

Understanding the Eradication of Slave Labour in Contemporary Brazil – an Implementation Perspective

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Abstract

The implementation of public policy is a complex process that can only be fully understood when conceived as the study of a process of change. This report utilises implementation theory beyond simple theoretical abstraction, applying Mazmanian and Sabatier's synthetic framework to appraise the implementation of the Brazilian programme for the Eradication of Slave Labour. It will demonstrate that despite being lauded as a flagship programme of global significance, it is characterised by important implementation gaps, mostly in relation to the programme's design, its lack of a monitoring and evaluation system, and insufficient network co-ordination. Furthermore, the unequal distribution of wealth in Brazil means that slave labour will continue to be endemic, until this economic disparity is confronted. It will also be argued that Mazmanian and Sabatier's implementation model does not deal adequately with the issue of ongoing learning. In consequence it does not possess all the methodological tools necessary for studying implementation as a process of evolution. Finally, drawing on the existing literature and the key findings of the research, an adaptation of the Mazmanian and Sabatier's model which encompasses policy learning will be presented.

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Introduction

The context of the research problem

Although the term ‘slave labour’ conjures up images of bygone history, slave labour is still a very profitable business in the modern world and is prevalent in virtually every country (see the incidence of slavery by country in Bales, 2005:183). Bales (2005:105) argues that empirical evidence ‘points to the importance of population pressure, poverty, environmental destruction, social vulnerability, and government corruption as factors supporting the emergence or continuation of slavery’. Since slaves are now neither a legal possession, nor do they represent a large financial investment, as was historically the case, they have become an input in the production process; their labour is useful for as long as they are productive, after which they are mercilessly disposed of and replaced.

Slave labour is thus more than the mere disrespect of labour law. It is characterized by degrading work, often submitting the worker to moral and physical degradation, with an accompanying loss of liberty (ILO, 2005; Sento Sé, 2000). According to Sento Sé (2000), modern slavery is often more subtle than traditional slavery, since the loss of liberty does not necessarily imply either armed vigilance or physical aggression.

Brazil used slave labour officially for more than 300 years and, although slave abolition law dates from 1888, emancipation it is still an ongoing process. Since modern slavery is as a direct product of economic inequality and Brazil notoriously has one of the worse wealth distributions in the world, it is not a surprise that slave labour has been identified in cases across every region of the country, despite being mostly concentrated in the areas in which the deforestation of the rainforest is taking place.

According to the International Labour Organisation, Brazil was one of the first countries to officially recognise that modern slave labour, although illegal, still marginally exists in its territory, and it has been a successful case study for its advances in combating this form of labour (ILO, 2005). Even though a programme to combat slave labour has existed since 1995, it was only in 2003 that the Brazilian Government made the eradication of the problem a top priority. In 2003 the National Plan for the Eradication of Slave Labour was launched, and the most important programme to emerge from within it is the programme for the "Eradication of Slave Labour", which primarily concentrates on the inspection of reported offences of slave labour cases, carried out by Mobile Inspection Groups. According to the data collected in the Labour Inspection Secretariat and in the Finance Administration System, from 2003 until 2007, the programme has freed almost 22,000 slave workers and has spent more than R\$ 27 million or US\$ 16 million. Due to the illegality of slave labour, however, it is difficult to gather accurate data on the extent of the problem, or estimate how long the programme should run to eradicate the problem. Hence claims by international organisations that Brazil is a policy exemplar in this area are far from evidence-based.

The research problem and theoretical perspective

In this context, this research intends to answer the following question: “How effective has the implementation of the Programme of Eradication of Slave Labour been in eliminating slave labour in Brazil?” The hypothesis underpinning this study is that the implementation process has not achieved the programme’s major goal, mainly due to difficulties with the tractability of the problem, and the ability of policy to structure implementation of the programme.

In order to assess the effectiveness of the programme’s implementation, I will use Sabatier and Mazmanian’s synthetic model of implementation, which attempts to unify the main ideas of top-down and bottom-up perspectives. According to Evans (2008), this has been one of the most widely accepted and tested models for examining the implementation of public policies.

Sabatier and Mazmanian identified seventeen independent variables combined into three broad categories which interact with one another. They are: the tractability of the problem being addressed; the capacity of legislation to structure positive implementation outcomes; and the net effect of political variables relating to support for statutory objectives. Sabatier then presents a summary of this large number of variables into six sets of conditions for an effective implementation:

1. Clear and consistent objective;
2. Adequate causal theory;
3. Implementation process legally structured to enhance compliance by implementing officials and target groups;
4. Committed and skilful implementing officials;
5. Support of interest groups and sovereigns;
6. Changes in socio-economic conditions which do not substantially undermine political support or causal theory. (Sabatier, 1986:24-25)

Furthermore, Sabatier argues that ‘the first three conditions can be dealt with by the initial policy decision (e.g. a statute), whereas the latter three are largely the product of

subsequent political and economic pressure during the implementation process' (1986:24-25).

This report will argue that, despite providing a framework for understanding the complexity under which implementation is carried out, this model oversimplifies reality. It does not take into account, for example, the manner in which, in most countries, state and local governments play an important role in implementing policies. Nor does it consider the increased blurring of state and non-state institutions in the delivery of public services and public goods. In addition to this, in trying to combine the top-down and bottom-up approaches, the model has not discarded a binarised concept of policy success or failure and, therefore, cannot capture the dynamic process of implementation, concerning how policy is learned and internalised by public officials or organisations.

The importance and contribution of the research

This report will make three important contributions to the secondary literature: firstly, it will contribute to the theoretical literature through the integration of the Mazmanian and Sabatier's model with policy learning perspectives; secondly, to the development of original case study materials since this model hasn't been applied in the proposed context; and thirdly, to practice, by verifying if the programme is indeed succeeding in eradicating slave labour in Brazil and, if the hypothesis holds true, pointing out the main gaps in the implementation process.

It is therefore the intention of this research to be helpful for organisations which combat slave labour, to the Labour Inspection Secretariat, to the Planning Unit of the Brazilian Ministry of Labour, and for those parts of the academic community who are

interested in studying the implementation of public policy in general, and slave labour in particular.

Methodology

The proposed project uses an applied and exploratory research design, utilizing quantitative and qualitative research methods and secondary data. The quantitative data was collected from the following information systems: (i) Slave Labour Follow-up System (SISACTE), (ii) the Planning System (SIGPlan), and (iii) the Finance Administration System (SIAFI). The qualitative data was collected from specialised academic books, journals, and websites, as well as academic dissertations and theses. In addition, primary sources such as official documents, laws and Inspection Reports from the Labour Inspection Secretariat (responsible for the programme) and the Planning Management Unit of the Ministry of Labour were carefully scrutinised.

It is worth briefly reflecting on the limitations of this methodology. The data upon which the conclusions will be based are purely formal and external, and consequently may be biased or inaccurate, which could in turn reflect upon the validity of any conclusions drawn. My conclusions will consider the process of implementation, not the perception of the programmes' stakeholders about its own implementation. This is an unfortunate and unavoidable consequence of limited time and resources.

Dissertation structure

This report will be divided into five sections. **Section One** will provide a review of the available implementation literature, arguing that implementation has to be understood as a

dynamic framework for change, and presenting the Mazmanian and Sabatier model as a way forward in this regard. **Section Two** will introduce the case study, characterise the research problem both internationally and nationally, and describe the Eradication of Slave Labour Programme. **Section Three** will analyse the case study through the lens of Sabatier and Mazmanian's synthetic model. Finally, **Section Four** will reflect on the approach used, identifying its strengths and weaknesses, proposing a review of the model and future avenues for research.

1

Towards a Working Definition of Implementation

Introduction

The implementation of public policy is a fascinating field of study, and it is one which has inspired a virtual industry of academic writing particularly in the 1970s and 1980s. In spite of this, academics still haven't reached an agreement on the definition of implementation, and opinion is fiercely spilt as to the best way to conceptualize implementation as a working framework. In this section, I will review the available literature which tackles implementation theory, demonstrating its importance for public policy, its main findings, applications and criticisms. Because of the wide variety of ways in which academics think about implementation and consider it to function, my search for a definition and working understanding of implementation, will require me to select the best possible model of implementation theory available. My conclusion will set out this model, which will be the one which I believe to be the most appropriate possible method to attempt to delineate the implementation gaps underpinning the current Programme for the Eradication of Slave Labour in Brazil.

Defining implementation

Since the publication of Pressman and Wildavsky's classic book *Implementation* in 1973, the phenomenon of implementation has become a focus of considerable academic concern. Nevertheless, Hill and Hupe (2002) have brought to light the manner in which policy implementation was debated and studied long before the extant terminology was coined, or the concept fully conceived. Implementation, in reality, must be recognised not only as an intrinsic part of policy-making, but as one which outlives both the formulation and approval of that policy. After a policy is formulated, it has to be executed in the real world, for as Barrett (2004:251) observes, policy implementation refers to the process of "translating policy into action". Despite this observation as being almost intuitive, academic opinion has still failed to reach a consensual understanding or definition of implementation, due largely to over-reliance on formal models.

