Factors affecting mechanisms of consortiation: 
An analysis of a metropolitan consortium to promote gender equality in Belo Horizonte, Brazil

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Prepared for delivery as the Discussant’s Paper at the 2009 Congress of the Latin American Studies Association, Rio de Janeiro, Brazil, June 11-14 2009

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LASA INTERNATIONAL CONGRESS - JUNE 2009
Track Code: PIP, 13 June 2009, Saturday / 5:00 - 6:45 pm
Abstract

Some of the most important determinants of social inequities (e.g., gender, income) are generated and exert impacts across geographic and political boundaries. Much has been written about global and local inter-connectedness within the realm of urban political affairs (including critiques of the nexus of neo-liberalism, geography, and governance). Opportunities are arising to analyze new governance mechanisms through which metropolitan areas can tackle initiatives to reduce social inequities in ways that span jurisdictions and cross spaces. For example, in Brazil, a new federal law (Lei Federal N.º 11.107, hereafter referred to as ‘the Law’), enacted in 2005, authorized governments at all levels (i.e., federal, state and municipal) to form inter-jurisdictional consortia in order to serve the public interest and reduce social inequities both within and across urban regions. This article spotlights one region—the Metropolitan Region of Belo Horizonte—and presents an analysis of factors that can affect the mechanisms of consortiation. Focusing on their efforts to address violence against women—one important component of a multi-pronged strategy to improve gender equity—the article illustrates how consortia can function effectively across geographic and jurisdictional limits. The paper proposes a set of hypotheses regarding the capacities and limitations of legal mechanisms such as the Law. As the other papers about our project (as presented in the PIP - Political Institutions and Processes Track) illustrate, legal mechanisms and political institutions provide necessary, but perhaps insufficient, conditions within which to effectively promote inter-jurisdictional decision-making in ways that facilitate cooperation across metropolitan areas. Moreover, our collective knowledge points to the need for other capacities (e.g., human capital) in order to fully realize and implement new, regional-level policies, programs and services to improve gender equity and/or other social conditions in the long term.

Introduction

Metropolitan problems exist across political institutional boundaries

Some of the most important determinants of social inequities (e.g., gender, income) are generated and exert impacts across geographic and political boundaries.¹ In part, as a result of global economic trends (e.g., liberalized markets, free-flowing capital), massive and rapid urban population growth and coincident rural depopulation have resulted in growing inequalities, especially in low- and middle-income countries (LMICs).² In turn, new pressures have been placed on existing infrastructures (both physical and social), which have in large part failed to keep pace with the needs of many people, particularly those living on the peripheries (as well as in some inner-city locations) of large, metropolitan areas in LMICs.³ For example, more than 20 million Brazilians now live in informal urban settlements (favelas), where they suffer from deficient housing, infrastructure and facilities, and where they have to contend with violence as part of daily life. The issue of informal settlements is particularly problematic in the metropolitan peripheries where unoccupied land is relatively readily available to new settlers.

¹ T. Pogge (2008)
and where municipal administrations are under-resourced; thus, exacerbating and spatially concentrating the negative impacts of these broader trends on some of society’s most vulnerable sub-groups.

**Changing political institutions and processes within Brazil offer potential solutions**

Much has been written about global and local inter-connectedness within the urban panorama as well as the problems of implementing regional urban strategies, especially with respect to uncoordinated policy frameworks addressing health risks and environmental inequity. Coincident with the litany of barriers thought to hamper successful regional urban strategies (e.g., scarcity of resources; political clashes), some urbanists have suggested that a more fundamental stumbling block to successful regional-level governance is the lack of effective governance mechanisms at the institutional level. Fortunately, within the Brazilian context, opportunities are arising to analyze new governance mechanisms by which existing political institutions and processes can be integrated in ways that are better positioned to reduce social inequities at a metropolitan level.

