The Deconstruction of Environmental Policy and the Freezing of Bureaucratic Capacities in Brazil

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Abstract

This work analyzes street-level bureaucrats' action in the implementation of environmental policy in Brazil, taking as case studies the IBAMA inspectors and ICMBio agents, before and after the beginning of President Bolsonaro's term. A theoretical model was developed that integrates three different analytical dimensions of street-level bureaucrats' action: the institutional, the individual and the relational dimension. Based on this, a case-oriented investigation was conducted, where significant cases were selected to illustrate the two different profiles of environmental agents (cross-case analysis). Thus, through semi-structured and in-depth interviews, the testimonies of twenty-eight street-level bureaucrats (SLBs) from the two mentioned institutions were collected, in addition to the examination of relevant norms and documents. The information obtained was analyzed using Systematic Content Analysis (SCA). The SCA contemplated the codification of texts, the analysis of its contents and the statistical analysis of the codifications systematized according to the indicators of the theoretical model. From this, the meanings posed by the interlocutors were compared across different cases and corroborated through documentary analysis. In addition, a cross-time poll was conducted on the institutional changes that occurred before and after the beginning of Bolsonaro government. The results of the paper show comparatively between IBAMA inspectors and ICMBio agents what are the elements that define the street-level bureaucrats' action in Brazilian environmental policy and how they are articulated, with their peculiarities in each of the institutions. The changes undertaken by the Bolsonaro administration currently in power have led, in just three years, to the freezing of bureaucratic capacities, the weakening of institutions and the deconstruction of environmental governance in Brazil. From these results, the work concludes that, to enforce the preservation of the environment within the national and international regulatory frameworks, Brazilian environmental policy needs to be not only constitutionally defined, but fully regulated along the lines of the Federal Constitution, regardless of the interests of the government in power at the time.

Keywords

1 Introduction

The aim of this paper is to analyze street-level bureaucrats' action in the implementation of Brazilian environmental policy, taking as case studies the agents working in the two main public entities operating in this area, before and after the beginning of President Bolsonaro's term.

This work is justified by the proposal to insert studies on the agenda of Brazilian public administration that, drawing on cross-referencing the different theoretical perspectives, provide an understanding of how the various dimensions of the SLBs' action combine and their effects on the policy implementation process, considering the institutional changes that have occurred because of government strategies aimed at dismantling public policies.

To test the analytical model adopted in this research, the implementing agent of the Brazilian environmental policy that operates in the Amazon region was chosen. To this end, we interviewed twenty-eight SLBs working in the two main federal environmental public institutions: Brazilian Institute for the Environment and Renewable Natural Resources (IBAMA) and the Chico Mendes Institute for Biodiversity Conservation (ICMBio).

The unit of analysis adopted in this work is the street-level bureaucrat (SLB) who implements Brazilian environmental policy within the scope of federal competence, focusing on the prevention and control of deforestation (in the case of the IBAMA Inspector) and the management of Federal Conservation Units (in the case of the ICMBio Agent). In both cases, it was decided to geographically limit the analysis of the action of these agents to the Amazon region, a territory that requires the greatest concentration of efforts by Brazilian environmental institutions, due to both its enormous wealth in terms of biodiversity and the existence of the highest rates of deforestation historically recorded in the country. This choice is justified by the fact that the paper intends to compare the action of the two different profiles of agents. More precisely, the intentional selection of these two entities and their respective SLBs' profiles is justified by the heterogeneity of their characteristics.

The IBAMA Inspector and the ICMBio Agent, although both are SLBs active in the defense of the environment and have similarities in terms of skills, training, and modalities of entry into public service, have differences with respect to the main routines developed daily, the mode of operation, and the territorial delimitation of the respective function. On the one hand, the IBAMA Inspector identifies conducts that violate the rules and applies the respective sanctions in defense of the natural heritage throughout the national territory; on the other hand, the ICMBio Agent, whose actions are more restricted to the Conservation Units, is responsible for the management of the unit itself and for the preparation of natural resources management plans

(*Planos de Manejo*), among other activities, such as those inherent to socio-environmental management, environmental protection and research.

According to the information gathered in the empirical research, the IBAMA Inspector acts as an environmental policeman, directing his/her action to the repression of crimes and other environmental illegalities, with the intention of dismantling corruption networks; while the work of the ICMBio Agent is more focused on managing the Federal Conservation Units (FCUs), caring for relations with traditional populations, as well as collectively defining the sustainable use of natural resources, through participative mechanisms that include local communities, civil society organizations, other government agencies, private companies, etc.

In the policy implementation process, environmental SLBs, like other front-line agents, need to acquire specific capacities – both technical-administrative and relational – to deal with uncertainties and occurrences not set out in regulations (Pires & Gomide, 2016).

Going deeper into this last aspect, public policy field research demonstrates the problem of incomplete regulations: legal standards, as the result of political negotiation, often contain an amount of imprecision, indetermination and ambiguity in the language and definition of objectives (Matland, 1995). A problem that is unresolved in the policy formulation phase is then transferred to the implementation phase, leaving the street-level bureaucrats with a margin for interpretation and discretion (Lipsky, 1980). This issue becomes even more critical in a complex area such as the environment, where the SLBs' work is aimed at defending a collective right. Especially in the case of SLBs who function as enforcement agents of the State, imprecise rules and flexibility in the application of regulations could create room for opportunistic actions by a minority of citizens to threaten collective rights or diffuse interests. Therefore, well-designed rules are the necessary tools to repress behaviors contrary to the interests of the collectivity, through the adoption of inspections, preventive measures and sanctions (Schmitt, 2015). However, in the current Brazilian institutional context, especially in view of the anti-democratic changes undertaken by the government in power, it is worth asking whether legal standards are sufficient to guarantee an effective implementation of environmental policy in Brazil.

With regards to the structure of this paper, apart from this Introduction, an overview of the evolution of Brazilian environmental policy over the past three decades is presented in the following section, with focus on the prevention and control of deforestation and the management of FCUs in the Amazon region, also highlighting the institutional setbacks that occurred in the last three years. The third section brings the presentation of the analysis model

of the SLBs' action in the environmental area and the two research hypotheses. In the fourth section, the methodological procedures are described. The fifth and sixth sections discuss the results of the empirical investigation, showing the findings of the comparative analysis between the cases of IBAMA and ICMBio SLBs and the examination of the disruptive institutional changes occurred before and after the beginning of the Bolsonaro government. Finally, the seventh and last section weaves the final remarks of the paper.

2 The Construction and Dismantling of Brazilian Environmental Policy

Environmental governance in Brazil has evolved since the second half of the twentieth century, through a process of incremental structuring of formal institutions, with the formulation of public policies, regulations, the institution of collegiate bodies, the creation of independent agencies and protected areas, and informal institutional arrangements, with the involvement of a multiplicity of players, carrying their respective values and interests, that include, besides public entities, civil society organizations and private companies, acting at different levels of scope, from local to global (Seixas et al., 2020).

