EMANCIPATION AND COLLECTIVE SUBJECTIVITIES IN THE NEW LATIN AMERICAN CONSTITUTIONALISM: AN ANALYSIS OF SOCIAL MOVEMENTS POLITICAL ACTION IN BOLIVIA, ECUADOR AND BRAZIL

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ABSTRACT: This paper aims to assemble elements to present possible answers to the following questions: (i) Is there an emancipatory process occurring in the New Latin American Constitutionalism? and (ii) Which collective subjectivities prevail in this context? Karl Marx has conceived the category human emancipation as a symbol of the overcoming of capitalism, identifying the industrial proletariat as the collective subject responsible by this historical movement, and the political parties and syndicates were supposed to be its unique kinds of organization. From the theoretical and methodological referential of historical and dialectic materialism of Marx and Engels, it’s possible to affirm that capitalism development in 20th and 21st centuries, especially in Latin American dependent countries, seems to have redesigned the emancipator axis of the labor issue. This process of political transformations must be analyzed considering the peculiarities of each people, the collective subjects identities, its rolls of revindications and ways of organization and action. The New Latin American Constitutionalism shows a scenery of strong criticism of Politics, Economy and Law traditional institutions, formulate by pluralistic social movements that act in the space of civil society, what has already provided constitutional refoundations (Ecuador - 2008 and Bolivia - 2009) and has been instigating deep reforms in the relationships between State and society (Brazil - 2013).

Keywords: emancipation; New Latin American Constitutionalism; social movements; citizenship; Bolivia; Ecuador; Brazil.

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1. Introduction

This paper aims to analyze the relationship between the notion of emancipation and the formation of new collective subjectivities in the so called New Latin American Constitutionalism, considering the recent political action of social movements in Bolivia, Ecuador and Brazil. These countries are representative in the continent because of its institutional configurations changes, especially in the area of Politics and Law, promoted by new collective subjects distinct from those constituted through the 19th century and consolidated along the 20th century in Politics, Sociology and Law matters.

Karl Marx has conceived the category human emancipation as a symbol of the overcoming of capitalism, identifying the industrial proletariat as the collective subject responsible for this historical movement, while the political parties and syndicates were supposed to be its unique kinds of organization. Through the 20th century, those subjects have gradually changed its profile and they have assumed, in general, a non critical posture and, not rare, even defensive of capitalism.

The new transformer constitutionalism1 presents a scene of strong questioning of the Politics, Economics and Law traditional institutions, formulated by plural social movements that act in the space of civil society, what has already provided constitutional re-foundations (Ecuador – 2008 and Bolivia – 2009) and has been instigating deep reforms in the relationships between State and society (Brazil – 2013).

This paper aims to assemble elements to present possible answers to the following questions: (i) Is there an emancipatory process occurring in the New Latin American Constitutionalism? and (ii) Which collective subjectivities prevail in this context?

From the theoretical and methodological referential of historical and dialectic materialism of Marx and Engels, it is possible to affirm that capitalism development in 20th and 21st centuries, especially in Latin American dependent countries, seems to have redesigned the emancipator axis of the labor issue. This process of political transformations must be analyzed considering the peculiarities of each people, the collective subjects identities, its rolls of reclaim and ways of organization and action. It is adopted the qualitative method of research, in the critical and dialectical way, and the technique of bibliographic review about texts produced in that social and theoretical context. Besides the classic texts of Marx, Engels, Gramsci, Lukács and Marcuse, it will be

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underlined other contributions from Latin American thinkers, such as Borón, García Linera, Gohn, Harnecker and Ávila Santamaria, which offer elements to the analysis of social movements denoting possible collective subjects to transform the traditional conception of Law.

2. The notions of emancipation and disalienation in Marx’s conception

Marx approach of superstructure elements – “Politics”, in wide sense, and “citizenship” and “rights”, in strict sense – is ruled by its identification of historical and social process that leads material relationships of production in capitalism, identified by the couple “alienation/disalienation”. Because of the elements that characterizes it as a historical and social phenomenon, the concept of alienation is conceived by the dialectic method as necessarily reflexive; the alienation only exists in relation with its opposite, the disalienation, as two faces of the same coin.

It’s possible to affirm, in the sense of the essence of dialectic method in Marx, that alienation brings in heart its own destruction, created and inserted in the historical and social process of human evolution. Many senses are attributed to the expression disalienation from its translation from German language (Aufhebung): emancipation and liberation. Despite its semantic differences, all of these senses denote one comprehension about the movement of disalienation: an overcoming of a social model structured in the labor social division, in the private property of means of production and in the social classes division – what has provided many estrangements of man from the labor –, with the consequent deflagration of a new order, stepped on freedom and in the self realization of human beings.