The Brazilian context offers one example through which to investigate new and potentially more effective governance mechanisms for promoting regional-level solutions to address social inequities. In an effort to keep pace with the country’s urbanization and to ameliorate living conditions for vulnerable people, a new federal law was enacted in Brazil in 2005. Lei Federal n.º 11.107, hereafter referred to as ‘the Law’, authorized governments at all levels (i.e., federal, state and municipal) to form inter-jurisdictional consortia in order to serve the public interest and reduce social inequities both within and across urban regions. Under the auspices of the Law, the capacity to respond to environmental and social needs across metropolitan regions has been significantly improved by the presence of this new governance mechanism by providing opportunities for new approaches to the development of management structures, planning processes, policies and accords for coordinating action among jurisdictions. In addition, the Law enables new forms of collaboration with civil society to manage key equity-enhancing capacities, including land use, economic development and basic infrastructure such as housing and sanitation.

**The Case under Study**

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6 E. Lopez Moreno & R. Warah (2006)
Since 2006, the New Public Consortia for Metropolitan Governance (NPC) Project\(^7\) has been engaged in a collaborative-action research initiative to examine the implementation of the Law in five metropolitan areas in Brazil (Santarém, Fortaleza, Recife, Santo André and Belo Horizonte). The current manuscript spotlights one region—the Metropolitan Region of Belo Horizonte—and presents an analysis of factors that can affect the mechanisms of consortiation. The article includes descriptions of the conditions affecting the development and implementation of consortia (‘consortiation’) and draws on a case example provided by the Regional Consortium for the Promotion of Citizenry: Women in Gerais (Consórcio Regional de Promoção da Cidadania: Mulheres das Gerais).

The Regional Consortium for Promotion of Women Citizenry: Mulheres da Gerais (CRPC:MG) was established in 2008 by the municipalities of Belo Horizonte, Betim, Contagem, and Sabará in the Metropolitan Region of Belo Horizonte. In total, the four municipalities that are part of the CRPC:MG include about 3.2 million people, where 52% of the population are women.\(^8\) Measures of gender inequality across the four municipalities have been documented elsewhere (Relatório do Perfil dos ODMs em Belo Horizonte; Special Unit for Crimes against Women, Belo Horizonte), including gender-based inequalities related to income, participation in the paid workforce, and violence (e.g., threat; assault; sexual assault).

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Total</th>
<th>Total</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Men</td>
<td>Women</td>
</tr>
<tr>
<td>Belo Horizonte</td>
<td>2,238,526</td>
<td>1,057,263</td>
<td>1,181,263</td>
</tr>
<tr>
<td>Betim</td>
<td>306,675</td>
<td>152,880</td>
<td>153,795</td>
</tr>
<tr>
<td>Contagem</td>
<td>538,206</td>
<td>263,389</td>
<td>274,817</td>
</tr>
<tr>
<td>Sabará</td>
<td>115,352</td>
<td>56,239</td>
<td>59,113</td>
</tr>
</tbody>
</table>

Source: SNIG (2000 Census)

The CRPC:MG aims to plan, foster and implement consortiated and shared actions and programs which promote inclusiveness and emancipation, in a collaborative and sustainable approach, to prevent and fight all forms of violence against women, and to ensure the full

\(^7\) The NPC Project, a partnership between the Brazilian Ministério das Cidades (Ministry of Cities) and the University of British Columbia and funded by the Canadian International Development Agency, aims to build capacity and support in order to help develop public consortia that foster collaborative approaches to addressing urban problems at the regional level. Building on relationships that have been established through previous projects between Canadian and Brazilian team members, the partnership adopts a collaborative action-reflection approach, providing opportunities for knowledge exchange and mutual learning (as opposed to conventional technology-transfer approaches to international ‘development’ projects). In addition to the previously identified federal and regional partners, the project also is being implemented in concert with numerous other federal entities (e.g., Special Secretariat for Women Policies), State Governments, as well as many municipalities within each of the participating metropolitan areas.

