United States, the Welfare State was designed by means of some relevant features that emerged in the 20th century, especially after the Franklin Delano Roosevelt administration (1933-1945), which intensified until at least the 1970s. The maintenance and expansion of a universal and inclusive school system covering until elementary school, the strengthening of Collective Labor Law through the empowerment of labor unions, the strong role of the State in protecting and generating development and employment in order to ensure a significant level of income for the population, along with the beginning of the fight against racial segregation against the black minority in that country, are remarkable traits of this progressive era. This progressive phase lasted from the 1930s until the 1970s, from which moment it began to be continuously dismantled and destroyed by the neoliberal hegemony that emerged since the Richard Nixon and Gerald Ford administrations (1969-1977) and that was later accentuated by Ronald Reagan (1981-1989) and subsequent republican administrations. Neoliberalism, over the last 40/50 years, has effectively weakened the features of the Welfare State model in the US, not to the point, however, of compromising the framework laid out above<sup>10</sup>.

The truth is, however, that these scattered experiments failed to prove to be complex, sophisticated and comprehensive, unlike the standard model of central and northern Western Europe after World War II (the Comprehensive Welfare State model). It was a somewhat limited Welfare State, but nevertheless important compared to the traditional exclusionary political, legal, institutional and socio-economic models. It should be noted that, in the USA, despite the advances of the New Deal, the hegemony and discriminatory practices prevailing in several southern states could not be overturned, much less the institutionalization of a universal, non-discriminatory electoral system was achieved, even considering contemporary days<sup>11</sup>. Not to mention the strength of

10. In fact, the construction of neoliberal hegemony in the US also took place during the New Democratic governments, although to a lesser extent. For example, the Trilateral Commission, created in 1973 by David Rockefeller, with the purpose of, among other things, spreading the neo-liberalist ideology around the world, was given prestige by the subsequent Carter administration (1977-1981), while the Clinton administration (1993-2001) continued the trend of massive incarceration of the black population and also the public policy of deregulation of the financial market. However, the most emphatic tone and direction in the ultraliberal direction were undoubtedly set and firmly developed, in fact, by the Republican governments (Nixon, Ford, Reagan, H. W. Bush, W. Bush, and Trump), throughout over 30 years of presidential mandates.

11. About the American political and electoral systems and its exclusionary limitations, see, for instance: Dahl, R.: *A Constituição norte-americana é democrática?* 2. ed., Fundação Getúlio Vargas, Rio de Janeiro, 2015.; Netflix: *Whose*

public policies that were clearly anti-labor and anti-union, sustained by various North American states<sup>12</sup>. In addition, the absence of a universal health care system in the country, along with severe economic restrictions on access to the remarkable network of university institutions that distinguishes the USA, should also be noted.

## B. Typology of welfare states

Several typologies on the Welfare State models were built by political scientists, sociologists, historians, economists, using mostly as standard the Western European experiences and some of the other scattered examples of Welfare States that have emerged in the world (for example, Canada and the USA, in the Americas, and Australia and New Zealand, in Oceania)<sup>13</sup>.

In a recently published collective book<sup>14</sup>, for instance, there is reference to several of these typologies, although the focus of the articles stands on the reality of Latin American countries, which is quite different from the reality in Europe, Canada and the USA.

The texts of the mentioned collective book highlight, however, several instigating classifications that seek to research social policies in the various Latin American countries, in order to assess to what extent they have developed, or not, inclusive institutions similar or inspired in the model of the classic Welfare State. Some of these important typologies elaborated based on the Latin American countries, which were exposed in the aforementioned collective work, will be referred to in item III of the present article<sup>15</sup>.

Nonetheless, in this subitem II.B, a typology of Welfare States will be presented based on the classic European examples, as well as on Canada and the United States. The objective is to allow a comparative analysis with the most prominent Latin American experiences in order to understand how far and how close these experiences are

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*Votes Counts, Explained*, 2020. About the typical anti-labor and anti-union public policies of several American States, see: Renda Leal Fernandes, J.: *O Mito EUA – um país sem direitos trabalhistas?*, Juspodium, Salvador, 2021. The author describes the presence of various State laws incompatible with unionism, collective bargaining and labor protection regulations in the Northamerican history, exposing as well the recurrent decisions of the Supreme Court against these social rights and its institutions.

12. About the growing restrictions to the Welfare State in the USA, starting from the Richard Nixon and Gerard Ford administrations (1969-1974), see, for instance: Chomsky, N.: *Réquiem para o sonho americano – os 10 princípios de concentração de riqueza & poder*, Bertrand Brasil, Rio de Janeiro, 2017.

13. Studies about the main typologies of the Welfare State, with its best-structured examples, may be found, for instance, in the following articles and books: Arretche, M.: “Emergência e Desenvolvimento do *Welfare State*: teorias explicativas”, en Godinho Delgado, M. y Vasconcelos Porto, L. (coord.): *Welfare State – os grandes desafios do Estado de Bem-Estar Social*, LTr, São Paulo, 2019, pp. 50-105; Pimenta de Faria, C. A.: “Uma genealogia das teorias e tipologias do Estado de Bem-Estar Social”, ob. cit., pp. 33-78; Lessa Kerstenetzky, C.: *O Estado de Bem-Estar Social na Idade da Razão*, ob. cit., 2012; Kuhnle, S.: “O Estado de Bem-Estar Social nos Países Nórdicos” en Godinho Delgado, M. y Vasconcelos Porto, L. (coord.): *O Estado de Bem-Estar Social no Século XXI*, LTr, São Paulo, 2018, pp. 167-173; Sátyro, N et al.: “Regimes de bem-estar social na América Latina: uma revisão do debate recente”, ob. cit.

14. Godinho Delgado, M. y Vasconcelos Porto, L. (coord.): *O Estado de Bem-Estar Social na América Latina*, ob. cit.

15. Godinho Delgado, M. y Vasconcelos Porto, L. (coord.): *O Estado de Bem-Estar Social na América Latina*, ob. cit.

in relation to the basic characteristics of a classic Welfare State, which were pointed out in subitem II.A of this text.

Thus, three major patterns of Welfare States were identified. The classification was conceived, for didactic purposes, considering from the most sophisticated examples, in the first place, until the simplest ones, thus reaching a large group of countries that cannot even be classified as Welfare States, despite being rudimentary and incipient versions (therefore, this last category would be a fourth pattern, but the truth is that it refers to those countries that, in fact, do not classify, objectively, as a Welfare State, albeit in an initial stage).

In this context, the first and most advanced category is that formed by Comprehensive Welfare States. These refer to those welfare states in which the ten characteristics hereby outlined earlier are clearly and extensively established. In general, they correspond to the classic Western European Welfare States, structured immediately after the Second World War or a little later.

Although one can preserve this group as a single category, the fact is that the differences in intensity of these characteristics in the various countries allow one to establish a small scale among them, i.e., the most sophisticated, complex, and resilient, on the one hand, followed by those that are situated, as far as these aspects are concerned, at a slightly lower level –without losing, however, the essential framework of a comprehensive Welfare State–.

With these observations, this category of Welfare State can be divided into two subtypes: on the one hand, comprehensive and sophisticated Welfare States –in the sense that they boast a complex set of public institutions and institutional norms and practices which aim for inclusion, equality, democratization, and other important objectives of the Welfare State– as evidenced by the ten characteristics outlined above. On the other hand, there are comprehensive Welfare States, which do not demonstrate the same high level of sophistication and/or have not had the same capacity to exhibit, in the last 30/40 years, a solid resilience against neoliberal pressures and reforms, which are usually exclusionary and damaging. It should be clarified that the pattern, in its essence, is the same –that of a comprehensive Welfare State– with, however, a mere distinction as to the complexity and sophistication of the institutions and practices that are part of it and their resistance to the neoliberalist advances.

