

The Great Municipal Council of São Paulo for the Elderly: Challenges to Influence the Public Policy Process

*O Grande Conselho Municipal do Idoso de São Paulo:
Desafios para Influenciar o Processo de Políticas
Públicas*

*El Gran Consejo Municipal de Ancianos de San Pablo:
Desafíos para Influenciar el Proceso de Políticas
Públicas*

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ABSTRACT: The world's population as well as Brazil's is going through a rapid ageing process, whose results generate impacts on several fields such as social, political, economic and cultural ones. Given this, it is up to the State and to the civil society to play a strategic role in the joint construction of public policies targeting senior citizens. This article focuses on “The Great Municipal Council of São Paulo for the Elderly” aiming at recovering its trajectory and at identifying its main challenges to influence the public policy process.

Keywords: The Elderly; Council of Public Policies; Public Policies.

RESUMO: A população mundial assim como a brasileira vem experimentando um processo rápido de envelhecimento, cujos desdobramentos têm impactos sociais, políticos, econômicos e culturais. Diante disso, caberá ao Estado e à sociedade civil um papel estratégico na construção conjunta de políticas públicas, voltadas para os idosos. Este trabalho focaliza o “Grande Conselho Municipal do Idoso de São Paulo”, visando a resgatar sua trajetória e identificar seus principais desafios para influenciar o processo de políticas públicas.

Palavras-chave: Idoso; Conselho de Políticas Públicas; Políticas Públicas.

RESUMEN: *La población mundial, así como la brasileña, viene experimentando un proceso rápido de envejecimiento, cuyos desdoblamientos tienen impactos sociales, políticos, económicos y culturales. Teniendo en cuenta esa situación, cabe al Estado y a la sociedad civil un papel estratégico en la construcción conjunta de políticas públicas direccionadas a los ancianos. Este trabajo focaliza el “Gran Consejo Municipal de Ancianos de San Pablo”, buscando rescatar su trayectoria e identificar sus principales desafíos para influenciar el proceso de políticas públicas.*

Palabras-clave: *Ancianos; Consejo de Políticas Públicas; Políticas Públicas.*

Introduction

Population ageing is one of the most obvious trends to be faced worldwide, in the XXI century. Actually, it is relevant to mention that this perspective has important medium and long term consequences, in several fields of the contemporary society. Based on the report "Ageing in the XXI Century: Celebration and Challenge", published in 2012, by the United Nations Population Fund (UNFPA), together with HelpAge International¹, population ageing is an incontestable reality, which has been occurring worldwide, in different countries, with different levels of development. However, the referred research pointed out that this process has emerged much more rapidly in developing countries. (United Nations Population Fund (UNFPA), 2012).

In Brazil, despite the fact that lately the elderly segment has been growing at very high rates, the phenomenon of population ageing is a relatively recent issue. According to the last version of the “Pesquisa Nacional por Amostra de Domicílios (PNAD), 2013”, the elderly segment already represents 13% of the Brazilian population. This scenario makes Brazil an important player within the group of nations in which the elderly segment shows the fastest growth (PNAD, 2013).

¹ HelpAge is a non-governmental organization which supports the elderly people to claim their rights. Its objective is to protect them with relation to discrimination and poverty, so they can live an active and healthy life, with safety and dignity.

Indeed, the latest “Brazil’s Demographic Census”, held in 2010, states that according to its population growth expectations for the XXI century, especially in relation to the year 2025, Brazil will have the sixth largest elderly population in the world with approximately 32 million of seniors. In fact, since 1970, the number of elderly people in Brazil has been growing relatively more than any other age group. Likewise, it is worth remembering that in the 1970’s, life expectancy was 53.5 years old, while currently the expectation exceeds 75. When it comes to future projections, it is expected that the average age for Brazilian elderly population will be around 80 years old by the year 2041 (Brazil, IBGE, 2010a; 2010b).

Thus, as argued by Camarano (2010), Brazil is no longer a country of young people and, in the coming decades, it is certain that a relevant change in the Brazilian’s age pyramid will take place, as baby boomers are aging and becoming elderly boomers. Consequently, upcoming demographic studies will tend to focus progressively on the elderly group, reinforcing the need to identify which set of actions should be undertaken and articulated by the Brazilian Government and civil society to promote the rights and interests of the elderly. These studies should also consider which democratic instruments will be required to support this group.

In face of the mentioned transition that the Brazilian population will be submitted to, regarding its age structure, the State will be called to play a strategic role in setting the needed guidelines to handle this new reality. Furthermore, it is believed that within a democratic society, the importance of citizens in building public policies is also undeniable. Actually, it is essential to count on the participation of the civil society to build, together with State agents, feasible alternatives that could meet not only the current but also the future demands coming from the Brazilian elderly.

In view of this scenario, this article, whose object of study is the "Great Municipal Council of of São Paulo for the Elderly", aims at identifying the main challenges and drawbacks this forum has been facing in order to influence the public policy process. So, firstly, the authors of this article decided to gather and systematize literature related to the theme of ageing (e.g. papers and others). They also have made efforts to find out the path taken by the "Great Municipal Council of São Paulo for the Elderly "since its beginning until nowadays.

In doing so, they collected a set of Bills, laws, bylaws, in addition to other documents like reports, minutes of meetings etc., that dealt with this arena, since its origin, related to its composition, limits of action, obstacles, operating parameters etc.

Theoretical framework

Public policy & Aging

For the purposes of this paper, elderly population is related to the group of people who are 60 or more, as established by the “Brazilian National Policy For the Elderly” (1994) and by the “Brazilian Statute of the Elderly” (2003). With this regard, it is also necessary to emphasize the heterogeneous nature of this age group, which comprises individuals whose ages range from 60 to 100 years old and for whom specific public policies are required according to the age range they belong to and other particularities. Indeed, this segment of the population presents different characteristics, in relation to age, gender, ethnicity, health, income, etc., and so standardization of approaches should strongly be avoided (United Nations Population Fund (UNFPA), 2012).