Evidence demonstrates, however, that implementation is uncomfortably ambiguous and does not fit perfectly in any framework considered. Hence, for the purposes of this dissertation, I intend to follow Jenkin's (1978) definition of implementation, which has been able to capture the essential dynamism of the theme:

A study of implementation is a study of change: how change occurs, possibly how it may be induced. It is also a study of the micro-structure of political life; how organisations outside and inside the political system conduct their affairs and interact with one another; what motivates them to act in the way they do, and what might motivate them to act differently'. (1978:203, cited in Evans, 2008)

Thus defined, implementation is a complex process. Evans describes a tendency for implementation to be problematic, as policy objectives are not always clearly expressed (and occasionally even conflicting), and that the process must be effected within a multi-organisational setting, requiring detailed negotiation. Negotiation is vital in the implementation process, allowing the solution of conflicts of interest, and the promotion of

a collaborative relationship between politicians and bureaucrats which can develop over time.

Negotiation has also become both more vital and more complex due to the new realities of network governance in which implementation is executed not only by bureaucrats, but also by a myriad of non-state institutions. This new dynamic reality casts doubt on the state's political and institutional capacity to 'steer' (see Pierre, 2000). As a result, policies are doubtlessly dynamic and, as Evans puts it, they are 'made and remade in a process of implementation. Implementation frameworks, hence, must be flexible in order to cope with unintended consequences of action' (2008:1).

Approaches to implementation

Implementation research is traditionally arranged into three generations: First Generation Studies are written from a 'top-down' perspective; Second Generation Studies focus on the 'bottom-up' approach; Third Generation Studies criticise both the 'top-down' and the 'bottom-up' frameworks, proposing some hybrid theories in a multi-level analysis. (Evans, 2008; Sabatier, 1986)

First Generation Studies (the Rational or 'Top-down' approach)

Pioneering approaches to the study of implementation, the 'top-down' framework was initiated by Pressman and Wildavsky aforementioned study of 1973, which analysed how an employment programme centrally determined by the federal government in the United States, failed to live up to expectations in Oakland. The subtitle of their study illustrates their pessimism regarding federal government's ability to put policies into practice: '*How*

Great Expectations in Washington are Dashed in Oakland; or Why It's Amazing that Federal Programs Work At All'.

The supporters of the top-down approach believed that implementation is a direct result of the interaction between set goals and the actions taken in order to achieve them. Parsons (1995:462) elaborated that for this approach, 'a policy was judged in terms of the decision-makers rather than by the 'street-level' implementation of fine-sounding ideas from national and local leaders'. Consequently, top-down policy analysts tend to bypass the impact of bureaucracy and service-providers on the effectiveness of a policy. In a similar manner to most rational approaches, this top-down approach suffers from a failure to properly consider human fallibility and emotions, which always have the potential to threaten the effective pursuit of established goals. If any policy objective was not met or, in other words if any implementation gap occurred, it was inevitably a consequence of the inadequacy of the 'shop floor' level (see Parsons, 1995).

Bureaucrats were viewed as mechanized agents: specialised people with the knowledge and training to implement policies. Their values and preferences were not taken into account. For this reason, hierarchy represented the most appropriate possible form of organisation design, and jobs were encased in standardised procedures and rules in order to remove the possibility of discretion from the practice of bureaucracy. Effective implementation required a solid chain of command that could only be attained by increasing the superiors' capacity to monitor and control their subordinates (see Burnes, 2004 and Parsons, 1995).

This assumption that bureaucracy should be controlled so as not to 'disrupt' policy led many scholars and practitioners to advocate the conceptualisation of policy-making and implementation as separated processes; if formulation was successfully divorced from

implementation, the policy would be freed from the interests of the provider, and the implementers would simply focus on their task. This model, according to Stewart (1996), was fully adopted and became dogmatic under the New Public Management approach. The Civil Service's executive functions had to be carried-out in a business-like manner, with clear targets and a complete separation between purchaser and provider – in this case, between policy formulation and action. Nonetheless, Stewart argued that, in most situations, implementation studies throw doubts on the feasibility of separating policy from implementation for a number of reasons. Firstly, the very nature of social sciences means that it is effectively impossible to predict all outcomes of an intervention, so that a total divorce of policy and implementation might lead to wildly unexpected outcomes. Secondly, even where there is routine operation, no policy is so narrowly detailed that it can completely avoid a bureaucratic margin of discretion, and thirdly, very frequently the line between policy-making and implementation is blurred and indistinct. As argued before, policy is adapted and changed throughout the implementation process.

Finally, it is important to note that the top-down approach is essentially normative; it assumes there is a single 'best way' to implement policy. Authors such as Hood (1976), Gunn (1978), and Sabatier and Masmanian (1983) have established conditions required for effective implementation, and these crystallise around a well-grounded theory of cause and effect, a perfect line of authority, perfect communication, sufficient time and resources, and, of course, perfect obedience by subordinates (Parsons, 1995).

Second generation studies

Second generation studies developed a 'bottom-up' approach to theories of implementation, and emerged as a criticism of the rational, top-down approach. The top-

down approach was re-evaluated, and deemed to be likely to overestimate the importance of the governmental program upon which it focussed, often neglecting the very real power of the implementing agents (see Sabatier, 1986). Along the same line, Parsons (1995:467) affirmed that bottom-uppers considered that, 'the implementation process involves 'policy-making' from those who are involved in putting it into effect. Implementation is not a process in which x follows y in a chain of causation' (1995:467). Evans (2008:3) was able to summarize the assumptions of the bottom-up model of implementation in four points:

1. Implementation takes place in multi-organisational settings;
2. Policy is not always clearly and precisely expressed;
3. There may exist steering difficulties; and,
4. Implementation is an ongoing process of negotiation.

The mechanistic view of implementation was consequently discarded, and discussion began instead to focus on the relationship between policy-makers and bureaucrats. Bureaucrats were now considered to have a key role in the performance of policy, as they were involved in its practical day-to-day implementation on the most fundamental level; accordingly they were now not to be controlled, but coordinated. As a consequence of this bureaucratic discretion over the implementation of policies, policies change during the process of implementation itself. Therefore, this mutual interaction makes the distinction between policy formulation and policy implementation useless in the bottom-up approach (Sabatier, 1986:31).

The main criticisms of this approach can be briefly summarised as follows: firstly, the approach has a tendency to overestimate bureaucratic power over implementation. Sabatier (1986:34) explained how, 'just as the top-downers are in danger of overemphasizing the importance of the centre vis-à-vis the periphery, bottom-uppers are likely to overemphasize the ability of the periphery to frustrate the centre'. They also

underestimate the ability of politicians to influence bureaucratic behaviour (see Wood and Waterman, 1991). Secondly, the hazards of the politicised viewpoint to which this approach can easily be prone also undermine the model's comprehensiveness; Barrett and Fudge (1981, cited in Evans, 2008) have called attention to the manner in which bottom-uppers' views were frequently heavily politicised. They concluded that the main aim of the bottom-upper's approach was to capture the bureaucracy.

Third generation studies

Third generation studies have moved past the 'top-down/bottom-up' dispute, regarding it as simplistic. They have contended that implementation studies should instead take multi-level analysis into account, due to the increasingly multi-actored, inter-organisational and networked phenomenon of modern implementation. Many proposals for synthetic or contingent perspectives have subsequently been offered. Evans (2008) and Parsons (1995) categorize some of the third generation studies as follows:

- *Policy-action frameworks* – these depict implementation as a policy-action continuum in which 'an interactive and negotiative process is taking place over time, between those seeking to put policy into effect and those upon whom action depends' (Barrett and Fudge, 1981 cited in Parsons, 1995:472);
- *Implementation as managerial frameworks* – these studies have come to form the dominant operational paradigm in the administration of public policy. Parsons considers them to consist of three kinds of approaches: operational management, corporate management and personnel management;

- *Inter-organisational analysis and implementation frameworks* – these focus on how organisations interact with one another. Parsons has identified two distinct approaches which have informed and framed this debate: power and resource dependency, and organisational exchange;
- *Synthetic models* – these try to unify the main concepts of top-down and bottom-up perspectives. There are few models which have attempted to do this, but the most widely accepted and tested is Mazmanian and Sabatier's, which will be used in this study to appraise the implementation of the Brazilian Eradication of Slave Labour Programme. Sabatier (1986), for example, makes a critical self-appraisal, taking into account more than twenty empirical applications of the model made in various programmes of seven different countries. In 1992, this framework was also applied by Marsh and Rhodes to assess the implementation of public policies put forward by the Thatcher government; their findings were published in the famous book *"Implementing Thatcherite Policies: audit of an era"*.

