

# Fiscal austerity, authoritarianism and educational policy: legislative changes in the democratic management of the school system and the public school of Mato Grosso<sup>1</sup>

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## *Austeridade fiscal, autoritarismo e política educacional: as mudanças legislativas na gestão democrática do sistema estadual de ensino e da escola pública de Mato Grosso*

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### ABSTRACT

This text presents and analyzes part of the mapping started in Mato Grosso that modified the state legislation related to the democratic management of the public school. Changes that do not find fertile ground in a democratic rule of law but emerge in a context of deepening neoliberal and neoconservative measures that have gained space, mainly from 2016 after the impeachment, or coup d'état, that removed the president. After this, in the name of employment, growth and economic stability, they reproduce and expand discourses that invoke the constitutional revision (Amendment 95/2016), labor and social security reforms. Pedro Taques (2015-2018), governor of the State of Mato Grosso, of the Brazilian Social Democracy Party (PSDB), has been deconstructing the principles of democratic management, guaranteed by the constitution, through a set of legislative measures that disregard them. The method adopted for analysis crosses information from the period of 2016 to 2018, collected on official websites of the state of Mato Grosso, and documentary data confronted with discourses and motivations of the

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main actors involved in the alteration of state politics, analyzed on the bases of reference theoretical-critics that approach the theme State, society and education in the context of neoliberal (re)updating. In the end, we discuss the relationship between the corrosion of the constitutional principle of democratic management in state public schools and the most virulent return of old and authoritarian political forms in the country.

*Keywords:* Neoliberalism. Democratic Management. Authoritarianism. New Tax Regime.

## RESUMO

Este texto analisa parte do mapeamento iniciado em Mato Grosso que modificou a legislação estadual relacionada a gestão democrática da escola pública. Alterações que não encontram terreno fértil em um Estado democrático de direito, mas emergem em um contexto de aprofundamento de medidas neoliberais e neoconservadoras que ganharam espaço, principalmente, a partir de 2016 com o “*impeachment*”, ou golpe de Estado, que retirou a presidenta eleita do executivo nacional. Após tal feito, em nome do emprego, do crescimento e da estabilidade econômica, reproduzem e ampliam-se discursos que invocam a revisão constitucional (Emenda 95/2016), reformas trabalhista e previdenciária. Em Mato Grosso, o governador Pedro Taques (2015-2018), do Partido da Social Democracia Brasileira (PSDB), vem desconstruindo os princípios da gestão democrática, garantidos constitucionalmente, por meio de um conjunto de medidas legislativas que os descumprem. O método adotado para análise entrecruza informações do período de 2016 a 2018, coletadas em sites oficiais do governo do estado do MT e dados documentais confrontados com discursos e motivações dos principais atores envolvidos na alteração da política do estado, analisado à luz de referenciais teórico-críticos que abordam o tema Estado, sociedade e educação no contexto de (re)atualização neoliberal. Ao final, discute-se a relação entre a corrosão do princípio constitucional da gestão democrática nas escolas públicas do estado e o retorno mais virulento de velhas e autoritárias formas políticas no país.

*Palavras-chave:* Neoliberalismo. Gestão democrática. Autoritarismo. Novo Regime Fiscal.

## INCARCERATED DEMOCRACY

*They closed the gate!  
They interdict management!  
School community does not enter there, no!  
They named an intervener  
As if it were normal and legal to establish such a Director,*

*By order from the capital!  
Father, mother, student and teacher protested.  
Incredulous before what they witnessed, they loudly shouted:  
“Public school belongs us, not those who locked it up and took it!”  
They closed the gate! They forbidden entrance!  
Indignation has grown to see democracy incarcerated!  
And the movement was in the street and on the sidewalk  
A loud scream was heard:  
No to authoritarian and technocratic intervention!  
To restore democratic management!  
(MACHADO, 2018)<sup>2</sup>.*

## Introduction

The situation described in the epigraph of this text could be fiction or even a pre-emptive critique of an uncertain and dark future that would emerge from political opportunism and a lack of democracy appreciation generated by the 2016 coup. We hope it was just foreshadowing; but it is a denunciation of the reality experienced by a public school in the state school system of Mato Grosso in 2018.

There are indications that this situation is not an isolated fact in the network, because since 2016 the state Department of Education of the state determines the extension of elective terms of school principals, members of Deliberative Councils, pedagogical coordinators and pedagogical advisors opening precedents for their deepening. Extensions determined by SEDUC/MT contrary to state law number 049/1998, the law number 7040/1998 and the law number 9241/2009, among others, which instituted democratic management in the system and public school in the state of Mato Grosso which follow the provisions of Art. 206, item VI of the 1988 Federal Constitution, and the Art.14 of the Law of guidelines and bases of national education, law number 9394/96.