\(^8\) Sistema Nacional de Indicadores de Gênero (SNIG) 1991 and 2000 Censuses. See Table 1.
enactment of the Law 11.340/06 – Law Maria da Penha. Specific objectives of the CRPC:MG include to plan, foster and implement consortiated and shared actions and programs to: (1) prevent violence against women; (2) fight violence against women; (3) manage a regional Transition House and Safe House; (4) educate, form and build capacity for gender awareness in all public and private areas; (5) acquire or administer assets to be shared by the consortiated municipalities in their work to prevent and fight violence against women; and (6) submit shared public tenders where possible, to be ratified by the consortiated municipalities or their direct administrative entities.

Outline of Discussant’s Paper

Drawing on examples produced by the CRPC:MG through their efforts at a metropolitan level to address violence against women—one important component of a multi-pronged strategy to improve gender equity—the paper illustrates how consortia can function effectively across geographic and jurisdictional limits. Our analysis of the factors affecting the CRPC:MG consortiation efforts provide one set of perspectives on the process of consortiation (although they are by no means definitive). However, we know of no other study that has previously examined the political and institutional processes by which a social priority (rather than an urban infrastructure project) has been addressed under the auspices of one regional metropolitan structure. This and other features of the CRPC:MG ‘case’ will be discussed in the current paper. Drawing on the insights presented in the papers concurrently presented in the panel (on decent work; gender and racial equality; constraints and opportunities for democratization; inter-jurisdictional relations), I will propose a set of hypotheses regarding the capacities and limitations of legal mechanisms, such as the Law, as necessary, but perhaps insufficient, means to effectively promote inter-jurisdictional cooperation to improve social conditions on a regional scale. Finally, in addition to describing the capacities and challenges experienced in the CRPC:MG case example, I also point to the important influences of other factors (e.g., human capital) in order to fully realize and implement new and more collaborative approaches to regional-level policies, programs and services to improve gender equity.

Methods

The analysis presented in the current paper draws on the techniques and traditions associated with case study method9 to describe and explain the factors affecting consortiation mechanisms. Using case study techniques, we examined the factors that affected the Consórcio Regional de Promoção da Cidadania: Mulheres das Gerais (CRPC:MG), which established and implemented new, coordinated regional-level plans to provide services to prevent and ameliorate the impacts of violence against women across four municipalities in the Metropolitan Region of Belo Horizonte (Belo Horizonte, Betim, Contagem and Sabará). We acknowledge that our findings are based on a single case and are the result of an interpretive analytical process that sometimes included rival understandings of the data, which may raise some objections regarding the generalizability of the findings. However, we draw the readers’ attention to the capacity of case study approaches (even with a single case) to describe in detail the complexities of the relationships amongst actors and institutions, while providing the

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necessary understanding of the historical and unfolding contemporary socio-political contexts within which the case is situated.\textsuperscript{10}

We used several data sources to examine this phenomenon. We analysed documents and archival materials related to the development of the Law; we also examined minutes and other records made available by the various consortium partner municipalities. We consulted reports from government and non-governmental organisations on the issue of gender inequities. As well, we reviewed drafts of the Protocol of Intentions as well as legislative records pertaining to the formal enactment of the CRPC:MG. Through our collaborative-action research approach, we also were able to engage in participant observation intermittently over a three-year period. We worked together in numerous workshops to create and document the consortium process. During fieldwork, we also observed the local impacts of gender inequity, the documentation of which was further facilitated by the embedding of student-interns. Interns worked with community leaders and members to map community assets, gather interview data using in-depth individual and group dialogues with key stakeholders, and conduct naturalistic observation of the local conditions. Through a series of workshops and smaller meetings that led to the production of this manuscript, we (the authors as well as our peers working directly in the consortium) jointly analyzed these various data sources to develop the following understanding of how a consortium provides a governance mechanism to address gender inequity. We also used team meetings in Canada and Brazil to further develop our coding schemes, drawing on new interview data and our collective reflections on it in order to refine the analysis. As the analysis progressed, we discussed and tested our data’s ‘fit’ with existing theory and empirical evidence.