It is worth noting that the process of institutionalization of Brazilian environmental policy is articulated on multiple fronts, such as environmental licensing, combating deforestation, preservation of native vegetation, fish and water resources, conservation units and climate change. Although there have been setbacks along the way, the historical construction of environmental governance has gradually incorporated, especially in the thirty years since the promulgation of the Federal Constitution, new dimensions and actors, outlining a path of coherent and representative choices of the interests of society, except for the serious losses that have been accentuated in the last three years, coinciding with the beginning of President Bolsonaro's mandate (Seixas et al., 2020).

Although Brazil had already made commitments to environmental preservation before the international community at the United Nations Conference on the Human Environment, held in Stockholm in 1972, the 1970s and 1980s were still marked by serious ecological disasters, as well as by the increase in social conflicts between traditional communities and rural producers. In effect, the intense pressure exerted by society and intergovernmental organizations, only achieved a tangible result with the enactment of the 1988 Federal Constitution. This represents the main milestone in the process of strengthening the institutions of Brazilian environmental policy, as it gave an even greater impetus to the creation of new laws, regulations, and regulatory agencies. From the constitutional recognition of the environment as an asset for common use by the people, to be defended and preserved by the State and the community, the

4

path of environmental laws and regulations has been consolidated, in line with the international agreements stipulated by Brazil. Among the approved laws, it is worth mentioning Law No. 7,735/1989, which created IBAMA from the merger of four different environmental institutions acting in different spheres; Law No. 9,605/1998, known as the Environmental Crimes Law, which represents the main legal reference in the federal sphere about environmental inspection, determining the penal and administrative sanctions aimed at inhibiting environmental crimes and infractions (Schmitt, 2015); Law No. 9,985/2000, which creates the National System of Nature Conservation Units; Law No. 11,516/2007 that creates the ICMBio, which assumes part of the assets, resources, personnel, positions, and functions originally linked to IBAMA; and Law No. 12,187/2009, which defines the National Policy on Climate Change, containing both the consolidation of protected areas and the plans to combat deforestation, under the Action Plan for the Prevention and Control of Deforestation in the Legal Amazon (known as PPCDAm), approved by Presidential Decree in 2003.

Despite the progress made in the formation of the legal framework and the commitments made by Brazil before the international community, in the Amazon region, immense pressures have persisted from political and economic agents who understand the occupation of Indigenous and public lands as necessary for economic growth, contrary to the principles of sustainable development and the more rational positioning of the exporting agribusiness. In Brazil, this debate has become even more heated concomitantly with the deterioration of the political-institutional scenario that has been accentuated in recent years.

The signs of the crisis of Brazilian democracy, which had already revealed themselves in the 2013 protests and in the fierce dispute between supporters and opponents of the Workers' Party in the 2014 presidential elections, and even more clearly in 2016, in the impeachment process of President Dilma, showed all their forcefulness in the campaign for the 2018 presidential elections. In this opportunity, it was possible to observe a growing distrust by part of society towards institutions. This feeling was exacerbated by the spread of fake news on social networks capable of mobilizing a large number of uninformed people, which resulted in a volume of abstentions, null and white votes of more than 42 million voters and, at the same time, led to the victory of a candidate that, in another context, it would not be possible to imagine as the winner of the elections, the current President of the Republic Jair Bolsonaro (Fernandes, Teixeira, & Palmeira, 2020).

In its first two years in office, the Bolsonaro government accelerated the process of eroding the State from within, weakening institutions – especially those linked to the executive branch –

and dismantling public policies in the areas of education, culture, citizenship, human rights and the environment (Seixas et al., 2020). This process culminated in the Covid-19 crisis, during which the President of the Republic accentuated his questioning posture towards the political system and adopted a negationist attitude towards the principles of science in dealing with the pandemic (Avritzer, 2020).

Thus, since 2019, the actions of the Ministry of Environment, consistent with President Bolsonaro's denialist ideology on climate change, are guided by a government program aimed at dismantling environmental policies by weakening or even annihilating the responsible institutions, as happened with the extinction of the Secretariat of Climate Change and Forests. Among the most striking events, the following are worth mentioning: the disqualification of the data provided by the National Institute for Space Research (INPE) on deforestation and the exoneration of the president of this institute by the government, still in 2019; the stimulus for wildfires, deforestation, illegal logging, occupation of indigenous lands and Conservation Units, and clandestine mining, as well as attacks on international agreements on climate change; the flexibilization of environmental norms by means of infra-legal acts and the presentation of bills that are very harmful to the environment, such as Bill No. 3,729/2004, to simplify the procedures for granting environmental licenses, and Bill No. 2,633/2020, the so-called land-grabbing bill, on land regularization of improper occupation of public lands; and, also, the removal of civil servants occupying senior positions, especially in IBAMA and ICMBio, replaced by political and/or military agents with ideological positioning aligned with the vision of the current Government, with the consequent emptying of the teams dedicated to environmental inspection and weakening of the governance of the Conservation Units (Seixas et al., 2020).

The government's intention to proceed with deregulation was evident during the ministerial meeting of April 22, 2020, when the former Minister of the Environment, Ricardo Salles, defended the need to take advantage of the involvement of the press and public opinion in the Covid-19 pandemic crisis to "*passar a boiada*", which literally means "to let the herd of oxen pass", i.e., to relax regulations by issuing administrative acts aimed at distorting the content of the norms that govern the implementation of public policies in Brazil (Supremo Tribunal Federal, 2021).

A clear example of this process of loosening regulations is the case of Administrative Act No. 7036900, of February 25, 2020, issued by the president of IBAMA, Eduardo Bim, which released the export of native wood without the necessary export permit and recognized the

Forest Origin Certificate as the only mandatory document for accompanying forest products and by-products of native origin, despite the contrary opinion signed by career civil servants of the institution (Ascema Nacional, 2020).

Despite the façade declarations presented at international conferences, such as COP26 held in Glasgow in November 2021, the current Brazilian government defends prioritizing national sovereignty in the use of natural resources and, in fact, demonstrates not taking coherent and credible attitudes in matters of biodiversity defense. As a result, Brazil loses credibility and gives up the role of protagonist in relations with the most influential countries in the world political scene (Seixas et al., 2020).

Thus, given the abrupt change of course observed in Brazilian environmental governance, the comparative analysis proposed in this paper is justified. Our work is focused on investigating the different elements that define the action of SLBs of the two main federal entities executing Brazilian environmental policy: IBAMA and ICMBio. In addition, this paper looked at the institutional changes that occurred in comparing the first three years of President Bolsonaro's administration with previous terms.

3 Analysis Model and Research Hypotheses

Based on the distinct positions found in literature, we believe that the implementation process could be better explained by combining different approaches, as already argued in the theoretical essay by Bonelli et al. (2019), in which a novel theoretical construct was presented to analyze the action of SLBs in the implementation of public policies in Brazil. We realized that the different dimensions and the respective theoretical approaches were not formed in isolation: the concepts of each one, if interpreted in a more open and flexible way, take a cross-cutting dimension. Therefore, the three analytical dimensions were placed in a dialectic relation, which provided a view beyond the limitations of each one and their contribution towards an advance in knowledge on the topic. Thus, we sought a theoretical justification, which would assist us in the task of bringing together viewpoints that are commonly not in dialogue with each other. The definition of the perspectives presented below is the result of these efforts towards synthesis, focused on the construction of a model that may guide the empirical research for a better understanding of the implementation of Brazilian environmental policy and other national public policies.

