

SOCIAL DIALOGUE AND REORGANIZATION OF LABOR AND POWER RELATIONS NOWADAYS

DIÁLOGO SOCIAL E REORDENAMENTO DAS RELAÇÕES DE TRABALHO E DE PODER NA ATUALIDADE

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Abstract: The article discusses the meaning and development of social dialogue in the current stage of capital development. Its purpose is to explain the political and ideological character of social dialogue in the context of the relationship between social classes. The analysis shows the constitution of an institutional engineering in the scope of the State that seeks to guarantee in a renewed way the harmonization of interests of entrepreneurs, workers and the State, based on the perspective of social dialogue. As a conclusion, the article points to evidence that social dialogue currently, under the pretext of renewing the relations between capital and labor, is nothing more than a strategy of renewal of the mechanisms of mediation of the class conflict to guarantee the maintenance of bourgeois hegemony in a context of organic crisis of capital.

Keywords: State. Hegemony. Social Dialogue.

Resumo: o artigo discute o significado e o desenvolvimento do diálogo social no estágio atual de desenvolvimento do capital. Seu objetivo é explicar o caráter político e ideológico do diálogo social no contexto da relação entre as classes sociais. A análise evidencia a constituição de uma engenharia institucional no âmbito do Estado que visa garantir de forma renovada a harmonização de interesses de empresários, trabalhadores e Estado, com base na perspectiva da concertação social. À título de conclusão, o artigo aponta evidências de que o diálogo social, na atualidade, à pretexto de renovar as relações entre capital e trabalho, nada mais é do que uma estratégia de renovação dos mecanismos de mediação do conflito de classes para garantir a manutenção da hegemonia burguesa em um contexto de crise orgânica do capital.

Palavras-Chave: Estado. Hegemonia. Diálogo Social.

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Introduction

In this paper, we shall examine the meaning and development of social dialogue in the capitalist social order. First, we will deal with the foundations of the social democratic political project and its role throughout the historical process. From this, we will analyze the meaning of social dialogue in the capitalist social order, evidencing its strategic character in periods of threat to bourgeois hegemony. Based on this analysis, we will try to explain the development of social dialogue from the structural crisis of the capitalist order evidenced in the last decades, explaining its dynamics of consolidation. Our purpose with this analysis is to highlight the constitution of an institutional engineering of international scope, although with specific dynamics, depending on the position of each country in the international division of labor - whether capitalist center countries or peripheral countries.

1. Origins and Development of Social Dialogue

The understanding of the meaning of social dialogue runs through the analysis of the role of social democracy in the dynamics of production and social reproduction of material life in capitalism. Likewise, this understanding also runs counter to the contradictions between the theoretical-methodological framework of classical social democracy and that of liberal social democracy or Third Way.

In order to understand the nature of the social-democratic reformist character, we are based on Mandel (1993), who analyzes the ways of being and acting of Social-Democracy, showing its essence and modifications throughout the historical process. In this perspective, the author starts from the differentiations between revolutionary Marxism and social-democratic reformism, pointing them as opposing conceptions regarding to the conquest of political-economic power by the working class and the conception of the role of the bourgeois State in this process.

According to Mandel (1993), reformism is a way of being and acting of the social-democracy, presenting itself as a strategy of transition to socialism through the gradual conquest of greater political-economic power on the part of the workers, it is consolidated in an evolutionary conception of transition to socialism. This strategy is based on at least six processes, namely: a) nationalization of capitalist property as a gradual way of dissolution of economic power; b) gradual conquests of spaces of power in the State apparatus, in a dynamic of conquests of great metropolis, then municipalities; c) conquest of the parliamentary majority as a basis for legislating on the whole of social life; d) control of the media; e) control of the repression apparatus of the State; f) control of the selection of senior positions in the State apparatus, officials, magistrates, officials.

Mandel (1993, pp. 2-3) confronts the reformist view with the conception of revolutionary Marxism, verifying the illusory aspects of this first current of thought. In his criticism done to Eduard Bernstein and

his geological conception of human history, Mandel asks: "How many millennia are necessary for a stone to dissolve?" (Mandel, 1993, p.3). With this questioning, Mandel (1993, pp. 3-4) emphasizes the opposition and rejection of the gradualist illusion in relation to the strategy of revolutionary Marxism, since the reformist conception is based on the inertia of the bourgeoisie and its inability to react to the seizure of power. In addition, the author points out that, in no country has the bourgeoisie lost political-economic power by the gradualist strategy. Thus, in capitalism there are no two powers. In reality, although there is a weakening of power through this strategy in a given historical context, this does not mean a break with the bourgeois order.

In order to build on the analysis and highlight the nature of reformism, Mandel (1993, p. 5) verifies the relationship between reformism and capitalism and between reformism and the bourgeois State. Starting from Bernstein and Kautsky's dissertations, Mandel (1993, p.5) points out the lack of materiality in these dissertations and highlights the relationship between violence and the actions of social-democrats. According to the author, Bernstein's theories point to a development of capitalism as an evolutionary process towards socialism, having as expressions the diminution of social conflicts, the dilution of bourgeois power, the reduction of wars and repressive practices of the state apparatus. In this aspect, Kautsky's dissertations have the same direction, characterizing the model of American social regulation as an expression of the benevolence, goodness, and pacific character that the bourgeoisie assumed with the evolution of capitalism. In opposition to these dissertations, Mandel (1993, pp. 5-6) presents Rosa Luxemburgo's dissertation which points out the rise of wars and intensification of social conflicts as a result of the development of capitalism in the twentieth century, taking as reference the social conflicts from 1871 to 1900. In this line of argument, the author highlights the relevance of Rosa Luxemburgo's dissertation based on the history of the twentieth century.