<sup>2</sup> This text was written by Ilma Ferreira Machado, lecturer at UNEMAT in June 2018, in the heat of the school community struggle of a state public school in the city of Cáceres - MT that had decreed a strike for the right to elect the school principal. After several mobilizations from the school community, with the support of human rights entities and some lecturers from PPGEDU-UNEMAT, a note of repudiation of SEDUC's authoritarian actions was released in the media, there were meetings with the State Prosecutor and the Secretary of State of Education of Mato Grosso, then the problem has been solved and the community can choose the director.

The facts narrated are not detached from world and national events, which marked a regressive agenda in the social field and national sovereignty in the country after the removal of the President of the Republic of Brazil by a coup d'état in August 2016, as several national and international jurists, intellectuals and political scientists assert, among them Souza (2017), Chomsky (2016) and Miguel (2018).

Since 2016 in Brazil, a wave of neoliberal and neoconservative reforms has grown very rapidly through the deepening of different privatization ways of state-provided services that have eventually contained the small and brief advance of Brazilian social rights. Appropriation of energy resources by large domestic and foreign capital has been intensifying at a rapid pace, so as to maximize their profits, a special emphasis may be placed on financial capital, confirming analysis by Beck (2015), on current wars for energy resources, and by Escobar (2016) and Korybko (2018), when point at Brazil in epicenter of the so-called hybrid wars<sup>3</sup>, also known as unconventional wars, due to the events of the last three years in the country.

As Streeck (2012, p. 37) asserts, it is a historical moment in which they seek to contain “the successive endemic crises of capitalism [...] as a result of tensions between capitalist markets and democratic politics”, according to what made evident by the successive crises from the 1970s and the banking crisis in 2008, leading to the loss of minimal economic stability.

The moment expresses frustrations generated by expectations deposited in democratic advance in the country, and on the other hand, attempts to return to a historic time that once again bother us, with new guises, aggravated after the result of the 2018 elections that came to power Jair Messias Bolsonaro, of the ultra-conservative and privatist Liberal Social Party (PSL)<sup>4</sup>. The president who won never hide his sympathy for the years of lead in Brazil, even in the face of unhealed scars such as people still missing, unhealed economic, cultural, political and educational inequalities, failed to clean up the recent Military Civil Dictatorship, officially lasted 21 years<sup>5</sup>, and still promotes a formal democracy

3 Hybrid Wars are identity conflicts provoked by external agents (the most emblematic example refers to the United States acting in various international contexts), which exploit historical, ethnic, religious, socioeconomic and geographical differences in countries of geopolitical importance through the gradual transition from color revolutions to unconventional war in order to destabilize, control or influence multipolar infrastructure projects through regime weakening, regime change or regime reorganization (KORYBKO, 2018).

4 After inauguration of the new president of the republic in January 1<sup>st</sup> 2019, it becomes recurring in the media announcements of measures, such as *Homeschooling* regulation, privatization of state-owned enterprises, relaxation of weapons ownership.

5 The last period of Brazilian military dictatorship occurred from 1964 to 1985.

in which the politician is artificially separated from the economic (WOOD, 2003). The strategies used by capital to recompose extortionate profit rates on labor, public finances and social rights lead to a zero degree of state legitimacy and fragile Brazilian democracy (SANTOS, 2002).

Tensions between democracy and capitalism are not recent, but the intensification of this antithetical pair has sharpened and tensioned social relations in Brazilian society since the 2016 coup d'état. These tensions are felt in different areas, and education has not been spared. Serious and profound attacks, underway since the neoliberal counter-reforms of the 1990s in Brazil, are directed at it, whether by the market, in which entrepreneurs make their privatist proposals viable through foundations and other institutions, or by neoconservative groups such as the patrons of the "School Without Party" movement, also present in the state of Mato Grosso.

Given this scenario and based on initial surveys of ongoing research<sup>6</sup>, our main objective is to examine legislative measures of the government of the state of Mato Grosso, from 2015 to 2018, which are related to Goal 19 of the National Education Plan<sup>7</sup>, in other words, actions linked to the implementation – or not – of democratic management. We will look at the minimum amount of democratic management that remains in the Mato Grosso public school system, due to the reflexes of the 2016 coup d'état at the state level.

For the analysis, we used frameworks that approached aspects of the national conjuncture, its interaction with the international context and the reflexes of neoliberal measures adopted with the 2016 coup and materialized in fiscal austerity in local educational policies, also the most recent changes in the notion of democracy as social rights and the transition to a managerial post-democracy. This last aspect, as Lima (2014) warns, results from a context in which:

[...] education has been the subject of reforms based on the conception of a management, supervisory and evaluative state, introducing new modalities of education governance through partnerships with the third sector, establishment of mechanisms of public-private competition, management focused on school results and rationalization of school networks, along with processes of severe deterioration of working conditions in schools and recentralization of power, driven by austerity and economic adjustment policies [...] (LIMA, 2014, p. 1077).