Mazmanian and Sabatier's Synthetic Model

Mazmanian and Sabatier's model is simple and straight-forward: they identify seventeen independent variables which they combine into three broad categories: the tractability of the problem being addressed; the capacity of legislation to structure positive implementation outcomes; and the net effect of political variables relating to support for statutory objectives. As Figure 1 illustrates, these set of variables do not exist in a vacuum; they are interconnected and the way they interact affects the implementation process, which is presented in five stages or dependent variables (see Evans, 2008; Ryan, 1996;

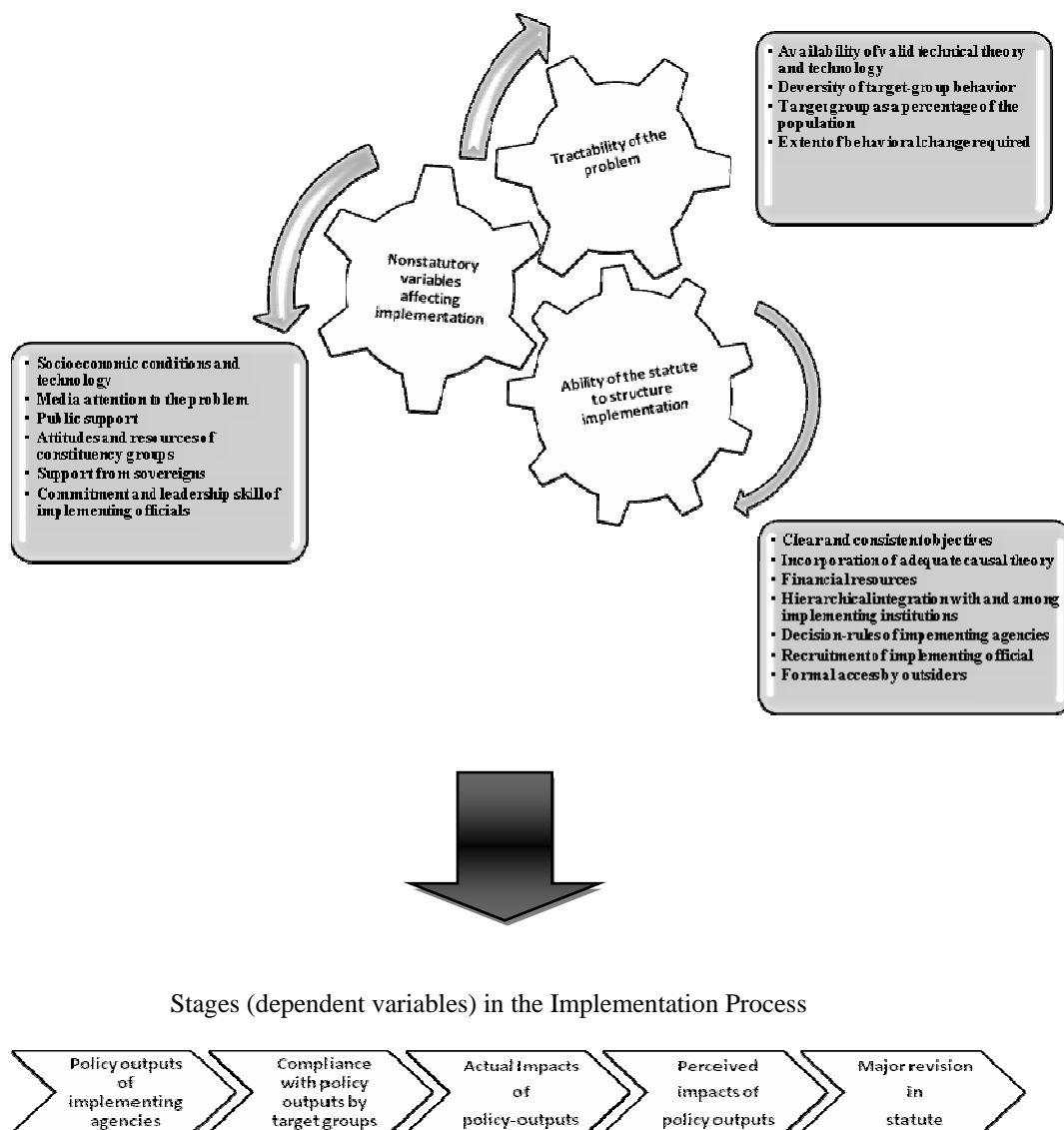
Sabatier, 1986). The interconnected gears of Figure 1 are designed to emphasise the non-linear nature of the model.

Mazmanian and Sabatier then present a summary of these seventeen variables which he condenses into six sets of conditions required for effective implementation:

1. Clear and consistent objectives;
2. Adequate causal theory;
3. Implementation processes legally structured to enhance compliance by implementing officials and target groups;
4. Committed and skilful implementing officials;
5. Support of interest groups and sovereigns;
6. Changes in socio-economic conditions which do not substantially undermine political support or causal theory. (Sabatier, 1986:24-25)

He then argues that ‘the first three conditions can be dealt with by the initial policy decision (e.g. a statute), whereas the latter three are largely the product of subsequent political and economic pressure during the implementation process’ (1986:24-25).

Figure 1. Variables involved in the implementation process



Source: adapted from Sabatier, 1986

Summary

In this section, I have reviewed secondary literature concerning implementation; defending the notion that implementation has to be understood as a dynamic framework for change. Mazmanian and Sabatier's synthetic model of implementation was introduced, and this

will be used in this paper to assess the implementation of the Eradication of Slave Labour Programme in Brazil. In order to do so, the next section will contextualise the programme's efforts, by describing the prevalence and diversity of contemporary slave labour in Brazil, and the efforts of the Brazilian government to eradicate this atrocious practice.

2

Understanding Contemporary Slavery in Brazil

Introduction

Although the term ‘slave labour’ conjures up images of bygone ages of barbarism, slave labour is still frighteningly prevalent in the modern world. This section will provide a rudimentary introduction to the global problem of slave labour and an insight into how it manifests itself in Brazil. In order to do so, I will define how contemporary slave labour differs from more traditional forms of slavery, outline the problem in Brazil and describe the government policies which have been introduced to combat it. I will then explain in more detail the Programme for Eradication of Slave Labour in Brazil, which will then be assessed in section three.

Historical Slavery versus Contemporary Slavery

It is common knowledge that slavery is as ancient as the history of humanity itself. Great civilizations were raised on a foundation of exploitation, in which slaves were not considered to be human beings, but possessions, with no civil rights and none of the attributes of what we now consider essential humanity. In reality, slave labour is still a very profitable business; in fact, the number of slaves across the globe is increasing, and

the practise is carried out in virtually every country (see Bales, 2004). Despite the obvious difficulties of gathering reliable information on the proliferation of slavery, Bales estimates that there are 27 million slaves in the world today.

The biggest part of that 27 million, perhaps 15 to 20 million is represented by bonded labor [*sic*] in India, Pakistan, Bangladesh and Nepal. [...] Otherwise slavery tends to be concentrated in Southeast Asia, northern and western Africa, and parts of South America (but there are some slaves in almost every country in the world, including the United States, Japan, and many European countries). There are more slaves alive today than all the people stolen from Africa in the time of the transatlantic slave trade. (Bales, 2004: 9)

Slavery is far from extinct; it has merely adopted a modern mask. Slavery is now illegal in every country of the world; unlike in historical slavery, however, slaves can now never be held to be property in a court of law, although, as before, they still lack compete citizenship rights. Modern slavery thus violates human rights in precisely the same way as was the case before it was made illegal. This abominable practice is mainly motivated by the unmeasured economic interest of accumulating profits at the expense of the exploitation of workers, in a way which directly corresponds to traditional slavery. However, the nature of the relationship between slaves and slave-owners across the globe has undergone a series of fundamental alterations over the last several centuries.

It is important that slave labour should not simply be considered to be the violation of labour law. It is characterized by degrading work, often submitting the worker to moral and physical degradation, with an accompanying loss of liberty (ILO, 2005; Sento Sé, 2000). Following Sento Sé (2000), it is worth stressing that this loss of liberty does not necessarily imply either armed vigilance or physical aggression; very few slaves wear chains today. Modern slavery is often more subtle; for example, a worker may become imprisoned through financial hardship, by the difficulties of accessing his place of work, or by psychological intimidation.


All kinds of forced labour represent a serious violation of human rights, also condemned by the Universal Human Rights Declaration and by the Declaration of Fundamental Principles and Rights in Labour from ILO. Nevertheless, with the demographic explosion and the growing levels of poverty in the world, buying a slave has become both trivial, and extremely cheap. Since slaves are now neither a legal possession, nor do they represent a large financial investment, as was historically the case, they have become disposable commodities. Slaves in the modern world are considered to be just another input in the production process; their labour is useful for as long as they are productive, after which they are mercilessly disposed of and replaced. Moreover, ethnic differences can no longer be used in an effort to explain or excuse slavery as in the past; the profitability of the slave business is now the primary motivator and excuse:

The criteria of enslavement today do not concern color [*sic*], tribe, or religion; they focus on weakness, gullibility and deprivation. (...) The common denominator is poverty, not color. Behind every assertion of ethnic difference is the reality of economic disparity' (Bales, 2004:11).