In Marx’s own words:

Any emancipation constitutes a restitution of the human world and human relationships to the man itself. The political emancipation is the man reduction, on one hand, to a member of the civil society, independent and selfish individual and, on the other hand, to citizen, moral person. The human emancipation will only be complete when the real and individual man has the abstract citizen in itself; when as individual man, in his empirical life, in work and his individual relationships, if he has became a generic being; and when he has recognized and organized his own forces (“forces propres”) as social forces, in a way that will never separate of himself this social force as political force.\(^2\) (bold in the original text)

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\(^2\) As affirms Gajo Petrovic: “And the alienation of itself is only one among other kinds of alienation, but its own essence and basic structure. On the other hand, the ‘self-alienation’ or alienation of itself is not only a concept (descriptive), but also an appeal in favor of a revolutionary modification in the world (disalienation)”. Gajo Petrovic, ‘Verbete alienação’ in: Tom Bottomore, *Dicionário do Pensamento Marxista* (Jorge Zahar 2006) 05.

Disalienation intends to overcome the four kinds of man’s alienation, identified by Marx in the modern era, in reference to: (i) the nature; (ii) the man itself; (iii) the human life; and (iv) the other men. Raymond Aron presents three senses to the labor disalienation: “1º) no more working to create a good; 2º) no more working to another; 3º) no more subjecting to a slave labor”.4

In the field of praxis, as alienation is a concept extracted from the life in society, its overcoming only can occur when certain material conditions are identified in the context of sociability. Those conditions are distinct, but connected, and come from different areas like Economics, Politics, culture – as well as Law –, since thought in the perspective of totality, and not in a fragmentary sense.

As systematized by Marx in the preface to the book A Contribution to the Critique of Political Economy, from the 19th century European conjuncture, the shape of materialization of disalienation only could occur through a political and social revolution, able to promote social transformations and to break the pillars and corollaries of capitalist system of production:

In a certain stage of development, the material productive forces of society get in contradiction with the relations of production existent or, which is its legal expression, with the relations of property in the heart of those it has moved until then. (...) So, it appears an epoch of social revolution. The transformation of the economic basis changes, more or less quickly, all the huge superstructure.

(...) it’s necessary always to distinguish between the material modification (...) of the economic condition of production, and its legal, political, religious, artistic or philosophical forms, in summary, the ideological forma through men take consciousness about this conflict, (...).5

Besides what was argued by Marx in his theory of revolution, also in the books The Communist Manifesto and 18th Brumaire about the evolution of productive forces and the progressive control of means of production by its legitimate detainers (the workers), it must be considered another fundamental aspect: the so called “reform of consciousness”.

In the way of Marx’s advice and the later Gramsci’s and Lukács’ developments, any movement of structural transformation of society must be ruled by a change in the structures of ideological reproduction. That’s the reason why those thinkers spoken in “reform of consciousness” or “cultural reform”6, in order to underline the importance of the

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4 Citar a obra
5 Karl Marx, Contribuição à crítica da economia política (3rd edn, Martins Fontes 2003) 5.
6 As affirms Gramsci: “It’s possible to be a cultural reform, that is, civil elevation of the lowest social orders of society, without a previous economic reform and a modification in the social position and in the economic world? That’s why an intellectual and moral reform must be linked to a program of economic reform; more precisely, the program of economic reform is exactly the concrete mode through is presented every intellectual
superstructural element that justifies, spreads and consolidate the substructural productive model.

In the Marxian conception, the “reform of consciousness” consists in a positive unrolling of the application of the historical and dialectic materialism method, in the condition of reality comprehension which the humans live and seek its overcoming. In the book Deutsch-Französische Jahrbücher, Marx affirms:

The reform of consciousness consists only in let the world deal with its consciousness, in awake it from the dream over itself, in explain to itself its own actions (...). It will be revealed, so, from a long time ago the world has dreams about something it needs to have the consciousness to have it effectively.7

So, it’s completed the cycle of elements part comprehension of the revolutionary process. As well as the revolution must be political and social action,8 the take of consciousness and the adoption of a posture of direct action to the modification of the unexpired structures does not prescind a dialectic and mutual relationship between the elements of the base (Economy) and the superstructure (Politics, society, culture, Law, religion). As Marx says:

The structure of the society vital process, that is, of the material production process, only can set it free from its nebulous and mystical veil in the day it is construction of men freely associated, subordinated to its conscious and planed control. For that, the society needs a material basis or a series of material conditions of existence that, in its turn, only can be the natural result of a long and painful process of development.9

In the process of alienation overcoming, there is as consequence the fetishism overcoming, through the social awareness, from spaces such as Law. Remembering the Factory Acts of England in the 19th century, even inside the context of constitutionalism10, it’s possible to change the statutes and, from its application, the society, through organized political mobilizations that clarify the contraposition of classists interests in the facts and normative fields, as well as provide reduction of all kind of exploitation with the legal seal of