Additionally, as pointed out in some Brazilian laws and normative guidelines enacted along the years (such as: Brazilian National Policy for the Elderly, 1999; Brazilian Statute of the Elderly, 2003; Brazilian National Health Policy for the Elderly, 2006, amongst others), ageing is a right for all, as it is also unquestionable that all human beings will have the chance to become elderly. In fact, regarding article No. 8, of the Brazilian Statute of the Elderly (2003), which was established by Law 10.741/2003: "ageing is a personal right and its protection is a social right, under the above mentioned law and other ones, also mentioned in several normative guidelines" (Brazil, 2003).

According to the report "Ageing in the XXI Century: Celebration and Challenge", published by the United Nations Populations Fund (UNFPA), in 2012, there was in 1950, 205 million individuals who are 60 or older in the world. In 2012, the number of seniors increased to almost 810 million and it is estimated that, in less than 10 years, this group of people will reach one billion.

Thus, this is a completely new scenario that shows a fast ageing process of people worldwide, where fertility and infant mortality decrease while longevity rate increases. In the context of this new paradigm, social, political, economic and cultural challenges are posed to individuals, families, Governments, societies, and even to the global community, as points out Ban Ki-moon, United Nations Secretary-General, in the above mentioned report, from the United Nations Populations Fund (UNFPA) (2012).

Similarly, as reiterated at the "World Economic Forum" (2016), in Davos, in a special meeting called "What if you are still alive in 2050," a global joint effort is required to realign the XXI century society to this new demographic realities. Therefore, it is fundamental that all stakeholders involved (i.e. Government, private sector, social movements, communities and families) get ready to deal with, interact with and try to adequately include, a higher number of senior individuals in their contexts. In the same way, it is urgent to invest in the development of political, economic and social reforms to adapt societies to an ageing world, as well as to warn new generations about the increase of life expectancy and its consequences. (World Economic Forum Annual Meeting-Davos, 2016).

As stated by Minayo (1997), such global demographic change, as consequence of the increase of the elderly, is related to several factors such as: stricter control of many infectious-contagious and potentially fatal diseases, especially after the discovery of antibiotics, of immunobiologics and mass vaccination policies, besides the expansion of water supply and of sewage systems, increase of the basic health system coverage; fast urbanization, changes of the productive processes, among others. In a late study, Minayo (2006) also argues that in Brazil, the accelerated process of demographic change has had impacts on different areas, causing a deep cultural rupture, in a country used to mainly value children and young people.

Thus, due to the rapid and intense growth of the elderly population, from 1960 to 2025, Brazil will be moving from the 16th to the 6th position, regarding the contingent of elderly population (Brazil, 2006; Carvalho Filho and Papaleo Netto, 2005; Uchôa, Firmo, & Lima-Costa, 2002)

With reference to this, Fernandes and Santos (2007) also call attention to the fact that as early as 1994, the World Bank used in several of its reports the expression "the elderly crisis", to point out the increasing life expectancy in developing countries (Brazil included in this group), adding that the strengthening of this trend jeopardizes not only the economic security of the elderly but also the economic development of these countries.

In addition, the above mentioned authors warn that the population aging trend has interfaces with numerous fields, being the most relevant the social welfare and health ones. Simultaneously, these authors argue that such fields – i.e. welfare and health - represent the largest challenges to both the State and to the productive sector as well as to families.

Finally they reiterate that, even if the demands of the elderly population are ensured by laws, especially in the areas of social security and of health, one must insist they be enforced. Actually, in real life, it is noticeable that institutional actions have been timid and usually limited to isolated cases.

Gardner (2006, p. 69) mentions that the "population ageing and its consequences have been attracting increasing attention from Governments and from scholars in local, national and international levels", adding that life expectancy in the world, and especially in Brazil, has been growing considerably. However, Gardner (2006) as well as Tahan and Carvalho (2010) remind that in Brazil, the accelerated pace of the expansion of the elderly population segment has not counted on the required support from the Health System in order to meet the demands of this group. In fact, the authors mention the existence of several gaps within the field of health policies, particularly with respect to policies for the elderly, also adding that these health policies are essential to provide them with an active and healthy ageing.

Tahan and Carvalho (2010, p. 878) also advise about the effects of the elderly population growth and take the opportunity to cite the program "Family Health Strategy", which has "potential to enable the effective participation of the community and the entire implementation of the actions". According to these authors, the mentioned program, created in 1994 by the Federal Health Agency, proposes a most appropriate approach to the elderly person and thus, intends to "reverse the current health care model, which hegemonically became a health care model aimed at individual and healing actions of high cost, focused on appointments". Furthermore, they comment that the health professionals involved in this program lack suitable training and knowledge, especially with regard to the gerontological area.

Fernandes and Soares (2012) also claim the need for greater investments and resources in public health in Brazil, which lately have not been following the growing demands regarding the fast ageing process of the country's population. Likewise, they insist that the Unified Health System (SUS) requires special attention, and they add that it is mandatory to implement and enforce the laws that give support to this system, especially those ones focusing on the elderly.

Hence, according to the authors, one is facing a moment in which seniors lack sound investments and better resources, being necessary to highlight the need of the effectiveness of these, in regard to the peculiarities of the various Brazilian regions.

Based on the Brazilian legal context, one can notice that the population ageing issue has undergone a maturing process. Therefore, since the Brazilian Federal Constitution of 1988, which is considered a very important milestone for the Brazilian elderly population, some relevant issues for the senior segment have been approached and secured, as for instance the right to decent and respectful life, cited in its article n. 230.

Recently, this theme has been receiving significant attention, as it can be noticed with the promulgation of the Brazilian National Policy for the Elderly, determined by Law 8842, enacted in April, 1994.

Indeed, the Brazilian National Policy for the Elderly sought to guarantee certain social rights for the elderly, establishing policies to provide and stimulate their autonomy, integration and effective participation in society (Brazil, 1994). Following that, various other public policies were created (e.g. National Council for the rights of the Elderly, 2002; Statute of the Elderly, 2003; Brazilian National Health Policy for the Elderly, 2006 etc.), in an attempt to solve the plentiful challenges generated by the ageing population trend. However, as suggested by a set of authors (Camarano and Pasinato, 2004; Gardner, 2006; Alves and Vianna; 2010; Fernandes and Soares, 2012; Andrade, *et al.*, 2013; Alcantara and Giacomini, 2013; Malik, 2016; among others), there are still many obstacles to overcome, in order to deliver effective public policies and to guarantee the elderly's rights.