High levels of poverty, a lack of economic opportunities, poor formal schooling, unemployment, hunger, and social exclusion all contribute to forming a section of society highly vulnerable to the predations of slave labour. Furthermore, the greed of individual employers, creating an active market demand, and allied to their own impunity, allows slave traders to operate in a relatively secure environment.

In summary, as Figure 2 reveals, the main differences between traditional and contemporary slavery can be aggregated as follows:

Figure 2. Traditional versus New Slavery

| <i>Traditional Slavery</i> | | <i>New Slavery</i> |
|------------------------------|---|----------------------------------|
| Legal ownership asserted |  | Legal ownership avoided |
| High purchase cost | | Very low purchase cost |
| Low profits | | Very high profits |
| Shortage of potential slaves | | Glut of potential slaves |
| Long-term relationship | | Short-term relationship |
| Slaves maintained | | Slaves disposable |
| Ethnic differences important | | Ethnic differences not important |

Source: Bales, 2004:15

Slave Labour in Brazil

Brazil was the last country to abolish slavery in the Americas; for more than 300 years the colonization process used first the natives, and then Africans, as slave labour. This practice was only questioned when Britain, for moral and economic reasons,¹ began to exert a strong anti-slavery pressure on Brazil, in consequence of which the Brazilian court issued a series of initiatives, culminating in the total abolition of slavery on the 13th of May, 1888. In spite of the official abolition of slavery, one hundred and twenty years later, it is now obvious that emancipation cannot be considered to be an event, but an ongoing process. Slavery is still an appalling reality for a few Brazilians, and is particularly prevalent in rural areas.

As in most parts of the world, the most common form of slavery in Brazil is Debt Bondage. According to Figueira (2005), the debt is initially incurred when the worker is recruited by ‘gatos’ (cats) and given some money in advance of his wages. The debt grows

¹ The low cost of slave-produced Brazilian sugar meant that British colonies in the West Indies were unable to match the market prices of Brazilian sugar.

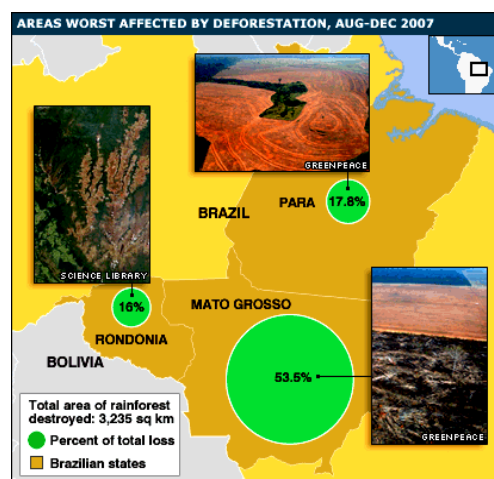
when the worker is charged for transportation and food all the way to his place of work. Furthermore, all food, hygiene materials, medication, and even the tools required to complete the tasks for which the worker is supposedly being paid must be purchased from the employing company, often at grossly inflated prices. Since the worker is normally unaware of his rights, he becomes trapped by the false notion that must bear the full legal and moral responsibility of his “debt”. ‘Afterwards, the worker becomes a prisoner because of the distance he must travel, his inability to afford any means of transportation, the shame of returning home poorer than he left, or the threats of armed men’ (free translation from Figueira, 2005:183). Bales notes that for the *gatos*, their method of long-distance recruiting has great advantages. In his words:

Taken far from their homes, the workers are ignorant of the surrounding countryside and cut off from friends or family who could help them. Even if they are able to escape, they are penniless and in debt. They have no way to pay for the trip back to their own state. They will often keep working in the most horrific conditions in the hope of getting some cash that they can use to get home [...] Balancing hope against terror, [the *gatos*] lock their new slaves into the work. (2004:128-129)

Due to its illegality, slave labour figures have not been incorporated into Brazil’s official statistics. Almost all suspect labour contracts are informal; consequently it is impossible to be precise about the exact number of people who have become enslaved. Estimates vary enormously; the Land Pastoral Commission (CPT), part of the Roman Catholic Church, suggests that there are at least 25,000 slaves in Brazil (ILO, 2005, 23). However, this estimate has no basis in scientific fact; the CPT simply assumes that for every person who has been freed from slavery, three others are still in captivity. There is no proof for this assumption, and it also paradoxically means that, even if real levels of slavery were reducing, CPT estimates would become higher and higher due to the proliferation of freed workers. It is thus clearly not a sound estimate.

Slave labour can be found in all regions of Brazil, and in both rural and urban areas; the ILO (2005) indicates a correlation between identified cases of slave labour and the deforestation of the Amazon rainforest. As illustrated in figure 1 below, the BBC (2008) report that the State of Mato Grosso alone contributed to 58 per cent of the total area of forest stripped in the second semester of 2007.

Figure 3. Areas worst affected by deforestation (August to December 2007)



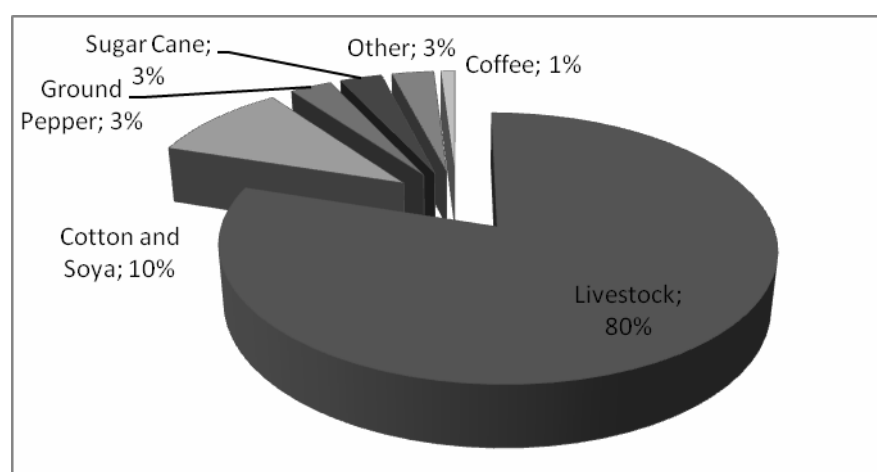
Source: BBC, 2008

Bales brilliantly describes the correlation between slave labour and the deforestation of the rain forest:

The slavery of Brazil is a temporary slavery because environmental destruction is temporary [...] The space between the old forests and “civilization” is a battle zone where the old rules are dead and the new rules are yet to come into force. The native ecosystem and peoples are uprooted, displaced workers, even the urban unemployed, become vulnerable to enslavement. The people caught up and forced to carry out the destruction of the forests live without electricity, running water, or communication with the outside world. They are completely under the control of their masters (2004:121-122)

Furthermore, the MTE (2004) demonstrates that deforestation is carried out in order to provide pasture for cattle, and to make an increased area of land available for agriculture. As pictured in the following graph, livestock farming is responsible for 80 per cent of Brazilian slave labour.

Graph 1. The main economic activities deploying slave labour



Source: NGO Reporter Brasil, cited in ILO, 2005: 67

The indicators used in Graph 1 were taken from the first two registers of companies and persons sued for exploitation of slave labour. Contrary to expectations, inspection reports demonstrate that those who use slave labour in Brazil are often well-informed, well-educated land owners, most of them involved in high technology production in order to supply internal and external markets (ILO, 2005:24).

The main governmental activities to combat slave labour in Brazil

Brazil was one of the first countries to officially recognise that modern slave labour, although illegal, still marginally exists in its territory, and it has been leading Latin American efforts to combat this problem. According to the ILO (2006):

Following Brazil's leadership, we are now seeing significant steps in other Latin American countries to intensify action against forced labour. Peru has established an Interministerial Committee for the Eradication of Forced Labour to formulate policies and an action plan against it. In Bolivia, the National Commission against Forced Labour was created in December 2004 and has since identified measures to tackle debt bondage in different regions. In Paraguay, the Government recently strengthened its labour inspection in an area with a documented incidence of forced labour and debt bondage.

The Brazilian government started a program called “Combating Slave Labour” in 1995, but it was clearly not a priority. Great efforts were made in 2003, under President Luiz Inácio Lula da Silva, when the Brazilian Government launched the National Plan for the Eradication of Slave Labour, comprising 76 actions, divided into six strategic areas:

- (i) general actions;
- (ii) improvement of the administrative structure of the mobile inspection group;
- (iii) improvement of the administrative structure of police action;
- (iv) improvement of the administrative structure of the Federal Public Ministry and the Labour Public Ministry;
- (v) specific actions of promotion of citizenship and the fight against impunity;
- (vi) specific actions of awareness, capacity-building and sensibility (Presidency of the Federative Republic of Brazil, 2003).

The successful completion of these six strategic areas of action was evaluated in the report of the ILO (2005:99), and is summarised in Table 1.