With this goal, we took a study by Lima and D'Ascenzi (2013), which proposes a more fluid understanding of the concept of implementation, which could be understood as the result of the interaction between the set of guidelines expressed in a plan and the elements that define the

actual context, including power relations established in the workplace. From this viewpoint, the implementation process may generate new insights that are capable of improving and shaping the proposals initially set out in the plan to the local context, so that plans and regulations can be conceived, in a more flexible way, as socially constructed objects, potentialities of intentions to be tested, continually interpreted, adapted and improved by the actors involved (Lima & D'Ascenzi, 2013); the individual action can be understood as agency, explained not only by incentives but also values, ideas and beliefs (Maynard-Moody & Musheno, 2012, 2015); and the interactions can be conceived as constitutive of cooperative or confrontational relations among different types of actors whose interests may not be aligned (Lotta, 2014, 2018).

All this makes it possible to understand how, within a complex system such as the implementation of environmental policy, the institutional dimension is confronted and renewed, in a dialectical tension with the individual action – or agency – (Barrett, 2004), and with the multiple relationships established inside and outside a given organizational environment. Therefore, we include, in the analysis, the agency of individuals and networks of organizations and agents that make up the system, from the point of view of their interactions (Lotta, 2014, 2018), that is, a relational and an individual dimension, in addition to the institutional one.

Based on an understanding of the above studies, particularly by Lima and D'Ascenzi (2013), whose position is supported by other authors, such as Majone and Wildavsky (1984), Barrett (2004), we understand that central concepts from literature on implementation can be revisited and a more fluid interpretation of the approaches that sustain them can be formed. A critical re-reading of these concepts enables us to approximate the theoretical approaches on which they are based, thereby justifying an integration of the institutional, individual and relational dimensions in a single analytical model, where the three dimensions can influence each other, both towards their strengthening and weakening.

Next, the analysis model will be presented, with a brief discussion of the theoretical foundation of the indicators chosen for each of the three dimensions and then used for the empirical investigation.

From the theoretical construct presented in the article by Bonelli et al. (2019), the development of this research allowed the indicators contemplated in each dimension to become more direct and precise, with the intention of making the model more parsimonious. For the institutional dimension, the indicators formal rules and informal rules were chosen, the former linked to a more Weberian view of institutional structures, complemented by the view of March and Olsen (2006) on "the logic of appropriateness", and the latter based on the works of North (1990) and
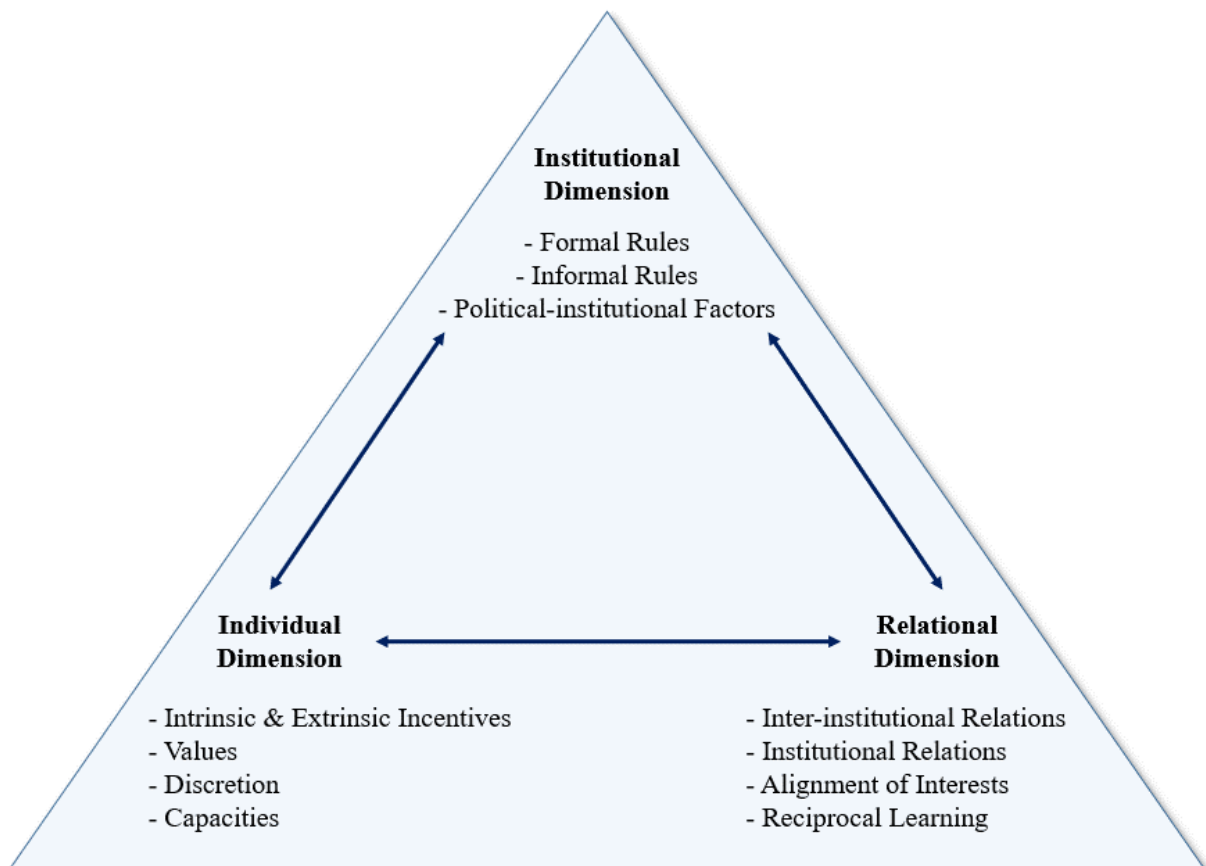
Hodgson (2006). Political-institutional factors were also added, based on works such as those by Zhan, Lo & Tang (2013) and Abrucio et al. (2020). Regarding the individual dimension, it was decided to simultaneously contemplate intrinsic incentives, extrinsic incentives, and values, because we understand that agents' behaviors are not necessarily motivated by cost-benefit calculations, as pointed out by Agency Theory (Fama & Jensen, 1983; Moe, 1984), but can be driven by the intention to establish trusting relationships and maintain a good reputation, as advocated by Stewardship Theory (Davis, Schoorman, & Donaldson, 1997), as well as inspired by ideals, beliefs, and ethical principles (Maynard-Moody & Musheno, 2012, 2015). We believe that the same agents, depending on contingencies, may adopt, in a given circumstance, opportunistic behaviors and, in another circumstance, cooperative behaviors, without necessarily being altruistic. In addition, the indicators discretion and capacities have been added. It should be noted that the conceptual category discretion, already discussed above, despite developing in the dialectic tension between structure and agency and being molded by relations among agents (Barrett, 2004), is understood as a variable related to the individual dimension. As for capacities, we consider that public agents, in addition to technical-administrative capacities, which relate to technical competence for the use of management and technological tools, as well as the ability to obtain results, consistent with the Weberian concepts of efficiency, effectiveness and bureaucratic control; they must also have political-relational capacities, which relate to the skills of interlocution, conflict negotiation and consensus building, in line with more contemporary concepts, such as governance, learning and innovation (Pires & Gomide, 2016). As for the relational dimension, in place of quantitative variables, the indicators institutional relations, inter-institutional relations, and alignment of interests were inserted; on the other hand, the indicator reciprocal learning was maintained. For a more in-depth discussion of these indicators, we refer to the article, cited above, by Bonelli et al. (2019).