In this regard, Andrade *et al.* (2013) note that the Brazilian ageing population trend has been occurring amid serious difficulties to expand the Social Security System for all age groups, particularly for the elderly. In fact, based on the research these authors have been carrying out, which are centered on the main Brazilian public policies for the elderly, they have concluded that the structure of health care services focusing on the elderly is very fragile and vulnerable and falls short of the needs of this age group. This scenario clearly exposes the urgency of investments in this field, in face of the rapid and radical changes that will take place in the Brazilian demographic pyramid in the future decades. In addition to that, these scholars insist that it is imperative to work on the effectiveness of several of the above mentioned laws aiming at guaranteeing the effective protection of the elderly, as well as of their rights.

In this regard, they also emphasize that the deficiency in relation to the enforcement of these laws exposes the need for more studies and researches to encourage society to fight and to demand the implementation of protective rights for the elderly.

Additionally, it is worth taking into account Malik's research (2016), whose analysis of family mediation practices focus on the disputes between seniors at a risky situation and their families. These practices are currently conducted by the Attorney's Office of the Forum of Santo Amaro, São Paulo, and the results achieved have been considered quite satisfactory in terms of solving family disputes.

Indeed, through these practices, the State seeks to promote the empowerment of seniors, so they can grow older actively, healthily and with autonomy. However, as suggested by the referred researcher, there is still a long way to go to improve and expand the results.

Alves and Vianna (2010) also engaged themselves in a research that deals with the theme of public policy related to the elderly. Therefore, based on the analysis of several pedagogical projects related to a set of elementary schools and high schools in Brasília, they recommended that the gerontological education should be included in the curriculum of these schools. In fact, with regard to the examined pedagogical projects, both researchers identified that there is very little content targeted at stimulating reflections about the themes of longevity and of the population life span expansion as well as of their consequences in contemporary society. Consequently, they concluded that there is opportunity to stimulate the production of public policies that can encourage discussions and debates about both subjects – longevity and population life span expansion – to be included in the curriculum of Elementary and High Schools. As a matter of fact, these debates could boost intragenerational closeness and also the exchange of experiences between the various age groups. They also could help to overcome prejudices and to facilitate the process of social inclusion of older people, generating, in the end, a positive perspective of improving senior quality of life.

With respect to the participation of the civil society in the decision-making process of public policies, Concone, *et al.* (2014) and Oliveira, *et al.* (2014) recognize - based on their research whose object of study is the Health Municipal Council of São Paulo - that this locus is a democratic space, which welcomes the participation of the citizens (including the elderly) and stimulates their exchange of ideas/opinions. So, concerning the referred forum, it is visible that the community can contribute in a very relevant way to the building of strategies and to the controlling process of public policies.

Likewise, Alcantara and Giacomini (2013) and Camarano and Pasinato (2004) approach this matter, i.e., citizen participation in the public policy process. Indeed, in dealing with the subject of the councils of public policies for the elderly, they highlight that these forums can play an important role allowing society to exercise citizenship, also aiming at guaranteeing, and sometimes even at expanding the elderly rights. They argue that besides the Brazilian National Council of the Elderly there are 26 councils of this nature within the state-members in Brazil, as well as in Brasília and in at least 20% of the Brazilian municipalities.

However, they alert that for a council to exercise its role, there must be a two-way path of political representation, which is essential to maintain the vitality and democratic nature of these forums. Furthermore, if the representatives of the Government or of the civil society in these councils are, for instance, frequently absent from its meetings or unqualified to defend and stand up for their proposals, it is obvious that these characteristics will contribute to weaken the political role of these councils. Moreover, it will compromise their mission, i.e. the fight for the citizens' rights and interests.

Neto (2013, p. 51), in his article about the Brazilian National Council of the Elderly, considers that Brazil has a reasonable set of laws and regulations for the elderly. Actually, he reiterates that notwithstanding the fact that "we have one of the most comprehensive legislations in this regard", there are some drawbacks that should be overcome, as the need to implement the existing legislation and to give greater visibility to the Statute of the Elderly.

In addition, Neto (2013) also recommends encouraging and supporting educational actions that aim to stimulate reflections about population ageing, which could be developed in High Schools and Universities. The author concludes his argument by stating that the construction of a new vision of population ageing and longevity of the population is an ongoing process, which implies to recognize that there is a long road ahead to be explored. He also calls attention for the role that the Brazilian National Council of the Elderly could play in defending the senior's rights.

Alcantara and Giacomini (2013) reflect about the engagement of the social movements with the theme of the elderly, adding that frequently such involvement has been quite timid, especially with regard to strengthening relations with the several councils of public policies for the elderly. In addition, the authors argue that at national level, the social movements which focus on the elderly usually are not articulated. However, in cases in which a stronger engagement between the referred movements and the subject of population ageing is observed, they are usually related to medium and large-sized cities.

Thus, Alcantara and Giacomini (2013) conclude that it is essential to stimulate the inclusion of the community in these decision-making forums, i.e. councils of public policies. In fact, the participation and engagement of the civil society actors in these councils is fundamental not only to establish, guarantee and implement the rights and demands coming from the civil society but also to promote social control regarding the actions undertaken by the Government.

Actually, in the end, all these efforts they will contribute to increase the effectiveness of the above mentioned councils, as well as will help to promote and strengthen democracy. Finally, we draw attention to Viude (2009), who stresses that the participation of the elderly in the political contexts and processes contributes to their empowerment, reducing their vulnerability and dependence.

Actually, by doing this, the elderly group becomes known as a group of individuals who are able to defend and fight for their rights and who have capacity of a proactive behavior with respect to their own life and to the society. Nevertheless, it is worth considering about the advices given by Barroso (2007), Alcantara and Giacomini (2013) and Camarano and Pasinato (2004) who reiterate that the elderly group needs technical and theoretical support to improve their knowledge about their rights, especially the ones who take part in councils or participate in entities engaged in themes related to population ageing. The absence of this support – either because the State does not provide it or the counselors are not willing to take part in training sessions - puts these actors in a vulnerable situation in relation to the governmental counselors and representatives of other sectors of society.