The second category concerns the strict Welfare State model. This pattern has most (but not necessarily all) of the ten characteristics indicated above, although they also have problems, deficiencies, and limitations in several of the characteristics incorporated. In this category, in summary, serious restrictions are identified in some of the characteristics of the Welfare State, without, however, compromising the correspondence of the respective country with this structure and dynamics. This group includes, for example, the United States of America.

Finally, still within the Welfare State model, there is a transition category –in which countries may or may not victoriously become true Welfare State models–. This category is hereby named Incipient Welfare States. In this case, the country has flaws, limitations, and serious restrictions to several characteristics of a first-level Welfare

State; on the other hand, it shows a real historical line of construction in that direction within its borders. In these cases, several relevant features are present, but almost all of them with severe restrictions, without enough dissemination, presenting at times serious counterfeits of the Welfare State project, along with other defects. However, it is undeniable that there is a vivid line of construction of a first-level Welfare State in the history of that society. The advances and setbacks in these experiences tend to be recurrent, often destroying achievements over several periods, although with resummptions and improvements in others. This is the typical case in some Latin American countries.

Finally, the typology mentions a large group of countries in which relevant and systematic characteristic traits of a Welfare State do not yet exist. In this group, the existence of a minimally efficient and diversified process of construction of a Welfare State within their respective borders, with a characteristic complex structure of institutions, norms and practices, is also not clear. In other words, a comparison between the ten characteristics of a Welfare State and the institutional, economic and social structure and dynamics of this group of countries still puts them in a distant position regarding the Welfare State model, notwithstanding their incipient or rudimentary status.

### III. LATIN AMERICA AND THE STRUCTURING TRAITS OF THE WELFARE STATE: A BALANCE BETWEEN THE CLASSICAL CHARACTERISTICS AND THE RESTRICTED STRUCTURING TRAITS

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Latin America, a region formed by approximately twenty countries, displays one of the most unequal realities on the planet, although there are, among its various countries, some characterized by a relatively diversified economy and a populational segment with significant individual or family income, despite being a minority. However, even among some of these somewhat more developed countries, poverty and socioeconomic inequality remain striking features. In a recently published collective<sup>16</sup>, different chapters bring solid international official data attesting to this socioeconomic, institutional, legal, and cultural scourge in continental and national dimensions<sup>17</sup>.

From the perspective of the presence of a Welfare State in some of its countries, an objective and rigorous evaluation would not find any Latin American country which could perfectly fit into this structure pattern.

It is worth noting, in conclusion, that in Latin America, the levels of social, economic and institutional inclusion in any State protection system are very low in the region in general, even considering the few countries that present certain traits of institutions, public policies and social norms. Also, the average number of excluded and unpro-

16. Godinho Delgado, M. y Vasconcelos Porto, L. (coord.): *O Estado de Bem-Estar Social na América Latina*, ob. cit.

17. Jennifer Pribble, for instance, in a specific work about the social policies in Latin American countries, strongly affirms: "Latin América has long been classified as the most unequal region in the world". In Pribble, J.: *Welfare and Party Politics in Latin América*, Cambridge University Press, New York, 2014.

tected population (generally known as outsiders) from the socioeconomic, sanitary and assistance policies is extremely elevated. In this regard, authors Natália Sátyro, Danúbia Zanetti and Rosiene Freitas, referring to a study by Maria Candelária Garay, from 2010, covering the period 1975-2000, found that “the outsiders represented 50% of the Latin American population, and a large part of this percentage lived in poverty or extreme poverty”.<sup>18</sup>

In such framework, in fact, the Latin American countries belong to neither subcategory of Comprehensive Welfare States, the most sophisticated ones (the thirteen located in central and northern Western Europe, favoring about 200 million people) or the other participants of this best structured bloc of Welfare States. Although some of the ten general characteristics listed in this text may be found in some of the Latin American countries –especially in five of them: Argentina, Brazil, Chile, Costa Rica, and Uruguay (or seven countries, if Mexico and Panama are included in the list)– the fact is that, in all cases, these characteristics are not widespread, but rather notoriously limited and restricted. The distance between the compared topics is so great that one cannot speak of the presence in Latin America of any example of a comprehensive Welfare State.

The same applies to Strict Welfare State models, which are characterized by a weaker presence of State institutions in the realization of institutional and social duties of inclusion and protection of human beings in society, which includes its economic, political, institutional aspects. The distance between the realities of the five (or seven) Latin American countries listed above and the ten central characteristics presented in this article also precludes the classification of any of them as a true Strict Welfare State.

It should also be noted that Strict Welfare States delegate various functions and duties of inclusion and distribution of goods and services to the market itself –which tends to make the idea of welfare states almost a chimera in certain realities– while in Latin America the economy of the various countries has shown itself to be, over the last four/five decades, extremely fragile, disjointed, not sufficiently varied and complex, in addition to being in a relentless process of deindustrialization (as in the case of Brazil, for example). All these facts demonstrate their notorious incapacity to execute inclusive and efficient functions and duties regarding economic and social relations<sup>19</sup>.

However, it does not seem reasonable and objective to fit all Latin American countries into the category of countries without relevant Welfare State characteristics. The

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18. Sátyro, N. et al.: “Regimes de bem-estar social na América Latina: uma revisão do debate recente”, ob. cit.

19. Although the Brazilian economy demonstrates to be in a continuous process of deindustrialization –if one considers the peak of the participation of industry in the GDP, in 1980/1982 (about 30%) and the years 2019/2020 (about 12/11%)–, the fact is that it has displayed diverse performances in the last 30 years. For example, in the 1990s, it had several years of extremely high unemployment rate (10% or more), returning to those levels in 2016 until the present. However, between 2003 and 2013, unemployment levels steadily reduced, affecting thus less than 5% of the country's active population (regarding these data, see Godinho Delgado, 2020). On the other hand, the country has created public policies, in the last two decades, of direct income transfer to the poorest segment of the population. Hence, one cannot take only one piece of data (deindustrialization) as parameter for analysis - although it is very important, indeed, as will be seen in item IV of this article.

reason is that, in this large and discouraging category, the distance between the five (or seven) countries mentioned in this article and the other countries of this region with very few of the 10 characteristics indicated above –or with a few of them, but with deep restrictions– is very significant, indeed. At the same time, it must be recognized that the five (or seven) countries mentioned above, unlike the others, do exhibit the presence of several of the 10 characteristics mentioned above, although with restrictions in practically all or several of them.

That is why it seems pertinent to classify these five countries (Argentina, Brazil, Chile, Costa Rica, and Uruguay) –or seven, if Mexico and Panama are included in this list– in the category of Incipient Welfare States. It should be clarified, however, that the Incipient Welfare States category refers to a rudimentary Welfare State, under construction, still far from a basic Welfare State that meets the minimum needs of social justice and socioeconomic and institutional inclusion of the entire population.