Thus, in order to analyze the action of SLBs in the implementation of Brazilian environmental policy, we adopted the model, reported below in Figure 1, to test, at the empirical level, whether the norms and structures defined in the environmental policy, as well as informal rules and political-institutional factors, the agents' individual conducts and their mutual interactions, jointly ground the implementation of Brazilian environmental public policy.

Therefore, it is presumed that:

<u>Hypothesis 1</u>: Adherence to established rules, adoption of informal rules, containment of political-institutional factors, SLBs' individual conducts and their interactions jointly ground the implementation of Brazilian environmental public policy.

Figure 1 – Analysis model of environmental street-level bureaucrats' action

Institutional Dimension

- Formal Rules
- Informal Rules
- Political-institutional Factors

Individual Dimension

- Intrinsic & Extrinsic Incentives
- Values
- Discretion
- Capacities

Relational Dimension

- Inter-institutional Relations
- Institutional Relations
- Alignment of Interests
- Reciprocal Learning

Source: prepared by the authors.

On the other hand, it is also necessary to understand the dynamics of disruptive change that lead to institutional weakening and, after a certain degree of erosion of the founding dimensions of the SLBs' action, the dismantling of the environmental policy. This process, despite the possible resistance from the agents, is translated, in fact, into the disabling of structures and programs, the loss of individual and institutional capacities – due to the appointment of political allies for senior positions, regardless the lack of the necessary technical and relational skills (phenomenon known in Brazil as *aparelhamento*) –, and the emptying of institutional and inter-institutional relations (Levitsky & Ziblatt, 2018; Avritzer, 2020; Bauer & Becker, 2020). In the case of environmental policy, the empirical investigation conducted in this paper allowed us to

identify the existence of institutional structures eroded and deviated from the mission of preserving the Amazon.

Therefore, from the understanding of the constitution of the founding elements of Brazilian environmental policy, the model needs to be dynamically directed to understand, also, how the opposite process occurs, that of dismantling, which corresponds to the corrosion of the institutional, individual and relational dimensions. This dismantling process is expressed in deregulation, in the weakening of federal environmental institutions, in the disconnection of individual action from motivations, values, and principles of environmental norms, in the freezing of individual and organizational capacities, in the distortion of the SLBs' discretionary power, and in the emptying of networks of institutional and inter-institutional relations.

Thus, by identifying the distortions of the foundational elements of the SLBs' daily actions and their effects, the model allows us to understand how the process of disruptive change takes place (Levitsky & Ziblatt, 2018; Avritzer, 2020; Bauer & Becker, 2020), which, in the context proposed for this paper, leads to the hypothesis of the dismantling of the Brazilian environmental policy.

In this sense, we observe that the performance of frontline bureaucrats in the process of implementing Brazilian environmental policy assumes different trajectories, due to the consolidation, or not, of institutional structures, individual action and interpersonal relationships, and according to how these elements influence each other reciprocally. Thus, depending on the level of development and strengthening of these dimensions, the action of federal environmental agents oscillates between the fulfillment of the institutional mission, resistance in maintaining operations – despite contradictory orders – and, at the other extreme, weakening that leads to conducting operations of limited impact or even inaction.

Thus, it is possible to relate the types of behaviors identified from the primary data extracted from the interviews conducted with IBAMA and ICMBio SLBs with the categories defined by Bauer and colleagues (2021) on the reaction of the bureaucracy when faced with an active dismantling strategy conducted by populist governments (Bauer & Knill, 2014). According to Bauer et al. (2021), civil servants, confronted with this situation, can react in three separate ways: working, shirking, and sabotage. In the first case, agents, more politically aligned to the government, scrupulously follow the orders received by their superiors; on the other hand, in the second and third cases, respectively, they avoid confrontation, seeking exit strategies, or resist attacks aimed at dismantling structures, resources, personnel, norms, and accountability relationships of public institutions (Bauer et al., 2021).

Therefore, the theoretical argumentation developed so far allows the construction of the second research hypothesis, presented below:

Hypothesis 2: The corrosion of the institutional dimension, due to deregulation and appointment of unskilled political allies for senior positions (*aparelhamento*) in IBAMA and ICMBio, causes the weakening of the individual dimension, with the freezing of bureaucratic capacities, and of the relational dimension, with the disarticulation of partnership networks, leading to the systemic dismantling of the implementation of Brazilian environmental policy.

4 Data and Methods

The methodological choices were guided by a pragmatist approach, that is, by the need to achieve the research objective (Creswell & Clark, 2015), combining different methods according to the characteristics of the object of investigation (Fernandes et al., 2021).

The research strategy was case-oriented, that is, aimed at deepening the underlying relationships among cases selected for their significance for the understanding of the phenomenon (Ragin, 2008).

A cross-case analysis was performed to examine the action of two different profiles of SLBs operating in the context of Brazilian environmental policy: the IBAMA Inspector and the ICMBio Agent. These two categories of agents were deliberately selected because they differ in terms of role, activities, *modus operandi*, and territorial delimitation of their function.

The temporal cut of this research was the period 2004-2021, for IBAMA, and 2007-2021, for ICMBio, focusing on the comparison between the first three years of the Bolsonaro administration and previous mandates.

The techniques used for data collection were semi-structured and in-depth interviews and documentary research. The script, built from the analysis model, was adapted according to the two different interviewee profiles and was used as a guide to let the field speak and to orient the researchers' work.

Documents such as laws, decrees, regulations, reports, and other relevant files were used throughout the document analysis, to corroborate the primary data obtained in the interviews, using the triangulation technique (Denzin & Lincoln, 2005).

The texts of the interview transcripts were examined using Systematic Content Analysis (SCA), based on the procedures described by Hall & Wright (2008) and Salehijam (2018), with adaptations depending on research objective and data available.

The SCA was articulated in the following steps: a) selection of cases by convenience, using the "snowball" technique; b) coding of texts, adopting consistent criteria to ensure reproducibility; c) analysis of coded contents, with the help of a field diary and memos to deepen the understanding of the statements and to resolve doubts that might arise; and d) analysis of coding frequencies by means of descriptive statistics. For the filing, systematization, and treatment of the information, the help of NVivo 12 Plus software was essential.

Twenty-eight interviews were conducted from March 2019 to September 2020, coincidentally, fourteen for each institution, with a total duration of 44 hours 20 minutes (average duration of 1 hour 35 minutes). Most were conducted via digital platform, due to restrictions imposed by Covid-19; prior to that, four interviews took place in person. The number of interviewees was not calculated *a priori* according to sampling criteria, but as many individuals as necessary participated, until reaching the theoretical saturation of the indicators of the analysis model.