7 Karl Marx, ‘Carta dos Anais franco-alemães’ in Gyorgy Lukács, História e consciência de classe (Martins Fontes 2003) 470.
8 Gyorgy Lukács, História e consciência de classe (Martins Fontes 2003) 468.
10 As underlines Borón, “the constitutionalism is conceived as a life and mutant set of values, principles and institutions that the incorporation of the demands and aspirations from the socialist tradition – and related to the fundamental human rights, to social and economic citizenship and to the democratic exigencies unfamiliar to the liberal tradition – performs nowadays a fundamental role”. Atilio Borón, ‘O constitucionalismo norte-americano e as tradições políticas do liberalismo e do socialismo’ in Filosofia política marxista (Cortez 2003) 115-149.
the State. To reach that, it’s necessary to have an opened and complete comprehension of the knowledge about theoretical citizenship and practical meaning among the capitalist system of production, in order to identify and implement a possible progressive and transformer use of Law, as space of ampliation of rights, without devalue Politics.

3. The new collective subjectivities in the New Latin American Constitutionalism

The recent history of Latin America has shown that the search for human emancipation is not happening in the light of original Marxian predictions, because the proletariat is not the social actor with intrinsic potentiality to promote humanity redemption. Even great part of Latin American left is still imprisoned to the idea that the worker class is ontologically a revolutionary class, with the proletariat as the subject of humanity redemption, the research about the political process in the New Latin American Constitutionalism makes this thesis questionable.

The Latin American Constitutionalism expressed in the recent Constitutions of Ecuador (2009) and Bolivia (2009) brings in its core a severe dose of popular participation in its construction and enactment. Its goal is the effectiveness of the epistemological perspective of Pachamama and bien vivir. The content and the shape as many themes of social life were put into norms in these Constitutions denote a rupture with the Eurocentric view and with the importation of theories from the developed countries. Maybe, this is the main feature of this constitutional movement: the adoption of a decolonization thought directed to a postcolonial perspective.

Even if there are relevant research reports about the historical-legal implications Latin American Constitutional created, it’s important to observe which collective subjectivities propel the transformer process in course in some countries from Latin America.

Herbert Marcuse11 presented the thesis that there are primary requisites in the underdeveloped countries to overcome capitalism. One of them is in the circumstance that the dominant classes are unable to develop, under their conduction, local productive forces. In consequence, once in course indigenous exploitation, national liberation and social revolution could join the economic liberation. This seems to be the argument in evidence in the recent Latin American context.

Latin America constitutional processes, specially Bolivia and Ecuador, opened ways to appearing of social actors with revolutionary potential, what shows this confluence of factors (the social emancipation of the indigenous cumulated to economic national liberation, exalting neoliberal politics), as affirms Alejandro Médici:

Emblematic cases happened in Bolivia and Ecuador, because there was a high incidence in the social mobilization against the neoliberal model adopted by the traditional political classes of these countries and, in consequence, the constitutional processes that have recognized in Constitutional level new principles, values, rights and constitutional images referred to nature in the recent constitutions of Bolivia and Ecuador. [...] These mobilizations impugn neoliberal policies promoted by the Washington Consensus and the traditional extractivist paradigm of development, as well as the views from the classist urban left, when it has a strong component of social movements that have reference in the worldviews of the originary rural communities from Bolivia and Ecuador.  

In Bolivian case, after three big phases of caste citizenship (19th century), corporative citizenship (1950’ to 1970’) and irresponsible citizenship (1980’ and 1990’), a plural model of plebeian citizenship is characterized in the new millennium, in which many collective identities converge in favor of a deep political institutions reformulation and a formal recognition and material implementation of their interests. The same model can be identified in Ecuadorian reality.

In both countries, social movements of mineross, cocaleros, desplazados, indigenous, afro descendents, women, gays and environmentalist were constituted reflecting the multiplicity of demands latent in civil society. First of all, their components brought the marks of marginality in relation to the political process of Nation State and to the formal and passive model of citizenship imposed by colonizer patterns of the white, elitist, impersonal and patriarchal man. In second place, there is the fact of many times different identities, complementary in terms of oppression, converge into the same citizen. For example, the cocalero is conceived as that for being a subject simultaneously indigenous, rural, poor and worker; also, there is the curse of being treated as drug dealer, doing to the fact that their job is to extract and commercialize a natural resource (coca leaf) that, besides medicinal and alimentary uses, can serve as raw material, gather with more than 40 ingredients to the production of a narcotic (coca). 

12 Alejandro Médici, La constitución horizontal: Teoría constitucional y giro decolonial, (Centro de Estudios Jurídicos y Sociales Mispat 2012) 159-161.
13 Álvaro Garcia Linera, A potência plebeia: ação coletiva e identidades indígenas, operárias e populares na Bolívia (Boitempo 2010).
The same phenomenon can be identified in the social movements, as in the experiences of the MAS – Movimiento al Socialismo and the Alianza PAIS – Patria Altiva (y) Soberana, which have formed the social and political basis that allowed the rise of the institutional transformation projects taken by the governments of Evo Morales in Bolivia and Rafael Correa in Ecuador.

