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Neoliberal Reforms, Healthcare and other Human Development Challenges in Nigeria

By Egharevba, M.E., Imhonopi, D. & Iruonagbe, C.T.

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Abstract- Since the adoption of the neoliberal policy in Nigeria in the 1980s, its impact on the human development indices of the citizenry has not been satisfactory as manifested by the unequal income distribution gap between the rich and the poor over the years. Besides, the health conditions of Nigerians have experienced a decline as revealed by the increasing rate of child/infant mortality and maternal mortality which expresses the failure of government reforms in adequately addressing some aspects of the United Nations Millennium Development Goals (MDGs). Using secondary sources of data, this paper investigated how government's implementation of the neoliberal policies had impacted on the healthcare and human development indices of the citizens. It was observed that rather than improve the healthcare situation and human development indices of citizens, the Bretton Woods-authored reforms have rather narrowed opportunities for healthcare and human development in Nigeria. To improve the declining human development indices of citizens, the paper recommends the roll out of a politics of paradise to rein in the poverty and deprivation suffered by many Nigerians and the need for a human-faced approach to economic reforms, among others.

Keywords: neoliberalism, human development indices, citizen welfare, healthcare, Nigeria.

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Neoliberal Reforms, Healthcare and other Human Development Challenges in Nigeria

Egharevba, M.E. [α], Imhonopi, D.[σ] & Iruonagbe, C.T. [ρ]

Abstract- Since the adoption of the neoliberal policy in Nigeria in the 1980s, its impact on the human development indices of the citizenry has not been satisfactory as manifested by the unequal income distribution gap between the rich and the poor over the years. Besides, the health conditions of Nigerians have experienced a decline as revealed by the increasing rate of child/infant mortality and maternal mortality which expresses the failure of government reforms in adequately addressing some aspects of the United Nations Millennium Development Goals (MDGs). Using secondary sources of data, this paper investigated how government's implementation of the neoliberal policies had impacted on the healthcare and human development indices of the citizens. It was observed that rather than improve the healthcare situation and human development indices of citizens, the Bretton Woods-authored reforms have rather narrowed opportunities for healthcare and human development in Nigeria. To improve the declining human development indices of citizens, the paper recommends the roll out of a politics of paradise to rein in the poverty and deprivation suffered by many Nigerians and the need for a human-faced approach to economic reforms, among others. The paper concludes that government must revisit the neoliberal reforms package in the country and stamp out the use of ad hoc and discretionary handouts and market-led growth which have failed to engender a trickledown effect on the social realities of Nigerians. Citizen welfare and comfort must guide government's actions and intentions and should remain the benchmark for assessing the impact of any form of economic or social reforms that it desires to implement in the country.

Keywords: neoliberalism, human development indices, citizen welfare, healthcare, Nigeria.

I. Introduction

Since the late 1980s, African countries have been experiencing crises of governance, democratic change and development. In a continent hitherto bedeviled by authoritarian rule and problems of dependent capitalism, Western donors through the activities of the Bretton Woods institutions such as the World Bank and IMF have sought to foist on African nations "neoliberal" interpretation of the state, civil society and development with far-reaching implications. In a world of plenty, so many people live in poverty and misery particularly in developing countries with serious consequences on their quality of life particularly the state and condition of their health status. While development is a complex phenomenon, its ultimate success requires long-term thinking and planning with regard to promoting robust growth marked with affordable better healthcare, accessible qualitative education and less inequality (Stiglitz, 2007:15). Since the essence of economics is choice, it presupposes that there are alternatives, some of which benefit some groups (such as foreign capitalists) at the expense of others, some of which impose risks on some groups (such as workers, the poor and the vulnerable persons of society particularly women and children) to the advantage of others. And when there are alternatives and choices, democratic processes should be at the centre of decision-making which takes into serious cognizance the issues of social justice, income inequalities, poverty and human deprivation amongst others when socioeconomic policies of government are being adopted and implemented. Thus, the one-size-fits-all perspective to finding solutions to the challenges of development in developing countries does not seem to capture these complexities.

Socioeconomic development and success requires finding the right balance between the government and the market. This reality raises questions which include: What services should government provide? Should there be welfare programs? Should government encourage particular sectors with incentives? What regulations, if any, should government adopt to protect workers, consumers, the environment and the well-being of the ordinary citizens? This balance does obviously change over time and differs from country to country. The degree to which countries are concerned about the issues of inequality and poverty as well as the enormous costs of not dealing with the problem: the social consequences, including alienation, violence and social conflict associated with it goes to tell a lot about whom to entrust with key aspects of economic decision making and policies which reflect their political interests and cultural values and the impact it may ultimately have on the people's quality of life.

The introduction of the neoliberal economic order in Nigeria in the 1980s came as a fallout of the drop in government revenue following the shortfall in crude oil prices in the international global market leading to government's imprudent huge foreign borrowing from the World Bank, IMF and other international economic

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institutions to finance its huge budget deficits. This decision ultimately laid the foundation for the country's massive debt crisis with severe consequences for the entire economy which eventually led to conditions of massive unemployment, fall in industrial capacity utilization and drop in social service provision particularly in the health and education sectors. To mitigate the economic crisis, various austerity and stabilization measures were adopted by the government between 1982 and 1985 without much improvement given the continued decline in the quality of life of the people. By 1986, the Babangida regime adopted the World Bank/IMF inspired neoliberal policy of Structural Adjustment Programme (SAP). This policy gave primacy to free market enterprise, trade liberalization and economic deregulation, minimalist government involvement in the economy through streamlining government bureaucracies, privatization of the state by divesting public investment and participation in commerce, and the reduction of public expenditure for essential social services with little emphasis on income distribution objectives, equity, social justice, poverty reduction and restoration of full employment (Ajayi, 2005: 204; Karlinger, 1997:2; Stiglitz, 2007). The SAP principal's objective was to restore equilibrium in the balance of payments, control inflation and to realign overall domestic expenditure and production patterns through expenditure switching measures designed to reduce the level of aggregate demand (Haque, 1999; World Bank, 1983).

The supposed goal of the neoliberal policy was to bring new prosperity by enhancing economic growth and reduction of poverty, but instead it brought about a drop in income and living standards of many poor people in developing countries through pushing for conservative economic policies that gave primacy to market fundamentalism such as free trade, unfettered flow of speculative capital, privatization of social security and the failure to strike a balance between the role of government and the market. Underlying the neoliberal approach was its conservative appeal to Adam Smith's invisible hand which had the notion that markets and the pursuit of self interest would lead, as if by an invisible hand, to economic efficiency while ignoring the issue of inequitable distribution of income, non-economic values such as social justice, the environment, cultural diversity, universal access to healthcare and consumer protection (King, 1987). In the same vein, the neoliberal assumptions pay little or no considerations to domestic factors such as the dependent and peripheral nature of developing economies particularly sub-Saharan Africa where capitalist development has not significantly flourished. Likewise, the neoliberal policy also failed to recognize that without appropriate government regulation and intervention, markets do not lead to economic efficiency (Greenwald & Stiglitz, 1986; Haque, 1996b; Walton & Seddon, 1994). Instead, it focused on advancing corporate interests at the expense of the well-being of ordinary citizens.

With more than three decades into the implementation of neoliberal economic reforms in Nigeria, available demographic statistics reveal that the neoliberal policy has not brought about the massive improvement in the social welfare needs of the populace coupled with failing to adequately address many thorny issues of poverty, massive corruption, social inequality, unemployment, poor healthcare and sanitation, uneven income distribution and infrastructural decay which have impacted the poor inordinately (Egharevba & Chiazor, 2013; UNCTAD, 2008; World Bank, 2009). For instance, the Nigerian Bureau of Statistics (NBS) (2013) showed that more than 70% of persons in Nigeria live below the poverty line of US$ 1 dollar per day (specifically 112 million out of 170 million live in relative poverty) from 27% in 1980 and 54% in 2006, infant and child mortality rate is one of the highest in world (75 and 88 per 1,000 live births), under five mortality is 157 per 1,000 live birth; maternal mortality increased from 545 to 630 deaths per 100,000 live births; electricity consumption is 50 percent, access to improved water is 56 percent, improved toilet facilities is 27 percent and 23% unemployment rate (NDHS, 2008, 2013). According to the cited reports, the gap between the rich and the poor in terms of income inequality (moved from 0.429 in 2004 to 0.447 in 2010) and also continues to widen, in spite of its huge natural and material resources, including the projection that the economy is growing at 7.7 percent annually.

These data showed that a more people-centered approach to development still remains a serious dilemma in Nigeria which paints a gory picture of the people's quality of life as clearly manifested in the nation's low Human Development ranking by the UNDP since the 1990s. This statistics clearly show the negligence of the Nigerian government in investing on health, education, water and sanitation and nutritional needs of the populace. Since independence, the Nigerian government has hardly spent beyond 5% and 13% budgetary allocations on health and education which goes to show the level of its obligation to meeting the social welfare of its people (Abayomi, 2012). Thus the poor ranking of Nigeria in the annual Human Development Index since the 1990s reveal the society's level of development and the performance of the healthcare delivery system given the high incidence of maternal, infant/child mortality and under-five deaths in the country which raises the critical question of the country's capacity to attain the MDGs target. It is the need to address these concerns, therefore, that motivated this study. This is critically so because the country has been experiencing a trend of increasing levels of poverty in the midst of so-called economic prosperity as showed by the economic growth rate. There is, therefore, the real risk that if the country continues to be unable to translate its apparent high

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economic growth rate into poverty reduction, the expectations from the MDGs can quickly unravel. This is expedient since the core essence of development as conceived by scholars and development institutions is one that places much emphasis on education, health, social inclusion and empowerment of the people, and berates countries with high levels of income but poor health and educational standards which is tantamount to growth without development (Sen, 1999; William, 2003).

II. Human Development and Neoliberalism in Nigeria

In 2014, Nigeria rebased its GDP from 1990 to 2010 and became the largest economy in Africa with an estimated nominal GDP of USD 510 billion, surpassing South Africa's USD 352 billion. Nigeria has maintained its impressive growth over the past decade with an estimated 7.4% growth of real Gross Domestic Product (GDP) in 2013, up from 6.5% in 2012 (UNDP, 2014). In spite of this feat, the country still faces the challenge of making its decade-long sustained growth more inclusive as the benefits of economic growth have not sufficiently trickled down to the poor and vulnerable groups in the country. Poverty, unemployment, uneven income distribution between the rich and the poor and social inequality still remain prominent among the major challenges facing the economy. The country continues to be hampered by an infrastructural deficit, especially in the areas of energy supply and transportation, and underinvestment in human capital. Nigeria's ranking according to the Human Development Index 2012 has not improved markedly over the last two decades. With 0.471, Nigeria's score is below the 0.475 average for sub-Saharan Africa.

The country's efforts to achieve the Millennium Development Goals have however yielded some marginal results despite the nation's huge resource endowment. For instance, the infant mortality rate reduced from 126 to 78 per 1000 live births in 1990 and 2012 respectively, and its maternal mortality rate from 1100 to 630 per 100,000 live births in the same period. The proportion of deliveries with skilled attendants rose from 38.9% in 2008 to 53.6% in 2012. The government's implementation of its Universal Basic Education Programme introduced in 1999 has led to an increased enrolment in primary schools. While enrolment is important, the rate of completion is of sensitive concern and somewhat worrisome. According to UNESCO's Education for All Monitoring Report 2012, Nigeria has an estimated 10.5 million children still out of school and 26% of those enrolled do not complete the primary cycle. Nevertheless, 72.1% of the population falling within the ages of 15 to 24 years is literate while funding to the education sector remains abysmally low. The share of education in the budget fell from 12.2% in 1985 to 8.5% in 2013, 17.5% points lower than the UNESCO-recommended share of 26%. This contradicts the position of the World Bank African Competitiveness Report (2013) which observed that education remains one of the most powerful instruments for reducing poverty and inequality, including laying the foundation for sustained economic growth. Although the Gini coefficient improved from 0.488 in 2010 to 0.397 in 2011, there is still a broad gap between the rich and the poor, owing, amongst others, to differential access to infrastructure and amenities. The burgeoning size of the poor and its attendant social ills require that serious attention be focused on the group. As such, there is the need to interrogate the link between neoliberalism and development.