The participants freely made their statements on sensitive issues under the condition that their identities and personal data would be kept confidential. For this reason, the interviews were numbered progressively from A001 to A014 for IBAMA, and from B001 to B014 for ICMBio.

5 Environmental Policy Implementation in Brazil: comparing the cases of IBAMA and ICMBio SLBs

To facilitate the visualization of the comparative analysis between the cases of IBAMA Inspectors and ICMBio Agents, Figure 2 below shows how the total percentage frequencies of each indicator of the analysis model are distributed among the interviewees from the two institutions. The total percentage values attributed to IBAMA and ICMBio were calculated from the sum of the absolute frequencies of each indicator observed in the fourteen cases of each institution, dividing this total by the overall frequency obtained in all twenty-eight interviews conducted.

The spheres are drawn in proportion to the total percentage value of each indicator. For comparative purposes, in the observation of each indicator between the two institutions, the overlapping sphere is the one associated with a higher percentage frequency.

This data allows us to extract the ideas presented in the interviews, in terms of words, and to situate more objectively the set of opinions collected from the field research.

Figure 2 – Distribution of indicators frequencies comparing the cases of IBAMA and ICMBio
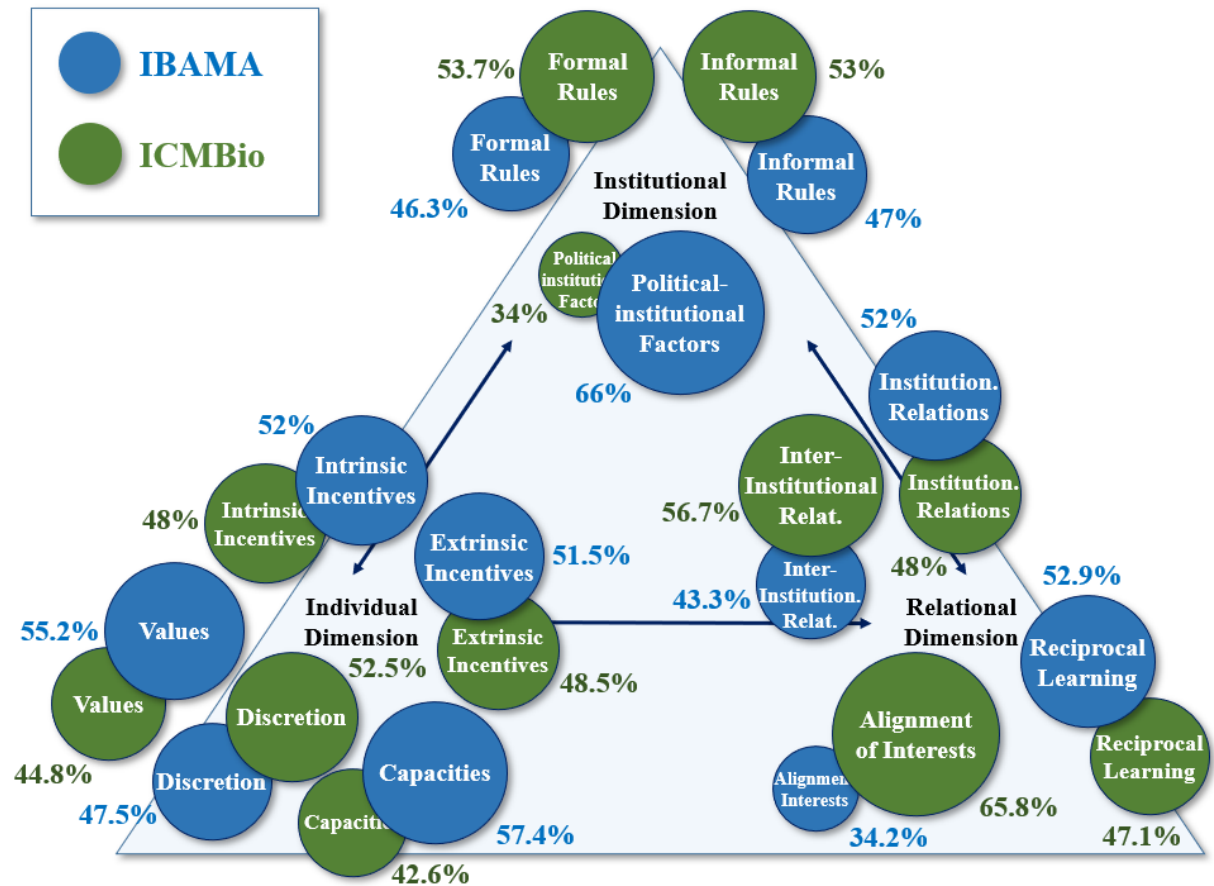
Source: prepared by the authors, based on the research results.

Observing the aggregated data of the indicators of the **institutional dimension**, it is worth noting the concentration of political-institutional factors in IBAMA (66%) in comparison to ICMBio (34%). The higher aggregate frequency of the political-institutional factors is due to the greater importance attributed by IBAMA agents to the political influence exerted on their decision making process. The Inspectors of IBAMA emphasized, in their statements, the impact of political pressures internal and external to the entity, on enforcement actions; on the other hand, the performance of ICMBio Agents – characterized by more heterogeneous activities – does not seem to be so affected by the behaviors of political agents, according to the reports of the interviewees. As for formal and informal rules, the data reveal that their incidence is higher at the ICMBio (53.7% and 53%, respectively) in comparison to IBAMA (46.3% and 47%). Although the differences are not as significant, there is a greater propensity for the SLBs of the former institution to adhere to the established norms and routines, even on an informal level, when compared to IBAMA agents.

Moving on to analyze the data related to the indicators of the **individual dimension**, the elements that present the greatest discrepancies between the cases of IBAMA Inspectors and

ICMBio Agents are capacities and values, since the former are distributed in the proportions of 57.4% for IBAMA and 42.6% for ICMBio; and the latter reach, respectively, 55.2% and 44.8%. In fact, in IBAMA Inspectors' statements, greater emphasis was placed on the importance of capacities (technical-administrative and political-relational), on the role of values, and on the influence of both categories on their actions, especially during inspection operations. In the case of ICMBio Agents, it results that, due to the nature of their work – which includes socio-environmental management as a fundamental component, in addition to other quite heterogeneous tasks –, on the one hand, the baggage of capacities does not need to reach the same level of specialization as that of IBAMA Inspectors; on the other hand, the set of individual values are less predominant, mainly due to the fact that the Conservation Unit managers are socially inserted, in a stable way, in the community where they work and, therefore, by the need to put collective interests before individual ideals and beliefs. The intrinsic and extrinsic incentives show a slight predominance of the concentration of these indicators in IBAMA (around 52.0%), in comparison with Chico Mendes Institute (around 48%). A result that presents an apparent contradiction with the data measured on formal and informal rules is that which refers to discretion (47.5% at IBAMA and 52.5% at ICMBio), since it is understood that the greater the weight attributed to formal and informal rules, the smaller the margin of discretion of the SLB in its decision-making process, although the differences between the data verified in the interviews with the agents of the two institutions are minimal. We believe that this can be explained by the nature of the ICMBio agent's work, which, being responsible not only for surveillance, but also for conducting activities in collaboration with other social players, requires a less restrictive delimitation of discretion. In fact, the civil servants at ICMBio, despite showing, in their statements, a greater propensity to stick to formal and informal rules, in their day-to-day activities, resort heavily to the use of discretionary power, due to the exercise of functions related to environmental education and socio-environmental management, activities which require dialogue, negotiations, consensus building, and reaching agreements among the various stakeholders.