Table 1. Evaluation of the National Plan for the Eradication of Slave Labour

| Strategic areas | Totally fulfilled (%) | Partially fulfilled (%) | Not fulfilled (%) | No evaluation (%) |
|--|-----------------------|-------------------------|-------------------|-------------------|
| (i) general actions | 13,3 | 46,7 | 40 | - |
| (ii) improvement of the administrative structure of the mobile inspection group | 38,5 | 38,5 | 7,7 | 15,4 |
| (iii) improvement of the administrative structure of police action | - | 50 | 42,9 | 7,1 |
| (iv) improvement of the administrative structure of the Federal Public Ministry and the Labour Public Ministry | 20 | 70 | 10 | - |
| (v) specific actions of promotion of citizenship and the fight against impunity | 26,7 | 40 | 26,7 | 6,7 |
| (vi) specific actions of awareness, capacity-building and sensibility | 44,4 | 33,3 | 22,2 | - |
| Total² | 22,4% (17) | 46% (35) | 26,3% (20) | 5,3% (4) |

Source: ILO, 2005.

Analysing this data makes it immediately apparent that the Plan has advanced significantly in most aspects related to inspection and awareness, aiming to assist civilians in the identification and handling of modern slave labour cases. The Plan has also aimed to expose the harmful nature of this practice, and to provide advice, solutions, and aid for civilians when they find themselves or others involved in slave labour.

The National Plan primarily concentrates on the inspection of reported offences of slave labour cases, carried out by Mobile Inspection Groups. Given this emphasis, the

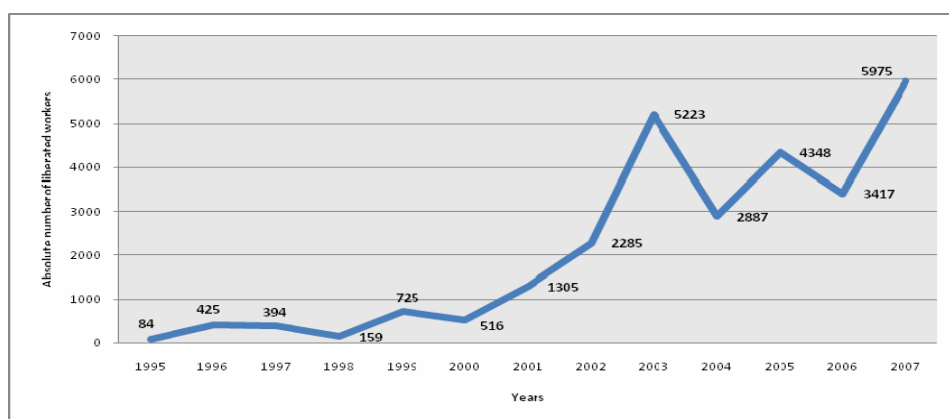
² The brackets contain the absolute number of actions represented by each percentage.

plan's focus was consolidated in a programme called "Eradication of Slave Labour", part of the 2004-2007 Pluriannual Plan.³ Equally, in view of its importance to the present Government, this issue was also included in the so-called "Presidential Goals", which comprise the programmes considered to be a priority by the Presidency. The Programme is composed by actions of inspection, inclusion of released workers in pre-existing compensatory policies, and publicity in order to help prevent the criminal practice of slave labour.

The numbers extracted from the Labour Inspection Reports of the Labour Inspection Secretariat show that the Ministry of Labour and Employment and its partners have substantially increased their efforts to fight the prevalence of slave labour in Brazil. Increasing the efficiency of their interventions in such case, and intensively coordinating involved public agencies has allowed this change to be effected.

The graph overleaf shows the amazing increase of liberated workers since 2003, the year that the programme started. The implementation of the Eradication of Slave Labour Programme is based on inspection actions, inclusion of the liberated workers in compensatory policies, and the creation of public and private structures in order to create an environment detrimental to the continuance of slave labour. Preliminary inspections are carried out as a result of receiving and checking the details of reported offences; these are then escalated to full investigations, and consequently the imposing of necessary punishments. If the practice of slave labour is proven, the Ministry of Labour and Employment recommends a civil court action against the guilty party, and appropriate compensation is awarded to the aggrieved, in accordance with the federal court of law.

³ In Brazil, the budget is linked to the Pluriannual Plan, which is valid for four years, covering the second, third and fourth years of a Presidential term and the first year of the successor's term. The Plan is completed by the Executive Power and approved by Congress.

Graph 2. Liberated workers in Brazil between 1995 and 2007

Source: Labour Inspection Secretariat (Mobile Inspection Reports)

The Public Federal Ministry, for its part, administers an appropriate punishment in accordance with the federal court of law. In remote areas of Pará, Amapá, Maranhão, and Mato Grosso, the Programme also promotes *in situ* labour justice through the use of Itinerant Labour Courts.

In addition to inspection and judiciary actions, the Eradication of Slave Labour Programme also pays compensation to the unemployed freed worker; this consists of the national minimum wage for three months from the date of the worker's liberation. Depending on the situation, the worker may also receive temporary aid guaranteeing the funding of essentials, such as food, lodgings and transport. The programme's aim is to provide the essentials necessary for the worker to stay at the place where they were rescued and wait to receive compensation and financing for their return home.

In 2004, the programme created a Slave Employer Register (Act MTE 540/2004), popularly known as 'the dirty list'. This Register contains a list of all employers and/or their middleman who exploit people through slave labour in Brazil. The names are added

to the list after the due administrative process and are only removed if, during the following two years, the employer fails to be convicted of any repeat offences, and has paid all labour and social security debts owing. The register is an extremely valuable tool in the fight against slave labour; businesses can easily find out if their suppliers are involved in slave-labour, and named offenders are prohibited from enjoying any credit given by official banks. According to the Inspection Secretariat, since its creation, there have been 430 offenders added to Slave Employer Register, and at its last update (Jan/2008) it held the names of 189 employers.

The biggest advance of the National Plan for the Eradication of Slave Labour has been its promotion of joined-up action between entities from the Executive, Legislative and Judiciary powers, civil society and international organisations. It is entirely in accordance with the National Plan of Human Rights, and endorses an active public policy permanently checked by the CONTRAE (National Commission for the Eradication of Slave Labour). This commission is convened by the Human Rights Special Secretariat, and has members from both governmental and non-governmental organisations.

Summary

In this section, I have demonstrated that modern slavery still operates in Brazil, and I have described the efforts of the Brazilian Government to combat it. Having established an understanding of the contemporary character of slave labour, the next section will analyse the implementation of the aforementioned Eradication of Slave Labour programme through the medium of Sabatier and Mazmanian's model of implementation process.

3

An Assessment of the Implementation of the Programme for the Eradication of Slave Labour in Brazil

Introduction

The purpose of this section is to appraise the implementation of the Programme for the Eradication of Slave Labour in Brazil using Sabatier and Mazmanian's synthetic model as a lens to focus and frame the assessment. In order to achieve this, the Programme will be considered using the three broad categories proposed by this model, although it is important to remember that these categories have been divided for structural convenience only; in the real world they are dynamic and interconnected.

The tractability of the problem

This category is problematic for the programme under study due to the very nature of slave labour. Firstly, defining the target group is extremely complex. Since it is an illegal activity, figures concerning slavery do not appear in official statistics; it is therefore virtually impossible to be precise about the number of workers who face this problem. Secondly, Brazil is also well-known for having one of the worse income distributions in the world; because contemporary slavery is as a direct product of economic inequality,

slave labour has been identified in cases across the whole country, despite being mostly concentrated in the areas in which the deforestation of the rainforest is taking place. It is thus particularly difficult to gain any kind of realistic data on the extent, locus, and severity of the slavery currently infecting Brazil.

Thirdly, in order to fully eradicate the problem, an immense behaviour change is required of the Brazilian populace as a whole. According to the Brazilian Ministry of Labour and Employment – MTE (2004), the cultural roots of slave labour have never been completely eliminated. Even though the 1988 Constitution formally guaranteed the same rights to both urban and rural workers, in practice there is often a discrepancy between the law and every-day employment conditions, and the traditional roots of this inequality are long-ingrained and require enormous effort to eradicate.