As identitary struggles of indigenous movements emerged in the public space in favor of cultural diversity through State recognition of a plurality of nations inside the same territory, reclaims from many social movements (obrero, cocalero, de desplazados, afro descendent, of women, gays and environmentalists, among other else) were simultaneously contemplated.

When they adopt a posture that changes the referential of formulation and political action from the “state centric” to the “social centric” perspective, acting also against the State and reclaiming banners like self government, autonomy and cultural diversity, social movements are conceived by Álvaro García Linea:

(...), as structures of collective action able to produce autonomous goals of mobilization, association and symbolic representation of economic, cultural and political kinds. From an analytical approach, it’s possible to distinguish in its, at least, the following aspects: the conditions of material possibility that habilitate a wide, but, limited, space of probable ambits of social interaction and, under exceptional circumstances of collective work, generate the emergence of a certain social movement; the kinds and the dynamics of the structures of corpuscular and molecular aggregation of mobilized subjects; the techniques and resources of mobilization and, so, a material conspiracy of the mobilized body’s soul; the explicit and implicit goals of social action presented in discourses and action of the social body able to be mobilized; the narrative of the collective myself, i.e., the social and cultural foundation of self legitimation of the group constituted in the moment of its mobilization; the political (State or anti-State) and democratic (reinvention of equality and of the public) dimensions put in the table. ¹⁴

So, it’s not possible to think Latin American Constitutionalism as a proletariat rise, but as a summation of internal and external factors, that culminated into an explicit denial of the bourgeois rationality incursion in social and political field, reflecting in the legal-normative process. The Constitutions of Bolivia and Ecuador have the same marks of their particular social formations; so, the indigenous is the main social-political actor. Even if, sometimes, he can be also proletarian, his political rise was not because of the condition of worker or reclaiming rights referred to this position. ¹⁵

¹⁴ Álvaro Garcia Linera, A potência plebeia: ação coletiva e identidades indígenas, operárias e populares na Bolívia (Boitempo 2010) 227-228.
¹⁵ “This construction of hegemony, recovering values and cultures from the originary peoples and workers, from de shape of multitude, reflected on the constituent process and inaugurated a new form of State, democracy –
In Latin American case, what has emerged was not a consciousness of class in traditional moulds, with the junction of forces around as economic-classist criterion, but the objective repulsion of a subject oppressed through centuries, that suffered the asymmetry between its condition and its culture with the normative reflex. The legislation of these countries is the result of the effort of rupture with the addicted view of transpose, a-critically, norms and world conceptions from capitalist nuclear countries that reinforce the submission. As counterpart, it has been adopted a discourse of praise its ancient culture and its own condition.

It must be stated that there is no proletarian emancipation process ongoing. What in fact exists is a rebellion not against the arduous labor condition, but against discriminations suffered by a huge social segment historically oppressed because of its skin color, which is different from the Spanish European, as well challenging the culture imposed that did not correspond to its origins and desires. The rescue of ancient creeds, whose roots are still in Latin American territory and were never extracted, means the new birth of the indigenous consciousness in the condition of conscious of its situation of oppressed, repelling the attempts of incursion of the bourgeois way of life. This one imposes its own rationality, especially through cultural industry and its ideological devices.

Even if it does not coincide with the complete emancipation, the recognition of the indigenous condition in the Constitutions means a current way of partial emancipation of the indigenous inside the objective limits of political participation. This collective subjectivity owes its special way of political emancipation, but to consider it only as abstract “citizen” did not attend to the commands of individualization of its status.

4. Is there an ongoing emancipatory process in the New Latin American Constitutionalism?

The frame of the contemporary social vindicatory fight does not authorize state that there is effectively any possibility of full human emancipation in the constituent processes of the New Latin American Constitutionalism. The social cohesion imposed by capital, generating a fictitious collective harmony, demonstrates a routine of conformism close to the

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“end of history” or the "eternal presentification". This circumstance shall not serve as an excuse to blindly discredit the actual extent of insurgency and emancipation within the logic of the possible.

Although the word emancipation conserve itself an entire utopian load, inherent to the destination where it is believed that mankind must address, the contingencies of capital influences, inevitably, drift to the loss of the empirical validity of the expression. In order to the term “emancipation” does not descend to mere unreal and idealistic speculation, or simply abandon its use, it is necessary to undertake a lexical-semantic openness of the term, thinking it as category able to stratification, i.e., conceiving the possibility of partial emancipation.

The human emancipation needs a confluence of factors that escapes the narrow bias of work as a central category, or at least divides the centrality in contemporary vindications guidelines. If human emancipation rely exclusively on "revolutionizing" the infrastructure, will be needed that we suspend the use of the term while social conjuncture do not allow thinking to overcome capitalism. In this case, the natural effect is the complete loss of historical validity, which cease to have any objective impact in the world of life, preserved only the abstraction of theory-libertarian sense.