In any case, Bolivia, Colombia, El Salvador, Ecuador, Guatemala, Honduras, Nicaragua, Paraguay, Peru, Dominican Republic, and Venezuela fall into the category of countries without relevant Welfare State characteristics. These are countries in which the degrees of socioeconomic exclusion and the absence of inclusive public policies have been prominent throughout history –considering the evaluation and comparison from the 20th century onwards– although there are differences in aspects and scale among them. From the perspective of a Welfare State, it is not realistic to include them in the list of Latin American countries that have managed, albeit with many restrictions, to begin a process of structuring a Welfare State, with diversified public policies in that direction (hence the term Incipient Welfare States). In this regard, it is opportune to reproduce the evaluation exposed by the authors Natalia Sátyro, Danúbia Zanetti and Rosiene Freitas, referring to studies by Fernando Figueira, from 1998, and Carlos B. Solano, 2007, although made in a somewhat different context:

“In these countries the elites have dominated the State apparatus, using their fiscal capacity to extract income without compensation in the form of collective goods, market regulation or social services. They are also very heterogeneous countries in terms of their social structure, which was reflected in the distribution of income between urban and rural areas and in the degree to which the market operated, producing different social configurations. The degree of State intervention in sharing risks arising from this configuration was minimal (...) The scarce State interventions shaped the structural inequalities of these countries (...)”<sup>20</sup>.

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20. Originally: “Nesses países as elites se apropriaram do aparato do Estado, usando sua capacidade fiscal para extrair renda sem a contrapartida em bens coletivos, regulação do mercado ou serviços sociais. São também países muito heterogêneos em relação à sua estrutura social, o que se refletiu na distribuição de renda entre áreas urbanas e rurais e no grau no qual o mercado operou, produzindo diferentes configurações sociais. O grau de intervenção do Estado no compartilhamento dos riscos advindos dessa configuração foi mínimo (...) As escassas intervenções estatais moldaram as desigualdades estruturais desses países (...)” In Sátyro, N et al.: “Regimes de bem-estar social na América Latina: uma revisão do debate recente”, ob. cit.

In passing, considering the public policies applied by several Latin American countries until the first decade of the 2000s, the referred authors Natália Sátyro, Danúbia Zanetti and Rosiene Freitas structure a comparative picture involving the countries of the region, in accordance with the research and findings of different authors, regarding the welfare regimes. In this expressive and instigating comparison chart (chart 1), the three authors find in the study by Evelyne Huber and John D. Stephens, published in 2012, only four countries which presented “greater effort” towards the Welfare model. These are Argentina, Chile, Costa Rica, and Uruguay. Brazil and Mexico, on the other hand, were placed in the dual group of those that showed “medium-high effort”. In total, there would be six Latin American countries.

Considering the study by Mario Marcel and Elizabeth Rivera, released in 2008, the three Brazilian authors mentioned above also find only five countries that correspond to what was considered by M. Marcel and E. Rivera a “potential welfare regime”. These are Argentina, Brazil, Chile, Costa Rica and Uruguay. Mexico was not included in this block –unlike the previous classification–.

Finally, following the same comparative criterion, the three mentioned authors also examine the frameworks created by Juliana Martinez Franzoni, whose feminist standpoint is evident, concerned with the insertion of women in the respective experiences of Latin American countries and their corresponding public policy models (or the lack of them). In Juliana Franzoni’s instigating research, the regimes considered “State-productivist” and “State-protectionist” were perceived as the most advanced, under the Welfare State perspective, among the others in Latin America (advanced within the modest limits of Latin American experiences). It should be added that the author names the two remaining regimes as “familiarist” and “highly familialist”, both quite traditional and exclusive. The result of the classification made by Juliana Franzoni points to a direction very close to that noted in the two previous researches and classifications mentioned above. In fact, the following countries are thereby represented: Argentina (“State-productivist”); Brazil (“State-protectionist”); Chile (“State-productivist”); Costa Rica (“State-protectionist”); Mexico (“State-protectionist”); Panama (“State-protectionist”); Uruguay (“State-protectionist”). As may be seen, these are seven countries, with Mexico and Panama also present.

Having demonstrated the pertinence of making a differentiation among a small bloc of Latin American countries (Argentina, Brazil, Chile, Costa Rica, Uruguay, and, if it is the case, also Mexico and Panama), which would form the group of those classified as Incipient Welfare States, the other countries mentioned (Bolivia, Colombia, El Salvador, Ecuador, Guatemala, Honduras, Nicaragua, Paraguay, Peru, Dominican Republic, and Venezuela) would be inserted into the group of “countries without relevant Welfare State characteristic traits”. This differentiation enables a better perception of the levels of approximation to the civilization pattern of the Welfare regime, while at the same time favoring the analysis of the central points of differentiation and the respective challenges to be faced in order to move to a different level of organization in the political and the civil society of the region.

However, three observations and caveats should be made in this regard.

Firstly, the reflections made took into consideration, essentially, - considering the studies included in the mentioned collective book - data from approximately the year 2000 (covering the long precedent period and some years subsequent to 2000), which means that positive (or negative) changes may have occurred in different countries during these last two decades. Some reference was made to facts and public policies that took place in the last 20 years, but they do not cover all the countries and were not the focus of the analysis. To this extent, this study does not consider the real effects of the public policies implemented by the progressive governments in Bolivia and Venezuela in the last two decades<sup>21</sup>.

Secondly, one of the characteristics of Latin America and its countries –even in the most advanced countries of the region– is the stop-and-go dynamic in public policies, a dynamic that may indeed have occurred in these two recent decades in some of these countries. In other words, in periods in which trends opposed to the Welfare State and advocates of extreme liberalism take power, by various means, they tend to dismantle, as much as possible, the advances consolidated in the previous progressive phase, thus significantly slowing the process of structuring of the Welfare State in the respective country. Unfortunately, this is a relatively common dynamic in Latin America, which Brazil has been experiencing quite emphatically since 2016. This discouraging peculiarity must be effectively taken into account in any analysis.

This second aspect must be stressed: the obstacles and challenges to the implementation of the Welfare State in Latin America are so significant and relentless that, at each historical juncture, there is the risk of losing a great deal in the construction of the Welfare State in this region, even in countries which are somewhat more advanced in this area.

In fact, as will be seen in item IV of this text, each time the neoliberal hegemony returns in Latin America, for example, an obsessive phase of destruction of the relevant traces of the Welfare structure in these countries is triggered. Either by dictatorships (the case of Chile, between 1973 and 1990, during Pinochet's dictatorial period), or by ultraliberal domination by means of traditional or creative political shortcuts (the case of Brazil, starting in 2016, with the overthrow of the democratically re-elected government in the 2014 election). The Latin American stop-and-go tends to encompass not only economic and social development, but also political, institutional, and cultural development towards an effective Welfare State in these countries.

The third observation –which is also a caveat– concerns the number of Latin American countries in the sample. As may be seen, not all of them are discussed here. And this choice was made for different reasons.

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21. The individual analysis of these two countries, Venezuela and Bolivia, with their specificities, considering the governments of Hugo Chávez and Nicolas Maduro (Venezuela: 1999-present) and Evo Morales (Bolivia: 2006-2019), is not the object of the present study. In these two cases and their respective specific periods, studies of their own would have to be conducted on these two unique experiences. The reference to the two countries, thus, takes into consideration the traditional historical period (or a small margin of the new period), in which they effectively also correspond to the exclusionary pattern of the vast majority of Latin American countries.



On the one hand, the case of Cuba. It is evident that the country, for more than five decades, has managed to structure consistent, effective, and generalized public policies in the areas of education, health, and social security. For this set of factors, it could indeed be framed as a Welfare State. However, as is well known, the Cuban political regime fails miserably with regard to some of the substantial characteristics previously listed, especially those concerning democracy and its multiple dimensions and rights (items 1, 2, 3 and 5, for example). In this way, it would be reckless to level situations which strongly differ from several of the characteristics displayed in the present analysis. Therefore, no judgment has been made about the aforementioned country; it was simply not included in the present study, for the methodological reasons explained above.