6 It is a project funded by FAPEMAT, whose title and coordination were suppressed to remain anonymous. If the text is approved, all information will be included in the final version.

7 Law 13,005, June 25<sup>th</sup> 2014.

Thereunto, the method used intersect data collected on web sites (official, national and local ones) and documentary data confronted with speeches and motivations of the main actors involved in the policy implementation, as well as the role to be played by each subject in this process.

Democratic management, according to reflections by Amaral (2018) presented in the initial interview considerations *Democratic management of schools as a political, educational and symbolic framework (A gestão democrática das escolas como referencial político, educativo e simbólico)*, in which the author asserts with Licínio Lima, something that is not strange to researchers, managers, teachers, parents and students of public schools in the country: “school democratic management is not given, neither is it decreed nor instituted by legislation” (AMARAL, 2018, p. 244). On the other hand, what little is left of it when it could be implemented can be curbed, eroded, frayed by legislative measures, as it has been happening in Mato Grosso since 2016.

Amaral draws attention to objective aspects and conditions of reality that enable the materialization of a democratic school: “democratic school requires democratic structures and exists as a process, with advances and retreats of demands, above all, democratic and participatory practices in decision-making processes” (AMARAL, 2018, p. 244).

To understand the most recent relations of the ruptures between capitalism and democracy materialized in Brazil with the coup d'état of 2016, the objectification of counter-reforms of Michel Temer (MDB) government in the state sphere and legislative changes in public school democratic management of Mato Grosso, as immediate consequences of the coup, we organized this text in four parts. The first one presents reorganization of the neoliberal right in Brazil: political crisis, coup d'état and its implications for democracy. The second part presents reflexes of the legal-political ruptures and the fiscal adjustment in Mato Grosso. The third one maps and analyzes recent legislative changes in the democratic management of the state education system and public school in Mato Grosso as a result of political opportunism by government managers motivated by the coup and the explicit restoration of clientelist, authoritarian, and technical-bureaucratic forms in the social and economic structure and in education. A thematic synthesis is presented in the last part, pointing out the consequences of authoritarian measures such as fiscal austerity and the Decrees and Ordinances for the democratic management of the system and public schools of the state school system of Mato Grosso.

## **Reorganization of the neoliberal right in Brazil: political crisis, coup d'état and its implications on democracy**

According to Wood (2006), the history of modern democracy, especially in the central countries, was inseparable from capitalism. “Capitalism made possible a ‘formal’ limited democracy, before ‘substantive’, something that was never possible before. And that is the reason why capital may tolerate some kind of democracy” (WOOD, 2006, p. 382). Whether in countries of central capitalism democracy was limited, designed in the manner acceptable to capital, in Latin-American countries, expectations with democracy generated by the political opening of the 1980s were frustrated (BORON, 2003) by neoliberal austerity measures encouraged by multilateral institutions via Washington Consensus. Such measurements found fertile ground in the governments of Collor de Mello (1990-1992) and Fernando Henrique Cardoso (1995-2002), with implementation of counter-reforms in the economic and social field, including the educational one.

In 2003, Luís Inácio Lula da Silva, from the Labor Party (PT), won the elections for Presidency of the Republic, with a government platform based on the “commitment to production, employment and social justice”<sup>8</sup>. The announced proposal, with some exceptions, was continued in the first government of the President Dilma Rousseff (2010-2014); even against the crisis of global capitalism, the period was marked by economic growth and the expansion of social rights. But the second term of the President’s government – 2015-2016 – was marked by the polarization of political debate and policies of cuts and fiscal austerity<sup>9</sup>, aimed at maintaining the balance of public accounts and high primary surplus, consistent with the “late” effects in Brazil of the financial crisis of global capitalism in 2008.

8 The idea is economic growth with income distribution. Letter of Brazilian people from Luís Inácio Lula da Silva (*Carta ao povo brasileiro de Luís Inácio Lula da Silva*), São Paulo, June 22<sup>nd</sup> 2002.

9 In November 30<sup>th</sup> 2015, cuts were announced in the value of R\$10.7 billion in the Union budget for 2015. That was the third package involving cuts to the Union budget in 2015. In May, same year, there was a cut in the value of R\$ 69.9 billion; from them, R\$ 9.2 billion were contingencies in the educational area, and R\$ 11.7 billion in Health field. Cities, Health and education were the ministries more affected by this last package (FOREQUE; CRUZ; VERSIANI, 2015). Available from: <https://www1.folha.uol.com.br/mercado/2015/07/1662570-educacao-tera-novocorte-em-orcamento-pac-sera-principal-alvo.shtml>. Access on: 15 Aug. 2018.