While remains blocked the possibility of structural change, the term emancipation will be trapped to improbable historical constraints that still do not exist. Its static permanency within a vision that advocates to the existence of redemptive collective subject, still waiting for the formation of the Revolution objectives and subjective factors, only entails the retirement of the expression. Unless it is intended to carry out an effective abandonment of the term, which seems inappropriate, using it as a mere utopian idealist reference, we must revalidate it before the changes that are taking place in capitalism and therefore in social practices over the last century. Thinking of today's emancipatory activities, driven by active minorities, means recognizing that there is a fragmentation of demands and actors, wherein exists a notorious coexistence in the urban space of collective subjectivities in a traditional format (social movements), alongside the mass upheavals without dirigisme, with unclear flags, following the perspective of radicalization of individualization process.

The atomization of social demands to be pursued and implemented, soaring on everyday life, not all of them related to work, makes appropriate, terminologically speaking,

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16 “The destruction of the past, or rather of social mechanisms that link one’s contemporary experience to that of earlier generations, in one of the most characteristic and eerie phenomena of the late twentieth century. Most young men and women at the century’s end grow up in a sort of permanent present lacking any organic relation to the public past of the times they live in”. Eric Hobsbawm, Age of Extreme: The short Twentieth Century (1914-1991) (Abacus 1995) 3.
the adoption of the term “partial emancipation”. The term should be understood as any social achievement that fills in an existing meaning in human emancipation, helping reach its finished form. In a sense, to appease traditional Marxists, the term is already present in Marx’s work, when he makes a distinction between political emancipation and human emancipation. Claiming that there is a distinction between both terms means, otherwise, that the political emancipation was a form of partial scope of human’s emancipation, although both do not get confused.\(^\text{17}\)

The human emancipation, no longer restricted conceptually to work (although it is the essence), is strengthened, becoming to complement others existing elements in the capital’s routine. The total emancipation, even its distance and uncertain condition, represents the complete annihilation of the modes of oppression imposed on the people by themselves, breaking the stigma, remembered by Herminio Linhares,\(^\text{18}\) as the human being the only species that parasite itself. It corresponds to the connection with the person itself, excising all the classic forms of alienation experienced (of nature, of itself, of human life and of others).\(^\text{19}\) Moreover, it must fill the recent needs on eliminating multiple superstructural inequalities, such as the treatment of women, the black people, the native people, the sexual diversity, as well as other social segments that are the object of dislike, prejudice and segregation.

The close linkage of the term to the concept of human emancipation does not mean that any social demand can be considered as partial emancipation. It’s possible to be assumed as partial emancipation only the one that accomplishes, even partially, the goals of human emancipation. One of the central aspects of the concept is that it attacks directly the militant forms of protest that, in a depoliticized way, do not undermine the central aspect of emancipation: overcoming the logic of capital.\(^\text{20}\) Defending partial emancipation means the reconnection of the term with the contemporary social practices in which active citizenship is exercised with greater or lesser charge of disobedience in the struggle for recognition and/or achievement of rights.

\(^\text{17}\) Karl Marx, *Sobre a Questão Judaica* (Boitempo 2010) 41; 46.
\(^\text{19}\) Karl Marx, *Manuscritos econômico-filosóficos* (Martin Claret 2004) 84-86.
\(^\text{20}\) “To begin with, the dynamics of class exploitation are not confined to the workplace. Whole economies of dispossession and of predatory practices, of the sort described in Chapter 2 with respect to housing markets, are a case in point. These secondary forms of exploitation are primarily organized by merchants, landlords, and the financiers; and their effects are primarily felt in the living space, not in the factory. These forms of exploitation are and always have been vital to the overall dynamics of capital accumulation and the perpetuation of class power. Wage concessions to workers can, for example, be stolen back and recuperated for the capitalist class as a whole by merchant capitalists and landlords and, in contemporary conditions, even more viciously by the credit mongers, the bankers, and the financiers. David Harvey, *Rebel Cities: From the right to the city to the urban revolution* (Verso 2012) 129.
It is possible, within a stationary frame, to objected that the defense of the existence of partial emancipation is a mere reformism, in allusion to faraway discussion between reform or revolution. On one hand, it would be valid to ask to what extent the partial emancipation would not be mere reforms, failing in converging to the final goal, which has revolutionary character? The imbroglio can be synthesized in the trial of Georges Labica, by pointing out that: "The problem is not the driver but the machine", referring to capitalism, obviously. First of all, it stresses that in conservative times like these, the revolution should be thought of as a multifaceted strategy, gravitating around the various experiments that limit the power of capital, slowing their ability to interfere in everyday life.

Even it is well founded the argument about the need to change the machine, before its blatant inability to change the driver, may be able to at least change the direction of it. Before a picture of stagnation of the revolutionary potential of collective subjectivities in general, the attack power of active minorities can offer true revolutionary reforms (such as the land reform in Brazil).