On the other hand, the case of Venezuela and Bolivia. As already explained, the exposed conclusions emphasize, especially, the phase before the governments of Hugo Chaves and Nicolas Maduro, in Venezuela (which began in 1999, extending to the present day), and the government of Evo Morales, in Bolivia (which prevailed from 2006 until 2019). Equally, no judgment is being made on these recent periods; it is only emphasized that they would have to be the object of specific study in order to apprehend whether or not they reversed the conservative and exclusionary line that used to characterize the traditional public policies of these two countries<sup>22</sup>.

Finally, there are other Latin American countries (Haiti, for example) that were not considered in the present sample and are not part of the Classification Chart (Chart 1) in the article by Natália Sátyro, Danúbia Zanetti and Rosiene Freitas that served as basis for this reflection. Apparently, such countries (Haiti's case, at least) would also correspond to the group of "countries without relevant Welfare characteristic traits". However, for obvious reasons, the present work does not propose such judgment, which is thus left for another research and analysis.

#### **IV. OBSTACLES AND CHALLENGES TO THE STRUCTURING OF THE WELFARE STATE IN LATIN AMERICA**

In the previous topics, it has been already introduced, to a certain extent, the main obstacles and challenges to the incorporation of the Welfare State among the several Latin American countries. However, something in this regard may still be added and better systematized.

In order to better explain our understanding of the subject, firstly, the factors that, in general, led to the structuring of a Welfare State in Western countries will be listed. Hence, standards will be extracted from Western European countries, as these are well-established regimes (subitem A).

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22. The author Jennifer PRIBBLE, in the study named "*Mundos Apartados: regimes de política social na América Latina*" (Worlds Apart: Social Policy Regimes in Latin America), prefers as well to exclude from the analysis the recent period of these two countries due to the inconsistency perceived in some data. In Pribble, J.: "*Mundos apartados: regimes de política social na América Latina*", ob. cit.

Inherent parameters to the Americas will be considered along with subitem B of item IV, whose object consists of the main obstacles and challenges to the full incorporation of the Welfare State in Latin America.

## **A. Positive factors for the structuring of the welfare state in western Europe**

In history, there is an expressive set of factors which favored the construction and the preservation of the Welfare State in Western Europe.

Naturally, not all factors come together at one given time, as a unitary block, in all successful Western European Welfare State experiences. Some of these factors may not even be present in a particular national historical experience. In addition, there are usually national peculiarities that have significant influence on the process of structuring the Welfare regime in each country.

Furthermore, as with almost any wide-ranging historical phenomenon, the creation and improvement of a Welfare State tends to result from a diverse set of factors, including more general patterns that may (or may not) be present and factors which are specific to the historical reality of each country. Regardless, once these methodological reservations have been exposed, it is pertinent to highlight some factors that have emerged, with greater or lesser force, in the dynamics of the construction of the main Welfare experiences in Western Europe.

The main positive factors noted in this diverse historical panorama are the following, among others:

1. The institutionalization of democratic environments, practices, law and institutions, either prior to the establishment of the Welfare State, or during the structuring of democracy and the Welfare regime itself. Democracy allows the popular sectors, either those previously excluded or those restrictedly included in the prevailing system, to better organize themselves, at all levels, with more leverage to efficiently pressure for the implementation of social and public compensations in benefit of such sectors, in contrast with the phase of exclusion.

In addition, democracy alerts the previously exclusivist socioeconomic and political segments to adapt their ideology and their public policy proposals to certain concessions to the social segments that form (or used to form) the outsiders, as a strategic means of preserving their own hegemony in society.

This paper does not aim to exaggerate the role of democracy in the formation and improvement of the Welfares States, nor to affirm it as an absolute factor. It does not deny either that, in Western History, there have been moments of authoritarianism that, exceptionally, implemented concessions to the segments excluded from society, from the economy and from the dominant institutions. This was the case of Bismarck's government in Germany in the end of the 19th century, for example, with its labor and welfare policies, which introduced the first European institutions that, in the future, would be considered characteristic to the Welfare model. In fact, this was also the case, to a certain extent, of Vargas's government in Brazil after the Revolution of 1930,

which inaugurated (or strengthened) social security and labor policies that would be the beginning of a future Welfare State in Brazil (which, unfortunately, is still under construction or even under threat). This is simply a constatation that dictatorships, in general, in the West, have not been favorable to the creation or preservation of Welfare States and related public policies, contrary to what happens with democratic environments and institutions. However, it must be recognized that, as an exception, in some cases, even authoritarian governments have elaborated political strategies of socioeconomic inclusion of social segments until then considered as outsiders.

2. The organization and institutionalization of workers' associations, especially labor unions, with democratic and inclusive practices and claims in the context of the working environment and society as a whole, so as to structure the organization of the civil society in its previously excluded segments. Trade union freedom, autonomy and empowerment are important historical and institutional premises not only for the establishment of democracy, but also for the establishment of Welfare State norms and institutions. Indeed, in Western Europe, it is rare for a Comprehensive Welfare State to emerge without the presence of a strong, widespread trade unionism, respected by the civil and political societies<sup>23</sup>.

3. The organization and institutionalization of political parties with solid insertion in the popular segments, so as to establish and consolidate the fundamental organization of civil society in the segments which were previously excluded from economic, social and State institutions. Although these types of political parties, in the European example of the 19th century, started as "revolutionary parties" –in the sense that they were initially opposed to capitalism as a whole–, the fact is that they gradually adapted to a reformist agenda, adjusting themselves to the pragmatic search for the democratization of political and civil society, in the framework of Western capitalism. The presence and performance of these political parties of popular and progressive roots were decisive for the structuring and materialization of the concepts of social justice, material equality, solidarity, the counterbalance between the duties of the subordinated segments with a substantial range of rights also in their favor (known as social rights), along with other democratic values that were incorporated in their experiences in the political and institutional history of several Western countries.

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23. On the correlation between a strong trade union movement in Europe (which will also unfold into a strong labor or social democratic political movement) and the generation of relevant labor regulation in the various European countries, democratizing power relations in the workplace and obtaining economic and professional concessions from the companies in favour of workers, alongside the political and social struggles in civil society and in political society for social security rights and guarantees, there is a vast bibliography - although, in general, this correlation is never reduced to any exclusivity or inevitability. As Celia Lessa Kerstenetzky points out, in the history of the formation and consolidation of the Welfare State model, "no single original pattern has been detected". In Lessa Kerstenetzky, C.: *O Estado de Bem-Estar Social na Idade da Razão*, ob. cit. On the subject of correlations between trade unionism, labor, political parties and the formation and consolidation of Western European Welfare States, see, for example: Esping-Anderson, G.: *Politics against markets*, ob. cit.; Arretche, M.: "Emergência e Desenvolvimento do *Welfare State*: teorias explicativas", ob. cit.; Godinho Delgado, M.: *Capitalismo, Trabalho e Emprego – entre o paradigma da destruição e os caminhos de reconstrução*, LTr, São Paulo, 2017; Godinho Delgado, M.: *Curso de Direito do Trabalho*, LTr, São Paulo, 2020; Godinho Delgado, M. y Vasconcelos Porto, L.: "O Estado de Bem-Estar Social (*Welfare State*) no capitalismo contemporâneo", ob. cit.; Judt, T. y Snyder, T.: *Pensando o Século XX*, Objetiva, Rio de Janeiro, 2014; Lessa Kerstenetzky, C.: *O Estado de Bem-Estar Social na Idade da Razão*, ob. cit.