In general terms, the fiscal adjustment had as an “alibi” the maintenance of the balance of public accounts, to show the international risk rating agencies (e. g. *Standard & Poors, Moodys* and *Fitch Ratings*)<sup>10</sup> that the country was a “good payer”, therefore, a safe place for high return “investments”, especially for profitability. This context shows the difficulties faced by the President Lula da Silva’s successor in changing orthodox macroeconomic policy, conditioned by neoliberalism (BRESSER PEREIRA, 2010).

Political crisis in Brazil, leveraged by mobilizations in 2013 that demanded a reduction in public transport fares, it was soon appropriated by other actors like the mainstream media and movements such as *Revoltados On-line, Movimento Brasil Livre, Vem Pra Rua*, etc. The movement *Vem Pra Rua* made evident non-acceptance of the result of the ballot box in 2014, in other words, Dilma Rousseff’s reelection. Movimento Brasil Livre (MBL), financed by American oil companies, advocated the return of neoliberal orthodox ideas such as economic liberalization and privatization, and criticized state support for social income distribution policies. *Revoltosos On-line*, composed most by military, preached the return of the military regime (JINKINGS; DORIA; CLETO, 2016).

Mobilizations were intensified from 2013 to 2016, leading to the Dilma Rousseff’s<sup>11</sup> removal from the Presidency of the Republic through impeachment proceedings in the Federal Senate. This proceeding was considered, both for numerous Brazilian and international jurists, as well as political science intellectuals, among others, as a pretext, a coup to remove the elected President. As there is no crime of liability, impeachment is, in fact, a “soft” blow, affirms Chomsky (2016).

After the reelect President’s removal, in her place, the Vice-presidente Michel Temer, of Brazilian Democratic Movement Party (*Partido do Movimento Democrático Brasileiro - PMDB*) took over the presidency and implemented a new government plan, different from that endorsed by popular vote. With the document

10 Valuation companies which operates under the global financial system issue opinions on the fiscal and economic situation, among others, of securities, companies or countries. However, it is noteworthy that in the breakdown of the US real estate market, which was at the epicenter of the global confidence crisis unleashed in 2008, securities in the sector that turned out to be “rotten assets” were rated highly by investment grade rating agencies. Available from: <https://www.gazetadopovo.com.br/vida-publica/rebaixamento-mostra-equivocos-e-desacertos-do-governo-dilma-diz-aecio-21u0m8ei425rk194g3oiixhzi/>. Access on: 07 Dec. 2015.

11 On April 17, 2016 (voting on a Sunday, entitled to live broadcast by the country’s commercial media), the House of Representatives authorizes the opening of impeachment proceedings against President Dilma Rousseff. She lost her mandate on August 31<sup>st</sup>, 2016, by vote in the Federal Senate, a fact reported by major Brazilian media and also by the Senate news. Available from: <https://www12.senado.leg.br/noticias/materias/2016/08/31/dilma-rousseff-perde-o-mandato-e-temer-e-confirmado-presidente>. Access on: 26 Sep. 2019.



*A bridge to the future (Uma ponte para o futuro - 2015)*<sup>12</sup>, elaborated by his party (PMDB), proposes drastic changes in the direction of Brazil's economic and social policies, breaking with a 12-year sequence of neo-developmental policies of the Lula and Dilma governments, who developed "a democratic and popular project with economic growth, income distribution to strengthen the internal market, reducing social inequalities and widening opportunities for workers to participate in the labor market" (RAMOS; FILHO; LOGUERCIO; FILHO, 2016, p. 24).

Under the pretext of fighting unemployment, the government of the President Michel Temer (PMDB) promotes a series of counter-reforms that affect the social area, such as: Limiting health and education spending by 20 years (Constitutional Amendment 95/2016), and interruption of minimum wage and civil servant valorization policies; labor reform, with unrestricted outsourcing of work in all service sectors and prevalence of negotiated over legislated and change in social security, decreasing benefits and increasing working time for retirement. After broad mobilization of workers and creation of a Parliamentary Committee of Social Security Inquiry (*Comissão Parlamentar de Inquérito da Previdência - 2017*) in the Federal Senate, the conclusion was there was no deficit (BRASIL, 2017). Until January 2019, this last measurement was not yet fully approved by the National Congress. However, federal government has been cutting benefits from people unable to work for various types of illnesses.