The partial emancipation, in this sense, must be understood as a reform with revolutionary nature, considering that "What characterizes reformism is not the struggle for reforms, but the fact of them being an end and not an instrument of struggle". The struggle of an active minority for the conquest of a partial emancipation, exercising their condition of active citizenship, even though the goal is a reform, exteriorize revolutionary character compared to the ability of the everyday transcendence of capital or other forms of oppression.

The reforms stemming from the partial emancipation can never be separated from the anti-capitalist struggle, considering that if you lose the capability of criticism, they will be readily absorbed and properly integrated into the system. In that case, there is a process of naturalization of social achievement, which after a while seems to compose without dissonance the existing order, whose consequence is the emptying of the revulsion contents against capital, as André Gorz alludes:

There are no institutions or virtually anti-capitalist achievements that in a long time are not corroded, denatured, reabsorbed, emptied all or part of their contents, if the imbalance created with its enforcement is not exploited, since it is manifested with new offensive. [...] Reforms will be torn apart, disjointed, digested by the system, and the balance restored at a higher level.

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21 Georges Labica, *Democracia e Revolução* (Expressão Popular 2009) 44.
The partial emancipation contains a high libertarian value when carried on with a criticism to the metabolism imposed by capital. We cannot confuse the fact that emancipation can be partial to the partiality of that demand. It is possible, for example, that a feminist advocates greater gender equality without making a most bruising criticism to capitalism, resulting in a partial demand and not a partial emancipation. In this case, we are facing a typical sectarian approach, while it ignores market mechanisms that makes woman have a lower remuneration than man. At the same time, completely disregards the marketing of overexposure the feminine body, the typical capacity of commoditization it promoted by the same mode of production.

The discussion seems to be precisely synthesized by Marta Harnecker:

> It seems to me that the best definition is the one that denominate as reformers who seeks reforms through improving the current existing order, and as revolutionaries those who, to advance reforms, struggles in the same time to change it profoundly; change that cannot be produced without a break with the previous order. 24

Therefore, thinking the outbreaks of emancipation without connecting to the material base, which gives support to them, causes them to decay from the quality of emancipation to mere reformist partial demand, especially by neglecting the essentials character of domination.

5. The emancipatory potential of the recent protests in Brazil

In June 2013, the routine of normality that habited the streets of Brazil was broken with protests that spread throughout the country, calling the attention of the world news. Initial claims were buoyed by an increase in the bus rates tickets in the cities of Porto Alegre, São Paulo and Rio de Janeiro. However, when the participants proportion grew, other demands were aggregated in a disorganized and individualized manner. There is no social thermometer able to measure with some accuracy when the regularity of everyday life will be broken by the cries of popular insurrection. The so-called "revolt of twenty cents" or "June days" reinvigorated the sense of urban social movements in Brazil, by broad popular participation and the innovative shape. Those who seek to understand the protests who took place in the streets in Brazil considering it is was a manifestation of oppressed workers are incurring in a inaccuracy reductionist view.

The fact of the protesters actually belong to the working class do not allow to say that the protests were marked by labor demands, either it was a revolt of the "lumpenproletariat". The centrality that the work occupies in Marxist theory goes, first of all, to the need for constant survival through it. Totally different is to assign a central character in the thematic of the protests. Christophe Aguiton states that the movements that are mostly composed by the youth is that sees more clearly the gap with the tradition of the labor movement, nevertheless remains optimistic about the junction of both. 25

Perhaps as inflow of the antecedent globalization process, the movements that shook the early years of this decade in Brazil reveal the uniformity that has driven the historical process of struggle. The streets follow, unprecedentedly, homogeneity of actions and features in the protests. The first reflex was the inability in the formation of significant leaders, able to gather about their own person the leadership capacity, synthesizing personal and symbolically the cause for which they fight for. That seems to be the first broad aspect of contemporary global movements, with a view to striking inability to forecast political leadership, whether new or previously existents.

This weakness in form or consolidate leadership is closely connected with disbelief, almost generalized, in the representativeness of political parties. The parties themselves have difficulties in renewing their politicians. Brazilian protesters do not recognize, in their vast majority, entities above their own belief that are able to represent them, so that there is a spray of demands that were expressed on several posters raised on the streets. Despite recognizing the creativity stamped, the assortment of these posters only condenses a programmatic uncertainty, as well as a possible spiritual emptiness of the social actors in question, making it difficult to speak that there was an emancipatory process under way, whether partial or full.