Development entails a condition in which people can meet their basic needs for existence and live an improved quality of life. Here people must be seen to be the agent, means and ends of development- that is their interest and well-being should be the measure of all things which represent the supreme law of development. Generally, development can be viewed from political, economic and social dimensions. Accordingly, Sen (1999:3) provides a useful theoretical and empirical formulation of development "as an integrated process of expansion of substantive freedoms that connect with one another". He identified five distinctive types of freedom, seen in an instrumental perspective as "(1) political freedoms, (2) economic facilities, (3) social opportunities, (4) transparency guarantees and (5) protective security; concluding that, freedoms are not the primary ends of development, they are also among its principal means." He further opines that focusing on human freedoms contrasts with narrower views of development, such as identifying development with the growth of Gross National Product (GNP), or with the rise in personal incomes, or with industrialization or with technological advancement, or with social modernization. While growth of the GNP or of individual incomes can, of course, be very important in expanding the freedoms enjoyed by members of the society, freedom depends on other determinants such as social and economic arrangements (for example, facilities for education and healthcare as well accessibility to them) and political and civil rights (which includes the liberty to participate in public discussion and scrutiny) (Sen, 1999). For Sen, therefore, development encapsulates human well-being. Human well-being also means to be well in the basic sense of being healthy, well nourished or highly literate and more broadly having freedom of choice in what one can become and can do (Imhonopi, Urim & Igbadumhe, 2013).

In the same vein, development can also be seen as the sustained elevation of an entire society and social system toward a better or more humane life. What constitutes the good life is a question as old as

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philosophy and humankind; one that must be periodically re-evaluated and answered afresh in the changing environment of the world society. Be that as it may, scholars agree with Goulet and others that at least three basic components or core values should serve as a conceptual basis and the practical guidelines for understanding the inner meaning of development (Goulet, 1971). These core values include: sustenance (it represents the ability to meet basic life-sustaining needs which include food, shelter, health and protection), self-esteem (the ability to be a person, creating sense of worth and self-respect) and freedom from servitude (the ability to choose which includes an expanded range of choices for societies and their members together with a minimization of external constraints in the pursuit of some social goal called development). The concept of human freedom should also encompass various components of political freedom including, but not limited to, personal freedom, the rule of law, freedom of expression, political participation and equality of opportunity (UNDP, 1992; Wall Street Journal, 1997). These three core goals of development represent the fundamental human needs and common goals sought by all individuals and societies (Goulet, 1971).

Therefore, development is about the improvement in the quality of life of people and economic development is a necessary condition for the attainment of this goal. As such, rising per capita incomes, the elimination of absolute poverty, greater employment opportunities, and lessening income inequalities therefore constitute the necessary but not the sufficient conditions of development (Sen, 1983). In all, development can be seen as both a physical reality and a state of mind in which society through some combination of social, economic and institutional processes secure the means for obtaining a better life. Relying on the cerebral work of Todaro and Smith (2003, p.23), whatever the specific components of this better life, development in all societies must have at least the following three objectives:

> (i) to increase the availability and widen the distribution of basic life-sustaining goods; (ii) raise the levels of living, including in addition to higher incomes, the provision of more jobs, better education and greater attention to cultural and human values to enhance material well-being and (iii) generate greater individual and national self-esteem, and to expand the range of economic and social choices available to individuals and nations by freeing them from servitude and dependence not only in relation to other people and nation states but also to the forces of ignorance and human misery.

In the context of this discourse, development can be driven through conscious, consistent, progressive and enduring policies of government. Government's socioeconomic policy thus goes a long way in determining the extent to which the share of a country's resources that is invested in education, healthcare, infrastructure and sanitation. In other words, government's socioeconomic policy measures how economic growth could translate into social development. Thus, when a country's social indicators are higher than its per capita income, it may suggest a strong government commitment to health, education and economic equity, while a reversal indicates government's failure to translate adequately its available economic resources into an improved quality of life (Handelman, 2006:4). Thus the measures of quality of life point to the general well-being of individuals and societies which refer to the degree to which a person enjoys the important possibilities in his or her life. Standard indicators of the quality of life include not only wealth and employment but also a built environment, physical and mental health, education, recreation and leisure time and social belonging. It goes beyond standard of living which is based primarily on income. Indicators of quality of life include concepts such as freedom, human rights, and happiness. In the modern world, the commonly used international measure of development is the Human Development Index (HDI) which combines measures of life expectancy, education and standard of living (income) in order to quantify the options available to individuals within a society.

III. Neoliberalism and Social Welfare

With regards to the concept of neoliberalism as a global economic order, contemporary scholars continue to pay much attention to studying various aspects of globalization phenomenon, including its origins. Although explanations which favor factors such as the growth of international trade or technological developments still remain popular, there is the growing recognition that globalization has a complex multi-causal nature with sociopolitical set of factors possibly playing more important roles than many believe (Quiggin, 1999). One popular view of globalization stresses the role of policy choices associated with a broad program of neoliberal reforms. This explanation implies that globalization must be perceived as the international manifestation of the general shift towards market-oriented neoliberalism. The new tendency has brought about the growth of unregulated international capital markets, which occurs in parallel with "… the shift to free-market domestic policies such as privatization, capital market deregulation and the abandonment of Keynesian macroeconomic management" (Quiggin, 1999, 248). The term neoliberalism is comprised of two notions, namely, "neo" meaning new and "liberal" meaning free from government intervention. Liberalism stems from the work of Adam Smith who, in the mid 1770s, advocated for a

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minimal role of government in economic matters so that trade can flourish. The mindset of liberal economics held sway for almost 200 years and was temporarily replaced in the 1930s by Keynesian economics which saw a place for government intervention. In the 1970s, liberalism, or the cry for deregulation, privatization and the deletion of government intervention in the market economy, resurfaced with vengeance; hence the name neoliberalism.

Neoliberalism which is also known as economic liberalism or economic rationalism provides reason to limit government in relation to the market (Eleanor, 2007; Gordon, 1991). This paradigm rests on the "… beliefs in the efficacy of the free market and the adoption of policies that prioritize deregulation, foreign debt reduction, privatization of the public sector… and a new orthodoxy of individual responsibility and the emergency safety net- thus replacing collective provision through a more residualist welfare state (Hancock, 1999). Neoliberalism seeks its own ways to integrate self conduct of the governed into the practices of their government and through the promotion of correspondingly appropriate techniques of self. It constructs ways in which individuals are required to assume the status of being the subject of their own lives - the entrepreneurial self. Neoliberal philosophy has been used as a critique of the state in an attempt to legitimate the minimization of the state in terms of its restructuring through corporatization and privatization. The neoliberal thought relies on:

> … a progressive enlargement of the territory of the theory by a series of redefinitions of its object, starting out from the neo-classical formula that economics concerns the study of all behaviours involving the allocation of scarce resources to alternative ends… economics becomes an approach capable of explaining all human behaviour (Gordon, 1991:43)

Paradoxically, under neoliberalism, many western nations have been reformed through government intervention. The neoliberal explanation for the impetus for state sector reform locates it in the need to improve a nation's competiveness by increasing the efficiency of all sectors of the economy. Through neoliberal philosophy, the regulatory environment is designed to facilitate the development of the market that has paradoxically been established through state intervention. The ideology of neoliberalism has resulted in the notion that the state lacks efficiency while private markets are more cost effective and consumer-friendly. It emphasizes the role of unregulated markets and a minimal welfare state with government being seriously limited in its attempts to intervene or mitigate the negative effects of market forces on education and social welfare.

Consequently, the essence of neoliberal healthcare reformation is cost cutting and setting healthcare up as a private good for sale rather than a public good paid for with the nation's resources. Neoliberal philosophy is these days illustrated by terminologies such as spending cuts, dismantling, deficit cutting, downsizing, declining welfare state, competitiveness, inefficiencies, inevitability, use-pay fees, for-profit healthcare, escalating costs, free markets and erosion of healthcare. Neoliberalism from its emergence in the 1970s and spread in the 1980s has been perceived as a radical challenge to the philosophy underpinning the welfare state. Production and distribution of goods through the free market does not distinguish between ordinary consumer goods and public goods such as healthcare and education. Concepts such as welfare state, social justice are condemned as inefficient and unjust within the neoliberal paradigm. Under the neoliberal approach, citizens are viewed primarily as rational consumers of public goods with healthcare being one of these goods. In other words, this philosophy places emphasis on the individual and mutual responsibilities rather than on rights and therefore fails to distinguish between the roles of people as consumers and citizens.

This approach to social policy formulation is evidenced by the term consumer which conjures up notion of using up and absorbing available resources. It seriously reflects the preoccupation of neoliberalism with consumerism and the acquisition of goods; and neglect addressing society's caring role for citizens. In addition, neoliberalism fails to distinguish the differing interests amongst social groups, especially in relation to power. Therefore, the neoliberal ideology can be seen to give only a partial view of society and serves to legitimate and justify the status quo. However, consumerist policies have a particular impact on those who do not have adequate access to material goods. The increasing disparities in wealth and income have forced many researchers to rethink the role of social class as a primary determinant of health. Thus, social and economic circumstances have been associated with inequalities in health, education, income levels and others for many decades. Socioeconomic status strongly influences people's physical and mental health, educational levels, quality of life, degree of healthcare access and mortality rates. Within countries, these inequalities can be seen throughout the whole social spectrum, suggesting there is not simply a threshold of absolute deprivation below which people suffer these inequalities, but also a linear relationship between socioeconomic circumstances and the general social welfare of individuals.

However, in examining the relationship between neoliberalism, specifically economic liberalism and the attainment of human development in the global south, with respect to advancing the quality of life of the people, reducing poverty, unemployment and inequality, questions have been raised about the unevenness of

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the global economic order of neoliberalism generating both winners and losers in spite of the pace with which global integration of countries have increased over the past three decades. Critics of the neoliberal policy have conceived of the process as an exploitative phenomenon that sharpens inequality within and between states, increase poverty and attack the social welfare capacity of states (Cox, 1998:452). This is fundamentally so, given the rise in the incidence of poverty, unemployment and inequality and the high social and human costs with which free market reforms have been carried out to the detriment of the majority of the populace. With more than two decades into the implementation of the economic reforms in Nigeria, the country is still encumbered with the growing incidence of massive inequality between the rich and the poor, uneven income distribution, massive corruption, human deprivation, weak infrastructure and poor human development indicators. This is why over the last two decades Nigeria has consistently occupied the low ranking position in the UNDP Human Development Index reports. Also, budgetary allocation in the key sectors such as education and healthcare has never gone beyond 13% and 5%. Unemployment rate has skyrocketed to 23% in 2011 while health indicators in the area of child/infant mortality, under-five mortality and maternal mortality remain one of the highest in the world. The country now is far from realizing the development targets enunciated in the Millennium Development Goals (MDGs) which emphasized the goal of countries delivering human rights-based development.