In any case, the very emergence of these new political parties and movements has alerted the traditional and/or conservative parties to become more receptive to the inclusion of population segments, until then considered as outsiders, in the political, social, institutional and legal context.

4. The organization and institutionalization of distinct social movements with their own composition and guidelines, although convergent with the logic of the Welfare State. It should be highlighted thereof women's movements in search of citizenship and equality, along with better living and working conditions. These women's movements emerged in Western Europe and the United States during the embryonic period of the Welfare State, starting in the second half of the 19th century, and became more prominent in the following decades and in the beginning of the 20th century. The economist Célia Lessa Kerstenetzky points out that in the struggle for citizenship and the right to vote, at that time, the stronger presence of the women's movement implied the conquest of more comprehensive laws, with a clear social nature.<sup>24</sup>

A certain period after the end of the 19th century and the first decades of the 20th century, other social movements began to form and to be institutionalized in Western Europe –especially after World War II– such as the movements of ethnic origin (resulting from the accentuated migrations from the 1960s-70s), the environmental movements and the movements formed in view of the sexual orientation of human beings (LGBTIQ+ and similar movements). These movements also began to act on the guidelines of the Welfare States, so as to influence and improve their structure, dynamics and regulation.

It is clear that in the Americas (North, Central and South), the ethnic issue has always been quite tense and powerful, since the discovery and early colonization of the continent, due to the connection of the history of the U.S. and many Latin American countries with the structure and practices of slavery towards black people, coercively brought from Africa for several centuries. In addition, in several Latin American countries there also existed (and still exist) significant ethnic segments of indigenous origin, mostly also excluded from the civil and political societies. For this reason, unlike Western European examples from the late nineteenth and early twentieth centuries, with respect to the formation of the Welfare State, this ethnic or racial issue will indeed have a much greater impact and repercussions on the structuring of social policies in the American continent<sup>25</sup>.

5. The consolidation of a political elite that presents a sensible and adequate understanding of the importance of the difference between political hegemony and political domination. The former involves concessions, changes and commitments, while

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24. Lessa Kerstenetzky, C.: *O Estado de Bem-Estar Social na Idade da Razão*, ob. cit. An exhaustive research on the women's movement in several western countries, since the end of the 19th century, has been done by the Spanish author Álvarez González, A. I.: *As Origens e a Comemoração do Dia Internacional das Mulheres*, Expressão Popular, São Paulo, 2010.

25. The importance of the ethnical and racial issue in the Americas, including Latin America, is strongly highlighted by Pribble, J.: "Mundos apartados: regimes de política social na América Latina", ob. cit. A substantial analysis on racism in the USA, involving the population of black people, is made in the documentary by Netflix entitled "13th".

the latter is consummated through the use of verticalizing force and exclusion. The construction of hegemony must also include an ideal project of nation, country, State, and institutions, in contrast to the narrower vision of territory that characterizes the practice of domination.

Europe provides two striking –although very distinct– examples of the elites’ understanding of the importance of the concept of hegemony, to the detriment of the unilateral concept of domination. On one side, a path which would prove to be more democratic, flexible and conciliatory, the British one, from the 17th century until the 20th century, under the leadership of countless statesmen. On the other, a path that would prove to be authoritarian, but still within the framework of the search for a hegemonic construction in the transition period, as occurred in Germany during the final decades of the 19th century, under the leadership of Chancellor Otto von Bismarck. Although there are differences between the two paths, they have in common the direction of an important phase of historical transition, with a clearly established desired idea of nation, country, State and institutions, in contrast with the narrower vision of territory, inherent to the exercise of power by pure and simple domination.

Evidently, this type of elite does not emerge preformed in the historical trajectory of any country. It rather forms and asserts itself in the historical challenges that arise, and its choice ends up being virtuous (or disastrous) for the respective country.

An elite that refuses to admit change, to make the transition to a new world, to incorporate the former outsiders –sticking to the old and exclusionary route of sheer domination instead of embracing the route of hegemonic construction– tends to resist or even compromise the transition to a Welfare State. On the other hand, an elite dedicated to hegemonic construction enables a successful transition to the future and the pursuit of well-being, as proposed by the Welfare State project<sup>26</sup>.

6. The structuring of a more complex and diversified economy, with minimal traces of industrialization, is also a relevant factor in the emergence or improvement of the Welfare State in the various European countries. In this case, it must be emphasized that we are not simply hereby reproducing the theories of Harold Wilensky, Richard Titmuss and T. H. Marshall, authors who, among other aspects and even considering the distinctions between their theses, insisted that the process of industrialization, due to its complexity, richness and developments, would tend to lead (although not inevitably) to the construction and development of a Welfare State model<sup>27</sup>.

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26. In his study of the Nordic Welfare State, Stein Kuhnle highlights the existence of “strong popular support” to the characteristics of the Scandinavian Welfare State, concluding that no “political party aiming at broad popular support can afford to ignore them”. In Kuhnle, S: “O Estado de Bem-Estar Social nos Países Nórdicos”, ob. cit. The author thereby demonstrates the incorporation, by the capitalist economic, social and institutional elites, of a basic ideology of the Welfare State, instead of identifying themselves as direct opponents of its existence. In the same direction, the following text: Kuhnle, S et al.: “Lições do modelo nórdico do Estado de Bem-Estar Social e Governança Consensual”, *Revista Direito das Relações Sociais e Trabalhistas*, vol. 3, núm. 1, 2017, pp. 37-52.

27. It is beyond the scope of this article to resume the analysis of the various theories on the formation and development of the Welfare State, including those dealing with its correlation with the industrial process of capitalism. This analysis would be more adequate for a specific article (or book) - which is entirely beyond the limits of the present text. In fact, what is hereby highlighted is only some relevant aspects of the process of industrialization of the economy in conjunction with the establishment of a Welfare State in a given country. In any case, for an analysis of

With regard to this factor (the industrialization process in the respective country), what must be emphasized hereby is that the industrialization process, although incipient in the country, creates quite favorable elements, for multiple reasons, for the emergence of a Welfare State in that context.

On the one hand, due to the fact that industrialization generated a diversified and growing working class in the industrial regions, propitiating the future emergence of all the important factors already specified in numbers "1", "2" and "3" of this item IV, subitem A<sup>28</sup>.

On the other hand, due to the fact that industrialization promotes the urbanization of the respective society, economy and country, substantially changing its sociological, political and cultural format, towards more advanced, politicized and progressive practices than those inherent to the agrarian reality (and, consequently, also causing the emergence of the important factors already indicated in sub-items "1", "2" and "3" of this item IV, sub-item A of this article).

In addition, industrialization made the economy more robust, complex, diversified and powerful, allowing the creation of an economic surplus that would be decisive in financing the entire technocratic and service structure, as broad and efficient as a Welfare State needs to be.

It should be noted, in this aspect, that the industrial segment will not necessarily finance the growth of the state technocracy in order to attend to the public needs of the more complex and demanding society which has emerged. However, the growing strength of industry and the diversification it causes within the dominant economic sectors allow the displacement of economic and tax responsibilities to other productive sectors –which would be much more difficult if the dominant economic segments were still the traditional ones, which tend to be simpler and unitary– as it usually happens in essentially rural and extractive societies (agriculture, farming and mining).