As for the evaluation of the results of the **relational dimension**, the aggregated data show, in general, the highest concentration of indicators in the cases of the ICMBio, because the action of its agents, compared to IBAMA's Inspectors, is less focused on enforcement and more prone to weaving inter-institutional relationships. The indicators alignment of interests and inter-institutional relations clearly reveal this characterization, since, for the ICMBio, the percentages reach 65.8% and 56.7%, respectively, against 34.2% and 43.3% registered in the cases of

IBAMA. On the other hand, in the latter institution, there is a prevalence of relationships established with professionals from the same institution (52.0% versus 48.0% for ICMBio). This aspect is quite characteristic of the work of IBAMA Inspectors, who, when working in teams composed of SLBs from different states, need to develop a strong cohesion within the team, as well as promote an intense exchange of knowledge. Finally, the reciprocal learning indicator, which in the case of IBAMA reaches a percentage of 52.9% (47.1% in the case of ICMBio), is due precisely to the greater intensity that the inspection work of the first institution requires in terms of the exchange of experiences and technical knowledge within their teams.

In order to present, in a more objective way, the results obtained from the comparison of the primary data obtained in the interviews with the IBAMA Inspectors and the ICMBio Agents, Table 1 below summarizes the main elements that define the SLBs' action in Brazilian environmental policy in each of these institutions, with their respective peculiarities:

Table 1 – Summary of the comparative analysis between the IBAMA and ICMBio cases

IBAMA	ICMBio
▪ The political-institutional factors have a greater influence on the actions of IBAMA SLBs ▪ The capacities, values and, to a lesser extent, the incentives show a greater incidence from the point of view of IBAMA Inspectors ▪ Institutional relationships prevail due to the relevance of knowledge exchange between the Federal Environmental Agents coming from different regions of Brazil for the execution of environmental inspections ▪ IBAMA Inspectors more often use the institutional doctrine, the baggage of skills and the guidance of the team coordinators	▪ Formal rules, informal rules, and discretionary power have a similar weight between the two institutions, with a slight predominance at the ICMBio ▪ At the ICMBio, inter-institutional relations have a greater influence compared to institutional relations, coherently with the performance of its Agents, whose actions require building consensus with other public entities, communities, local producers, and other socio-economic agents ▪ The work inside the institution is developed in a more individualized way and seems less permeated by team spirit

Source: research results.

It is worth noting that, in addition to the effort made in this research to observe each of the indicators and their effects on the actions of the SLBs of both institutions, the results of the Systematic Content Analysis jointly pointed out the existence of relationships between the indicators, within the same dimension and between different dimensions. For example, in both entities, the intrinsic incentives are strictly linked to the set of values of the environmental agents (identification of the individual ideal of defending nature with the institutional mission); the degree of discretion adopted in environmental enforcement correlates with the technical and relational capacities of the agents (knowledge of the legislation and ability to apply the rule to the factual situation); and the environmental policy enforcement benefits from the ability to

apply informal rules and routines that favor the adaptation of formal rules to the specific situation and/or the local context, as long as the principle of legality is not contradicted.

The set of empirical evidence shows that, despite the specificities of IBAMA and ICMBio, the institutional, individual and relational dimensions and their respective indicators are compatible with each other, define concomitantly, and ground the action of the bureaucrats who implement the Brazilian environmental policy in both institutions, confirming the first research hypothesis. The second hypothesis, related to the dismantling of Brazilian environmental policy, will be discussed in the next item.

6 Brazilian Environmental Policy Before and After the Beginning of Bolsonaro Government

In addition to comparing the performance of frontline agents working in the two institutions studied, this research also observed elements that allowed us to evaluate the environmental policy transformations that occurred before and after the beginning of the Bolsonaro government. This aspect is related to the changes implemented by this government regarding the institutional dimension, with repercussions on the individual and relational dimensions, such as changes in infra-legal norms, attempts to reform legislation, political pressure on public agents, dismissals of public servants trained in the fight against deforestation and environmental preservation, and the appointment of military personnel without the necessary expertise. This is straightforward evidence of strategies of populist public administration policy, whose objectives are oriented towards dismantling, coherently with what was pointed out by Bauer and Becker (2020) about democratic backsliding caused by populist governments.

In most interviews conducted, two conceptual categories emerged, without being directly asked to the participants, namely "dismantling of the environmental policy" and "institutional weakening" of the main entities responsible for implementing the environmental agenda. As such, it was decided to return to the text of each of the statements and verify the presence/absence of these concepts, as well as the temporal marker associated with their occurrence – whether before or after the beginning of the Bolsonaro government's mandate – and the condition of each interviewee regarding the continuity, or not, in the exercise of the respective senior position, if any. Thus, the dummies "environmental policy dismantling" and "institutional weakening" were gathered in the following Table 2, along with the dummies referring, respectively, to the "before/after Bolsonaro" and the "removal from senior position", for each of the interviewed SLBs.

Table 2 – Poll on institutional changes in environmental policy "before and after Bolsonaro"

Case	Environmental policy dismantling	Institutional weakening	Removal from senior position	Before/After Bolsonaro
A001	1	1	1	1
A002	1	1	1	1
A003	1	1	1	1
A004	1	1	1	1
A005	0	1	0	1
A006	1	1	1	1
A007	1	1	0	1
A008	1	1	1	1
A009	1	1	0	1
A010	1	1	0	1
A011	1	1	0	1
A012	1	1	0	1
A013	1	1	0	1
A014	1	1	0	0
B001	0	1	0	0
B002	1	1	0	1
B003	0	1	0	1
B004	0	1	1	0
B005	1	1	0	1
B006	1	1	0	1
B007	0	0	0	0

B008	0	1	0	0
B009	1	1	1	1
B010	1	1	0	1
B011	0	1	0	0
B012	0	1	0	0
B013	0	0	0	0
B014	1	1	0	1
IBAMA Total	13	14	6	13
IBAMA Frequency	92.8%	100%	42.8%	92.8%
ICMBio Total	6	12	2	7
ICMBio Frequency	42.8%	85.7%	14.3%	50%
Overall Total	19	26	8	20
Overall Frequency	67.8%	92.8%	28.6%	71.4%

Source: research results.