The central analytical question addressed in the current paper is: How do contextual factors and conditions affect the capacity of political institutions and processes to respond to complex social issues? Our analysis is based on our action-reflection to date; and, we have taken care in this manuscript to point out where our ponderings of the data diverge and converge within our project team as well as to situate our findings with other expert opinions in published literature. Throughout the project, relevant literature, particularly those articles published in the area of regionalization, governance and decision making, was revisited to prompt theoretically-informed questions about the data, and to test new ideas against additional empirical data as they developed during the analysis. We also regularly revisited our data to examine the ways in which the perspectives of various team members in Canada and Brazil intertwined and/or diverged as the project unfolded. We wrote this manuscript at a moment when we have achieved a milestone in our project—the one-year anniversary of the signing of the Protocol of Intentions by all four municipalities in the Metropolitan Region of Belo Horizonte. In the future, we are committed to revisiting and further testing the hypotheses put forward in this paper as our collaboration (and the consortium itself) continues to function in this region and others sites in Brazil.

\textsuperscript{10} A.L. George & A. Bennett (2005)
Factors Affecting the Emergence of the CRPC:MG

Gender inequity knows no boundaries
Gender inequity, and particularly the issue of establishing a regional-level ‘casa abrigo’ (i.e., safe house for abused women) provided an important (although not uncontested) unifying theme under which the CPC:MG consortiation process emerged. Within the contemporary Brazil, the issue of gender equity is being surfaced more regularly and in more mainstreamed ways (especially as a result of the Special Secretariat for Women’s Issues). Moreover, it is not possible logically to deny that the issue of gender equity crosses jurisdictional boundaries. Gender equality is an issue that all levels of government (municipal, state and federal) can and by law must acknowledge and address at least within the Brazilian context (although I acknowledge that there are many other jurisdictions outside of Brazil, including Canada, where this is not the case).

Gender equity as a progressive stance
There also is additional evidence in our data to suggest that the issue of gender equity is perceived using different rubrics than other thematics around which consortia could/should be generated. Although gender inequity is acknowledged as an issue that has the potential to affect anyone (regardless of their gender, social class, age, etc.), the issue of violence against women, in particular, may be perceived by the general public as an issue that affects most profoundly those - members of Brazilian society who are most marginalized (rather than the entire population). As such, gender inequity can be promoted as an issue that invites the support of people who are and/or who want to be viewed as ‘progressives’, regardless of their political affiliations, gender, age, or geographic location. Moreover, such progressive stances can be publicly endorsed without inciting vociferous and/or large opposition. In part, a growing public awareness of gender equity in Brazil has helped to foster a more receptive milieu for such progressive stances. Recent public opinion polls demonstrate that a large proportion of the general public in Brazil shares the belief that women should have equal opportunities to men; but, being a ‘progressive’ on the issue of gender equity is as yet far from a given, especially in settings where many people continue to reflect on whether violence against women should be viewed as a domestic or as a public/social issue.

Gender equity tends not to ignite or inflame inter-jurisdictional passions
Gender equity also does not appear to generate the same types or intensities of political discussions or disagreements in comparison with what one might expect during regional level negotiations of other issues. In fact, there are many examples in Brazil and Canada that illustrate the potential and frequency with which attempts at inter-jurisdictional cooperation (e.g., health service provision; housing; transportation; policing) have failed to emerge, in large part because of an inability for the affected parties to grasp how on balance the potential for mutual benefits might outweigh the more localised costs of participation in regional solutions. Unlike large infra-structure investments (e.g., roads, sewage management) that are usually required to be ‘located or situated’ physically and create a visual symbol of the result (or lack thereof) of inter-jurisdictional cooperation, gender equity issues are tied up necessarily in these kinds of conditions, which can trigger electoral ‘battles’ between the political stakeholders in each of the participating geographic locations. Thus, the CRCP:MG’s focus on gender equity neither generated enormous public and political support (e.g., demonstrations in the streets; massive lobbying efforts to influence public infrastructure investments), nor did it provoke the types of
widespread and vociferous backlashes sometimes associated with other more, ‘hot button’ and ‘in-your-face’ issues. Nor, is gender equity an issue that large segments of the voting population have mobilized around (unlike landlessness, poverty and/or racial equality), although it is important to recognise the many contributions and long tradition of the feminist movements and corresponding political activism regarding the status of women in Brazilian society. I will return to this issue subsequently.