The first agenda of the Michel Temer government to be met was the approval of the Constitutional Amendment Bill, the so-called PEC 241/55-2016, which instituted the "New Tax Regime" for primary expenditures, better explained, health, education and social assistance. The approval of this PEC, transformed into Constitutional Amendment 95, suspended, at least at federal level, the *caput* of Article 212 CF/1988 for 20 years, which determined:

12 In short, these changes regard to: (a) increasing the primary surplus and reducing public spending; (b) establishing a limit to costing expenditures below GDP growth; (c) ensure a percentage of GDP for debt repayments; (d) promoting the privatization of logistics and infrastructure, seeking partnerships for the provision of public services and establishing concessions in the oil sector; (e) performing economic openness to international trade; (f) creating regulatory agencies to hold managers of state-owned companies for services; (g) broadly reform the process of public budgeting and execution, making spending more transparent, accountable and efficient; (h) limiting spending on social public policy; (i) in the labor area, allowing the negotiated to prevail over the legislated; (j) simplifying and reducing export taxes; (k) reducing the bureaucratic demands of companies to grant environmental licenses; (l) giving high priority to research and technological development, which is the basis of innovation. Abstract elaborated by authors from the document *A bridge to the future (Uma ponte para o futuro)*. Available from: <https://www.fundacaoulisses.org.br/wp-content/uploads/2016/11/UMA-PONTE-PARA-O-FUTURO.pdf>. Access on: 26 Aug. 2019.

Union shall annually apply no less than eighteen, and the States, the Federal District and the Municipalities shall pay at least twenty-five per cent of tax revenue, including income from transfers, for the maintenance and development of teaching (BRASIL, 1988).

EC 95/2016 “[...] determines the freezing of primary expenses for twenty financial years, allowing only the correction of total expenditure by the Extended Consumer Price Index (IPCA), taking as reference the financial year 2017” (BRASIL, 2016).

EC 95/2016, approved in June 2016, created a new tax regime, freezing for 20 years the primary expenses, which included health, education, social security and other social policies, levels for fiscal year 2017, allowing only the correction of total expenditure by the Extended Consumer Price Index (IPCA).

[...] highlighting that the freeze is on total primary expenditure is important; thus, if in some areas, such as social security, for example, growth is above inflation measured by the IPCA, there should be a drop of equivalent value in other areas of the Federal Government (PINTO, 2018, p. 861).

In practice, public resources have become even more vulnerable to political disputes. Further, economy by cutting back on social policies (health, education, social security, welfare) that favors the poor, helps the Federal Cashier pay interest on “public debt” bonds to bankers, with tax breaks for the hyper-rich (SALVADOR, 2016). Besides, the “Law number 9,294/95, art. 10 eliminated the Withholding Income Tax on profits and dividends distributed to the results calculated from 01/01/1996, whether the capitalist resident in the country or abroad” (SALVADOR, 2016, p. 21).

A study by Interunion Department of Statistics and Socioeconomic Studies (DIEESE) published in September 2016 shows that, whether the rules of such austerity fiscal regime proposed by EC-95 were implemented from 2002 to 2015, resources for education would have been reduced by 47%, and for health by 27% in the same period.

The measures previously mentioned, associated with EC-95, condemn the fulfillment of the advances made in the current National Education Plan 2014-2024, elaborated during Dilma Rousseff’s government (PT), with representations and popular participation of Brazilian society through National Conference of Education (CONAE), and approved by the Chamber and Federal Senate.

National Education Plan, sanctioned in June 25<sup>th</sup> 2014 by the President Dilma, means a great advance for education in Brazil, but according to the report of the 2<sup>nd</sup> cycle of monitoring of the goals of the PNE, released on June 6<sup>th</sup> 2018 by *Instituto Nacional de Estudos e Pesquisas Educacionais Anísio Teixeira* (INEP), the country fulfilled only one goal from the plan (BRASIL, 2018).

Among the goals that would be compromised there is the number 19 one and its eight strategies, which concern not only because of the New Fiscal Regime, but also by the “moralistic” and authoritarian wave which emerged with the coup that plagues the country. Other reasons are the inertia of the school community, the lack of prestige of the teaching profession and the accountability of school managers, in a context that has systematically promoted the rise of a managerial post-democracy (LIMA, 2014), with the PNE running over for privatist interests in the educational area.

## **Reflexes of the legal-political rupture in the state sphere: the tax regime in Mato Grosso**

Even the EC-95/2016, only valid at the federal level, in Mato Grosso, José Pedro Taques government (2015-2018), of Brazilian Social Democracy Party (*Partido da Social Democracia Brasileira* - PSDB), elected under the slogan “Transformation State”, did not take much time to align his discourse with the federal government. The argument in defense of fiscal adjustment was practically the same: state fiscal crisis resulting from the imbalance of public accounts, in other words, excessive spending on social policies and low revenue<sup>13</sup>.