Finally, the strengthening of the State and its technocracy which the processes of industrialization and urbanization propitiate (interconnected processes, as explained above), accompanied by the preponderance that the industrial and service economic sectors begin to hold over the agricultural and mining sectors (herein referred to simply as the rural sector), make the procedures and initiatives for structuring a more politically, culturally, and institutionally viable Welfare State.

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the various theories on the Welfare model, see the excellent article: Arretche, M.: "Emergência e Desenvolvimento do *Welfare State*: teorias explicativas", ob. cit.

28. The factors indicated above are the following: a) institutionalization of a democratic environment, practices, norms and institutions, either before the establishment of the Welfare regime, or in the structuring of both democracy and the welfare regime itself; b) organization and institutionalization of associative entities of workers, especially trade union entities, with democratic and inclusive practices and claims in the context of the working and social environment, so as to structure the essential organization of civil society, in its previously excluded segments; c) organization and institutionalization of political parties with solid insertion in the popular segments, in order to establish and consolidate the essential organization of civil society in its previously segments excluded from the economy, society and State institutions.

## B. Obstacles and challenges to the broad structuring of the welfare state in latin America

There is consensus among the dozens of researchers who compose the recent collective book already mentioned that there is no effective, real Welfare State in Latin America, which holds the diverse basic characteristics that distinguish this model of organization in the framework of the capitalist system<sup>29</sup>.

The most the present authors admit is to make a distinction, a pedagogical highlight in the set of Latin American countries among those few which have a varied list of public policies of this nature, although still with countless restrictions and gaps, classifying them as Incipient Welfare States, that is, under construction, in the process of structuring, in contrast with the large number of countries that do not even hold this varied range of inclusive public policies.

The fact is that, in the third decade of the 21st century, an important question is being raised: why is the path to structure a true Welfare State in Latin America so difficult, tormenting, usually incomplete or even failed? What are the obstacles and challenges for the full structuring of an effective Welfare State in Latin American countries, even with adaptations, peculiarities, and adjustments, but which can overcome the stark inequality and socioeconomic and institutional exclusion that deeply mark and shame this region, considered to be the most unequal in the world?

The present article will raise some aspects in this regard, although it does not intend to be exhaustive. Almost all of these aspects are mentioned in the texts which compose the recent collective book already mentioned and in the bibliography cited, and are not, therefore, a specific or singular inference from these authors. The reading of the originals of the mentioned collective book was indispensable for the elaboration of the present text, which explicitly mentions, refers to, and praises all the articles reunited therein.

Still preliminarily, it should be noted that, in the previous topics of this article, in a certain way, many of these obstacles and challenges have already been ventilated and exposed. In the current item IV.B, it remains only necessary to systematize these relevant negative and adverse aspects to the construction of a Welfare State in Latin America.

Once more, the method previously emphasized is repeated: none of these obstacles and challenges are absolute, nor do they act in isolation; some of them may even be less relevant in certain countries, while being quite significant in others. Ultimately, a complex historical phenomenon such as the structuring and improvement of a Welfare State can only be the result of multiple factors, counting, moreover, unfortunately –especially in Latin America– on various and powerful obstacles, adversaries and challenges.

The first of these obstacles and challenges consists, in fact, in the absence of a long and consistent democratic tradition in Latin American countries. It is clear that there is

29. Godinho Delgado, M. y Vasconcelos Porto, L. (coord.): *O Estado de Bem-Estar Social na América Latina*, ob. cit.

an enormous variation among the countries with respect to this aspect, but in general, Latin America has historically shown itself to bear very fragile democracies.

As already exposed in item IV.A, “1”, the democratic environment of the political and civil society enables the popular sectors to better organize themselves and to have more capacity to exert pressure in the search for compensations from public policies regarding education, health, social security, labor rights, in summary, regarding the wide range of social rights which compose the core of any Welfare State.

This democratic environment also provides the possibility for the dominant elite and traditional parties to advance towards a broader understanding of the various forms of political governance of the State and of civil society, welcoming improvements in public policies in a more inclusive direction, even if as a way of consolidating their hegemony. Although this possibility is not common in the history of Latin American countries, it cannot be entirely ruled out.

The general historical rule, however, shows that democracy is the victim of constant restrictions, attacks and defeats in the countries of the region. From the traditional conservative *coups d'état* which have proliferated ceaselessly throughout the Latin American trajectory of the 20th century, covering the great majority of its countries, to the new and artificial mechanisms of overthrowing progressive governments, which have become recurrent in the first decades of the present century. All of this highlights the fact that Latin American elites, old and new, really do have enormous difficulty in living with a democratic environment and with the socioeconomic inclusion of the broadest segments of their respective populations<sup>30</sup>.

The obstacles and challenges to the structuring of the Welfare regime in the region are deeply rooted and severe.

The second of these obstacles and challenges is the absence or weakness of the organization and institutionalization of workers' associations, especially labor unions, with democratic and inclusive practices and claims in the context of the working and social environment, so as to structure the essential organization of civil society in its previously excluded segments. Trade union freedom, autonomy and empowerment are important historical and institutional premises not only for the creation and consolidation of democracy, but also for the creation and consolidation of norms and institutions of the Welfare State.

Regrettably, however, in Latin America the hostility against trade unionism and its leadership is a deeply rooted tradition in many countries of the region. Even in a country with an explicit and detailed constitutional right to freedom and autonomy of labor unions, along with other protective principles and rules of Collective Labor Law and its specific institutions –as is the case of Brazil since the 1988 Constitution– it has become simple, practical and easy to invalidate the existence of the vast majority

30. Although some overthrow of governments may have actually occurred in the last 120 years (hereby considering 1900 as the beginning and 2020 as the end), in the face of real crimes of responsibility committed by the respective President of the Republic, or may have been carried out by effectively progressive forces, the truth is that, in the vast majority of cases, they are merely instruments for removing progressive leaders from power by old or new conservative political forces.



of the country's labor unions, by means of infra-constitutional normative changes (in this case, caused by Act No. 13,467/2017, that eliminated, without compensation, the financing of the Brazilian labor union system).

In addition, the tendency to pass anti-union and anti-labor laws in several countries in the region, weakening not only unionism, but also union labor collective bargaining and individual and social labor rights. Adalberto Cardoso, for example, after studying four more developed Latin American countries (Argentina, Brazil, Chile and Uruguay), researching labor and union issues, including collective bargaining, reached the important conclusion that "greater centralization and/or bargaining coordination is directly associated with reduction of inequalities". However, he noticed that the ultraliberal legal reforms implemented by the Pinochet dictatorship in Chile and by Act No. 13,467/2017 in Brazil –in this case, after the overthrow of the democratically reelected government in 2014– followed in the same direction of weakening unionism and labor collective bargaining, including by decentralizing it as much as possible<sup>31</sup>.

As may be seen, the obstacles and challenges are deep and recurrent in this region of the globe.

The third of these obstacles and challenges consists in the weakness or lack of organization and institutionalization of political parties (sometimes self-identified as "movements", "fronts" or a similar expression) with solid insertion in the popular segments, so as to establish and consolidate the fundamental organization of civil society therein, which were previously excluded from the market, society and State institutions.

The presence of these parties in the construction of the Welfare State –which is notorious in the history of Western European countries– also bears importance in Latin America. North American author Jennifer Pribble, in a book on the subject, proves the relevance of these actions in the advancement of social policies in countries of the region<sup>32</sup>.

However, once again, the fragility of democracy in these countries compromises the advancement of inclusive economic and social policies spearheaded by these political parties or movements.