While many developed nations particularly those with influence over the global political economy have gained as openness has grown, the benefits of neoliberal economic globalization have not been evenly spread as free market enterprise has been associated with growing unequalization between the rich and poor countries, and in many cases, resulted in exacerbating the incidence of global poverty particularly in the global south which includes Nigeria. A major feature of this process is the growing concentration and monopolization of economic resources and power by transnational corporations and the privatization of social security which ultimately undermines citizen's welfare conditions (Cox, 1998:452). Consequently, most developing countries like Nigeria over the years have seen their independent policy making capacity in the areas of economic, social, political, cultural and technological issues eroded and have had to implement policies that are in line with the decisions and rules of international financial institutions such as the World Bank/IMF which are detrimental to the country and the well-being of citizens.

IV. The State of Healthcare Challenges in Nigeria

'Health is wealth' goes the popular saying and therefore in every country, the health sector is critical to social and economic development with ample evidence linking productivity to quality of healthcare. The legitimacy of any national health system depends on how best it serves the interest of the poorest and most vulnerable people, for which improvements in their health status is vital to the realization of poverty reduction objective. In Nigeria, the vision of becoming one of the leading 20 economies of the world by the year 2020 is closely tied to the development of its human capital through the health sector (Osotimehin, 2009). However, health indicators in Nigeria have remained below targets and internationally-set benchmarks including the MDGs, which have recorded slow progress over the years. This poses a major development challenge which will impede development and economic growth. This is essential since access to quality healthcare and prevention services are critical tools essential for poverty reduction and economic growth which in turn impact on the quality of life of the people.

In the light of this, a look at the health status indicators for Nigeria showed that it is among the worst in the world. The life expectancy at birth is 52 years; vaccine-preventable diseases and infectious and parasitic diseases continue to exact their toll on the health and survival of Nigerians, becoming the leading causes of morbidity and mortality. As at 2008, the Federal Ministry of Health indicated that Nigeria has the highest number of HIV infected persons on the African continent and the fourth highest tuberculosis (TB) burden in the world. Also, non-communicable diseases are increasingly becoming public health problems, especially among the affluent urban population. Even though only 2% of the global population is in Nigeria, the country, with an estimated infant mortality rate of 75 per 1000 live births, child mortality rate of 88 per 1000 live births, under-five mortality of 157 per 1000 live births and a maternal mortality of 820 per 100,000 live births in 2008; 630 in 2012, contributes a disproportionate 10% to the global burden of maternal and also infant mortality (National Population Commission, 2008; Federal Ministry of Health, 2008; African Economic Outlook, 2014). Wide regional variations exist in infant and maternal mortality across the geopolitical zones in Nigeria. Infant and child mortality in the North West and North East zones of the country are in general twice the rate in the southern zones while the maternal mortality in the North West and North East is 6 times and 9 times the rate of 165/100,000 live births recorded in the South West zone respectively (Federal Ministry of Health, 2004). The table below shows the veracity of the current health indices in Nigeria:

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Table 1 : Nigeria Health Indices

S/No.	Index	Nigeria's Figures	Ranking Among Countries
1	Access to sanitation	33%	115th of 129
2	Birth rate, crude per 1000 people	40.51	20th of 195
3	Children underweight rate	11%	14th of 95
4	Contraception	15%	77th of 89
5	Dependency ratio per 100	90	20th of 166
6	Drug access	1%	141st of 163
7	Expenditure per capital	$23	155th of 186
8	Hospital beds/1000 people	1.67%	98th of 149
9	Infant mortality rate	70.49%	33rd of 149
10	Life expectancy at birth	43.83yrs	170th of 194
11	Probability of reaching 65 years	42.1%	126 of 159
12	Total expenditure on health	4.7%	135 of 185 as % of GDP
13	Water availability	2,514 cubic (mtrs)	115 of 165

Source: World Bank Development indicator database 2012.

In all of this, challenges still permeate the nation's health system making the rich and educated access better healthcare services rather than poorly educated and poverty stricken individuals that need it most. This has continued to bedevil the legitimacy of the country's health system and remains the most critical factor impeding the country's capacity towards achieving the health Millennium Development Goals (MDGs) by 2015. According to the UNDP, the Nigeria Human development Report 2008-2009, Nigeria seems to have a systemic structure that is challenged because the supposed economic growth especially after the country's return to democracy has not cascaded to many Nigerian citizens who are mainly peasant rural workers and artisans. This situation means that the opportunities for upward mobility seem limited which eventually could affect majority of the citizens' access to health services given their low income and poor purchasing power.

V. Neoliberalism and Challenges of Human Development in Nigeria

There are obvious challenges that have arisen from the disquiet created by a badly implemented neoliberal economy policy in Nigeria. These challenges have been listed as follows:

First, while government over the years has tried to implement neoliberal reforms in the country with the goal to improve on the socioeconomic experiences of citizens, it seems that no deliberate effort is made to improve the living and working conditions of Nigerians and this has resulted in human development crises such as bad or poor health of citizens, poor sanitation, poor education and social services, housing problems, high child and maternal mortality, unemployment, poverty and poor infrastructural development. These factors have contributed immensely to the rural-urban migration syndrome in the country.

Second, neoliberalism with its emphasis on individualism, market ethos, commercialism, privatization and other Bretton Wood institutionalized economic principles have succeeded in pushing the poor and vulnerable groups in the Nigeria to the precipice of greater deprivation and neglect. This state of precarity has worsened over the years, making it difficult to discern the effect of the purported economic buoyancy on the quality of life of the citizens (Edewor, Imhonopi & Urim, 2014; Imhonopi, et al, 2013).

Third, neoliberalism in Nigeria as well as in Africa was designed without a human face and human heart. Rather than equilibrate the distribution of resources, it has successfully but subtly located access to the national treasury in the hands of a minority in government or coteries close to those in governance, thus risking investment in infrastructure, security, education and health of Nigerians. Consequently, the human development indices of Nigerians have parachuted.

Fourth, neoliberalism in its best form may not be able to deliver in an atmosphere where there is endemicity of corruption. As Bardhan (1990) and Evans (1995) put it, Nigeria seems to be a victim of predatory governance because of a culture which supports the appropriation of unearned income via rent-seeking and the endemicity of corruption which enriches a few and pauperizes the majority. Within such a milieu, economic, industrial and human developments are rolled backwards and majority of the citizens become worse off for it.

Lastly, the self-seeking political system and politicking in place in Nigeria are at variance with popular interests and desires. Borrowing the words of Standing (2011) and Imhonopi and Urim (2014), the lack of a politics of paradise and humanity that fails to promote inclusiveness and support the principles of economic security and social well-being has continued

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to push majority of the population towards an impending apocalypse brewing in the horizon.

Thus, the human development of Nigerians has dipped because of both a poorly implemented neoliberal reform package and a warped political system that disenfranchises the majority for the perpetuation of the interests of a plutonomic coterie.

VI. Recommendations and Conclusion

To improve on the declining human development indices of Nigerians, the following points must guide Nigerian policy managers and implementers.

First, it is imperative that Nigeria should be committed to the evolution of democratic principles that advocate and perpetuate constitutionalism, accountability of those in governance, electoral politics that enthrone the wishes of the people and a platform where popular choice of leaders is respected. When the neoliberal paradigm is implemented within a context of respect for democratic ethos and popular democracy, government will be more disposed towards citizen engagement and participation in all reform processes.

Second, a politics of paradise needs to be rolled out to foster the declining human development indices of a majority of the country's population whose livelihood and experiences have known nothing but deprivation, pauperization and marginalization. With social and political inclusiveness and a bouquet of social and economic safety nets meant to cushion the experiences of the poor, the unemployed, the marginalized and largely the vulnerable population, these citizens will be mainstreamed into the centre of the socioeconomic space.

Third, a human-faced approach to economic reforms must be given a priority lest an army of vulnerable precariat emerges with a sense of bilious revenge which could pull at the seams of social and political integration.

Fourth, there is need to tackle corruption on all fronts by empowering anti-corruption agencies of government and allowing for judicial independence in the prosecution of corrupt government officials. The impunity shown by corrupt political and economic managers of the state in the pillage of the commonwealth which could have been invested in projects with the potential to advance the people's human development conditions must be stopped forthwith. When punitive measures are meted out on convicted individuals caught in the act of corruption, it may go a long way in dissuading others with such criminal tendencies.

Fifth, transformational leadership has become imperative if the human development condition of Nigerians is to improve. Nigeria needs a corps of political and economic leaders who leads by example. It needs leaders who are willing to make sacrifices for the collective good, not political barracudas whose activities in governance mortgage the future and potentials of the country.

Lastly, there is need for the aggressive investment in infrastructural development and the improvement of the living conditions of Nigerians. When the health sector is revamped and access to healthcare by all citizens improves; when the educational system is reinvigorated; when security of lives and property is guaranteed; when essential services and social amenities are improved upon and modernized and when the justice system is speedy, becomes fair and firm, then the human development conditions of citizens might receive a new lease of life.

In conclusion, human development conditions of Nigerian citizens have continued to plummet in Nigeria and the situation has resulted in the poor state of healthcare and human development of citizens. The government must revisit its approach to the Bretton Woods-authored neoliberal reform package in the country by stamping out the use of ad hoc and discretionary handouts and market-led growth which have failed to engender a trickledown effect and alleviate or eradicate poverty and other social conundrums facing Nigerians. Thus, government needs to entrench the culture of democratic praxis in the political sphere, unfurl a politics of paradise with the aim to widen inclusiveness of the people and to foster social and economic safety nets for citizens. Government also needs to institute a human-faced approach to economic reforms, tackle the incidences of corruption and the culture that promotes it, enthrone transformational leadership and aggressively invest in the turnaround of infrastructural development and improvement of the living conditions of citizens.

Government must put paid to its usual rhetoric and political shenanigans and be committed to greater citizen engagement and participation in the governance processes of the state. Also, citizen welfare and comfort must guide government's actions and intentions and should remain the benchmark for assessing the impact of any form of economic or social reforms that it desires to implement in the country.

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Rethinking African Governance Architecture; Lessons and Recommendations for Action

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Abstract- What has been seen from the experiences of African countries is that a leadership style based on command and control is no longer suited for making a capable state, characterized by constitutionalism. This will require high-level skills combined with strong commitment and determination on the part of African leaders at large. Beyond the coming into power with a limited experience, African leaders are too stubborn and are attacked by rigidity and no room for dynamism in their character. This situation contributes its part to the today's insecure governance structure in the continent. If African leaders and the government they lead are dedicated to the rights, unity and well-being of their people, they will ensure the consolidation of their nation and its security which will have a cumulative transformation on the governance architecture of the continent. Recently, Africa needs leaders that understood the social, economic and political forces that constitute the security arena and who never forget their role as an ultimate stakeholder for promoting good governance and the subsequent events of wealth creation and sustainable development in the continent.

Keywords: *good governance, leadership, development, africa.*

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Abstract- What has been seen from the experiences of African countries is that a leadership style based on command and control is no longer suited for making a capable state, characterized by constitutionalism. This will require high-level skills combined with strong commitment and determination on the part of African leaders at large. Beyond the coming into power with a limited experience, African leaders are too stubborn and are attacked by rigidity and no room for dynamism in their character. This situation contributes its part to the today's insecure governance structure in the continent. If African leaders and the government they lead are dedicated to the rights, unity and well-being of their people, they will ensure the consolidation of their nation and its security which will have a cumulative transformation on the governance architecture of the continent. Recently, Africa needs leaders that understood the social, economic and political forces that constitute the security arena and who never forget their role as an ultimate stakeholder for promoting good governance and the subsequent events of wealth creation and sustainable development in the continent.