Agreement between federal government and state governments occurred under debt renegotiation with the Union. Mato Grosso did not fit the federal government’s criteria for adhering to the aid plan for tax-critical states, as state public service unionists argued at the time<sup>14</sup>. However, voluntarily, the state government adhered to the state aid plan and, through Message 67, August 23<sup>th</sup> 2017, sent to legislative Assembly, proposed a Constitutional Amendment project to institute “Tax Recovery Regime” (RRF) in the state. When exposing the reasons, the Message brought the following objective:

13 This government continued the policy of fiscal renunciation initiated in the 1990s with the Law *Kandir* and deepened in 2003 in Blairo Maggi government (2003 to 2010). Agribusiness Tax Exemption makes MT lose R\$ 39 billion per year. Available from: <http://www.reportermt.com.br/poderes/isencao-de-impostos-ao-agronegocio-faz-mt-perder-r-39-bilhoes-por-ano/68096>. Access on: 05 Sep. 2018.

strengthen fiscal discipline and balance for a period of ten financial years by creating rules to prevent the expansion of current spending beyond the state's financial capacity. The measures now proposed also follow the guidelines adopted by the federal government, considering the reality of public accounts of Mato Grosso (MATO GROSSO, 2017).

Legislative Assembly accelerated the vote on Constitutional Amendment Proposal (PEC) 10/2017, known as the spending ceiling PEC, to meet the federal government deadline of November 30<sup>th</sup> 2017, so that states could approve the proposal and adhere to the longer-term aid plan for repayment of the debts from federation units with the Union.

Initially, the government-submitted PEC envisaged a 10-year freeze on spending. However, with social pressure, deputies reduced the period by half of the suggested time and approved the PEC on November 23<sup>th</sup> 2017. The main target of fiscal adjustment was the executive services and state civil servants, the preferred target of neoliberal, therefore privatizing. The government was prohibited from granting salary increases, hiring, holding public tender or taking any action that would generate costs not foreseen in the annual budget for a period of five years. As at the federal sphere, at the local level, there have been numerous threats/attempts to approve the reform of state civil servant pensions, much disputed by the workers union movement and revived by the newly inaugurated government in January 2019<sup>15</sup>.

In Education area, the management of the state public school and system was not immune to the authoritarian and technocratic measures of the state executive.

14 Unionist asserts that Government speech on PEC is “fallacy”. Available from: <http://www.agenciadanoticia.com.br/noticias/exibir.asp?id=64663&noticia=sindicalista-afirma-que-discursodo-governo-sobre-pec-e-falacia>. Access on: 05 Sep. 2018.

15 Mauro Mendes government (DEM) inaugurated in January 1<sup>st</sup> 2019 and with the same state crisis speech (only in Executive) sent a “big package” to Legislative Assembly (AL) with 4 Law projects that compose the so-called “Pact for Mato Grosso”, containing themes as **administrative reform, Fethab, MT Prev and RGA**. Among the measurements there are extinction of public bodies, such as EMPAER and MTI, wage freeze and Career Progression of Executive Servants, increase in social security tax rate from 11 to 14%... etc. These measurements were target of intense protests and mobilization of civil servants in January, including AL occupation; among deputies, from them 14 did not were reelected, and interrupted the recess to vote the so-called “evil package”, approved in 2<sup>nd</sup> voting on the night of January 24<sup>th</sup> 2019.

## **Legislative changes in democratic management of the Teaching State System and of the public school in Mato Grosso and political opportunism of government managers**

Not by chance, the material substratum that emerged from the post-coup 2016 reveals serious difficulties in living with a minimum of formal democracy, including that of educational institutions, of governments from the “New Right”. Democratic struggles against the 21-year dictatorship (1964 to 1985) added to the citizen’s constitution, enabled in the country a more democratic “forms and processes, rules and functioning of public organizations, inter-party competition and certain forms of participation” rather than the democratization of education, culture, mentality and social relations of all kinds (LIMA, 2018, p. 246).

Legislation changes in democratic management of public education produced from 2016 might be an evidence of how fragile democracy is, which can only be understood as a process of permanent advances and setbacks, which is not forever guaranteed. Then, Lima warns:

It will require permanent processes of consolidation and deepening, and these are not possible on the fringes of democratic and participatory practices, the exercise of active and responsible citizenship, the old virtue of the civic courage of which the classical authors of democratic theories already spoke, in other words, against passivity, disinterest, alienation, indecision (LIMA, 2018, p. 246).