The ability of the statute to structure implementation

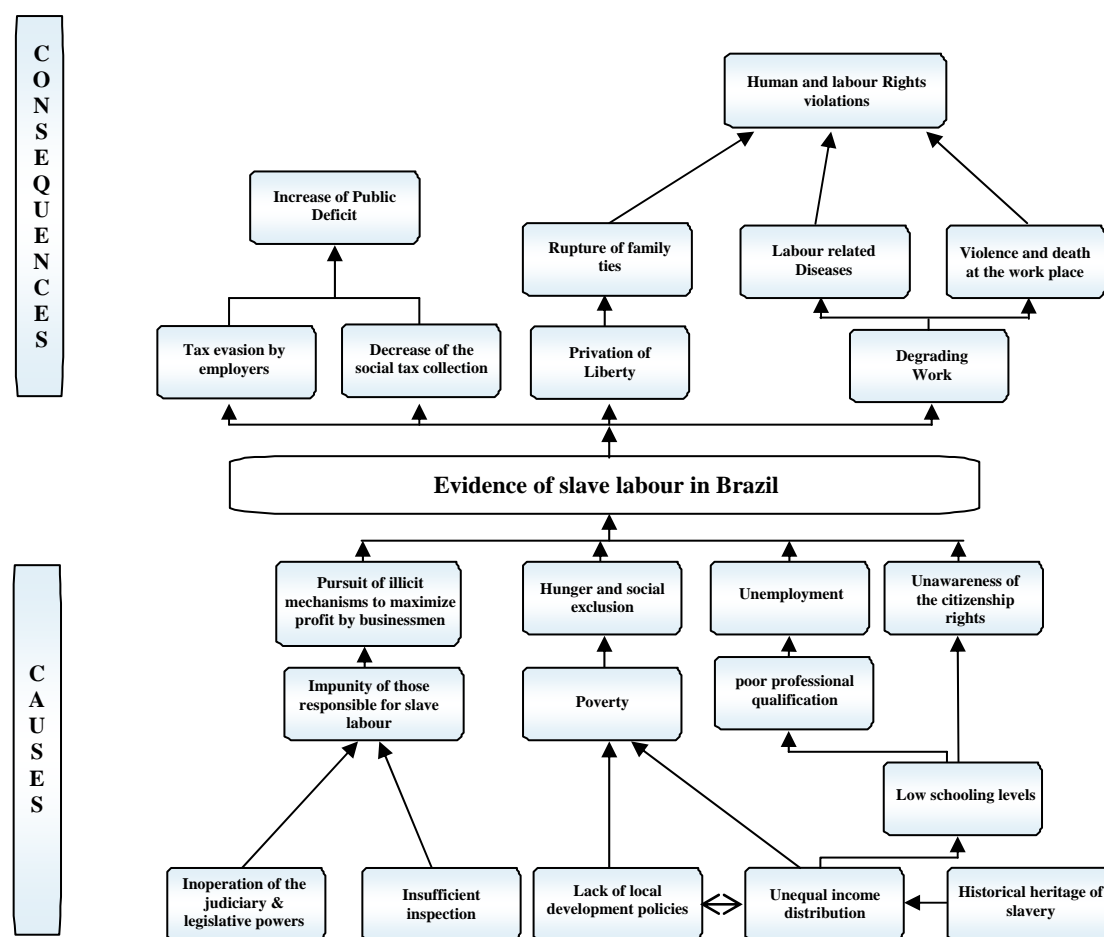
In the Programme under consideration, this category is the one which must be considered to be most crucial to its successful implementation. The Programme for the Eradication of Slave Labour came formally into effect in January 2004 as part of the 2004-2007 Pluriannual Plan Law, stating its primary objective to be, ‘to eradicate slave labour in Brazil’ (SIGPLAN, 2008). Although the objective is clear, it is unachievable by the programme’s current actions, representing an idealised ambition rather than a realistic objective. Furthermore, it coincides with the objectives of the National Plan for the Eradication of Slave Labour.

Despite its progressive design, the programme takes for granted the idea that slave labour is a mere disrespect of labour legislation; as a result, it tries to eradicate the problem mainly through inspection actions. Nevertheless, as seen earlier in this report, evidence

demonstrates that slave labour exploitation is a product of poverty, allied to extraordinary business profitability. Inspection actions can only hope at best to ease the slave labour problem, but will never be sufficient to eradicate it.

As an academic exercise, and in order to establish a logical hierarchy of the causes and consequences of the slave labour problem, I have developed a simplified problem tree (see Figure 3).

Figure 3. A proposed problem tree for understanding slave labour in Brazil



According to AusGuideline (2005:5), ‘the key purpose of this [type of] analysis is to try and ensure that ‘root causes’ are identified and subsequently addressed in the activity

design, not just the symptoms of the problem(s)'. Analysing this basic diagram leads to the suspicion that the government currently places its focus more on the consequences of slave labour than the causes of the problem. In the same vein, Antero (2007b) argues that slave labour is one of the few social problems in Brazil which could be eradicated in the short term, if correctly instrumented. According to the author, repressive actions are insufficient to eradicate slave labour. In order to do so, it is necessary to promote structural actions in the affected regions that include harmonising policies of sustainable development, social inclusion, labour and income generation, land reform, and education. Moreover, in order to make this plan more effective there are complex issues that must be prioritised in the judicial framework, such as the strengthening of the Brazilian penal system in order to prevent such criminal practices; speeding-up judgments in trials; the improvement of the legislation concerning slave labour; and increasing the sanctions established through law – including the loss of land.

Eradicating slave labour is clearly a complex issue, and it is also one which requires an effective network of communication and cooperation to exist between the institutions of the executive, legislative and judiciary powers, as well as between the States of the Federation and civil society. There is, however, no formal hierarchical integration with and among implementing institutions, even within the Federal Government's priority programmes.

An example which can be useful in illustrating this problem is that presented by the Bolsa Família Programme ("Family Stipend" or "Family Fund" in English), which is at the core of President Luiz Inácio Lula da Silva's social policy. This programme aids poor families financially (up to R\$ 95.00 or US\$ 56.00), provided that they meet two criteria: children in the benefiting household must attend school, and must receive regular vaccinations. Municipal governments do much of the collection of data on eligibility and

compliance, but payments are made by the federal government. The programme currently assists 11 million families and, according to the World Bank (2008), 'It is among the world's best targeted programs. [...] The program has made a decisive contribution to the unprecedented reduction in poverty and inequality that has occurred in recent years.' In order to be eligible for the Bolsa Família Programme, the family has to earn up to R\$ 120.00 (US\$ 70.00) per head per month.

It is immediately apparent that the families of freed slaves with children are most probably in the intended target group of Bolsa Família⁴, but there is no formal link between this programme and those concerning the Eradication of Slave Labour. There is not even a formal link with the Workers' Qualification Programme, which is also coordinated by the Ministry of Labour. As a consequence, after the slaves are freed, they receive one national minimum wage for three months from the date of the worker's liberation and then are as vulnerable as they were before.

The list of participants in the planning workshop for the 2008-2011 Pluriannual Plan made it clear that there was no possibility of a real consultation or negotiation with other stakeholders (other than the Labour Inspection Secretariat), partners or beneficiaries (MTE, 2007). Again, the programme design had only a partial view of the problem. Table 2 shows that the programme was kept almost exactly as it appeared in the former Pluriannual Plan. The only new action created was the one for managing the programme which gave more transparency to its expenses.⁵ When one considers the dimension of the problem and its challenges, the evidence shows that the planning process was completed merely to conform to the bureaucratic demands of the State.

⁴ This is a purely deductive assertion. There is no study to show this correlation.

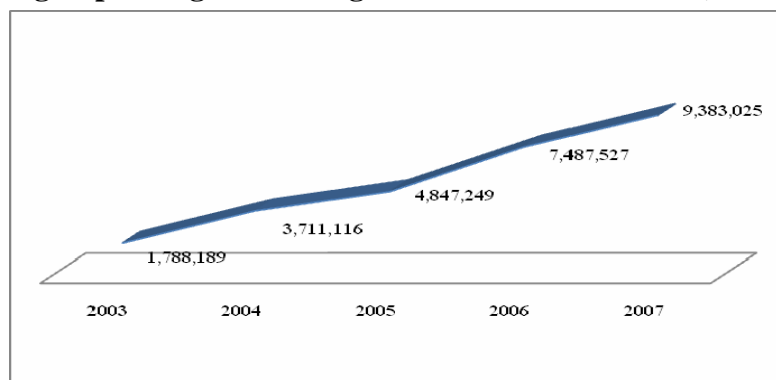
⁵ According to the Ministry of Planning (2005:25), this is a standard action of all programmes and includes the administrative costs for running the programme, such as trips, maintenance of vehicles, equipments and public buildings, information technology etc.

Table 2. The composition of the Eradication of Slave Labour Programme

| ERADICATION OF SLAVE LABOUR 2004-2007 | ERADICATION OF SLAVE LABOUR 2008-2011 |
|--|--|
| Payment of unemployment compensation to the worker rescued from slave labour | Payment of unemployment compensation to the worker rescued from slave labour |
| - | Programme's management |
| Inspection for the eradication of Slave Labour | Inspection for the eradication of Slave Labour |
| Publicity | Publicity |
| Urgency assistance to victims of slave labour | Urgency assistance to victims of slave labour |

Source: Management Information and Planning System (SIGPLAN) – translated by the author

Finally, as regards the resources concerned, the programme's status as a "Presidential Goal" gives it priority in financial terms. The programme has spent more than R\$ 27 million between 2003 and 2007, and, as demonstrated in graph 3, the programme's budget has increased every year since 2003. Additionally, the two state careers involved in the implementation of this program, those of Labour inspectors and Federal Police, are among the most well-rewarded servants of the executive power, according to MP (2008).