Methodology

In order to accomplish this research, the authors decided to use a qualitative approach and conducted a case study. First, they carried out a bibliographical research, i.e. consulted textbooks, academic articles, essays and theses. Then, they searched for documents: laws, bylaws, decrees, technical reports related to the elderly and to the Great Municipal Council of São Paulo for the Elderly.

The authors also collected minutes of the meetings of the referred council. However, for this purpose, the authors depended on the availability of the public servants of the Human Rights Municipal Department, who are responsible for running copies of minutes of the meetings.

In fact, this work is still in progress, since the authors of this article have been taking turns every fortnight, and sometimes monthly, to get copies of this material, which is kept by the Human Rights Municipal Department.

Actually, it is worth saying that during the period this article was being written, the authors were not able to gather the whole set of the minutes. Instead, they just had access to some minutes of meetings from 1989 to 2013. Therefore, they still rely on the public servants to gather several minutes of meetings that are still missing.

In face of this scenario, i.e. due to the above mentioned drawbacks and to the fact that the gathering and the organization of the minutes of meetings are still in progress, the authors of this article tried to compensate for the gaps with other alternatives. Thus, they opted for an additional methodological procedure that included participant observation, and took part in 9 (nine) meetings of the “Great Municipal Council of São Paulo for the Elderly”, between June 2015 and March 2016. During these occasions, they also attempted to talk to some of its counselors (civil society and government actors), to some of its leaders, and to the public servants who are responsible for the management of the mentioned forum. In fact, the presence of the authors at these meetings allowed them the possibility to get acquainted with some important aspects related to the current *modus operandi* of this council (e.g. procedures and rules to conduct the meetings, agenda building process etc.). In addition, participating in the meetings has helped the authors to understand to what extent the rules that are supposed to organize the functioning of this organism are effectively followed.

With regard to interpreting the gathered documents, the technique of content analysis (Bardin, 2011) was used. Therefore, laws, bylaws, decrees, reports, copies of minutes of meetings, recordings of the referred meetings in which the authors have participated as well as their personal notes regarding these meetings were examined with the support of the cited technique. In fact, this technique was used aiming at critically understanding and making sense of the whole collected material, i.e. its manifest and latent content, that is, the explicit and hidden meanings.

So, the authors tried to retrieve and reorganize the history of the “Great Municipal Council of the Elderly of São Paulo”, since its origin until its current days, with the purpose of identifying some of the main challenges this forum has been facing in order to influence the public policy process.

In addition, a chronological analysis of this arena is proposed, based on its evolution and according to two periods: a) From 1984 to 1992; b) From 1992 – to current days. In fact, as it will be seen in the next topics, there are peculiarities related to each of these two periods that justify this proposal.

The findings resulting from this research will be reported in the next topic.

Results

The "Great Municipal Council of São Paulo for the Elderly" was established in 1992, by the Municipal Law 11242/1992 and is currently subordinated to the Municipal Human Rights Department of São Paulo. Its objective is to propose policies and activities to protect and assist the elderly population also aiming at informing them about their rights as well as to develop educational campaigns, among others activities.

However, according to the research conducted by the authors of this paper, the existence of an official council, focused on the issue of the elderly, in the city of São Paulo, dates back to the 1980s, more precisely to 1984. At that time, the Mayor Mario Covas sponsored its establishment.

Thus, for the purpose of this study, a chronological analysis was adopted, based on the evolution of the “Great Municipal Council of the Elderly of São Paulo” and according to two periods: a) From 1984 to September 1992; b) From October 1992 – to current days. In fact, as it was cited before, there are peculiarities related to each of these two periods that justify this proposal.

Actually, from 1984 until September 1992, this forum functioned under the following Mayors: Mario Covas, Jânio Quadros and Luiza Erundina (partially). Furthermore, during this period, this arena was named the “Municipal Council of the Elderly’s Condition of São Paulo” and it was an embryo of the current “Great Municipal Council of the Elderly of São Paulo”.

Additionally, it is relevant to mention that along this first period the “Municipal Council of the Elderly’s Condition of São Paulo” was ruled by several municipal decrees

In the second period, i.e., from October 1992 to present days, this council operated under the Municipal Law 11242/1992, with greater autonomy.

So, the following considerations are aligned with the mentioned chronological proposal, trying to highlight the most important characteristics of each period.

The “Municipal Council of the Elderly’s Condition of São Paulo” (1984 - September 1992): the beginning of the debate on the issue of population ageing and its consequences

The constitution of the first organism, in the city of São Paulo, with the objective of thinking about the main important issues and demands from the elderly occurred in the 1980s and was sponsored by Mayor Mario Covas.

Thereby, the “Municipal Council of the Elderly’s Condition of São Paulo” was established in 1984, by Municipal Decree 20554/1984, which decided this arena was under the Mayor's Office’s coordination.

In fact, this council was created with the main purpose of giving support to the Mayor of São Paulo, in order to conceive and implement public policies for the elderly.

Therefore, the above mentioned decree emphasized the importance to stimulate the elderly’s participation in community life, and therefore stressed the need to promote actions aimed at their social-economic-political inclusion.

The “Municipal Council of the Elderly’s Condition of São Paulo” was joined by 8 (eight) government actors and by 4 (four) civil society members, as well as by the representatives of political parties that had seats on the City Council of São Paulo, which were 4 (four) at that time.

In summary, as it will be seen in the table below, its total number of members was 16 (sixteen), besides the Mayor, who also could cast a vote.

“Municipal Council of the Elderly’s Condition of São Paulo” President: Mayor of São Paulo	
8 Government Actors, whose origin was related to the following Departments:	
<ul style="list-style-type: none"> • Culture • Sports • Hygiene & Health • Representative of the Mayor’s Advisory Board 	<ul style="list-style-type: none"> • Family & Social Well-Being • Services & Construction Work • Special Businesses • Mayor’s representative (free choice)
4 Civil Society Member whose origin was related to the following organizations:	
<ul style="list-style-type: none"> • Social Service of Commerce – SESC • Brazilian Assistance Legion – LBA 	<ul style="list-style-type: none"> • Federation of the Retirees & Pensionaries of the São Paulo • Brazilian Society of Geriatrics & Gerontology
Political Parties that had seats on the City Council of São Paulo	
<ul style="list-style-type: none"> • 1 Representative - PSDB • 1 Representative – PMDB 	<ul style="list-style-type: none"> • 1 Representative – PT • 1 Representative – PTB

Source: This table was organized and conceived by the authors of this paper, based on the data reported by Municipal Decree 20554/1984

As to this council’s meetings they were held on a monthly basis while its members’ mandate was of about 2 (two) years, with the right to one more term.