The absence of these essential prerequisites to the radical exercise of democracy can contribute to the emergence of reactionary movements that promote constant attacks on the minimum of current democracy, including educational institutions. (Liberal) Democracy is understood here as materialization of public rights through public policies (WOOD, 2003) collectively constructed (VIEIRA, 2007).

In Mato Grosso, as a result of mobilization of society and the struggle of education workers, further being a device of the State Constitution, Democratic Management was guaranteed in the State Education System (LC n° 049/98) and in Public School (Law number 7,040/98), with election of the principal and of School Community Deliberative Council (*Conselho Deliberativo da Comunidade Escolar* - CDCE) members and pedagogical, administrative and financial autonomy of the school; by the Law number 9,241/2009, the choice

was guaranteed, in direct elections, of the pedagogical advisors, in line with the objectives and goals defined in the State Education Plan of the State of Mato Grosso (Law number 8,806, January 10<sup>th</sup> 2008).

The first attempts to formalize changes in the Law number 7,040/1998, which regulates democratic management of public school in the state were through ordinances and the establishment of a technical commission to reformulate the Law. The first article in this law establishes that democratic management will follow the principles:

- I- co-responsibility between public authorities and society in school management ;
- II- pedagogical, administrative and financial autonomy of the school, through the organization and functioning of the School Community Deliberative Councils, strict application of democratic criteria to choose the school principal and automatic and systematic transfer of resources to the school units;
- III- transparency of administrative, financial and educational mechanisms;
- IV- efficient use of financial resources (MATO GROSSO, 1998).

According to the title V of Democratic Management Law, principals of school unities will be chosen democratically by the school community. However, since 2016, this precept is not respected by the government of Mato Grosso, which did not carry out elections of principals and for other elective functions in state schools, further to use extension of the mandates of the principals and pedagogical advisors, as well as of the members of the School Community Deliberative Councils, until December 2018, as foreseen by the Ordinance number 428/2016/GS/SEDUC/MT. Through the Ordinance number 548/2017/GS/SEDUC/MT, the mandate of the pedagogical coordinators of the school units, effective and elected, designated and appointed was also extended until December 31<sup>st</sup> 2018. These processes, which face the Democratic Management Law, did not occur without question by the Union of Public Education Workers of Mato Grosso (*Sindicato dos Trabalhadores no Ensino Público de Mato Grosso* - SINTEP) and by several schools that required elections. However, SEDUC was not sensitized by just these claims. Quite the contrary, it established a technical commission, through the Ordinance number 182/2016/GS/SEDUC/MT–SEDUC, to revise and update the Democratic Management Law and to determine criteria for the choice of pedagogical advisors indicating in advance a resistance to this legal precept and democratic principle. This commission

produced a proposal, which was rejected at the Democratic Management Conferences, instituted by the Ordinance number 456/2017/GS/SEDUC/MT, which took place in numerous municipalities and poles of the state among March 6<sup>th</sup> and June 15<sup>th</sup> 2018.

Attacks on democratic management do not end with what has been presented, the proposals for amendments to the Law number 7.040/1998 are yet to be analyzed, the results of the Conferences held in municipalities and cities of each regional center, the motivations of withdraw by SEDUC to carry out II Conference on Democratic Management of State Education (*II Conferência de Gestão Democrática do Ensino Estadual - II CONGED*), that would take place on June 21<sup>st</sup> and 22<sup>nd</sup> 2018 in Cuiabá, as well as election cancellation for Pedagogical Advisory<sup>16</sup> in Cáceres (MT).

Soon, the negative impacts of changes in the Democratic Management Law become evident in several instances of State Education System of Mato Grosso. We must remember that even after the arrest of the first Secretary of State for Education in Pedro Taques (PSDB) government, Permínio Pinto was accused of being part of a corruption scheme at Secretary of Education (SEDUC), diverting approximately 56 million reais from education to pay off campaign debts of that governor, the Secretary who replaces him, with the same authoritarian stance of the governor materialized numerous initiatives of disrespect for the constitutional principle of democratic management by extending all elective positions in the network.