The lack of leadership also demonstrates the absence of common platforms and well defined objectives. When the Brazilians took to the streets, not carrying any common flags, they supported the most varied beliefs that cross the orbit of everyday individuality, highly influenced by the cultural industry. Not even the supporters of social movements or programs were likely to become widely known, restricting their platforms significantly among the masses, as they were diffused in an individual way or attaching only small groups. In this aspect, we should pay attention to Žižek:

25 Christophe Aguiton, O Mundo nos Pertence (Viramundo 2002) 152.
program for socio-political change. They express a spirit of revolt without revolution. [...] They voice their protest on behalf of the “inalienable truths that we should abide by in our society: the right to housing, employment, culture, health, education, political participation, free personal development, and consumer rights for a healthy and happy life.” Rejecting violence, they call for an “ethical revolution. [...] It is easy to imagine an honest fascist happily agreeing with all these demands: “placing money above human beings” – [...]. And who will be the agent of this ethical revolution? While the entire political class, right and left, is dismissed as corrupt and driven by a lust for power, the manifesto nonetheless consists of a series of demands addressed to – whom?26

Taking the streets without any programmatic north makes feasible the rise of a kind of voluntarism without cause. This voluntarism is impartial, colorless and invisible, i.e., it supports no flags, has no political coloration, no collective subjects, although there is a will, almost naive, of social transformation without knowing for sure how. The act of raising a political party flag came to be regarded as a reactionary act, given the widespread repulse of the protestors to institutionalized parties. Whether or not this new political form dispenses the political party organization, and the desire for change does not fit inside the formal institutions.27

There are adverse effects that arise from this political posture. The nonpartisanship at the time of the explosion on the streets became a powerful conservative force of struggle against political parties. This aversion to political parties, motivated by their own lack of political consciousness of most protesters, culminated in the utter dispersion of demands, mitigating the ability of social transformation based on social pressure.

The vagueness of the movement can be seen starting from its most immediate element, which is its own denomination. In Brazil no one talks about possible collective subjects as the "indignados" or "99%" as the Spanish and American cases, respectively, which in itself carry terminological uncertainties. The character is the most vague and generic as possible: simply the figure of the protesters. Thus, the revolt of twenty cents designed, above all, a crisis of the social agents of change. The collective that aims to challenge the established order is devoid of any sense of collective identity, with no social agents capable of overall assemblage in any own insignia. As a result, people who took to the streets received the vague designation of "protesters" and nothing else. Also, the struggle for a sense of a generic morality hasn’t the power to form any kind of program or common platforms.

26 Slavoj Žižek, The Year of Dreaming Dangerously (Verso 2012) 78-79
27 To some extent, in the case of Brazil, the phenomenon of “one dimensional” seems to gain space in the political universe as described by Marcuse. Herbert Marcuse, Ideologia da Sociedade Industrial (Zahar 1967) 38-39.
After all, what is the big collective subject that appears in the June days? This seems to be the weakest point of the transformative potential of the protesters, especially when you lose the ability to drive the formation of an identity. Social actors dueling in the streets are not collective characters themselves, denoting an individualized mass which met contingency fury. On one side, the vague "protesters" individualized, while on the opposite side of the battlefield, we do not see precisely against who they fight, not even knowing for sure at that fight is about. We are facing, therefore, a little explained phenomenon, in which we can observe a battle without subjects.

Only when the play of battle is mounted is that we can check if the social actors have effective conditions for the process of social transformation. The protesters who took the streets were not being spokespersons of their status of students or employees, nor harbored any consistent criticism to the metabolism that moves the capital routine. Given this set up in the streets, we have noticed notorious characteristics that lead to disbelief in the possibility of any social revolution, at least in the traditional sense. The protestors forces were ontologically reformers, making specific criticisms, especially direct to those who runs the State and its agents tasks, not seeking any social exchange deep enough to tweak the foundations of capitalism.

Recent movements, though somehow affront the established order, do not represent a real threat to the general guidelines for the functioning of capitalism. Clearly the fragmentation of demands, not all related to the vertical class struggle, is one of the factors that contribute to this limit of structural change. The social demand praxis have shaped to the process that is formally established by the State, not looking to transgressing institutions, the maximum is seeking to challenge it in some specific aspects. More explicit acts of defense, to promote the destruction of public or private property, are rejected by the protesters, who treat them as acts of vandalism. The original sense of rebellion has been lost, which saw no boundaries to achieve the goal of demand, when it agreed to fight within the rules of the game properly mediated by state entity.

The limits of contention invariably exercised by repressive police apparatus are more effective as the policy of nonviolence becomes common to the protests. Manuel Castells points out that when the state is challenged in his power, there is a reaction according to the institutional rules, and the impossibility of integrating the demands without undermining the power relations embodied, inevitably we resort to basic feature: violence.28 There are not

armed groups, organized ideologically, taking to the streets to the conscious imposition of its program, but individual subjects seeking answers to problems, motivated by some voluntary and uncertain feeling of change. We are facing a possible phase transition, where traditional movements (unions, landless and homeless, left parties) cohabit the stage of the streets with the most varied social groups and individuals with programmatic uncertainties.  

Although the power of transformation is mitigated, the protests show that, even in the digital era, political power is still measured by political participation with physically presence. This demonstrate the positive aspects of the June days, considering that resulted in massive popular participation of people who were totally unrelated to political events. Furthermore, they demonstrated that even emerging new types of social organizations – not necessarily contemplated by the sociological category "social movements" – with its own characteristics, capable of generating a large popular uprising, despite the fact that because the dispersion of proposals the demands were not able to be transformed into concrete agendas of government.