Concerning the analysis of the referred decree, the researchers found out other valuable clues, which allowed them to better understand the way this arena functioned and how it was organized. First, it seems this forum had little autonomy. In this case, it is worth noting that this council was created by a decree, so its continuity depended on the Executive Power (i.e, the Mayor), who could extinguish this forum, even without even consulting the members of the City Council of São Paulo and not even the civil society organizations. Furthermore, it was clear that the number of representatives from the government and from the civil society was not on a par, being visible that the government members outnumbered the other groups. One could also detect an imperfection regarding the constitution of this council as it was noticed the presence of representatives of the City Council of São Paulo, as members of this forum. Indeed, as this council was associated with the Executive Power, the participation in it of members of the City Council of São Paulo (who could also cast a vote) is considered unconstitutional, since it hurts the principle of autonomy of Powers.

Unfortunately, despite all efforts, no minutes of meetings have been found while Municipal Decree 20.554/1984 was in force, nor any other regulations concerning the functioning and organization of the “Municipal Council of the Elderly’s Condition of São Paulo.

However, a report published in 1992 by the Board of the “Great Municipal Council of the Elderly of São Paulo” was discovered, which retrieves some previous events of the “Municipal Council of the Elderly’s Condition of São Paulo”, i.e. events and facts that occurred while Municipal Decree 20554/1984 was in force. It was noticed, for example, that during the period in which the Mayor Mario Covas ran this Council (1984 - 1986), this forum accomplished one of its main achievements, i.e., the first “Letter to the Elderly of São Paulo”.

Additionally, it should be remembered that during Mario Covas’ Government, this council was successful in organizing an action - together with a group of members of the City Council of São Paulo - aiming at raising awareness to approve the law that established free public transportation for citizens 65 or older, in the city of São Paulo.

Thus, nevertheless the fragile democratic nature of the “Municipal Council of the Elderly’s Condition of São Paulo”, this forum played a very important role. Actually, this council was an embryo that helped to draw attention to the issues related to life span expansion and to the population ageing.

As the authors of this article continued to search for laws and/or decrees related to the “Municipal Council of the Elderly’s Condition of São Paulo”, they identified Municipal Decree 25.698/1988, issued by Mayor Jânio Quadros, which introduced several adjustments referring to the composition of this council. In fact, such changes had the objective of expanding its goals, detailing them, in opposition to the previous decree, which simply mentioned that it was important to stimulate the elderly "... to participate in community life", without adding details about how to achieve this end. Thus, the new decree, i.e., Municipal Decree 25.698/1988, described with more elements, suggesting the fields and issues that should be focused as: "... leisure, reading, medical treatment and transportation”.

Additionally, as for the constitution of the “Municipal Council of the Elderly’s Condition of São Paulo”, based on Municipal Decree 25.698/1988, the following members were excluded from it: the Representative of the Mayor’s Advisory Board and the representatives of the City Council of São Paulo. The decision to exclude the latter was based on a court decision by the “State of São Paulo Justice Court” that pointed out the unconstitutional nature of these members to participate (with voting rights) in the referred council.

At the same time, some members were included such as the representatives of the Education and of the Legal Matters Departments. Due to these changes, as of this moment, this forum was joined by 13 members: i.e., 9 (nine) government members and 4 (four) civil society members.

Consequently, the number of the government members and of the civil society ones was not on a par, as the government group outnumbered the latter.

As no more documents/reports/data were found, further analysis was made impossible, regarding the existence and operation of the “Municipal Council of the Elderly’s Condition of São Paulo”, during 1984 -1988.

With relation to 1989 and on, the authors found out a decree issued by Mayor Luiza Erundina (1989 -1993), i.e., Municipal Decree 28096/1989, which introduced some changes to this council. Thus, the above mentioned decree modified its name to "Great Municipal Council of São Paulo for the Elderly" and subordinated it to the Special Affairs department.

Additionally, this decree changed the way this arena used to function, trying to diversify and broaden its composition, making this council more democratic, and enabling it to play a more strategic role. So, the referred decree proposed new responsibilities for this council within the field of conception of public policies and encouraged actions aiming at protecting and giving support to the elderly.

Hence, as of this moment, the "Great Municipal Council of São Paulo for the Elderly" became responsible for interpreting and conveying the interests and demands from the elderly and also to receive their claims. As a matter of fact, the latter responsibility was not restricted to the elderly’s social movements but would also apply to any senior individual wishing to submit a claim.

With this regard, it should be noted the new function then attributed to the "Great Municipal Council of São Paulo for the Elderly", as a society’s interlocutor.

Therefore, it was in charge for: developing educational campaigns related to the elderly, informing and clarifying the elderly about their rights, recommending operational procedures for elderly's nursing homes, as well as creating conditions for retrieving their history and their experiences within the political, cultural, social, trade unions and other movements.

Concerning its composition, based on Municipal Decree 28096/1989, the "Great Municipal Council of São Paulo for the Elderly" was composed by 42 members: 28 members representing the social movements (annually elected) and 14 members representing several government departments of the municipality of São Paulo. In this respect, it is worth highlighting that the civil society members outnumbered the government ones, which suggests the intention to make this forum a more democratic and participatory body, because of the preponderance of the civil society. Moreover, the "Great Municipal Council of São Paulo for the Elderly" relied on a more complex structure - if compared to what was established in previous decrees - and includes a/an: a) General Assembly (It was composed by its government and civil society counselors, besides individuals and organizations guests. It was also open to the whole population); b) Board of Representatives (It was only composed by the government and civil society counselors of the "Great Municipal Council of São Paulo for the Elderly"); c) Working Committees (They were composed by the government and civil society counselors as well as guests.