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I. Introduction

During the 20th century, the greater Horn of Africa formed one of the most dynamic and unstable regions in Africa. It underwent profound changes, and faced a number of political and economic crises. The political reality in countries such as Somalia, Ethiopia, Eritrea, Djibouti, and Sudan was shaped by internal and external actors and forces that contributed to dramatic events, including military coups, revolutions, ethnic and religious tensions, and changing borders.

As (Obasola, 2002) cited in (Afegbua and Adejuwon, 2012) people and government in every part of the world are calling for unity, justice, peace and stability. The resurgence of this uninterrupted call is not only explicable through their political policies alone; but also it is reflected in the social and economic policies In fact, most constituted governments in Africa have been undergoing serious and deepening politico-economic crisis. These problems generated by political, social and economic instability and the prevalence of ethnic, communal and religious crises, which have bedeviled Africa, call our attention to the problems of leadership and governance in the continent.

Although, in its very nature, governance approach highlights issues of state responsiveness and accountability, and the impact of these factors on political stability and economic development, for too long and still today, researchers and much of the literature dealing with Africa's development have concentrated on economic issues, with a particular on technological innovation, overlooking the highly important political dimension of the process (Bratton and Rothchild, 1992) as cited in (Afegbua and Adejuwon, 2012).

The problem of weakening African governance and the consequent underdevelopment[1] could be traced back to the long history of exploitation and marginalization of African citizens by those nations of the northern hemisphere. The first phase of the exploitation i.e unforgettable memory of slave trade which lasted for almost three hundred years and the second one of exploiting Africans with in Africa, i.e colonialism[2] have a considerable impact on the todays African states governance architecture. Despite, the independence lasted half of a century; people in much parts of Africa are suffering from lack of good governance and the resultant effects of under development. What is equally important and not to be passed unnoticed issue is the other side of the coin, i.e leadership challenge faced African nations. The emerging concept of new public management has put the issue of leadership at the apex of governance architecture and sustainable development. Seteolu (2004:70) pointed out that the governing class has been target of pillory, vilification, condemnation and disdain in view of the pervasive and persistent socioeconomic and political crisis. In relative speaking with their northern development partners, the economic domain in African countries has been characterized by huge external debt overhang, net capital flight, disinvestments, collapse of social infrastructure, food crisis and insecurity, over-devalued national currency, pervasive poverty, unpopular, repressive and alienating economic policies (Afegbua and Adejuwon, 2012).Therefore, one of the triggering factors responsible for the aforementioned deep rooted problems in Africa is found associated with

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[1] See, How Europe Underdeveloped Africa. Walter Rodney 1973.

[2] Africa could not underestimate the anguish and brutalities of slavery and colonialism and developments constitute the major source of the legacy of socially imposed disabilities in Africa such as poverty, disease, ignorance, squalor, etc.

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leadership quality. In Africa, most often is observed while coming leaders with limited experience. This paves the way for creation of irresponsible, self-appointed, and irrational leaders who usually take coercion and military options apogee of their alternatives to respond to the questions of the governed and to calm popular resistance. The experiences we saw so far and recently in some parts of Africa, such as the social unrest and the creation of factions in Egypt following the unconstitutional removal of the former leader of Mohammed Moursi, the long history of social unrest in Somalia whose foundation stone has been traced back to the regime of Said Bare, and political instability in Libya occurred following the removal of Gadhafi, the most recent and ongoing crisis in south Sudan created after its independence and has been responsible for the death and displacement of thousands of citizens are just few justifications and manifestations of leadership deficit and bad governance in Africa. In these and some other parts of the continent, issues of constitutionalism, good governance and democracy are determined by the type of leadership in a respective country (Arthur, et.al 2013). The immediate role of leadership in Africa should not go beyond promoting pro-people policies that accommodate the needs of the populace. However, African states and their subsequent leaders have exploited and monopolized internal sovereignty, to mean absolute power, personalization of state-like services and have monopoly of and over organized violence (Ibid).

II. Manipulating Leadership for Achieving Good Governance

There are a number of factors which are of paramount importance for bringing about structural transformation in terms of good governance for African nations. Some of them are listed as follows.

Political Structures: Various literatures argued that the relationship between the various arms government as complementary institution is very vital for the emergence of good leadership and governance[3]. However, the fact at the ground in Africa does not provide a room for such a condition. The political elite should not be seen as a belligerent, and rather a kind of relationship based on harmony and common interest of citizens. Added to this is the relationship between the ruling party and opposition political parties in African states. This is one of the areas which narrow the political ecosystem and which consequently pose problems chaos and disorder in African states.

In an increasingly interdependent world, Africa must learn from all directions. Political parties must continue to emerge as organized expression of the views of all represented. But, institutions at the constituency level must be built to guard against the tyranny of political parties; Africa must strive for majority of ideas rather than party loyalties; elected leaders operating on the basis of the evolving needs and the direction of the electorate; a system that takes cognizance of the rights of minority; and the crafting of relevant democratic principles of traditional African societies to present requirements of democracy in Africa should be the pillars of the evolving democratic processes in Africa[4].

Lack of National Consensus: failure of public officials to distinguish between personal or ethnic, or partisan political interests and what may be called the national interest. The confusion that has resulted from this is that oftentimes, the former is allowed to override the latter with the formulation of out rightly contradictory policies and mutual ethnic suspicion and restiveness as outcome.

Lack of Awareness: In much of African states, the protection of human rights is at risk. One pressing challenge for this is the lack of awareness on the part of the executive bodies such as the military and other protection forces. The military is usually recruited from elementary education levels which could not identify what is right and wrong with regard to the nature and extent of human rights.

III. Recommendations for Action

Restless Strive and Perseverance to Restore Peace and stability: various conflicts and natural crises have paralyzed for years the development of democratic systems and good governance policies in some African countries. In addition, wars, civil strife and proliferation of light weapons impede the efforts made by many African countries to establish sustainable development. Some countries are still suffering from current conflicts others are recovering following the end of the conflicts they faced. Hence, addressing the challenges posed by conflicts to governance still remains a challenge in many parts of Africa. This includes the strengthening of national capacities for preventing governance crises, conflict and natural emergencies as well as for undertaking peace-building actions and addressing the inter-relationship between social integration and peace-building. The issue of south Sudan is indispensable which calls for the international community, but really to be solved by African states, i.e. African solutions for African problems. The two factions and their leaders are responsible for the vast causalities prevalent in south Sudan. Leaders should be aware enough that they come to positions just to serve the governed and not to oppress and not to be the cause for the lives of

[3] African leadership forum, LEADERSHIP FOR GOOD GOVERNANCE IN NIGERIA, 10 – 12 March, 2000

[4] Democracy and Governance in Africa; Conference on the African leadership Forum. Ota, Nigeria 29 November – 1 December 1991

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thousands. Mechanisms should be in place which put an end to the seizing of political positions at the expense of the lives of the populace in the African soil. In addition to national security issues, capacity needs to be strengthened on managing cross-border population movements and addressing drug and small arms trafficking, transnational movements of mercenaries, epidemics such as Ebola, human trafficking and transnational organized crimes.

In recent years, increased stability in the African continent has contributed to a shift in the focus of development strategies that take into account good and effective governance as a condition for fostering economic and social transformation. In this context, the interdependence among governance, peace, security, stability and economic and social development started attracting great attention, while the issue of determination for action is still another significant challenge in the African peace, security and governance architecture. The peace negotiation process between the two political leaders in south Sudan undertaken by IGAD, and the frequent failure to be obeyed by the stated guidelines by the two parties is one counter example.

Africa needs leaders that respect and follow the provisions of their constitutions and who cultivate a culture of constitutionalism, democracy and good governance in the continent, since political leaders are the primary holders, controllers and distributors of power and resources in a particular institution (Aurther et.al, 2013). Above all, a new mentality accompanied by the ideal of constitutionalism in which leaders and their governments should be faithful to their constitutions is seriously needed. Leaders must be sensitive enough to the populace if they understand that the source of their authority is the people. In addition to this, they should not manipulate their people by their emphasis in the name of sovereignty, independence, self-determination and patriotism only for their own interest. Venter (2011) noted that there is extensive personalization of power that discourages the growth of wider forms of trust and reciprocity.What is being seen in Africa to day is the violation of human and democratic rights using the above principles as a pretext. Despite its resistance to admit its fowls, Ethiopia has been repeatedly accused of the human rights violation by the international institutions. The narrow political environment which does not provide a significant room for opposition political parties and the enmity relationship between the ruling party and the opposition groups are the challenges for democratization process in the country. In the name of terrorism too, especially some journalists and bloggers are in jail for long while others left their country for asylum abroad. Muslim elites who request the election of leaders in religious customary courts to be undertaken with in a mosque (for credible, transparent and free election result) are suffering a lot in jail. In a condition where all these grievances in the part of the governed, and violations in the part of government are prevalent, how the governed tend to develop trust, good will and fill a sense of ownership in the national effort to bring about sustainable development? All of which are the unfinished businesses of the African union.

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Rising Access to Information: Dynamics & Implication

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Abstract- Access to information is a fundamental condition for enabling citizens' active participation in the modern democratic systems. The availability of sufficient required information to citizens makes the accountability of the government possible. It is the age of information led globalization. Individual and societies are getting far more connected than ever before. Information and communication technologies (ICTs) are the prominent characteristics of the modern age. The innovative, integrative, easily available and user friendly communication technologies are enhancing citizen's access to information. Consequently, citizens are becoming far more empowered. This phenomenon has profound political, economic and social impacts. Relying on the existing research, this article juxtaposes the findings from different researches and presents them in a meaningful compact way.

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Rising Access to Information: Dynamics & Implication

Dr. Muhammad Zubair Khan [α] & Dr. Azmat Ali Shah [σ]

Abstract- Access to information is a fundamental condition for enabling citizens' active participation in the modern democratic systems. The availability of sufficient required information to citizens makes the accountability of the government possible. It is the age of information led globalization. Individual and societies are getting far more connected than ever before. Information and communication technologies (ICTs) are the prominent characteristics of the modern age. The innovative, integrative, easily available and user friendly communication technologies are enhancing citizen's access to information. Consequently, citizens are becoming far more empowered. This phenomenon has profound political, economic and social impacts. Relying on the existing research, this article juxtaposes the findings from different researches and presents them in a meaningful compact way.

I. Introduction

Access to information is the basic condition for a successful democracy. It is the principle and in actuality a right which was achieved through struggle against the arcane policies of monarchs in 17th and 18th centuries. It also imposes the responsibility upon press to provide objective information. Thus, access to information is part of the enabling conditions of 'publicity' which exposes state before public for scrutiny (Habermas, 1974).

Everyone in a democratic society is bestowed with the right to have access to such information that actually empowers individual to hold public institutions accountable. Informed public discusses and debates issues of common interests and ultimately leads to the generation of public opinion which brings the state and other public institutions in touch with the needs of the public (Crack, 2007).

As Luther used the newly invented printing press to drive protestant movement against the Catholic Church, or the American revolutionaries utilized Benjamin Franklin designed postal service, today's nonconformists' movements have liberty to choose from many of the ICTs devices to shape their viewpoint and synchronize their actions (Shirky, 2011). As the communications composition globally is getting dense, complex, and increasingly participatory, the netizens are gaining enhanced access to information, augmented options for public speech, and a raised ability to carry out collective action (Khan, 2014a).