The fourth of these obstacles and challenges consists in the still fragile organization, institutionalization and recognition of distinct social movements, with their own composition and guidelines, although still convergent with the logic of the Welfare State.

This is a reference, for example, to women's movements in search of citizenship, dignity and equality, along with better living and working conditions<sup>33</sup>. Although these

31. Cardoso, A.: "Negociação coletiva e desigualdade na América Latina: um balanço da literatura recente", en Godinho Delgado, M. y Vasconcelos Porto, L. (coord.): *O Estado de Bem-Estar Social na América Latina*, Tirant Lo Blanch, São Paulo, 2021. About the neoliberal reform on labor law recently carried out in Brazil, see, amongst others, the following studies: Alves, A. C. y Lopes Castro, T. H.: "Reforma trabalhista e movimentos de reestruturação, precarização e redução do Direito do Trabalho no Brasil", *Revista Direito das Relações Sociais e Trabalhistas*, vol. 4, núm. 3, 2018, p. 130-156.; Godinho Delgado, M. y Neves Delgado, G.: *A Reforma Trabalhista no Brasil – com os comentários à Lei n. 13.467/2017*. 2. ed, LTr, São Paulo, 2018.

32. Pribble, J.: *Welfare and Party Politics in Latin América*, ob. cit.

33. Molyneux, M.: "Justiça de gênero, cidadania e diferença na América Latina", en Godinho Delgado, M. y Vascon-

movements have achieved important victories throughout the 20th and 21st centuries –even in Latin America– the fact is that they should be even better organized and more consistent, especially given the fact that women –along with children, young people and the elderly– are the target public which is best protected and respected by advanced Welfare State experiences.

This is also a reference to ethnic movements of black and indigenous populations in search of citizenship, dignity, and equality, as well as of better living, working, and socioeconomic conditions in general. Those are the populations and movements which suffer the most extreme socioeconomic and institutional exclusion, typical of power systems based on pure exclusionary domination, which still prevails in several countries in Latin America. In passing, the author Jennifer Pribble points out that ethnic and racial discrimination is one of the central aspects of the dominant strategy to keep the black and indigenous population groups isolated and excluded, making it even more difficult to generalize the relevant economic and social policies to the construction of the Welfare State in the respective countries<sup>34</sup>.

In this context, although the resistance of these ethnic groups is impressive, the fact is that this aspect still emerges as a severe obstacle to the advancement of the Welfare State in several Latin American countries.

It should also be added that racism tends to penetrate the dominant culture in countries which resist to the establishment of social rights and the Welfare State, instigating the elites to view social rights, including labor and social security rights, as less important rights, subrights, deserving of second-rate, reticent legal protection, placed in a logically inferior level in the legal order.

It is also necessary to make a reference to movements with an environmental focus, in search of a socio-environmental capitalism, instead of the predatory model which is so characteristic of several Latin American countries.

In addition, there are also movements which gather people based on their sexual orientation (LGBTIQ+ and similar movements), in search of freedom, equality, and better living and working conditions.

The fifth of these obstacles and challenges consists in the stronger difficulty in finding, historically, in Latin American countries, the presence and consolidation of a political elite who has a sensible and adequate understanding of the importance of the difference between political hegemony and political domination. As mentioned earlier, political hegemony involves concessions, changes and commitments, while political domination is consummated through the use of verticalizing force and exclusion. The construction of hegemony also includes the incorporation of an ideal project of nation, country, State, and institutions, in contrast with the narrower vision of territory which characterizes the tradition and practice of domination.

In Latin America it is quite common the presence of elites of strict domination, without any significant vision of “nation”, “country”, “State” and “institutions”, but rather

celos Porto, L. (coord.): *O Estado de Bem-Estar Social na América Latina*, Tirant Lo Blanch, São Paulo, 2021.

34. Pribble, J.: “Mundos apartados: regimes de política social na América Latina”, ob. cit.

with a vision of territory, that is, a place destined to the pure and simple extraction of wealth and, consequently, destined to the continuous maintenance of exclusion.

Naturally, even though rare, sensible elites with a broader vision do exist in Latin America, as author Jennifer Pribble well observes, referring, for example, to the evolution of social policies in Costa Rica. Although the author did not see some of the factors tending to the construction of advanced social policies in that country (such as significant industrialization and a corresponding working class, for example), she came to the conclusion that the sum of a reasonably consolidated democratic environment during the 20th century and the emergence of a traditional leadership, but sensitive to the incorporation of disadvantaged sectors (as was the case of President Rafael Calderón Guardia in the 1940s, for example), led to the creation of a national social security system in 1941<sup>35</sup>.

In Brazil, something similar also happened in the 1930s. Brought to power by the Revolution of 1930, Getúlio Vargas, representing the oligarchies of Rio Grande do Sul and other regional oligarchies, kept the powers usually granted to these traditional oligarchies in their States of origin, but, with this newly designed political alliance, he was able to confront the power of the previously dominant oligarchical alliance between Minas and São Paulo, the States at the time with the largest populations and electorates. In this framework, an originally conservative political leadership managed to govern and modernize the country, eliminating, right away, the exclusivism of the agricultural exportation (without ceasing, however, to protect exports and rural exporters), encouraging the industrialization of the Brazilian economy, creating state agencies and a new technocracy to plan and promote different aspects of the Brazilian society and economy. Simultaneously, as part of the same project aimed at building a new hegemony and consummating a transition to a more industrial, urban and inclusive country, he achieved the incorporation of the urban working classes to the establishment, the expansion of labor legislation which established rights in employment relations, along with the recognition of women's right to vote<sup>36</sup>. Although he was undoubtedly an authoritarian political leader (such as Bismarck, in Germany, a few decades earlier), the Brazilian statesman greatly widened the arc of alliances of political, economic and social power, profoundly modernizing the national economy and society, in order to inaugurate a phase of economic growth, via Keynesian policies, that would last for more than 50 years (with some setbacks, notwithstanding),

35. Pribble, J.: "Mundos apartados: regimes de política social na América Latina", ob. cit. In fact, during the four-year government, Rafael Calderón Guardia promoted several advances in the country: he created the Costa Rican Social Security Fund, approved the Labor Law Code, incorporated into the Constitution a chapter on Social Rights, approved the Bill on New Industries, founded the University of Costa Rica, amongst other measures.

36. On the economic aspects and developmentalist social policies in the first Vargas government (1930-1945), see Leopoldi, M. A.: "A economia política do primeiro governo Vargas (1930-1945): a política econômica em tempos de turbulência", en Ferreira, J. y Almeida Neves Delgado, L. de (coord.): *O Brasil Republicano – o tempo do nacional-estatismo – do início da década de 1930 ao apogeu do Estado Novo – Livro 2*, Civilização Brasileira, Rio de Janeiro, 2003, pp. 241-285. On the social policies of the first Vargas government (1930-45), especially the ones concerning labor and social security, see: D'Araujo, M. C.: "Estado, classe trabalhadora e políticas sociais", en Ferreira, J. y Almeida Neves Delgado, L. de (coord.): *O Brasil Republicano – o tempo do nacional-estatismo – do início da década de 1930 ao apogeu do Estado Novo – Livro 2*, Civilização Brasileira, Rio de Janeiro, 2003, pp. 213-239.

between 1930 and 1982/83. It is, therefore, a clear example of hegemonic construction, oriented towards industrialization, urbanization and social inclusion of part of the previously excluded population, instead of the traditional sterile exercise of excluding political domination<sup>37</sup>.