The data on the interviewees' perception of institutional changes in environmental policy, before and after the beginning of the Bolsonaro government, summarized in Table 2 as "Before/After Bolsonaro", show that in IBAMA there is a strong alignment between the Inspectors who evaluate that there is a process of environmental policy dismantling and those who state that this process began with the advent of the Bolsonaro government, as the respective dummies both show the same value (92.8%). It was possible to observe the same alignment in the ICMBio Agents, but to a much lower degree, with the values of the dichotomous variables deconstruction of environmental policy and before/after Bolsonaro corresponding, respectively, to 42.8% and 50%. Thus, if it is possible to state that almost all the IBAMA Federal Environmental Agents see the deep institutional changes undertaken by the current government

in environmental policy and its deleterious effects, on the other hand, in the Chico Mendes Institute, the SLBs are quite divided on this issue.

Regarding institutional weakening, it can be argued that IBAMA Inspectors are unanimous about the occurrence of this phenomenon in the Brazilian environmental area (100%) and that the vast majority of ICMBio Agents have a similar position (85.7%), but without necessarily linking this process to the actions of the Bolsonaro government.

According to the results of the cross-time poll conducted in this research, the impact of the Bolsonaro government in the removal of civil servants holding senior positions has been greater in IBAMA than in ICMBio (42.8% and 14.3% of respondents, respectively). We consider that this may have had repercussions on the participants' opinions regarding the evaluation of the institutional changes made and their effects.

As for the aggregated data, it is relevant to note that, according to 92.8% of the total respondents, there is an ongoing process of institutional weakening in the environmental area, which, for most of these respondents (71.4%), can be attributed to the actions of the Bolsonaro government. Similarly to what was put about the data from the IBAMA cases, there is also an alignment, at the aggregate level, between the SLBs who believe in the existence of a dismantling process of environmental policy and those who understand that this process began after the beginning of the Bolsonaro government, as the dummies present, respectively, the values of 67.8% and 71.4%.

In sum, the results of the "before/after Bolsonaro" cross-time poll unequivocally reveal that, after three decades of incremental progress, Brazilian environmental policy and its main executing institutions are currently the object of a dismantling process by the current government, which erodes the founding dimensions of the action of its SLBs. This result coincides with what is pointed out in recent research that studies the phenomena of the weakening of democratic institutions and the dismantling of public policies, especially in institutional contexts shaped by changes promoted by populist governments (Levitsky & Ziblatt, 2018; Avritzer, 2020; Bauer & Becker, 2020). In effect, the phenomenon of "bureaucratic reshuffling", whereby career civil servants are removed from their senior positions by political will or for choosing the exit for fear of persecution, is amply illustrated in recent studies on the impacts of policy dismantling produced by the current populist Brazilian government on the bureaucracy responsible for executing public policies, with consequent erosion of public capacities and know-how, both at the individual and institutional levels, and

further erosion effect on the implementation of policies affected by this process (Morais de Sá e Silva, 2021).

The primary data collected in this research will be further explored for upcoming publications toward identifying information that will allow capturing the type of reaction expressed by the environmental agents interviewed, in the face of the active dismantling promoted by the Bolsonaro government, whether it fits as shirking, sabotage, working, or other categories emerging from the fieldwork (Bauer et al., 2021).

In effect, we are currently witnessing in Brazil a process of annihilation of public policies, not only in the environmental area, which, far from being simply the expression of the inaction of a government contrary to the policies built since 1988, throughout the history of strengthening democracy in the country, consists, in fact, of a distortion or caricature of the implementation. It is a systematic and methodical work of dismantling and sabotage of already consolidated policies, by a management that, acting apparently within the framework of legality, repeatedly deteriorates the institutions (Levitsky & Ziblatt, 2018; Avritzer, 2020; Bauer & Becker, 2020) and, more specifically, the structures, resources and personnel of the public administration responsible for implementing public policies (Bauer et al., 2021), through a *modus operandi* studied to execute a plan that favors the interests of private groups, to the detriment of the collectivity (Supremo Tribunal Federal, 2021).
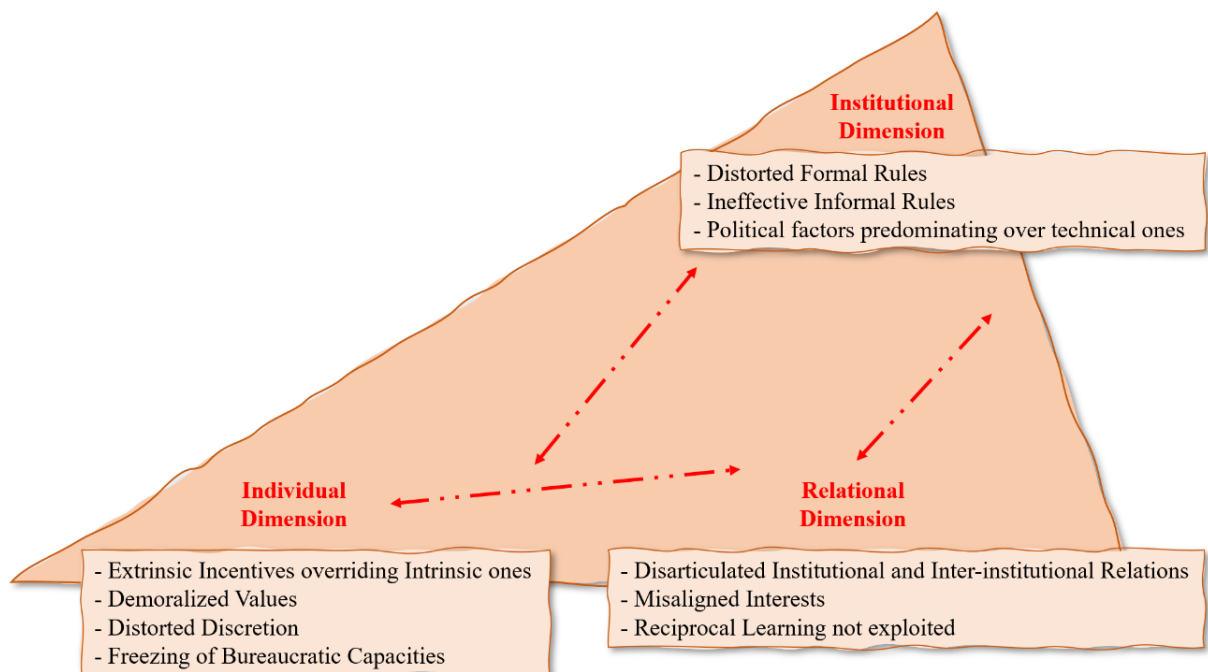
The data presented in the cross-time poll express, in a more objective and direct manner, the synthesis of the statements made in all the interviews conducted. Based on these reports, the elements associated with the dismantling of the implementation of the Brazilian environmental policy were identified in the dimensions and respective indicators of the model.

Thus, to favor a more systemic understanding of the phenomenon, it is proposed that the analysis model presented above (Figure 1) take on a new configuration capable of translating the disruptive changes produced throughout the process currently underway. The dismantling of the Brazilian environmental policy is represented through a version of the model capable of capturing the current reality (Figure 3 below), which contemplates the distortions that occurred in its elements after the advent of the Bolsonaro government.