‘Process’ makes perfect – day-to-day functionality factors
Although the political institutionalization of a public consortium is structured by the Law, the processes for engaging in the day-to-day practices required to develop a consortium are not prescribed. This allows for local adaptation of the consortium-building process, which reflects a kind of flexibility that could be viewed as integral to the successful emergence of a consortium. In the case of the CRCP:MG, the members of the consortium working group worked together on an almost-daily basis to make joint decisions about how their consortium would function. For example, they established the voting arrangements and formula for decision making within the consortium, the terms for which are not precisely spelled out in the Law, except in general terms. This kind of day-to-day functionality factor can have profound impacts on decisions related budgetary commitments (for example). As well, it is important to recognize that during the emergence of the CRCP:MG, any of the four municipal partners could have chosen to leave the consortium until the point in time where the Protocol of Intention was signed by the elected officials (after which the commitment and heretofore agreed upon decision making arrangements are formal and binding). Thus, the daily dynamic required to establish a consortium and to keep a consortium functioning is built around a different set of relationships than what we see in many other regional level initiatives. For example, with TransLink (the transit authority in the Greater Vancouver Region), partners can opt out at any time (i.e., there is no point of no-return) and often do so, scuttling metropolitan-level transit initiatives in the interest of promoting more parochial priorities. In the case of CRCP:MG, the resultant political institutionalization and formalized agreements (i.e., the signing of Consortium agreement) has been profoundly influenced by the processes that were used on a day-to-day basis in the lead-up to its establishment. Beyond the pre-specified limits regarding the shape and form of consortia as set out in the Law, it was through process of working together to establish a consortium that the various members developed and institutionalized metropolitan-wide capacity for collaborative governance.

Capacity to gather and use local data
A key factor contributing to the establishment of the CRCP:MG was the capacity of a variety of local stakeholders to gather and use area-specific data pertaining to gender equity issues. Within the political, bureaucratic and technical ambits related to gender equity, the Metropolitan Region of Belo Horizonte may be one of the most progressive areas in modernised Brazil. In addition to their capacity to gather and analyse data, the contributions of a small, but dedicated and powerful core of front-line staff (many of whom also identified as members of the feminist movement) were essential factors to the emergence of the CRPC:MG. Uniting under the CRPC:MG banner, proved to be a symbiotic relationship. The emergence of the CRPC:MG depended on the development of professional, working relationships that were viewed to be of mutual benefit for the mid-level bureaucrats and front-line workers. For example, the bureaucrats and technocrats established, maintain and use highly sophisticated data banks to generate indicators of gender equity in the Metropolitan Region of Belo Horizonte (e.g.,
population estimates regarding income inequalities for women and men). These databanks and their corresponding analytical capacity are considered prototypes and models for other jurisdictions, including the federal secretariat responsible for women’s equality. But, the CRPC:MG also recognised that data collection and analysis need to be linked with service provision. These linkages are required to move beyond rhetoric about ‘fighting violence against women’ in order to establish real-world intervention actions. Thus, there was (and continues to be) an iterative and mutually beneficial relationship between the CRPC:MG’s capacity to demonstrate an urgent and important set of needs and their local capacities to address those needs. As a result, the CRPC:MG also has the capacity to gather and use data that helps to maintain accountability for funds that leave respective partners’ budgets, destined for the consortia budget. Clearly, these kinds of symbiotic and measurably accountable relationships also contribute to the longevity of the consortium, where each partner (municipal, state or federal) can be assured that the impacts of their collective investments can be empirically assessed. This may also instill feelings of trust amongst partners, who in the absence of ‘perfect’ data can remain confident that the process itself has the capacity to enhance accountability.