The sixth of these obstacles and challenges is the absence in several Latin American countries of a relatively complex and diversified economy, with consistent traces of industrialization. This absence will tend to prevent the emergence of an urban working class with clearer aggregation and organization capacity, and the ability to form labor unions and political parties of labor extraction. In addition, this economic and social gap will decrease the urbanization rates of the economy and of society, thus compromising the breach of traditional and isolationist ties, inherent to rural life and which perpetuate systems of domination.

Also, this absence of an industrial sector substantially reduces the formation of an economic surplus in society, capable of supporting State investments in various social rights, as well as the structuring of public institutions dedicated to the organization of a future Welfare State.

However, evidently, this –as well as the others– is not an insurmountable obstacle. As Jennifer Pribble points out, the example of Costa Rica attests to the possibility of exceptions<sup>38</sup>.

The seventh of these obstacles and challenges is the neoliberalist economic and political ideology. This ideology has proven to be sophisticatedly well organized over the decades in this region, with a strong prestige in the core of the Latin American elites and the mass media, as well as in the technocracies of the various Latin American countries. This ideology, accompanied by its detailed program of anti-humanist, anti-social and anti-developmental public policies, constitutes the most recent and powerful obstacle and challenge to the implementation of the Welfare State in Latin American countries.

Born in a multidimensional way in several Western countries since the 1970s, in the wake of the economic crisis from that period (the “oil crisis”), this ideology and

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37. About the process of industrialization and economic development structured by the Keynesian model of the Vargas government, it should be noted that its end may be established in the years 1982/1983, period in which the Brazilian government succumbed to the signing of several “letters of intent” of public policies with the International Monetary Fund. This economic and ideological turn would symbolically mark the beginning of the neoliberal hegemony in Brazil’s economic and financial bureaucracy, notwithstanding the fact that growth rates were still high in some of the following years. Regarding the process of industrialization and economic development structured in the Vargas era and maintained, with great success, for about 50 years in Brazil, see the analysis by Prof. Maria Antonieta Leopoldi, of UFF: “During the period 1929-1987 Brazil was one of the fastest growing countries in the world (...) This wave of economic growth had already been coming since the beginning of the twentieth century, but it gained momentum in the first Vargas government, which undertook the difficult task of responding to internal and external turbulence and turning this challenge into a lesson for continued growth. The development policies of the Vargas era and the institutions created to implement them are followed up in the 1950s and later during the military regime, which explains, for example, the difference between Brazilian and Argentinian growth rates. In the latter, the different strategies adopted by the various political groups that succeeded each other in power explain good part of the low GDP performance in the period”. In Leopoldi, M. A.: “A economia política do primeiro governo Vargas (1930-1945): a política econômica em tempos de turbulência”, ob. cit.

38. Pribble, J.: “Mundos apartados: regimes de política social na América Latina”, ob. cit.

recipe for structuring public policies have become frankly dominant in Latin America, the region of the globe where they have achieved the most success and destruction in the last four decades.

For neoliberalism, the State ceases to be an agent and factor of economic development (with which, evidently, there is no longer, as a general rule, effective economic development in the countries which follow its guidelines); the State also ceases to induce the process of industrialization of the economy (with which the pace and participation of industry in the GDP begins to degrade, or not even a consistent industrial process initiates in countries with a more modest economic performance); the State also ceases to plan economic development and strategically manage the economic surpluses achieved by the different sectors of the productive system, for the benefit of a more harmonious, efficient and generalized development for society as a whole.

In line with such neoliberal parameters, the idea of social policies effectively loses relevance in the context of public policies (except as residual compensations and mitigators), even more so the construction and improvement of a complex and sophisticated system of income distribution and public services, along with social rights, a characteristic trait of Welfare States.

Economic stagnation (or mediocre growth rates for decades); deterioration of several sectors of the economy, except for some very specific niches (such as the financial sector, the agricultural business sector, and the mineral extraction sector, for example); accentuated and growing deindustrialization; high unemployment rates in the labor market; high rates of informality of the labor force in the economy; relentless process of income concentration; maintenance of misery and exclusion of a large part of the national population; dismantlement of the State technocracy oriented to the social fields of service provision; reduction on the number of social rights; harassment and weakening of trade unions - these are only some of the recurrent effects of the influence of neoliberalism on the Latin American elites, whether they are members of the civil society or of the political society<sup>39</sup>.

Although neoliberalism is well known in the concrete experience of European countries, having achieved some victories in its attempt to disarticulate the Welfare States (less so, indeed, in the European Comprehensive and Sophisticated Welfare States than in some Mediterranean and Iberian Welfare States), the fact is that it never managed to provoke the same level of destruction and inequality that it has achieved in Latin America<sup>40</sup>.

The power of these seven obstacles and challenges faced by Latin American countries makes it quite difficult and dramatic to structure a Welfare regime in this region of the globe. However, the reality of the countries located therein and of most of their

39. About this thought orientation on public policies, see, for instance: Godinho Delgado, M.: *Capitalismo, Trabalho e Emprego*, ob. cit.

40. In Asian countries, for different reasons, neoliberalism did not manage to advance in civil and political society in general. Not coincidentally, in the last 40 years, several of these countries have boasted very high economic development rates, managing to lift hundreds of millions of people out of absolute poverty. The neoliberal trend remains, in fact, a kind of overwhelming essentially western regressive wave.

populations increasingly shows the need to build this sophisticated management model of the civil and political societies, which has been widely successful in other parts of the planet.

## V. FINAL CONSIDERATIONS

The present article sought to investigate and reflect on the pattern of organization of the political and civil society that became prevalent in the major countries of Western Europe after World War II: The Welfare State model. The final objective of this work was to expose the reasons for the failure in the structuring of this more sophisticated and fairer pattern of organization of the political and civil society in the countries in the Latin American countries.

To reach its objectives, the present article first sought to identify the main characteristics of Welfare States, both in terms of political society and civil society. In this investigation, the nine most relevant characteristics of Welfare States were exposed, to which a tenth characteristic was added, which was better perceived only in the most recent periods of European Welfare States.

This study does not cover mere peculiarities of human and social formations existing in the Western world, but a set of principles, institutions, and norms that propitiate the construction of a more developed, fairer, and more egalitarian State, society, and economy, capable of overcoming the core of human and social needs.

Taking these ten main characteristics into consideration, it was elaborated a typology of the Welfare States, considering from the most sophisticated pattern of Welfare regimes to the minimum standard of organization which still meets its essential peculiarities.

Once these initial bases of research and reflection had been systematized, the article continued to the examination of the reality of the Latin American countries, seeking to identify to what extent they have (or have not) materialized the main characteristics of the Welfare regime. Within this framework, the text, based on the bibliography referenced here and on the recent collective book already cited herein (Godinho Delgado and Vasconcelos Porto, 2021), verified that there is, in essence, no country in the region that fully materializes this pattern of organization of the political and civil society.

However, this article, also in accordance with the various texts hereby cited and based on the research and reflections developed in them, also concluded that there is indeed a small group of countries in the region that are closer to the Welfare regime, although, even so, they are still far from its main characteristics. This small group of countries (between five and seven at most) bears some characteristics of a Welfare State, but not all of them. In addition, there are gaps, restrictions, and severe insufficiencies in the historical implementation of several of these characteristics.

In any case, the other Latin American countries mentioned in the study, in fact, fall short of the standards of a Welfare State.

In its last section, the article examines the main obstacles to the advancement of the Welfare regime in Latin American countries and what the main challenges to achieve better results are.

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