Graph 3. Budget spending of the Programme of Slave Labour (2003-2007)

Source: Finance Administration System (SIAFI)

Non-statutory variables affecting implementation

The environmental variables affecting the implementation of the program under study have had a varying impact upon the programme's chances of success. Socio-economic conditions have continued to be favourable since 2003. Brazil has now recovered from the crises of 1999 and 2000, government debt is under control, it possesses an independent central bank, and it has managed to become entirely self-sufficient in terms of food and natural resources.

With the recent discovery of significant quantities of oil off Brazilian shores, the country can look forward to being one of the world's top producers of this important resource over the next decade. The Independent (2008) also emphasise that this recent good performance is

based on more than just the boom in commodities prices. Manufactured goods account for 55 per cent of the country's exports. Companies such as Embraer, the aircraft maker, have emerged on to the world stage, showcasing an improving technological base in the country. [...] The Brazilian stock market, already buoyed by the boom in prices for the country's commodities and other exports, has surged to a record level this week [last week of April/08] on news that Standard & Poor's, the credit rating agency, has declared the country to be 'investment grade'." (The Independent, 2008)

However, a recent study from the Applied Economics Research Institute – IPEA (2008) has clearly shown that the richest 10 per cent of the population retains 75 per cent of the total national wealth. In addition, the poor pay more tax in real terms: the poorest 10 per cent of the population spend 32.8 per cent of their income in taxes, whilst the richest 10% per cent disburse only 22.7 per cent. This is a serious problem, considering that contemporary slave labour is a product of social vulnerability.

A positive environmental variable is that the slave labour problem has attracted more media attention since 1995, when the former President Cardoso admitted to the United Nations that Brazil still had slaves in its territory. Since the government made this

problem a top priority in 2003, it has been extensively debated, attracted international attention, and gained public and political support. The Slave Labour Programme itself has a role in generating publicity, intended to draw attention to the problem and to increase the commitment of social groups to combat the problem. As a result of its actions, the number of news reports on slave labour increased by 1900 per cent between 2002 and 2005 (ILO, 2006). Finally, as Bales (2004:147-148) points out, ‘unlike Thailand or Mauritania, Brazil is a reasonably modern and democratic country. There is a large and educated middle class, the press is free and vociferous, and there are well-organized action groups freely lobbying and working against slavery’.

Summary

Section three has presented an empirical application of the Mazmanian and Sabatier’s synthetic model of implementation. It has become clear that, despite being an inspiration for many Latin American countries, there are still large gaps concerned with the implementation of the Eradication of Slave Labour Programme that have to be bridged in order to improve efficiency, mainly in relation to program design, which tackles the consequences rather than the roots of the problem, and insufficient network co-ordination. The unequal distribution of wealth in Brazil means that slave labour will continue to be endemic, until this economic disparity is dealt with.

4

Sabatier and Mazmanian's Implementation Model in Critical Perspective

Introduction

By using an assessment of the application of Sabatier and Mazmanian's model to the Eradication of Slave Labour Programme, I have demonstrated how the model can be a very useful check-list of variables necessary for the assessment of a programme's implementation. It can easily serve as a guide to practitioners and policy-makers alike. However, despite providing a framework for understanding the complexity of implementation, the model has a tendency to oversimplify reality. It does not take into account, for example, that in most countries state and local governments also play an important role in implementing policies. Neither does it consider the increased blurring of state and non-state institutions in the delivery of public services and public goods. These omissions are deeply problematic for the programme under study.

Argument

There are disagreements between critics over synthetic models which try to combine the top-down and bottom-up approaches. For Parsons (1995) and O'Toole (2004), for

example, the top-down and bottom-up frameworks differ, not just on some key conundrums of empirical theory or on matters of research, but also in normative orientation; therefore, the synthesis advanced by Sabatier only serves to ‘muddy the waters’ (Parsons, 1995:488).

In addition, Sabatier’s attempts to combine the top-down and bottom-up approaches did not discard binarized concepts of success or failure and, therefore, were unable to capture the dynamic process of implementation, concerning how policy is learned and internalised by public officials or organisations (see Schofield, 2004). As Brodtkin put it, ‘to implement implies process; it also implies ability: the ability to convert the state’s policy promises into the state’s policy product’ (1990: 108, cited in Schofield, 2004:284). Schofield (2004) argues that all the current secondary literature concerning implementation presupposes that the policy is achievable, and that public officials have the necessary knowledge and training to put policies into action – there is no concern about the ‘action agents’ of implementation. As previously mentioned, implementation assumes an evolutionary negotiation process during which policy is inevitably reformulated. For this reason, implementation studies must be used as a powerful management tool for policy learning and endeavour to address questions of how bureaucrats and organisations learn and operate policy.

Antero’s recent study on the monitoring and evaluation system of the Programme for the Eradication of Slave Labour, for example, shows that there is a complete absence of monitoring and evaluation indicators. Antero (2007) concludes that the monitoring and evaluation system is closer to a performance follow-up process than a *de facto* monitoring system. According to the author, although abundant, the available field data needs to be organised through a knowledge information system in order to be transformed into a tool

of monitoring and evaluation. Slave labour inspection reports do contain precious data, but they are only considered as part of the control function and to fulfil the legal demands of the Pluriannual Plan. Moreover, the results are not shared and, therefore, there is no feedback to the process, undermining the potential for institutional learning. Lastly, there is no clear connection between the data which is followed-up and the management of the programme, nor clear criteria for informing the selection of indicators for the monitoring of the programme (see Antero, 2007). The only indicator that is presented in the Management Information and Planning System (SIGPLAN) is the absolute number of workers rescued from slave labour. This indicator does not address the programme's effectiveness in comparative terms, and thus cannot be considered an impact indicator.

Sabatier and Mazmanian's model, then, does not capture any aspect of learning, but instead places its focus on the policy process; it is not concerned with the people who implement it, nor how field information is fed back and internalized by the institution. Considering that this is a relatively new field of study, there is not currently an established definition of policy learning. Even the management literature describes a concept of organisational learning which is rather ambiguous due to its diverse theoretical roots. The idea underpinning organisational learning is that, just as human beings, organisations learn. This ability to learn enables organisations to survive in an increasing competitive and uncertain environment (Burnes, 2004; Carnall, 2003). As Carnall puts it:

...if only individuals learn, then when people leave an organization the learning they have achieved goes with them. This happens a great deal in practice. On the other hand, learning is often reflected in changing procedures, patterns of behaviour, evolving cultures and so on. Some would argue that these do change and that therefore learning is 'captured'. In that sense organizations learn (Carnall, 2003).

There are a number of models which focus on learning from different perspectives, but this report does have the time to reiterate them fully. It is remarkable, however, that despite the

diversity and contradictions among those promoting the concept of organisational learning, all concerned agree that the main purpose of learning is to facilitate organisational change (Burns 2004:131).

If we recall Jenkins' aforementioned definition of implementation – adopted in this report – which states that the study of implementation is the study of change, the connection between organisational learning and implementation research becomes self-evident. Wang and Ahmed make an interesting classification of learning into five broad foci:

- Focus on the collectivity of individual learning
- Focus on the process or system
- Focus on culture or metaphor
- Focus on knowledge management and
- Focus on continuous improvement. (2003, cited by Burnes, 2004:128)

In consideration of this proposition, it is apparent that Sabatier and Mazmanian's model overlooks all of these foci. Sadly they are not alone; there is still no one implementation model that encompasses policy learning in its broadest sense. In particular, no-one has so far dealt with this concept of continuous improvement, nor how to ensure that new behaviours, once acquired, are embedded in the organization's culture and will not subsequently be lost. In order to bridge this gap in the implementation theory, I propose an adaptation of the Mazmanian and Sabatier's model. In order to include policy learning, I have added five independent variables into a new category, called 'capacity of bureaucracy and organisation to implement the policy':

- *Competences of public managers* – besides the commitment of public managers, are they able to co-ordinate the process from the planning to the delivery stage?

- *Technical and procedural knowledge of implementing officials* – Do public officials understand the policy they implement? Were they qualified in order to deliver the policy as expected?
- *Motivation of bureaucracy* – Is there any room for interpretation of the policy? How large is the bureaucratic margin of discretion to implement? Do implementing officials know what is expected from them? Are there mechanisms of reward or incentives to encourage best practices?
- *Procedure(s) for managing implicit and explicit knowledge* – Is there a specific organisational unit responsible for knowledge management? Is there a database to store information that can be shared and re-used? How is knowledge collected, organised and recorded into job tasks and procedural memory? How does the organisation deal with tacit knowledge? Does it have knowledge networks or discussion groups?
- *Monitoring and evaluation system* – How is the policy monitored and evaluated? Are there performance indicators? How are the findings fed back into the system? Is the system adopted used to better the policy management?

Following the Mazmanian and Sabatier model, these variables are not linear and the manner in which they interact affects the implementation process. Furthermore, I proposed other two small but substantive changes in the implementation process: firstly, one stage was added in the implementation process in order to depict policy learning; secondly, the implementation stages are shown graphically in a circle, rather than in a line-process, in order to depict the ongoing process of policy evolution and learning.