The information collected in the interviews shows that the weakening of IBAMA and ICMBio, perpetrated initially through deregulation at the infra-legal level, has harmed the daily activities of the respective agents, whose response in the field – based on compliance with the legislation – expresses a posture of resistance to abuses and interference, in a context of growing conflicts

with violators, but that is not without a general feeling of discouragement. Thus, the institutional changes have affected both the individual dimension – with the removal of historical leaders in the two institutions, holders of a set of inimitable values and capacities, and with the appointment of chiefs without the necessary skills – and the relational dimension – with the loss of inter-institutional partnerships established over the past decades. The acceleration of the increase in deforestation rates in the Legal Amazon, observed especially in the years 2018 to 2021, is the most tangible consequence of this phenomenon.

Figure 3 – Dismantling of Brazilian environmental policy (realistic version of the analysis model)

Institutional Dimension
- Distorted Formal Rules
- Ineffective Informal Rules
- Political factors predominating over technical ones

Individual Dimension
- Extrinsic Incentives overriding Intrinsic ones
- Demoralized Values
- Distorted Discretion
- Freezing of Bureaucratic Capacities

Relational Dimension
- Disarticulated Institutional and Inter-institutional Relations
- Misaligned Interests
- Reciprocal Learning not exploited

Source: prepared by the authors, based on the research results.

The result of this deconstruction of the fundamental dimensions of the SLBs' action is the progressive corrosion of the two main Brazilian environmental entities and the dismantling of the entire system of environmental governance, which currently presents itself with its deformed structure and atrophied functioning mechanisms, confirming the second research hypothesis.

In short, it is possible to state that, if on the one hand, the formation of the institutional, individual and relational dimensions has sustained the action of the bureaucrats who implement environmental policy, allowing the gradual consolidation of its execution, especially from the mid-2000s until 2018, on the other hand, since 2019, that is, with the beginning of the Bolsonaro government, a series of disruptive changes are occurring that erode the institutional dimension,

especially in its normative and political elements (Avritzer, 2020; Fernandes, Teixeira, & Palmeira, 2020), and, consequently, also affect the individual and relational dimensions, involving the erosion of bureaucratic capacities, as shown in recent studies on the authoritarian dismantling of public policies in Brazil (Morais de Sá e Silva, 2021).

In summary, based on the analysis of primary data, corroborated by the examination of regulations and other relevant documents, it is possible to state that <u>both the results of the comparison between the cases of IBAMA and ICMBio, and the results of the cross-time poll</u>, before and after the beginning of the Bolsonaro administration, <u>confirm the two research hypotheses</u>.

7 Final Remarks

This paper investigated the elements that define the action of the SLBs in Brazilian environmental policy and how they are articulated, taking as case studies the IBAMA Inspectors and the ICMBio Agents, before and after the beginning of President Bolsonaro's mandate. Throughout the study, a theoretical model that integrates the institutional, individual and relational dimensions was tested. Furthermore, a cross-time poll on the institutional changes occurred was directed to assess the second research hypothesis related to the dismantling of Brazilian environmental policy. Despite having performed a prevalently descriptive analysis, the paper offers relevant theoretical contributions, which will be described below.

<u>Confronting the results obtained with the first research hypothesis</u>, in each of the three analytical dimensions, the progressive consolidation of the elements that ground the action of Brazilian environmental SLBs was verified.

Regarding the institutional dimension, the results showed that environmental governance requires rules-based institutions not susceptible to interpretations that deviate from the goals set by public policy. Well-constructed norms that also include the bottom-up contributions of the SLBs make it possible to reduce the gap between policy formulation and implementation, as was observed, for example, at IBAMA, with the creation of its own doctrine, and at ICMBio, with the elaboration of natural resources management plans. In addition, it was found that the influence of political-institutional factors is reduced when the margin for distortion of rules is smaller and trained personnel are maintained in senior positions.

As for the individual dimension, it was observed that intrinsic incentives, values consistent with the institutional mission and both technical and relational capacities constitute a set of assets capable of positively influencing the action of SLBs in the environmental area. Conversely, the dismantling of incentives, the demoralization of values, and the freezing of capacities

negatively affect the action of SLBs and, consequently, impair the execution of environmental policy. Furthermore, it was found that the use of discretion, by the front-line agents, contributes positively to the implementation of the policy, in cases where the expertise of the SLBs is used to adapt the rules to the factual situation, if the substantive purpose of the norms is maintained. On the other hand, excessive exercise of discretionary power by political agents negatively affects the process of policy implementation.

Regarding the relational dimension, institutional and inter-institutional relations, even if based on informal interactions, strengthen the capacities of public agents for the implementation of environmental policy, thanks also to alignment of interests and building of consensus with other stakeholders, especially when reciprocal learning is systematized into new operational routines.

As for the second research hypothesis, aimed at evaluating the dismantling of the Brazilian environmental policy, the results confirmed the assumption that the weakening of one or more founding elements of the SLBs' action leads to the deconstruction of the Brazilian environmental policy. Indeed, according to the view of nearly all the research participants, the changes undertaken by the Bolsonaro administration produced, in just three years, the weakening of environmental institutions, with the freezing of bureaucratic capacities, and, according to most participants, led to the dismantling of environmental governance in Brazil.

More specifically, the results pointed out that, during the government currently in power, the institutional dimension, which had been constituted and maintained throughout the previous governments, from the first Lula government to the Temer government, was broken. It was observed that, starting with the Bolsonaro government, a rupture of the balance between the founding elements of Brazilian environmental policy occurs. In effect, the institutional dimension, acting as an activating element, affected both the individual dimension, through the removal of agents from senior positions and the discouragement of other experienced public servants, and the relational dimension, with the disarticulation of the cooperative relationships established in the environmental policy community.

On the other hand, the results of the research showed that, despite the dismantling of the environmental policy underway, the pillars of the SLBs' actions continue to resist, even if hidden or latent. It is understood that capacities at the individual and organizational level, as well as institutional and inter-institutional relations have the potential to be reactivated. Here remains the question, to be addressed in future research, about how and under what conditions it will be possible to put the structures and mechanisms of Brazilian environmental policy back into operation.

In general, this paper has shown how important it is for Brazilian environmental governance to keep solid institutions, incentives, values and individual capacities and partnership networks functioning. The integration of all these elements allowed that, in the thirty years following the promulgation of the Federal Constitution, great advances were registered in the incremental construction of the Brazilian environmental policy. However, it was empirically observed that only three years of the Bolsonaro government were enough to destroy the progress made in previous administrations. This shows that there is still, in Brazil, the need to (re)build an environmental governance capable of resisting the attacks of anti-democratic governments and, more broadly, independent of the political-party influence of the administration in power.

From the set of results presented, it is understood that, although the diffuse right to the preservation of the environment is constitutionally recognized, the Brazilian environmental policy still lacks stricter regulation, in the sense of consolidating the role of the professional bureaucracy, guaranteeing a substantive autonomy of the agencies that execute environmental policy, and establishing mechanisms to encourage territorial planning and sustainable productive activities.

Thus, we conclude that, to enforce the preservation of the environment, within the national and international normative frameworks, environmental policy needs to be reaffirmed in Brazil as a State policy, not only constitutionally defined, but also fully regulated, so that the potential of its institutional, individual and relational components can be exploited, regardless of the interests of the government in power at the time.

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