The demands of the June days of 2013 did not produce significant effects in terms of normative recognition of new rights and institutional transformations in the political and legal level (constituent assembly, constitutional reform, enactment of laws), nor tickled the economic model adopted by Brazilian capitalism. However, have provided: (i) the recovery of previously unarticulated political groups, (ii) the adhesion of many traditional and new leftist political parties and (iii) the establishment of numerous new political collectives. Although punctual, their contributions are relevant to create temporal fissures:

> they have a validity of their own, independent of their long-term consequences. Like a flash of lightning, they illuminate a different world, a world created perhaps for a few short hours, but the impression which remains on our brain and in our senses is that of an image of the world we can (and did) create. The world that does not yet exist displays itself as a world that exists not-yet.  

History only repeats itself for those who remember it has occurred in similar terms in earlier time. As well as everything you know about the speech of Martin Luther King Jr. is that one black guy had a dream, everything we will know is that a large contingent of protesters took the streets to protest for something; something that no one knows for sure what it was. Therefore, over time, the same saga will be repeated in relation to the protests in

29 “But they now seem to swim within an ocean of more diffuse oppositional movements that lack overall political coherence”. David Harvey, Rebel Cities: From the right to the city to the urban revolution (Verso 2012) 118-119.
31 Slavoj Žižek, Primeiro como Tragédia, Depois como Farsa (Boitempo 2011) 42.
Brazil, because everything we know is that a bunch of young people stood up against the increased rate of passage that bus; what they really dreamed will continue as a blank page in memory.

6. Conclusion

Collective subjectivities constitute central object of research in Sociology and Political Theory, which have exerted increasing influence in relation to the law. Every historical period in materialistic or idealistic perspectives, theoretical categories have been formulated and reformulated to account for the analysis of social, long-lived or ephemeral phenomena, in which are identified common elements that allow to characterize new subjects or political actors.

In the context of Marxist thought, there is still a lot of resistance to discuss the persistence of validity of certain main categories, such as: class, working class and proletarian struggle. In parallel, currently still is conceived in this intellectual field the category of social movements in a slightly open prism to interests different from socio-economic nature, for example, the nuances of ethnic and cultural character.

For reasons of consistency, the historical and dialectical materialism method imposes to reflect on the abandonment or update of certain theoretical categories in compare to concrete reality. In this sense, we have to conceive the concept of human emancipation not only as a synonym of overcoming at all form of labor exploitation by capital, but as a representation of material civilizing conquests that denote, if not the elimination, significant reductions in the matter of human oppression in their in public (collective) and private (individual) coexistence.

Therefore, we can say that there is an emancipatory process in the New Latin American Constitutionalism, to the extent that there is a political rise of social groups historically marginalized and oppressed because of their subjectivities as workers and as traditional populations. Associations, unions, communities, collectives and, above all, social movements, have been agglutinating citizens who, in bringing to public space its various demands, met, sparked and led, bottom-up, a constituent process that led to refoundations and produced national constitutional normative.

Now we have on stage the multinational and multicultural state, the new fundamental rights, Indigenous Jurisdiction etc. And how about anti-capitalist struggles? Considering the material conditions of sociability for a real social change, contemporary Latin American
agenda adds to the horizon of emancipation topics such as the elimination of discrimination by ethnicity, gender, sexual orientation, combating forced labor and trafficking in persons, decriminalization of trade and consumption of narcotics, protection of the environment.

The legal recognition of social demands in the form of rights is no guarantee for its realization in concrete plan. Essential, therefore, is to have a sense of the totality of social life, as Marx identified by stating that the recognition of formal equality of the Jewish people before the Christians did not reduce inequalities present within the social materials relations. Therefore, it is insufficient in emancipatory terms, the postures of social actors with claims of insurgent citizenship that shape their struggles biased, just as women, indigenous peoples, Afro-descendants, foreigners, gays, dissociated form of the issue of the labor exploitation.

In Brazil, public manifestations of the year 2013 showed that, although there was no recognition of new rights or institutional changes, such as in Bolivia and Ecuador, it can be stated that there was a significant gain in terms of recovery of active politics participation. The events marked the reorganization of political groups that had been scattered and the establishment of numerous new political collectives.

Considering the recent Latin American uprisings, we have to question the Marxist postulate that understands the working class as redeemer of the whole humanity and reveals that the multiplicity of demands goes beyond the orbit of labor. The peculiarities involving the everyday life of Latin American people result in demands that meet their immediate needs. Although it cannot equate the social formations of Brazil, Bolivia and Ecuador, all of them resemble each other contemporaneously when projecting social struggles beyond the labor factor, whose demands sprout beneath, an exercise of citizenship taking over the streets.

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