Their focus relied on conducting researches and diagnostic studies on matters and demands related to the elderly); d) Executive Secretariat (It was composed by 5 (five) members, elected by all counselors of the "Great Municipal Council of São Paulo for the Elderly". Its objective was to represent and coordinate the works of this council.

As to the minutes of meetings of the "Great Municipal Council of São Paulo for the Elderly" covering the period 1984 – September 1992, the authors of this article reiterate that the collected material is under a process of organization / systematization. In fact, one should mention that not all minutes of meetings were available to them when they were about to finish this article's research phase.

Nevertheless this context, the authors were able to conduct a panoramic reading² of the available minutes of meetings and identified some obstacles that threatened the effectiveness of the "Great Municipal Council of São Paulo for the Elderly". In fact, one could mention, for instance, the repeated complaints regarding the absence of the counselors from the meetings, especially the social civil ones. Another difficulty brought out by the minutes of meetings referred to the lack of communication among civil society counselors, mainly among the ones from the same region/ neighborhood. Actually, despite the fact that these counselors usually conveyed similar demands, they were not successful in joining forces in relation to the way they should submit them. Additionally, one could observe that most of the counselors were not capable either to pinpoint nor prioritize which key issues should be addressed and discussed by the "Great Municipal Council of São Paulo for the Elderly". This scenario showed very clearly the need to provide adequate training to the counselors of this arena, aiming at upgrading the quality of their participation and thus enabling them to contribute and to support the consolidation of this council.

So, the aforementioned decree (i.e. Municipal Decree 28096/1989) tried to provide this locus with a more technical and democratic character and therefore, to increase its possibilities of conveying initiatives and being more proactive (especially in relation to the role of this forum in the process of conceiving/suggesting public policies). However, it was noticeable that this objective was hampered by most of the counselor' qualification (mainly the ones originating from the civil society).

Indeed, it seemed that many of the latter counselors did not either precisely know their role and responsibilities as counselors nor this council's role and functions.

Additionally, with regard to this moment (i.e.1984 - September 1992) and to the rights of the elderly, it is worth remembering some typical traits of this context. First, it must be noted that along the above mentioned period the current Brazilian Federal Constitution was the only legal regulation in force (on the federal level) that dealt with the elderly issues, being important to emphasize that it was also a very recent legal reference at that time, as it dated back to 1988.

² The expression "panoramic reading" refers to a rapid and preliminary reading of a text. In this way, the main goal was to have a general idea of the content and to identify the most important issues addressed by the text.

Furthermore, as for the “Brazilian National Policy for the Elderly” (1994) and for the “Brazilian Statute of the Elderly” (2003) they were published later, as it can be noticed. Hence, during 1984 - Sep/1992, the prevailing Brazilian legal framework did not include population ageing as one of its main issues. Due to this background, the existence of the "Great Municipal Council of São Paulo for the Elderly", at that moment, in the city of São Paulo, became of considerable importance, especially in alerting both government and society about the social, political, economic and cultural impacts due to population life span expansion.

Another important issue to be commented refers to the fact that this forum, during this period, was regulated by decrees, which are, by nature, more tenuous and fragile than a law. So, as mentioned before, the existence / continuity of the referred council depended on the Executive Power (i.e the Mayor), who could extinguish this forum, even without consulting the members of the City Council of São Paulo) nor the ones from the civil society organizations.

The above comments highlight how little sensitive was the context concerning the issues of population ageing and of population life span expansion, as well as how unprepared the government institutions were to deal with these matters. However, it is important to reiterate the role played by the "Great Municipal Council of São Paulo for the Elderly", being a protagonist in relation to draw attention to the above mentioned issues. In this respect, it is worth remembering some of its legacies as the release of the first “Letter to the Elderly of São Paulo” (published before the “Brazilian Statute of the Elderly”, which dates back to 2003) and the pressures it put on members of the “City Council of São Paulo”, in order to approve the law that established free public transportation for citizens 65 or older, in the city of São Paulo. In fact, this forum played a strategic role, calling the attention of the government and civil society to include in their agenda issues related to the population ageing and its consequences.

However, during most part of this period, it was clear that the number of these representatives from government and from civil society was not on a par, as the government members outnumbered the other group. In addition, based on the reading of the minutes of meetings, one could not deny the need to train and qualify its counselors to perform their tasks (especially the ones from civil society), as they appear not to be aware of their role as well as of this council’s.

Since the creation of the "Great Municipal Council of São Paulo for the Elderly", (by Municipal Law 11242/1992) to current days: The birth of a new era?

In October 1992, one witnessed a “refounding” process of the “Great Municipal Council of São Paulo for the Elderly”, due to the enactment of Municipal Law 11242/1992, which replaced the previous decree (i.e. Municipal Decree 28096/1989), that subordinated this forum directly to the Mayor's Office.

It should be emphasized that as of this moment the "Great Municipal Council of São Paulo for the Elderly" was ruled by a municipal law (rather than a decree), which reinforced its autonomy, since it would no longer be possible for the Executive Power (i.e. by a Mayor's decision) to extinguish it. Indeed, the extinction of this arena would only be possible if decided and voted by the members of the City Council of São Paulo. Moreover, the referred municipal law reiterated the democratic nature of the "Great Municipal Council of São Paulo for the Elderly". So, from then on, this council was entitled to take on a decisive and robust role in the decision making process of public policies as well as in the process of suggesting new policies and activities to protect and assist the elderly. It also became recognized as an important actor that could receive claims from the social movements of the elderly, channeling them to the suitable institutions, asking for accurate investigation. In addition, this arena was made responsible to create conditions for retrieving the elderly's history in the context of the political, social, cultural, trade unions and other social movements and also to recommend operational procedures to be followed by nursing homes or by homes that shelter the elderly, being in charge of monitoring and evaluating if they are acting in compliance with the legal rules.

Regarding the "Great Municipal Council of São Paulo for the Elderly" and its administrative structure established by Municipal Law 11242/1992, one could remark its current structure is very similar to the one mentioned by Municipal Decree 28096/1989. So, it is composed by: a) a General Assembly; b) a Board of Representatives; c) Working Committees; d) an Executive Secretariat.