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The Internet and News networks for example CNN, BBC, Sky TV and Aljazeera that provide information on almost every issue, have no counterparts of their level in entire human history (Tehranian, 2004). Websites, wikis, social networking sites, blogs, and discussion forums are altogether a new form of media commonly termed as social media that multiply individual access to information. Several recent socio-political mobilizations have been primarily organized through the Internet and mobile interactions which shows that power of informed citizenry. In the last decade the public mobilizations in Philippines, Spain, South Korea, Ukraine, Nepal, Ecuador, Thailand and several other countries, manifest the strengths of social media and the new power of social movements to call for solidarity to the world at large for their local cause. The movement against the military rule in Myanmar in 2007 is another case in this regard. Most recent case was the revolutions in Arab world. (Castells, 2008; Gonzalez-Bailon et al., 2011; Moussa, 2013)

This article highlights the significance of access to information for citizens in the age of globalization. The modern communication systems have enabled citizens to gain access to information on unprecedented level. Building upon existing research, the article highlights the dynamics that have facilitated the rising access to information and implications of this phenomenon.

II. Acces to Information

Access to information is imperative for an active public (Coulhan, 1992). The digital public is matchless in this regard as it is facilitated by such communication systems that enable greater number of citizens to access unlimited information (McChesney, 1995). The role of the Internet is paramount in this respect. One can find millions of web pages on almost every subject over the Internet (Dahlberg, 2001). Furthermore, it is increasingly becoming user friendly and any one with some basic computer skills and access to the Internet, can retrieve information of his/her need from the Internet. Speedy and efficacious access to information raises transparency and answerability of the government. Similarly by providing citizens information regarding rights, facilities and services, citizens can be empowered and opportunities for debates can be augmented (Weigel & Waldburger, 2004).

The rapid proliferation of ICTs is enabling better access to information, supplying new spaces for public

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deliberations and paving the way for enhanced civic action beyond territorial confines (Shirky, 2011). ICTs have the potential to generate networks of connected citizens across the world. ICTs can transmit the voice of the unfortunate and marginalized to decision makers in order to insist action from their policy makers to generate permanent fundamental change in policies (Kalas & Finlay, 2009; Khan et al., 2012).

Importantly, today the common citizens are getting far more informed and expecting more of the state, at a juncture when most of the states are less competent to provide (Ferguson, 2006). The ordinary citizens due to ICTs have become 'global citizens'. Drache observes that the 'global citizen' can be seen anywhere in coffee shops, restaurants, the mall, paying through credit cards or voting online (Drache, 2008). He further observes that global citizens sign petitions, create artworks, launch boycotts, break copyright laws, share files, create blog, and engage in elite challenging activities. They are no more living in their self-confined cellars; rather they are interacting with one another, and are not afraid to raise their opinions. He highlights that global citizenship can be observed during the employment of hypertext, access to new communal identities and new ways of comprehending the associations between the local and the global (Drache, 2008).

III. Dynamic for Rising Access on Information

a) ICTS

The term 'ICT' refers to the whole range of devices that are employed to collect, store and share information. These include both conventionally used radio, television and telephone and modern technologies like computer, cell phone, the Internet, satellites etc (Weigel & Waldburger, 2004). ICTs have tremendously facilitated the flow of information in the shape of sound, image and text. The important features of ICTs include speed, interactive facilities, compactness, affordability and integration of different technologies together (Khan et al., 2012).

These features are making rising number of people own one or multiple digital devices to access information according to one's need. It may be said that digital devices are increasingly becoming inevitable part of life of huge number of individuals across the world. These are giving birth to a unique culture of its own type.

The prominent ICTs that have raised individual's access to information include computer, the Internet, cell phone, SNS, wikis, blogs, RSS, bulletin boards, discussion forums and a range of social softwares that enable exchange of information in the shape of text, images and sound.

b) Globalization sensitizing and motivating the needs to have more info

Globalization is a set of ongoing processes, without a beginning or an end, motivated by human instinct for improved style and standard of living, forcing connections among all types of institutions and organizations, resulting in destabilization and integration simultaneously and chronically (Khan, 2014). The global networks that shape the planet affect everything and everyone. The obvious reason for this phenomenon is that all the pivotal economic, communicative, and cultural activities have been globalized (Castells, 2008). The impacts of globalization turn almost everyone susceptible to their effects and create the urge for more information about local and distant societies and institutions.

Moreover, one of the basic characteristics of contemporary globalization is intensified connectivity that also motivates the need to have maximum information for social, political and economic benefits (Held, 2003). Furthermore, globalization like an autonomous process requires exchange of information among individuals and societies in the shape of ideas for its own development (Tehranian, 2004).

c) Rising awareness at local level

With the proliferation of liberal democracies across the world, people are becoming well-aware about the significance of availability of information about public policies, as this is the only mean through which people can hold elected governments accountable and make their voice being heard. This aspect encourages the civic activists, political workers and common citizens to have more and more information about their rights, public issues, policies, political parties and their leaders (Catells, 2008).

Similarly, susceptiblities to the effects of globalization also motivate the need to have maximum information about people in other parts of the world, about their societies, economies and political systems. These urges ultimately emphasize to have mechanisms for access to maximum information.

d) Right to information

Right to information is increasingly being recognized across the world. It is in continuation of freedom of speech. In order to enable individual freedom of speech, freedom of information is inevitable (McDonagh, 2013). The UN and a huge number of international non-governmental organizations have been campaigning for it. Right to information is increasingly been seen as a fundamental right. Consequently, one can see rise in the legislations across the world that ensure individual's right to information. These legislations are also facilitating the rising level of access to information.

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e) Censorship difficult

Authoritarian regimes generally smother communication among their citizens as they apprehend that well-informed and better-coordinated public would limit their ability to act freely (Shirky, 2011). However, important characteristic of new communication systems is that it is difficult to censor.

It is a fact that the Internet has to certain extent been "developed, monitored and regulated by government". Nevertheless, a huge amount of debate occurs online comparatively free of state and market influence (Dahlberg, 2001). The Internet by its structurally complex nature and advanced technologies is difficult to censor. Many dissident movements even terrorist organizations like Al-Qaida have effectively published there contents without concerns of the powerful states including United States with advanced mechanisms to trace and censor.

There are several recent examples which show that in the last decade different governments' efforts to ban or censors particular TV channels or websites remained fruitless. People continue to access Youtube in countries where it has been banned. Similarly, in Pakistan for example, the country's most watched media channel "Geo News" has been banned but people continue to watch its transmissions over the Internet. Thus, it has become extremely difficult for governments to ban or hinder information flows in the twenty first century.

IV. Implication

The access to information is necessary condition for enabling active participation of citizen in the contemporary democratic society. ICT by facilitating this requirement is triggering profound political, economic and social impacts.

a) Political

Modern citizens are equipped not with weapons but with the power of information facilitated by communication technologies. Furthermore, ICTs capabilities to produce networks of knowledgeable citizens reflect their political powers (Castells, 2008). Cyber enthusiasts contend that the Internet can strengthen democracy by connecting people, with utter disregard to territory, and by fostering public spheres and fresh social movements (Min, 2010). The history shows us many examples of the effective use of information and communication inventions for bringing revolutions. Luther use of printing press or the American revolutionaries utilization of postal service to achieve their revolutionary objectives are daring examples of the innovative use of communication technologies, and contemporary nonconformists' movements can choose from a huge variety of digital devices to shape and propagate their viewpoint and synchronize their actions. With every passing day, the 'haves' of digital technologies are increasing in number and in sophistication of their use, consequently the opportunities for public debate and civic actions are multiplying (Shirky, 2011; Khan, 2014a).

The rapid sprouting of political groups and activism over the Internet surely mirrors political uses of this medium (Papacharissi, 2002). At the bottom of all such activism lie the availability of information. The Internet is facilitating public political action globally (Taylor, 2002). Several recent socio-political mobilizations primarily organized through the Internet and mobile interactions (Castells, 2008).

Social media can facilitate disorderly groups by decreasing the costs of coordination. Consequently, larger, looser groups get enabled to take on some synchronized action like launching protest movements or public media initiatives that in past were only possible for formal organizations. In the case of political movements, one of the major types of coordination is 'shared awareness', i.e. the capability of each activist in a group to not only comprehend the situation in sight but also to comprehend that everyone else does, as well. Social media augment shared awareness by spreading information through cyber social networks (Shirky, 2011).

People Power-II movement in Philippines that forced Estrada to leave the office on January 20, 2001 was the first case in history that demonstrated that with the mobile communications thousands of people could be congregated in few hours, who eventually achieved their goal. Likewise the election of South Korean President Roh Moo-Hyun in 2002 is another evidence of the potentials of ICTs. His election has been extensively credited to Nosamo, an online group of young supporters of Roh. Triumph of both i.e. the Roh and Nosamo has now turned out to be a textbook example reflecting the potentials of information technology (Hachigian & Wu, 2003). Similarly the massive demonstrations against Iraq war in 2003 were also primarily convened by using cyber technologies and refer to the same phenomenon (Hara & Shachaf, 2008). Similarly, ICTs by facilitating information and interaction among people can help eradicate misperception and condense the discrepancy of information in world politics, thus ensure more security and less violence (Kapitonenko, 2009).

b) Economic

Availability and exchange of information in run time also reflect the economic implications as well. Exchange of information leads to exchange of techniques and technologies to boost productivity, raise the standard of life, decrease prices, and generate new economic activities leading to new employment openings and generation of wealth. The world is experiencing a transformation not due to the fact that computer operators have substituted the secretaries

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and the typists across the world, leading to reasonable hike in efficiency, rather the information technologies have restructured the economy on essentially different basis, commonly called as information based economy (Tezcan, 2006).

Information and innovation are the most important factors for businesses. Businesses have always tried to acquire hold of the information flows for variety of purposes like advertising, innovation in productivity and internal efficiency. However, ICTs have enabled structural changes in economies across the world. These changes have affected the production on the one hand and consumption behaviors on the other as well. New modes of transactions have been invented equipped with the digital currencies. ICTs have facilitated turbocapitalism (Luttwak, 2000). Some argue that the institutions that have benefited most at the infrastructural level owing to ICTs are none but MNCs, now also called as transnational corporations (TNCs). TNCs have evolved global networks of production and marketing that have transformed the economic geography (Taylor, 2004).

ICTs themselves have proved to be a capital like 'human or social' capital. Their impacts on productivity, organizational structures, efficiency, can not be undermined (Reenen, 2010). Globalization of technology connotes that economic gains and powerbase structures of 20th century are being swiftly removed. The ICTs are impressive knowledge leveler. Businesses whether big or small, old or new, are all identical in the cyber world of e-mail, e-commerce, or e-currency (Manivannan, 2008).

c) Social

Availability and exchange of information have built in socializing impacts. Making information available, facilitating its sharing, creating networks of people either already familiar to one an other or strangers, all of these steps of information process entail social powers to encourage civic engagements (Dahlberg, 2001). Moreover, as ICTs operates beyond territorial boundaries so these facilitate civic interactions beyond nation-state territorial confines. Drache terms the transnational activism stimulated by the internet use as the 'digital publics'. He optimistically contends that contemporary era through the ICTs and information flows provide the common citizen limitless social opportunities to innovate and shape discursive communities on a range of issues (Drache, 2008).

Many researchers have highlighted how citizens utilize computers and the Internet for various political and democratic purposes (Min, 2010). So is the case with education. The use of ICTs in general helps eliminate several educational issues in both developing and the developed world, this is especially true for higher education (Nawaz, 2012). Similarly besides MNCs, information flows have also supported NGOs to become as transnational as Exxon (Taylor, 2004).