These measures allowed the dismissal of positions and appointment of others, without the prior consent of the school subjects of the community through direct elections. The municipality of Cáceres, located 220 km from the capital Cuiabá, can be an example of how the State Department of Education's policy of coercion has generated instability and many conflicts in state schools, highlighting one of them, because of authoritarian and arbitrary positions of interveners appointed by SEDUC for school direction and Pedagogical Advisory in the municipality. In this last case, parents and students have declared a strike, with a standstill of approximately 20 days until a new election took place at

16 Pedagogical Advisors in Cáceres municipality (MT), legally elected and with their mandates extended by SEDUC in 2016 are removed from their duties since April 2018 by SEDUC, because of investigation and instituted inquiry by Federal Public Ministry and Federal Police, respectively, even before institute an inquiry to investigate involvement or neglect of an alleged irregularity in the purchase of meals for two state schools, under responsibility of Cáceres Advisory. Available from: [http://www.jornaloeeste.com.br/noticias/exibir.asp?id=44621&noticia=malandragem\\_de\\_diretores\\_de\\_escolas\\_estaduais\\_derruba\\_assessores\\_pedagogicos\\_em\\_caceres](http://www.jornaloeeste.com.br/noticias/exibir.asp?id=44621&noticia=malandragem_de_diretores_de_escolas_estaduais_derruba_assessores_pedagogicos_em_caceres). Access on: 06 Sep. 2018.

the school, including a complaint to the State Prosecutor (*Ministério Público Estadual* - MPE), demanding the reestablishment of elections. The situation was resolved after much struggle from the school community and without the incisive action of the State Public Prosecutor in enforcing the right to democratic management, because its manifestation was only in order to demand from SEDUC arrangements for the return of classes, in order to fulfill the workload and school days to which the student has right.

Because of alleged irregularities in the financial management of School meal resources of two schools, also in the municipality previously mentioned, two principals and two Pedagogical Advisors were removed from their duties and are awaiting the progress of the investigations, as expressed in the Preparatory Procedures number 1.20.001.000017/2018-46 and number 1.20.001.000028/2018-26 of Federal Prosecutor (MPF), which included recommends cancel the edict in progress for the Pedagogical Advisor elections in the municipality, on the grounds that the election could hinder the conduct of the investigations. The Secretary of State Education, who inaugurated in 2018 in replacement to the attorney Marco Aurélio Marrafon (PPS), removed in April 6th 2018 to run for federal law, would be free not to abide by such recommendation, however, promptly answered the MPF, including publishing the Ordinance number 533/2018/GS/SEDUC/MT, which constitutes a Commission of SEDUC Technical Advisors to carry out support actions, *in loco* monitoring and guidance to the management of school processes in the 16 state schools located in the municipality of Cáceres; in other words, the performance of school managers from all schools of the state public network of the municipality and the pedagogical advisors was placed under suspicion.

## **Final considerations**

In this text, we look back at the actions still in progress, even aware of the risks and limitations imposed. As educational professionals and researchers, we have an ethical, political and social commitment that also impels us to denounce the reality. Numerous elements approached in this text might be refuted, confirmed or even further investigated - this is the advantage of time dynamics. The present tense conditions us to this dynamic and, perhaps, we are mistaken with our analysis and that, in the near future, the correlation of forces between classes and class fractions hangs for the development of democratic advances and the consistency of a citizenship that imposes a brake on the destructive



voracity of the markets, as Boron (2003) points out on the predatory role played by the neoliberal capitalism in Latin America.

There are serious indications of implications of legislative changes in democratic management in the education system and public school for the formation of democratic and participatory subjects. Firstly, curtailing the right to elect school representatives; later, because a climate of tension created in the schools, provided by the performance and even the presence of the MPF in management meetings and in schools. Under suspicion since the beginning of the José Pedro Taques Government (PSDB) - 2015 to 2018, it seems that SEDUC simply has to abide by federal court decisions, without due questioning. We are not against the determination of irregularities in the application of public financial resources and in compliance with workload and school days, in other words, enforceability of the right to access to education. However, in the Brazilian society current context, where the media has replaced political science and other important areas of knowledge in the public debate on educational policy and politics, we see the protagonist characteristic of certain actors of the public power with reservations, whose acting takes media dimension, as a spectacle, affecting reputations without probability of reversal, if individuals are found innocent.

Given the exposed, we conclude with Lima (2014) that we are moving towards a gestational post-democracy, under the influence of New Public Management (NPM) and its managerial orientations, in substitution of the democratic management and its potentialities in the construction of the democratic school. The post-democratic perspective has been imposing itself under the discourse that disqualifies the public school by focusing, especially, in the results of the tests and in the Index of Development of the Basic Education (*Índice de Desenvolvimento da Educação Básica - Ideb*), which are seen hegemonically as synonyms for quality. Such discourse masks the social and educational reality, marked by intense inequalities, whose consequences on student performance need to be considered. However, business reformers work with the results in education through social organizations and foundations: they act like capitalists in order to obtain profit from tax exemptions, appropriating public funds and managing the definition of the content of education, ultimately leading to its privatization. By privatization we understand with Adrião (2015) “[...] the movement that has directed Brazilian PUBLIC basic education to the countryside and under the interest of the corporate private sector, profitable or not, or associated with it [...]” (ADRIÃO, 2015, p. 7-8, highlighted by the author).

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