The General Assembly is considered this council's highest authority. It has the responsibility of suggesting or reevaluating its recommended policies, programs and projects, as well as to coordinate/organize, on a two-year basis, the election of the civil society counselors, who take part in the Board of Representatives and in the Executive Secretariat.

So, the General Assembly is composed by civil society counselors, government counselors and organization guests and individuals. Members from the civil society should be elected by the civil society, should be residents of the city of São Paulo and be 60 or older. As to the government counselors, they should be appointed by the several municipal departments of the city of São Paulo. Besides this, the General Assembly could also be composed, as said before, by other individuals or representatives of the civil society organizations related to the elderly theme. With reference to the Regional Assemblies, they take place in the 5 (five) regions of the city (North, South, East, West and Downtown). Each Regional Assembly is composed by the elderly who are residents in each neighborhood.

As to the Board of Representatives, it is composed by 30 (thirty) elderly counselors from civil society, elected by the Regional Assemblies. Actually, the Regional Assemblies are entitled to elect its representatives: 6 (six) representatives from the above 5 (five) mentioned regions and 3 (three) substitutes regarding each region of the city of São Paulo. Additionally, there are 14 (fourteen) government members, who take part on this council plus 1 (one) member from the City Hall of São Paulo. The above mentioned government members as well as the member from the City Hall of São Paulo are not entitled to vote.

The Board of Representatives is responsible to summon the General Assembly and the Regional Assemblies, as well as to submit to the General Assembly deliberation, the recommended policies, programs and projects.

Therefore, it is clear the hybrid nature of this forum (which counts on the presence of government and of civil society members), being relevant to mention that the civil society members (30 members) outnumber the government members (15 members). Furthermore, it is worth noting that only the civil society ones can cast a vote.

In short, the Board of Representatives is composed by 45 (forty five) counselors, as summarized in the table below. One should also highlight that the government counselors (representing several government departments of the municipality of São Paulo) and the counselor from the City Hall of São Paulo have no voting rights.

“The Board of Representatives of the Great Municipal Council of São Paulo for the Elderly” (current composition)

	Civil Society Members	%	Government Members	%	Total	%
	30	67	15	33	45	100

Source: This table was organized and conceived by the authors of this paper, based on the data reported by Municipal Law 11242/1992

As to the Working Committees, their functions are to prepare and suggest actions of specific programs, studies and formulate diagnostic guidelines, conveying information about the condition of the elderly and about the work being done by this council. The Working Committees are composed by members of the Board of Representatives, plus senior citizens who want to take part in the Assemblies and especially invited actors (e.g. individuals or members from the government and from civil society organizations).

Finally, the Executive Secretariat is composed by a President, a Vice-President, a First Executive Secretary, a Second Executive Secretary and an additional member, who is appointed by the "Great Municipal Council of São Paulo for the Elderly" and represents a distinguished organization. These members are the most voted counselors of each region. The main objective of this body is to represent the "Great Municipal Council of São Paulo for the Elderly" and answer all questionings and requirements from the several government departments of the municipality of São Paulo.

Furthermore, the analysis of the minutes of the meetings and of other documents related to the "Great Municipal Council of São Paulo for the Elderly" and to this period have led us to conclude that there are some deficiencies in relation to its dynamics and to its functioning. Consequently, these deficiencies have hampered its capacity to influence the public policy process. Thus, as a conclusion the authors emphasize that among the obstacles this council currently faces, the main one is the lack of qualification of its counselors. Actually, an improvement in this field will only be reached with an effort to upgrade its counselors' performance, once it seems they do not precisely understand their role in this arena as well as this council's role, among other objectives.

With regard to other flaws, it is also noticed that this council's meetings are quite confusing and frequently have no focus.

Then, based upon an assessment of the minutes of the meetings, one can remark that sometimes there are no guidelines for its meetings (i.e. frequently, there is not an evident agenda to be followed). In other occasions, despite the existence of an established agenda, the counselors fail to follow it, since it is observed that some subjects addressed and discussed in these gatherings have no connection with the established guidelines. In addition, one can clearly notice the lack of a sense of priority in several meetings since subjects of relevance (e.g. The Elderly Municipal Games, The Municipal Fund of the Great Municipal Council of São Paulo for the Elderly, the need to upgrade “The Letter of the Elderly of São Paulo” etc.) are discussed together with matters of minor importance (e.g. disputes and arguments among counselors). Indeed, concerning the way the meetings are conducted, there are neither established procedures to organize the discussions among the counselors nor rules to grant the floor to the counselors and limit their time to speak. As a consequence, many counselors express their opinions at the same time, and in the end it is difficult to come to a conclusion about the approached themes and issues. This scenario allows some members of the Executive Secretariat to take control of the meetings, deciding several subjects based on their own perspectives/interests, ignoring the opinions expressed by the majority of the counselors, which are frequently conveyed in a very confused and disorganized way. Therefore, they have the last word on how certain themes should be presented and discussed with the City Council of São Paulo and with other institutions.

In fact, one cannot identify either the criteria adopted by this council to select the themes to be discussed or the way this forum builds its agenda, not to mention how the flow of the decisions taken in its meetings will evolve to other decision levels.

Finally, it is quite evident the reduced participation of government counselors in the meetings, perhaps by discouragement, due to the disorganization with which the debates are conducted or because of the lack of clarity regarding, as it was mentioned before, the way how the decisions evolve to other levels.

With relation to the need to train the civil society counselors, it is known that just after the release of the counselor’s elections results, the Municipal Department of Human Rights and Citizenship of São Paulo offers them a training program. The objective of this training program is to prepare them to perform their roles. However, their absence is quite notorious.

It is also noticed that from October 1992 on, several laws and policies have been enacted focusing the elderly. Firstly, one should point out the current Brazilian Federal Constitution which has a pioneer character in relation to the former Brazilian constitutions, concerning the theme of the elderly and their rights. In fact, even if the referred Brazilian Federal Constitution (which is still in force currently) was enacted in 1988, it only started showing its effects in this period (i.e., from 1992 until nowadays). So, as suggested, this law was considered an important milestone for the elderly since it has reiterated their right to a decent life and therefore, to an effective citizenship, as it is written in its article 230. In addition to this, it is worth mentioning some policies published during this period, namely: Brazilian National Policy for the Elderly, 1999; Brazilian Statute of the Elderly, 2003; Brazilian National Health Policy for the Elderly, 2006.