ICTs offer a variety of tools and services that facilitate availability of information at national and planetary level. The rising flows of information can not only augment civic life, but also resolve several social problems. The year 2011 was marked with dissent, wherein apathy became outmoded, and apparently irrefutable dictators and systems were challenged. Around 88 states saw various types of mass citizen action. The genesis and stimulus of dissent are intricate, but the causes of 2011's protests were interrelated. These protests were motivated by the incapacity of states to deal with the impacts of the economic crisis, resulting in grave income disparities and severe corruption, aggravated by demographic movements that raised more informed urbanized, jobless young citizens. The internet, cell phone and social media played the central role in stimulating civic action, both as a planner of physical dissent and as a civic realm in its own right. The state's approach to economic crisis might be viewed as an encroachment in the essential social contract between state and its citizens, and protest could be comprehended as a mode 'informed' citizens reaffirming the power to mediate a new social contract (Civicus, 2012).

V. Discussions

Some believe that concerns of state and market influence over media can not be thoroughly overruled (Carey, 1995). For the cyber pessimists the challenges that hinder universal access to information actually emerge from the offline social, political, economic and cultural conditions (Dahlberg, 2001). These problems originate from inequalities in socioeconomic resources, disparities in telecom infrastructures, literacy in general and computer literacy in particular, community support and leisure (Papacharissi, 2002). They believe that globalization and ICTs have negatively affected the prospects for availability of information by increasing the disparities between the developed and the developing parts of the world, the rich and poor, whites and blacks, the educated and un/less-educated, and have given birth to information 'have' and 'have not', these divides are commonly termed as "digital divide" (Min, 2010). However, enough evidence exists that gradually 'digital divide' is slowly and gradually disappearing from the globe with rising access to digital technologies (ITU, 2013). Integrative capabilities, decreasing costs, and increasingly user friendly nature of the technologies are enabling the ICTs to proliferate horizontally (Khan, 2014).

Some contend that with every passing day, businesses are increasingly appearing on websites which were previously entirely free from market influence. Advertising over popular social websites is

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becoming commonplace. Many giant websites themselves have turned into commercial arenas. But contrary to this argument, it still remains a fact that the Internet theoretically can be termed as an unlimited space. Dominance of the Internet by the market is only limited to a fraction of it (McChesney, 1995). Even today large spaces over the Internet are virtually free of market or state influence (Dahlberg, 2001).

Sometimes states also strive to exert their pressure on the flow of information by infringing internet traffic or by blocking some websites, penalizing those individuals who write or spread information against the wishes of the state or by not granting licenses to certain technology companies (Crack, 2007).

However, it is imperative to note that cyberspace is a limitless 'space' (McChesney, 1995). Market and states influence will always be only limited over a particular portion of that space otherwise it is almost impossible to entirely control this space and it seems unlikely that state or corporate initiatives would completely dominate the online politics (Papacharissi, 2002). A huge amount of the Internet traffic occurs online relatively independent of state and market influence (Dahlgren, 2005). Furthermore, innovation is one of the basic characteristics of contemporary globalization and modern technologies and it is expected that both of these would lead to such ways that would enable universal access to information.

VI. Conclusion

Access to information is the fundamental condition for democracy. Owing to developments in the last few decades it has become now part of basic human rights. The rise in access to information is a part of the process of proliferation of liberal democracy across the world.

Contemporary globalization and communication technologies are the primary motivators of rising access to information. Globalization provides the rationale and communication technologies provide the means for rising access to information. The rising access to information is having profound impacts on social, political and economic aspects of individual, society and state.

Owing to this phenomenon, networks of well informed citizens are emerging. These nitizens play significant role in the political processes at the national and global level. Similarly, owing to the rising accessibility of information, newer types of businesses are emerging. The shape of political activities is also changing. Individuals are turning out to be far more powerful in the political and economic process as a result of availability of information.

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New Pension Legislation for Federal Public Servants in Brazil

By Maria Chaves Jardim & Sidney Jard da Silva

Abstract- This paper addresses the creation of pension funds for federal civil servants in Brazil, analyzing the existing legislation and regulation on this issue. To this end, it takes off based on the genesis of the Brazilian private pension plans, logging the emergence of private funds as well as the existence of various laws and constitutional amendments prior to Law 12,618/2012, which provided for the pension funds system for Brazilian federal public servants. It also identifies proponents and opponents to the Foundation for Pension Funds of Federal Civil Servants (FUNPRESP), signaling the discursive construction of the pension fund schemes as central character in contemporary welfare capitalism.

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New Pension Legislation for Federal Public Servants in Brazil

Maria Chaves Jardim [α] & Sidney Jard da Silva [σ]

Abstract- This paper addresses the creation of pension funds for federal civil servants in Brazil, analyzing the existing legislation and regulation on this issue. To this end, it takes off based on the genesis of the Brazilian private pension plans, logging the emergence of private funds as well as the existence of various laws and constitutional amendments prior to Law 12,618/2012, which provided for the pension funds system for Brazilian federal public servants. It also identifies proponents and opponents to the Foundation for Pension Funds of Federal Civil Servants (FUNPRESP), signaling the discursive construction of the pension fund schemes as central character in contemporary welfare capitalism.

I. Introduction

On April 30, 2012, Bill 1992/2007 was transformed into Ordinary Law 12,618/2012, whose main objective has been the implementation of pension funds for Brazilian federal public servants. The enactment of the new law represented a significant advancement in the implementation of the Constitutional Amendment 40/2003, sent exactly nine years ago to the Congress by the then President Luiz Inácio Lula da Silva (2003-2010).

The new legislation has determined that the pension funds for public employees would be deployed as "defined contribution" and would be known as Foundation for Pension Funds of Federal Civil Servants (FUNPRESP). The main arguments made by advocates of the matter, in 2003 and 2007, as well as in 2012, pervade the social security crisis, excessive privileges of the public sector, and the quest for greater equity between public and private pension benefits.

In order to provide an understanding, even if provisional and exploratory of a theme as relevant (and current) for the economy, politics and society as this one, we present in this paper a critical discussion on the topic. The text is based on literature review, analysing of bills and constitutional amendments, and finally, collecting of material in the press seeking to outline proponents and opponents to the pension funds for civil servants in Brazil.

This reflection is motivated by previous studies, in which were showed the consolidation of pension funds as a central character in the Brazilian contemporary capitalism (Jardim 2007; Jardim, 2009; Jardim, 2010). Therefore, it is an extension of efforts to understanding the finance capitalism and its related characters (pension funds, insurance market, managers, union pension funds, etc.). At the theoretical level, this text allows us to reflect on the similarities and differences between State and market institutions in the provision of social security welfare.

The text is divided as follows: it starts with the emergence of private pension plans in the Brazilian social security system, then it shows the various reforms (laws and contitutional amendments) leading to the creation of pension funds for servants and finally, in the last part, we analyse the discourses of opponents to and advocates who stand by the complementary pension scheme for federal public servants in Brazil.

II. Creation and Regulation of Pension Funds in Brazil

The regulation of private pension plans in Brazil began during the military regime in 1972, stepping up from 1974 on. This debate appeared in Congress for the first time in 1976, when an Interministerial Commission drafted a preliminary bill to be sent by the Executive to the Legislature. This project was processed and approved by Congress during the Geisel Government in 1977 when the private pension activities in Brazil were institutionalized.

Therefore, the private pension formally came into existence in Brazil, with the enactment of Law 6,435 of July 15, 1977. This law established that the activities of private security should be regulated and controlled by the State. Until then, entities operating in the market existed without any monitoring by the state and worked in isolation, without organization or dialogue among operators in the market. From the creation of Law 6,435/77 the pension market was expanded, and the private pension expression began to be used in Brazil. Before the 1977 law, entities that operated open private pension plans were called “montepios”, whose origin dates back to the period of the Empire.

Law 6,435 of July 15, 1977 set a maximum date for the regulation of existing private pension entities. Those who did not meet the standards of this law would be excluded from the market. This is the case of the montepios, many of whom were deposed by the National Superintendence of Private Insurance (SUSEP), which alleged irregularities in these institutions. The montepios approved had to be restructured to fit the new rules set forth by SUSEP. Menicucci (1994) reports

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that 180 montepios attended SUSEP for regulatory purposes, and of those, 120 were approved. Those approved had their old pension plans blocked and were forced to create new ones.

The pension funds of state enterprises that emerged in Brazil in 1977 had the following characteristics:

- strongly inspired by the pension funds of the United States;
- under the Government's interest and not the workers';
- in order to strengthen the capital market (stock exchange);
- strongly founded on public companies;
- modeled in Defined Benefit Plans.

To Menicucci (1994), through the 1977 legislation, the government made it clear that its goal was to gradually eliminate from the market the nonprofit organizations, represented by traditional montepios, and open space for profit organizations, encouraging mergers and acquisitions. Menicucci (1994) argues that the State saw in the private pension an instrument for capturing savings, i.e., it aimed to start in the country the internal logic of capital accumulation from funding through private pension. The savings generated by private pension funds would be invested in the economy.

In addition to the private pension model featured above, Law 109/2001 (replacing the 1977 Law) authorized the existence of a new device called plan "Institutor". Approved in 2001, in the government of Fernando Henrique Cardoso (1995-2002) and regulated in 2003, in the Government Luiz Inacio Lula da Silva (2003-2010), this device enables the creation and management of pension funds through unions, professional organizations, and others. Moreover, the pension reform of 2003 allowed the adoption of a pension fund for civil servants, the FUNPRESP, which is the subject of this text.

Therefore, since its regulation in 1977, the private pension has undergone significant changes throughout its history. Open and closed entities move together 25% of Brazil's GDP, and of this amount 18% of closed private pension and the remaining 7% of the open private pension (represented by the insurance industry). In turn, the market of pension funds has a total of 368 entities, which move the amount of 565 billion dollars. See the table below:

Table 1 : Number of Closed Supplementary Pension Entities - CVET by predominant type of sponsorship

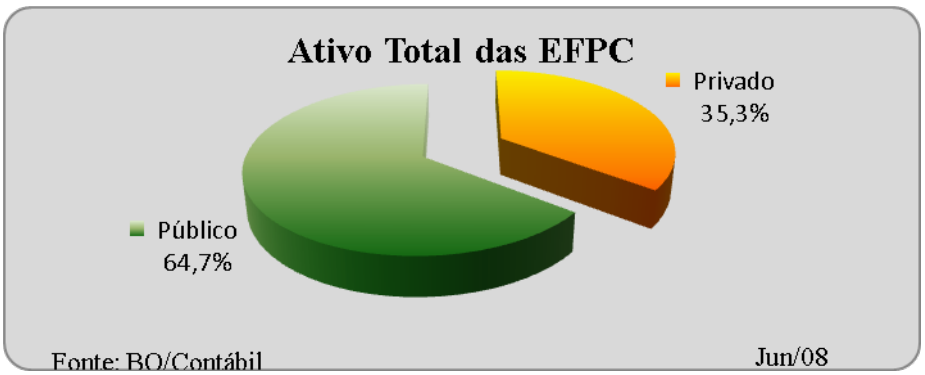
Patrocínio	Quantidade de Entidades *	%
Instituidor **	18	4,9%
Privado	266	72,3%
Público	84	22,8%
Total	**368**	**100,0%**

** Number of Entities*
*** Founder*
Source: Consolidado Estatístico, junho de 2011.

It is worth pointing out that even if the table shows a greater amount of privately sponsored entities (266), public sponsorship funds are the ones holding greater economic, political, and symbolic power in the social space of pension funds.

The following graph shows the total of assets controlled by public and private funds.