Summary

Previous research has shown that the mechanisms that are used to establish consortia profoundly affect their ultimate success. Some forms of consortia, like the labour-managed, industrial cooperatives in the Basque region of Spain, develop because of spontaneous collaborations amongst members – usually in a localized geography or culture. Research has shown that consortia born out of ‘natural’ social mechanisms experience longevity and achieve remarkable results. These models have been studied extensively. Other consortia, such as the big economic and learning ‘networks’ that were developed in many countries during the 1990s, exist because companies and/or regions deliberately negotiate strategic alliances that are usually formalized through contracts. Members believe that collaboration (and to some degree competition) will yield mutual technological and financial advantages. These ‘technical’ models tend to be less successful and less enduring. They also have been studied extensively, although primarily to assess their contributions to economic development. Still other consortia develop because of a combination of naturally occurring social relationships and shared technical inter-relationships. These so-called ‘socio-technical’ models may be most relevant to the CRCP:MG. However, much less research has been conducted on this type of consortia, although studies suggest that we should pay attention to at least three issues.

1. During the construction phase, members of socio-technical consortia need to engage deliberately in foundational activities to support the institutional collaborations that are required to create change. Foundational activities—for example, building trust, sharing information, harmonizing data collection and monitoring systems—are nurtured by existing social relationships amongst individuals within the participating institutions.

2. While foundational activities are crucial to future success, studies also have found that they cannot replace concrete actions by the consortium. Most successful consortia are built on relatively small, but early ‘wins’, regarding the ‘thematic’ or substantive issue. These

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concrete achievements inspire subsequent investments in the development of the consortium itself.

3. Early in the consortiation process, research and learning is perceived as a secondary goal in comparison to the thematic interest (e.g., establishing a regional women’s shelter). But, evidence from success consortia has shown that early learning provides latent potential that is used by the consortium later. This is yet another reason to continue to engage in symbiotic relationships, where data collection and use at the ‘coal face’ occur iteratively.

4. Finally, the engagement of the main actors in the ‘building process’ of the consortium has been both a learning process and a history-making event. This paper provides one perspective on the events; but, the participants themselves are best able to ‘write the history’ of the consortia and give it a place in history.

Obviously, due to time and other constraints, our presentations left many things unsaid, including important notions tied up in understanding the impacts of physical and other spatial limitations; institutional fragility; technical limitations; shifts in the political landscape; emerging conflicts across the regional, state and/or federal levels; ‘constitutional tweaking’, and, of course, the current world wide economic situation. Fortunately, this field (and the complex questions associated with it) is attracting an ever-growing set of interested people from a variety of disciplines (even today we have represented the disciplines of urban planning, political science, economics, and health sciences). We also have a lot to learn from the strong traditions in Brazil regarding the institutionalization of participation and social inclusion, which will be critical to opening up the consortiation process beyond the bureaucratic/technical/municipal staff level to any significant degree. I encourage all of you in our audience today to engage with us (and our colleagues who were unable to attend the LASA Conference) to exchange ideas about how we can advance the knowledge base and, most importantly, continue to move forward on the action side of the metropolitan governance agenda.

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12 Articulation of the Law with existing laws and the constitution remains somewhat of a question. For example, what happens when the mechanisms possible under the New Consortium Law rub up against existing laws (e.g., Article No.144 of the 1988 Constitution, which cites that public security is a dever do estado (responsibility of the State))?
Bibliography