The emergence of these policies reinforced the need to consider the inclusion, in the government's agenda (i.e., in local governments' agenda, in state-members governments' agenda and in federal government's agenda), of guidelines that target themes related to the elderly. Thus, this process probably also helped to reinforce the legitimacy of the "Great Municipal Council of São Paulo for the Elderly".

However, as mentioned by some authors in previous topics (e.g. Camarano and Pasinato, 2004; Gardner, 2006; Alves and Vianna; 2010; Fernandes and Soares, 2012; Andrade et al, 2013; Alcantara and Giacomini, 2013; Malik, 2016; among others), it is evident that one of the greatest contemporary challenges to be faced - not only by the "Great Municipal Council of São Paulo for the Elderly" but also by the Brazilian society and moreover by the Brazilian State - is to implement the above mentioned laws and policies related to the elderly.

Final considerations

Aiming at clarifying the challenges faced by the "Great Municipal Council of São Paulo for the Elderly", along its history, in order to influence the public policy process, the authors of this article were committed to identify the set of laws, decrees, regulations, reports, as well as articles, theses and others that were related to and/or dedicated to investigate not only the theme of the elderly, but also the referred council's life path.

Besides that, they compared the above mentioned rules and guidelines with the practices adopted by the "Great Municipal Council of São Paulo for the Elderly" in its meetings (not only those practices observed by the authors - when they were present at the cited meetings – but, likewise, those practices reported in the previous minutes of meetings that were made available to the authors for consultation).

Therefore, the authors had to dedicate themselves to the reading of several minutes of meetings (i.e. minutes related to former years as well as to recent years), besides attending 9 (nine) meetings that took place between 2015 and the beginning of 2016.

Considering the normative path followed by the "Great Municipal Council of São Paulo for the Elderly" - i.e. decrees and laws that regulated it -, this forum was ruled by (three) decrees: Municipal Decree 20554/1984 (during Mario Covas' Government); Municipal Decree 25698/1988 (during Jânio Quadros' Government); Municipal Decree 28096/1989 (during Luiza Erundina's Government), along with one law, i.e., Municipal law 11242/1992.

So, based on the mentioned normative course, one can infer it is a history of increasing autonomy and empowerment of the civil society. In fact, during this period, this forum has been gaining legitimacy to take a protagonist position (on behalf of these rules in relation to standing and supporting the elderly interests in the city of São Paulo).

However, the mentioned autonomy reached by this council was also reinforced by several laws, regulations, programs and policies which emerged along the last decades, in the Brazilian scenario, recognizing and emphasizing the rights of the elderly.

Thus, it goes without saying that this context has helped to consolidate the institutional role of the "Great Municipal Council of São Paulo for the Elderly", also giving support to its recognition as a forum that could potentially represent the demands from the elderly of São Paulo.

In fact, as a reminder, the chronological approach adopted to analyze this council was based on two periods. In the first period (i.e. 1984 - September /1992), one could notice the existence of a council, in the city of São Paulo, regulated by several decrees, whose objective was to support and to stand up for the elderly's interests and rights.

Notwithstanding this objective, the decrees themselves point out the fragile and tenuous character of its existence. Furthermore, it was evident that the theme of population ageing was not in the government's agenda. Nevertheless the above mentioned context and the normative frailness of the "Great Municipal Council of São Paulo for the Elderly" in this period, it is important to reiterate the relevance of the presence of such a forum during that time.

Actually, its presence worked like a warning emphasizing the population life span expansion and its consequences and also highlighting that São Paulo and Brazil were undergoing a process of population ageing.

During the second chronological period (i.e. October 1992 - until nowadays), the "Great Municipal Council of São Paulo for the Elderly" has been ruled by a municipal law. From the institutional point of view, it has been enjoying greater autonomy, recognition and legitimacy.

Regarding Brazil's context during this period, it is worth commenting the emergence of several laws, policies and programs that target population ageing issues.

As a result, several debates and discussions concerning the requirements and rights of the elderly segment progressively started to be included in the agenda of several governments.

However, it is quite clear that one of the greatest challenges being faced by this forum is to demand the implementation of the laws and policies related to the elderly.

In addition to the content referred before, there is another question to be tackled that has persisted since the beginning of this forum, which concerns its capacity to effectively influence the public policy process.

With this regard, the lack of qualification of its counselors (mainly the ones from the civil society) should be noted, as it seems they are not aware of the scope of their role. Besides this, there are still other difficulties to be faced, namely: this council meetings are confusing and disorganized, as previously said, as well as there are no evident criteria to choose the issues to be discussed. In fact, one cannot identify either the criteria adopted by this council to select the topics to be discussed at the meetings or the way this forum builds its agenda, not to mention how the flow of the decisions taken in its meetings will evolve to other levels.

Hence, despite the challenge to keep pressuring for the implementation of laws, policies, programs – which should persist during the forthcoming decades – it appears to be obvious that this forum's first priority should be to undertake actions to promote its counselors's qualification (mainly focusing on the ones from the civil society).

Based on these findings, it urges, for example, to explain these counselors their roles and responsibilities within this locus, as well as this forum's role. It is also important to clarify to them that their improvement will certainly make this council much more effective.

Therefore, it is essential, as said, that the civil society counselors undergo some training programs which will also contribute to increase their political culture, thus reducing their vulnerability in relation to their partners from the Executive and Legislative Powers, not to mention other representatives from several sectors of the society.

So, in regard to this issue, it is also suggested that the participation of civil society counselors in these training sessions should be mandatory, being important to highlight that without a suitable understanding of their role, in this forum, they may become political objects (instead of political agents).

Additionally, the referred civil society counselors need to understand that if they are not qualified to play their role, they will not be able to effectively exercise control of the actions conducted by the State. Nor will they help the "Great Municipal Council of São Paulo for the Elderly" to perform its strategic function and to put forward public policy proposals focusing on the demands and rights of the elderly.

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Recebido em 15/02/2016

Aceito em 30/03/2016

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