Graph I : Total assets of pension funds



Source: BO/Universo Cadastro, 2008

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Based on the graph above, it is possible to verify the superiority of public sponsorship funds (64.7%) over private sponsorship funds (35.3%), which hold greater symbolic power in the closed pension plan in Brazil. As per Jardim (2010), the funds of public patronage actively participate in the Growth Acceleration Program (PAC).[1] It is in the management of those funds that labor union members can be found, coming from the banking and oil industries, which greatly influence the investment portfolios of the pension fund market, to forge new forms of investment with sustainability criteria and strengthening institutional designs such as Investment Funds holdings (FIPs), also known as private equity.

From this context, we affirm that the private pension institution has existed in Brazil since the Empire, in the form of montepios. However, during the 1970s, these entities had the image worn by irregularities and possibly fraud committed by such institutions. This led many montepios bankrupt and as a result, consumers lost money and began to mistrust pension funds.

Distrust of Brazilian society in relation to pension funds began to turn in 2000, when it ceased to be associated with the image of bankruptcy, failure, and corruption to be associated with the development of Brazil. More specifically, the savings of those funds was (partially) used for the implementation of new projects in the Lula government, such as construction of dams, roads, railways, public housing, hospitals, etc.

Finally, in 2012, the market for private pension gained a new product, the pension fund for public employees. If we consider the rich market moved by pension funds, it is clear that over the coming years, the fund will be subject to great political and financial disputes.

Below, we discuss the legal transformations of the social security system for the public civil servants.

III. Legal Framework of the Brazilian Pension System

Since the Constitution of 1988, the pension system has undergone reforms, especially regarding the civil service. We present in this topic, the laws that sparked the emergence of pension funds to the public servants in Brazil. We shall begin with a table that summarizes the legal framework for the pension funds of public employees sector. These laws / amendments are detailed in the following pages.

Figure : Laws that promotes changes in the pension system

Law/year	Details
Law 9,717 of November 27, 1998	The General Pension Law in the public sector imposes general rules for the organization and operation of specific social welfare regimen of civil servants of Federal, State, and Local Governments. It was determined that the RPPS were organized based on general standards of accounting and actuarial, with actuarial valuations and assessments to review plans and costing. In Article 1, it was established that funding systems themselves should use funds from Federal, State, and Local Governments and contributions of civil and military, active, inactive and retiree to their respective regimes. In Article 2, the Law set forth that the employer contribution may not be less than the employee contribution, or double that, leaving the Federal, State, and Local Governments responsible for covering the financial shortcomings of their own arrangement stems, a consequence to the payment of pension benefits.
Constitutional Amendment 20, December 15, 1998	It was sent to Congress for the 1st time in 1995 in order to cut costs. It was only approved in 1998 and it brought the following changes: the minimum age for full retirement based on time of contribution was increased to 60 for men and 55 for women; minimum of 10 years of public service and 5 years in office to enable programmable retirements, end of accumulation of retirement and the possibility of increased income in the passage to inactivity; extinction of proportional retirement and special retirement of teachers; replacement of retirement for length of service and time of contribution.
Constitutional Amendment 41, of December 19, 2003	End of parity between the adjustments in wages and social security benefits, passing the latter to be adjusted based on the inflation; pension became in full up to the RGPS and reduced to 30% for higher values; social security contribution on retirement and pensions higher than the RGPS limit; institution of time of service allowance equivalent to the amount of the contribution for service of the servant, who, although allowed to retire, can continue in activity. The possibility of Federal, State, and Local Governments establishing the maximum level for the benefit of the general social security scheme, for the value of pensions to be granted by the schemes, was instituted as long as they create

[1] The Growth Acceleration Program (PAC) was implemented in 2007 by Lula government and includes the budgets of the Union, states and municipalities and resources from private companies.

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	complementary pension systems to their respective servants. It established the end of the parity and completeness.
Bill 1992/2007	Attempts to deploy a pension fund for civil servants (Funpresp). Based on this Bill, the person who goes into public service after the creation of the fund will have to contribute to it, if they want to retire earning more than the limit that already exists for the private worker at INSS, that is, 3.600 monthly in 2012. According to the 2007 Bill, the servants who enter public service after the initial operation of the Foundation for Pension Plans of the Federal Civil Servants (FUNPRESP) are subject to the maximum benefit. The participant's contributions should focus on that part of the proceeds that exceed the ceiling of the General Scheme, at a rate set by the participant, limited only by the regulation of the benefit plan. This means that, provided any new constraint to be adopted in the benefit plan, it is possible to contribute to the entire portion of the earnings that exceed the RGPS ceiling.

Source: Research data

a) Law 9,717 of 1998

In November 1998 it was established Law 9,717; which provides for the organization of Special Social Security Scheme (RPPS) for servants of the different government levels in the country (federal, states, and municipalities). Such schemes would be independent of the General Social Security System (RGPS), maintaining specific standards for servants (IPEA, 2011).

With the establishment of the RPPS, states and municipalities started to separate their pension accounts from other elements of income and expense in their budgets, and they were granted the possibility of accumulating financial reserves through investments in the capital market.

According to IPEA (2011), data for 2009 indicated 2,236 municipal RPPS(s) and 26 state RPPS(s). The Federal Government, however, have not unified until 2012, the pension management of their servants, whose management remains in charge of the various organs and powers that are linked to more than one million civil servants.

The following law, of December that year, further details the legal provisions brought by Law 9,717.

b) Constitutional Amendment 20 of 1998

Constitutional Amendment 20 of 1998, determined that the federal, state, and local governments should set up pension funds and that they could fix the ceiling of the RGPS for pensions to be granted to their servants. The law determined that the employer's contribution should not be less than the employee contribution, or double that, leaving the federal, state, and local governments responsible for covering the financial shortcomings of their own regime, due to the payment of social benefits.

Constitutional Amendment (CA) 20, introduced other changes in the pension system for civil servants, such as the determination that their regimes were contributory and funded by federal agencies as employers; to maintain financial and actuarial balance; and that it would submit to the supervision and control of the Ministry of Social Security (MPS).

Moreover, the same amendment imposed stricter conditions on retirement of servants; stipulated a ceiling to their remuneration (valid for pensions); extinguished the modality of special retirement for academics and forbade the accumulation of retirements within the same scheme (CA 20/1998, Federal Constitution of 1988, Article 40).

In the regulatory framework of pension funds of the servants, we cannot forget Complementary Laws 108 and 109 of 2001, which will be discussed next.

c) Laws 108 and 109 of 2001

The supplementary pension servants must necessarily be in accordance with Complementary Laws 108 and 109, 2001. According to the 2001 legislation, the creation of pension funds is optional, being the federal institutions authorized (not required) to establish complementary social security. In this case, the condition is setting the value of pensions based on the ceiling of the RGPS.

IV. Complementary Law 108 of 2001

This Law regulates the restrictions on the relationship between state-owned enterprises, as sponsors of pension funds, and their closed private pension entities. These restrictions are in addition to the general rules to be observed by all the private pension system, whether in the sphere of public sponsors, whether in the private sphere. In addition to rule items to reduce the overhead of the state in funding closed pension entities, the law improves the means of supervision and imposes rules to ensure the financial stability of these entities.

a) Complementary Law 109 of 2001

This Law provides for the general rules for the system of private pension and replaces Law 6,435, of July 15, 1977. It can be argued that this law establishes

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essential conditions to "modernize" the system of private pension in Brazil, giving it greater flexibility, credibility, and transparency and strengthens the capacity of regulation and supervision by the state. It was through this law that labor unionists became part of the management boards of the pension funds of state enterprises (Jardim, 2007).

b) Constitutional Amendment 41 of 2003

As we have seen, the possibility of creating pension funds for civil servants was created in Constitutional Amendment 20 of 1998. But it was the end of parity and integrity brought by Constitutional Amendment 41 of 2003 that gave grounds to the interest in pension funds.

Therefore, the rights and criteria for access to retirement benefits and pensions of public servants were defined by Amendment 41 of December 2003. From this Amendment, the Ministry of Social Security (MPS) would make a pact about the pension adjustment of states and municipalities, which was done through the Support Program for Reform of State Security Systems (PARSEP) that provided support (including financial) for municipalities and states to organize pension funds. It is worth noting that states and municipalities are not required to maintain a RPPS. The federal entity can choose between having a RPPS or bind to the RGPS (IPEA, 2011).

In addition, the Amendment predicted the end of integrity of the value of pension benefits of public employees, as well as the end of parity between benefits and wages of active personnel. It also established an extra pension contribution (11%) for retired servants and pensioners whose earnings were above the RGPS ceiling (Brazil, 2009).

Based on this Constitutional Amendment, the servants who join the public service and want to get above the ceiling of ten minimum wages, may join the fund, collecting monthly from 6% to 9% of their gross salary. The amendment also adds that the funds raised must meet the following characteristics: be organized autonomously in relation to their own pension scheme; keep the membership of the servants optional; be governed by the principle of capitalization; allow full access to management information by the participants; make the contributions by the public entity equal to that of the participating servant (never higher). Finally, according to Constitutional Amendment 2003, only the executive branch can take the initiative to establish a supplementary pension system.

The approval of the CA brought the expectation that in the future the RPPS will coexist with FUNPRESP, intended for the retirement of servants. Discursively, the goal that motivated the government in creating the supplementary fund was seeking to balance the deficit of social security and the reduction of early retirement in the federal system.

c) Bill 1992 of 2007

The Project continued questions brought by CA 2003. However, it was "forgotten" during the last years of the Lula government and was only retaken in the spotlight of power in 2011, when President Dilma Rousseff claimed urgency in tackling the issue and project approval.

The intent of the Dilma government to take the matter further was explained when she triggered Mr. Silvio Costa (PTB-PE), chairman of the Committee on Labor, Public Service, and Administration of the House, to request priority to vote on the proposal. Within three weeks, Costa decided that he himself would be the reporter of the project, analyzed it, and presented a favorable opinion, approving it.

Specifically, Bill 1992 of 2007 aimed to create a supplementary pension for civil servants who hold effective positions of executive power, including its agencies and foundations, as well as members of the judiciary, public prosecution office, and the Court of Auditors.

According to the bill, the benefits to the new servants and members who join the public service would be limited to the ceiling of the General Board, which in 2012 amounted to 3.6 billion dollars. Remember that membership was not compulsory. By the rules established in Bill 1992 of 2007, the servants who join the public service until the day before the beginning of the operation of the entity responsible for the private pension, may join the pension funds system, being limited to the ceiling of their general scheme benefits but also being entitled to a special benefit.

The scheme will be offered by public-character closed private pension entities, which shall offer to its participants, benefit plans only in the form of "defined contribution".

Under current pension rules of the servants, possible shortcomings of cash for the payment of benefits are covered with resources from the treasure of several governing levels to which the beneficiaries are bound. As public revenue comes from taxation, the whole society is responsible when the government needs additional resources to finance the pensions of their servants. Therefore, if defined benefit plans were adopted, the same situation would remain as before, in the sense that the costs of any solvency risks of these plans would also be transferred to the company as a whole (IPEA, 2011).

The bill states that FUNPRESP must be fully maintained by their revenues, arising from contributions from participants, beneficiaries, and sponsors; the financial results of its applications and donations and bequests of any kind. That is, the value that will be received by the person retired in the public sector will depend on the contributions collected during activity and how these funds were invested in the financial market. In this sense, the risk is all on the insured.

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However, the servant will have a portion of their pension benefit categorized as "defined benefit". It's limited to the RGPS ceiling value because, regardless of the existence of capitalization or not, the government will ensure that value to the retired civil servant. In this case, the risk is all on the employer, i.e., the government.