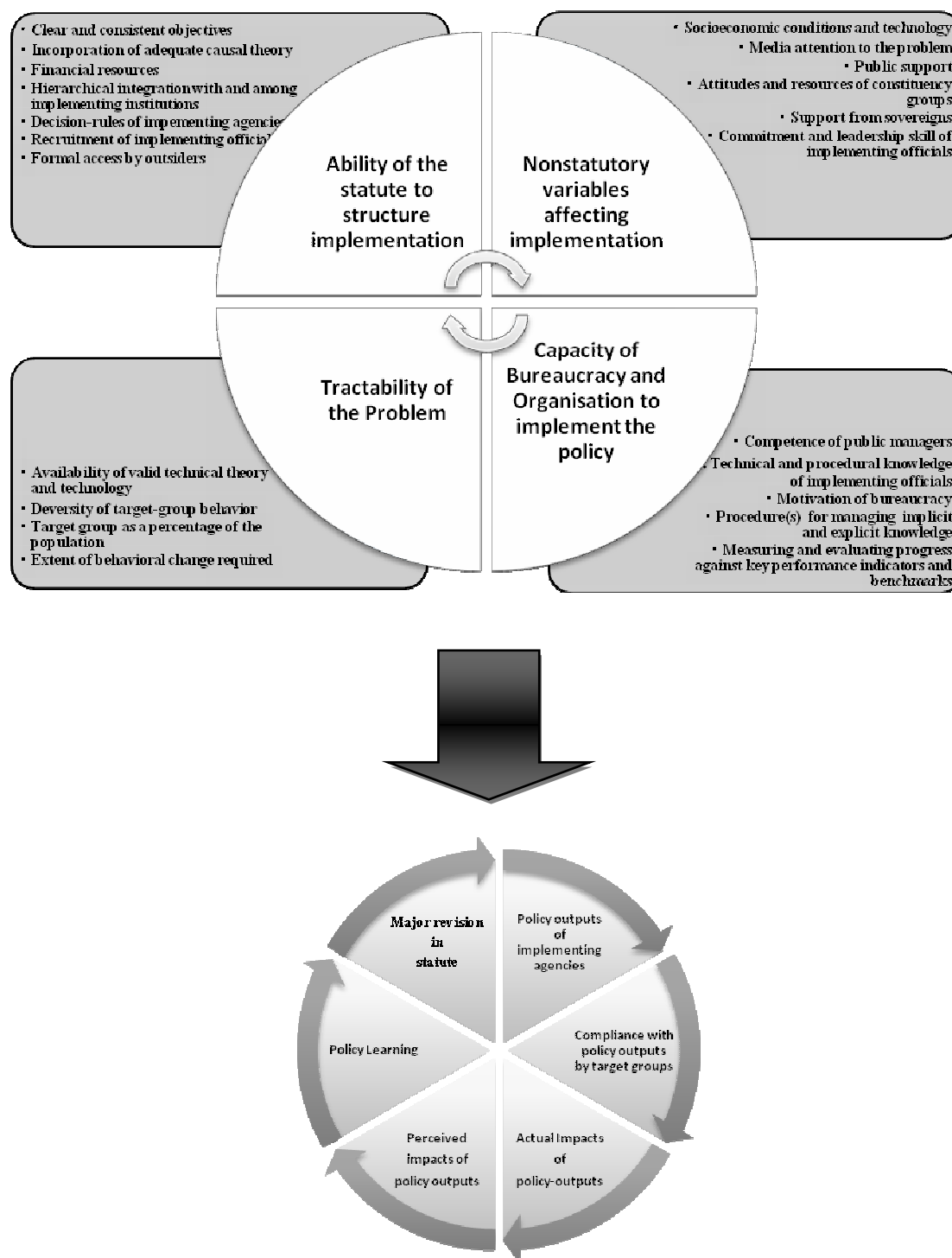


Figure 5. Integrating organisational learning with inclusive implementation analysis

Summary

This model represents a preliminary attempt to grapple with the theoretical problems amplified by the empirical investigation presented in this report. However, it is important to mention that this proposed adaptation of Mazmanian and Sabatier model does not intend to bridge all the gaps pointed out earlier in this paper. It still does not encompass the network reality in which public policies are implemented, nor does it focus on organizational culture and how it affects implementation. Additionally, the adaptation presented here is an initial attempt at developing a model which would require subsequent empirical investigation.

Conclusions and Recommendations

It remains in this brief concluding chapter to review the key theoretical, methodological, empirical and practice-based contributions of this report to theory and practice and to identify some further avenues for research.

On theory and method

If we accept a working definition of implementation which takes into account the dynamic nature of the policy process, we must reject the binarized concept of success or failure which is the central focus of the top-down and bottom-up approaches. Implementation presupposes an evolutionary negotiation process during which policy is inevitably reformulated and, for this reason, implementation studies must be used as a powerful management tool for policy learning and endeavour to address questions of how bureaucrats and organisations learn and operate policy. Organisational learning can provide a rich source of policy-oriented learning about the nature of real world implementation and should be incorporated into existing theoretical models of the implementation process. Notwithstanding this observation, very little has been produced about how policy is internalised by public officials and organisations, and how to best ensure that acquired learning will not be lost.

In order to bridge this gap in the existing literature, this report proposes an adaptation of the Mazmanian and Sabatier's model of implementation, adding five independent variables into a new category, called the 'capacity of the bureaucracy and the organisation to implement the policy'. This proposal has been derived from the empirical findings from the application of the original model to the Programme for the Eradication of Slave Labour in Brazil. It is noteworthy that this re-modelling of Mazmanian and Sabatier's model of implementation is not intended to bridge all the implementation gaps highlighted earlier in this paper. For example, it still does not encompass the network reality in which public policies are implemented, nor does it focus on organizational culture and how it affects implementation. Additionally, the adaptation presented here is an initial attempt at developing a model which would require subsequent empirical investigation.

Empirical Findings

The empirical research findings indicated the value of the Mazmanian and Sabatier model as a guide for practitioners and policy-makers alike. The application of the model exposed some fundamental gaps in the implementation of the programme: firstly, due to the very nature of slave labour, the tractability of the problem is extremely complex; it is difficult to gain any kind of realistic knowledge of the extent, locus, and severity of the slavery problem in Brazil. Secondly, despite its progressive design, the programme tries to eradicate the problem mainly through inspection actions which tackle the consequences rather than the roots of the problem. Evidence shows that inspection actions alone can only hope to ease the slave labour problem, but will never be sufficient to eradicate it. Eradicating slave labour is clearly a complex issue, and it is also one which requires an

effective network of communication and cooperation to exist between the institutions of the executive, legislative and judiciary powers, as well as between the States of the Federation and civil society. Thirdly, the research also highlighted the lack of the most basic forms of programme learning that could have ensured continuous improvement and learning in the broadest sense. This included the absence of a credible monitoring system with sensible performance indicators that could feed back results on performance to guide programme management. Most significantly, as contemporary slavery is a direct product of economic inequality, Brazil has to face the herculean task of reallocating one of the worse income distributions in the world.

Lessons for practice

The identification of these implementation gaps provide an evidence base to the observation that if the programme is to achieve its aim of eradicating slave labour in Brazil, it should undergo substantial revision. At the very minimum, the programme should at least redefine its core objective, design and incorporate intelligent monitoring systems with performance indicators that demonstrate its efficiency and effectiveness and invest in knowledge management. The development of rigorous base-line data which allows for the monitoring of changes in target group behaviour is essential. We must know what happens to the former slaves in order to assess whether the policy is a success or not. By implication this will also involve joining-up the programme information system with other social policies in order to track target group behaviour in the future.

Moreover, investment in knowledge management means more than just improving processes of monitoring and evaluation it involves changing the mindsets of administrators and developing learning habits. This can begin with Programme Managers writing a

programme diary which identifies examples of good practice which can be shared with colleagues at monthly meetings and published in a quarterly programme bulletin. Organisational learning requires the sharing of positive and negative lessons; hence Programme Managers must be encouraged to share their problems through reflective practice and work through collective problem-solving methods such as best practice forums to resolve them.

Finally, organisational learning also requires embedding the concept of life-long learning into the fabric of the organisation. Programme officers should never be afraid of learning new skills in order to improve the quality of their performance. However, it is absolutely crucial that such training is fit for purpose and meets the training needs of the officer directly. Moreover, it should be based on a 'problem-solving', 'active learning' philosophy rather than passive learning approaches which undermine the utility of so many training programmes.

Future Directions for Research

Due to the limitations of available time and resources, the data that has informed this report has largely been drawn from secondary research conducted by other agents. To date, there is still no evaluation research of the programme that takes into account not only the effectiveness of the programme, but also the perception of the programmes' stakeholders about its implementation. Moreover, the data which does exist only allows for a vague portrait to be painted of the victims of slavery themselves. Indeed, if the aim of research such as this is to give voice to the views of an oppressed minority then this report has failed. However, given the enormity of this task it is hoped that this report will provide a starting point to the development of a reflexive action-research agenda which can highlight

the plight of slave labour in Brazil and design effective social policies to ensure that they never return to human bondage.

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