Therefore, the design of pension plans for public service provides a guaranteed income, which assures the minimal standard of living of the insured, via public security, while offering the possibility of complementation, which in turn depends on the individual accumulation of each person, via pension fund.

The bill also adds that the administration of the fund shall be held by institutions authorized by the Brazilian Securities Commission (CVM). The sole paragraph of Article 4 provides that FUNPRESP should be structured in the form of foundation with legal personality under private law enjoying administrative, financial, and managerial autonomy and headquartered in Brasilia.

Regarding its organizational structure, this will consist of the governing board, supervisory board, and executive board, respecting the laws 108 and 109 of 2001. On investments, the bill proposes that this be done pegged to indexes of market references, within the guidelines and limits of prudence established by the National Monetary Council to closed private pension entities.

Regarding contributions, the Bill proposes that the contribution of the participant should be decided by them, and the Sponsor's contribution shall be equal to the participant's, up to the limit of 7.5% (the government has studied the possibility of meeting the claim of social movements, increasing this ceiling to 8.5%).

The federal government, as well as the sponsor, appoints the majority of members in the administration of the fund. The monitoring will be the responsibility of the National Treasury, the Central Bank, and the Ministry of Planning. The fund will be capitalized by the defined contribution system (instead of the defined benefit system).

One last issue refers to portability, i.e. the bill allows the insured to bear or carry their capital to other supplementary pension institution. Portability is an institution already existent in the current pension funds (Jardim, 2009).

Finally, we affirm that Laws 108 and 109 of 2001, as well as Amendment 41 of 2003 and Draft Law 1992 of 2007 (processed at Annual Law 12,618 of 2012) are part of a political context of dominance of finance, discourse of social security crisis, and political, economic and social implications for the creation of pension funds, considered the central character in contemporary capitalism (Orléan 1999; Farnetti 2005; Chesnais 2005 Aglietta, 2009) and important struggles in creating domestic savings (Aglietta, 2009).

V. Opponents and Supporters of the New Law

The theme of pension fund has instigated several controversies, especially about its subtext of privatization of social security, the social security deficit, and the public nature of pension funds (Michelon, 2010). Public servants have been reticent to that proposal and have been organized from the National Federation of Federal Public Servants (CONDSEF). Campaigners against the reform claim that FUNPRESP will create legal uncertainty in the category. To wit:

This project represents the death of the pact between generations in public service. It will create three categories of servants: those who have already retired and those who are expected to retire, and in theory still be entitled to full pension and those who come after regulation of complementary retirement, which will no longer have this right. There are also those who entered after 2003, which will fall in a legal vacuum that nobody knows what will happen. This creates considerable legal uncertainty in the category. (3rd Meeting of Retirees and Pensioners DS Campinas/Jundiaí, Speech made by the Auditor Mr. Marcelo Lettieri Siqueira, from DS Ceará *"Previdência Social: a importância do pacto entre gerações)".*

The argument of breaking the solidarity pact promoted by social security, and the destruction of social security, was also cited.

The leading thread of this model is the dismantling of the social welfare model based on solidarity between generations. Thus, Social Security is now regarded as a burden that costs money (...) New generations who did not live long periods of social instability are more sensitive to this speech. The reasoning is that it will be able to fund their own retirement fund and there is no reason to fund those already retired. (3rd Meeting of Retirees and Pensioners DS Campinas/Jundiaí, Speech made by the Auditor Mr. Marcelo Lettieri Siqueira, da DS Ceará *"Previdência Social: a importância do pacto entre gerações)".*

To defend their arguments, opponents militants are inspired by bankrupted examples, as Chile's.

In Chile, the pension fund for civil servants lost 48% of its revenues and had to increase the amount of contributions, taxing retirees and reducing the value of pensions. In the state of Michigan (USA), the pension fund for civil servants lost 80% of its reserves and pensions were reduced to ¼ of the value. (3rd Meeting of Retirees and Pensioners DS Campinas/Jundiaí, Speech made by the Auditor Mr. Marcelo Lettieri Siqueira, da DS Ceará *"Previdência Social: a importância do pacto entre gerações)".*

On the other hand, advocates of pension funds for servants, also use international experience to support their arguments. Meneguin (2011) shows that in the 1980s, the pension system for civil servants of the

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United States worked as defined benefit and showed severe imbalance. To remedy the problem, the government proposed a major reform, which was passed by Congress in 1986, creating the pension scheme of federal civil servants in the United States, known as Federal Employees Retirement System (FERS). This plan is mandatory for new servants that were employed after the publication of the law and optional for all others.[2]

According to the Ministry of Social Welfare, in 2010 the Brazilian government spent U.S. $ 51 billion to cover the difference between what they earned in pension contributions from public workers and what it paid to 950,000 retirements of the category. It meant that there was, on average, a monthly allowance of R$ 4,300.00 for each inactive public servant. To the Minister of Social Security: "If we do not stop this bleeding (from the security of servants), Social Security will pay significantly. Incidentally, it is already paying[3]".

IPEA (2011) has also used efforts on the subject and stood in favor of the creation of FUNPRESP. According to the arguments made by IPEA, the introduction of pension funds for civil servants, with the consequent imposition of a ceiling on benefits in their own schemes, has the virtue of promoting greater equity among various sectors of the population. By establishing the maximum benefit, it promotes horizontal equity between servants and private sector workers, since the RGPS, which caters to the latter, already practices the maximum benefit by referring to the supplementary pension plan to workers who rely on income higher on retirement.

On the other hand, the measure will also promote greater vertical equity, since it will prevent the entire society to bear the costs of sometimes excessive retirement benefits and pension, generated by higher-income strata of civil servants.

For the IPEA (2011), the reform will reduce the "fat" existing in the civil service sector. According to the defenders of the existence of privilege in the public sector, despite constitutional reforms already undertaken, the pension rights of public servants and private sector employees remain quite distinct, being public servants in significant advantage, especially with regards to the expected values for retirement benefits and pension.

Despite the discourse statements of "successful" experiences, the critical wing of the project looks at the proposal with suspicion. In the opinion of Lettieri, for example, Bill 1992 of 2007 represents a serious risk to public servants and to the Brazilian society, since it is an ongoing policy of dismantling Social Security[4].

In this context, CONDSEF met with the Ministry of Planning and claimed the development of "workshops" with the economic and political areas to discuss the issue. "We do not agree with the assumptions of the government. He says that there is a deficit in the pension plan of the servants, but there is contribution evasion of the Executive, who does not collect what it should" [5].

VI. Final Provisions

As we see throughout the text, the possibility of creating pension funds for civil servants is present in the Brazilian legislation since Constituional Amendment 20 of 1998. From that date until 2012, 26 states and the Federal District have established their own benefit plans (pension funds).

However, the possibility of pension funds to the servants became more concrete since 2003, when we had the approval of Constitutional Amendment 41, which authorized the creation of FUNPRESP. The project was resumed in 2007 with Bill 1992, which provided for the deployment of funds. But it was only in 2011, during the government of President Dilma, that the theme occupied again the headlines and the discussions in the National Congress. On April 30, 2012, nine years after the welfare reform initiated by the Lula government, the private pension scheme of federal civil servants was finally established by Law 12,682.

The discursive production around the theme signals the existence of opponents and advocates, who are fighting for the approval or not of the fund, as well as the beliefs that comes along with it. In this sense, the content of the discourse litigation signals that the purpose of the creation of the fund is to reduce the social security deficit, with a solidarity contribution between the various participants, the servant, and the Federal Government, as well as reduce the privileges of the civil service, responsible for the social security crisis.

Therefore, the social security crisis was used by defenders of public employees pension funds as justification for the creation of private pension. However, studies indicate (Duval, 2007; Jardim 2002) that the debate on the social security system crisis is more a social construct imbued with ideologies, than an actual reality.

[2] The author informs us that FERS is a pension plan that provides benefits from three different sources: a plan of the public social security system (standard for all U.S. workers), a defined benefit plan, and a supplementary defined contribution plan (Thrift Savings Plan – TSP).

[3] http://www.previdencia.gov.br/arquivos/office/3_110610-160738-086.pdf.

[4] http://www.dscampinasjundiai.org.br/site/documento_618_0__artigo:-estariamos-perdendo-a-fe-no-atual-sistema-de-financiamento-da-previdencia--por-marcelo-lettieri.html

[5] http://www.previdencia.gov.br/arquivos/office/3_110610-160738-086.pdf).

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Regarding the reasons that influence the advocates of pension funds, these are political, but also economic. That is, considering the recent economic and social performance of the pension funds of public companies in Brazil (Previ, Petros, Funcef), as well as the quality and quantity of their domestic savings, the implementation of a pension fund for the servants is quite seductive. The formation of a pension plan is a powerful tool in raising money to invest in areas that the government considers important, such as infrastructure and financing of public debt.

As the public sector wages are higher than the private sphere, the amount of funds to be administered will, in relatively short time, even exceed the assets of the pension fund of Banco do Brasil (Previ), totaling in 2012, R$ 139 billion. It is possible that this perspective causes an extensive dispute among various groups of servants as well as a strong political interest, as observed in the management of pension funds of state enterprises.

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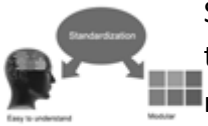

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Choice of key words is first tool of tips to write research paper. Research paper writing is an art.A few tips for deciding as strategically as possible about keyword search:

- One should start brainstorming lists of possible keywords before even begin searching. Think about the most important concepts related to research work. Ask, "What words would a source have to include to be truly valuable in research paper?" Then consider synonyms for the important words.
- It may take the discovery of only one relevant paper to let steer in the right keyword direction because in most databases, the keywords under which a research paper is abstracted are listed with the paper.
- One should avoid outdated words.

Keywords are the key that opens a door to research work sources. Keyword searching is an art in which researcher's skills are bound to improve with experience and time.

Numerical Methods: Numerical methods used should be clear and, where appropriate, supported by references.

Acknowledgements: Please make these as concise as possible.

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References follow the Harvard scheme of referencing. References in the text should cite the authors' names followed by the time of their publication, unless there are three or more authors when simply the first author's name is quoted followed by et al. unpublished work has to only be cited where necessary, and only in the text. Copies of references in press in other journals have to be supplied with submitted typescripts. It is necessary that all citations and references be carefully checked before submission, as mistakes or omissions will cause delays.

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28. Make colleagues: Always try to make colleagues. No matter how sharper or intelligent you are, if you make colleagues you can have several ideas, which will be helpful for your research.

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31. Adding unnecessary information: Do not add unnecessary information, like, I have used MS Excel to draw graph. Do not add irrelevant and inappropriate material. These all will create superfluous. Foreign terminology and phrases are not apropos. One should NEVER take a broad view. Analogy in script is like feathers on a snake. Not at all use a large word when a very small one would be sufficient. Use words properly, regardless of how others use them. Remove quotations. Puns are for kids, not grunt readers. Amplification is a billion times of inferior quality than sarcasm.

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Content

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	A-B	**C-D**	**E-F**
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Methods and Procedures	Clear and to the point with well arranged paragraph, precision and accuracy of facts and figures, well organized subheads	Difficult to comprehend with embarrassed text, too much explanation but completed	Incorrect and unorganized structure with hazy meaning
Result	Well organized, Clear and specific, Correct units with precision, correct data, well structuring of paragraph, no grammar and spelling mistake	Complete and embarrassed text, difficult to comprehend	Irregular format with wrong facts and figures
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References	Complete and correct format, well organized	Beside the point, Incomplete	Wrong format and structuring

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