Em relação à associação entre estratégia do marxismo revolucionário e violência, Mandel (1993, p. 5), fundamentado na estratégia da Revolução de Outubro, em Petrogrado, observa que, com a constituição da maioria esmagadora da população adulta formada por trabalhadores assalariados e trabalhadores em precárias condições de vida, a violência torna-se marginal. Assim, o autor observa que a Revolução de Outubro gerou menos mortos do que ocorre em um acidente de aviação em apenas um só fim de semana de qualquer grande país (Mandel, 1993, p. 4). In relation to the association between the strategy of revolutionary Marxism and violence, Mandel (1993, p. 5), based on the strategy of the October Revolution in Petrogrado, notes that, with the overwhelming majority of the adult population formed by salaried workers in precarious living conditions, violence becomes marginal. Thus, the author notes that the October Revolution generated fewer deaths than occurred in an aviation accident in just one weekend in any major country (Mandel, 1993, p. 4).

Unlike the revolutionary Marxist strategy, the actions of social democracy, limited to the rules of restricted democracy and the dynamics of capital valorization, maintain the structures of class domination, the policies of domination of the hegemonic nucleus over countries on the periphery of capitalism, with

relations over-exploitation, and the creation and maintenance of cruel oppression regimes. According to Mandel (1993, pp. 9-10), the occupation of power by social democratic parties meant the democratization of nations through the maintenance of empires and all the violent and cruel policies necessary for hierarchization among countries in the international division of labor.

In this context, Mandel (1993, pp. 10-11) analyzes the intensified imperialist policies in the mid-1940s, led or supported by social-democratic parties such as the British Labor Party, the Popular Front government in France, the Dutch Social Democrats Party, who promoted large-scale colonial wars, violently crushing popular revolts and anti-colonial actions.

In opposition to the strategy of revolutionary Marxism, reformism consists of a strategy of maintaining capitalist social order, conditioning the actions of the working class to the conciliation of antagonistic interests, limited to the dynamics of valorization of capital and the rules of restricted democracy. Restricted democracy is expressed by the constitution and discourse based on the idea of abstract citizenship. In order to maintain the dynamics of classes struggle within the limits of the maintenance of bourgeois sociability, social democracy is characterized by its reformist essence and its existence is conditioned to the maintenance and balance of the bourgeois order's institutionality of production and social reproduction of material life.

On the basis of the current of reformist thought, we can make some considerations about the essence of the social-democratic ideology: a) its way of being and acting is based on the possibility of conciliation of interests between antagonistic classes; b) their actions are limited to the horizon of restricted democracy and in a pattern of sociability based on the concept of abstract citizenship, that is, their actions are limited to the dynamics of monopolistic capitalism and require reformulations at each period of structural crisis; c) as its actions are based on the rejection of the proletariat's seizure of state power, the occupation of power, for Social-Democracy, means a "good" administration of the bourgeois State, without rupture with the social order. Based on these premises, the main role that Social-Democracy has assumed in the history of the development of capitalism is the maintenance of the consensus around the project of bourgeois sociability. In this sense, its performance is based on the formulation of a theoretical / methodological framework necessary to lower the level of political-ideological awareness of the working class and conformation to the project of bourgeois sociability.

In this respect, social democracy has assumed the function of saving capitalism, especially in times of threat of rupture with the bourgeois order of production and social reproduction of material life, as can be evidenced in the analysis of the periods of structural crisis of capital experienced until the present moment. In the period characterized by a structural crisis, in the 1930s, for example, the conciliatory actions of Social Democracy aimed at containing social conflicts and maintaining as legitimacy the institutionality of the capitalist social order. At the end of World War II, the contradictions of capitalism were evidenced, characterizing a period of mobilization of the popular masses. It is in this period that reforms in the way of social regulation, with the consolidation of the Welfare State, have become the strategy necessary for the

salvation of capitalism. This situation was marked by the Cold War, in other words, under the threat of development of the socialist project, the bourgeoisie was forced to pay a higher price for the maintenance of its class power:

The bourgeoisie and its structures of power were discredited by all their behavior during the war. Radical reforms were the minimum price to pay to avoid revolution. Social-democracy saved capitalism as it had done at the end of the First World War. This time, with the co-responsibility of the Stalinist parties, in France, Italy and Greece with the main responsibility of the latter. But now the bourgeoisie was quite obliged to pay a much higher price than in 1918-1919 for the services provided. Periods of economic expansion from 1949 facilitated the operation (Mandel, 1993, p.12).¹

In this regard, the conciliatory actions of Social-Democracy revolve around maintaining the bourgeois sociability project. As we could see in the analysis of the social-democratic essence of Mandel (2003), during the period of structural crisis of the 1930s, the actions of social democracy were conditioned to the project of bourgeois sociability, which had as social regulation way the Welfare State. In this period, the threat of development of the socialist project allowed a dynamic of conquest of political and social rights as a strategy to mediate classes conflict. With the eminence of construction of another project of sociability alternative to that of capital, the maintenance of bourgeois hegemony required a theoretical-methodological framework that would mystify the conquest of political-economic power and the transition to socialism. In order to achieve this end, the transition to socialism could not be removed from the working-class horizon. Thus, the social-democratic theoretical-methodological framework was structured from the mystifying ideology of a transition to socialism, not by denying it but by proposing it as a gradual way of change as a consequence of the very development of capitalism, through the expansion of democratic participation, which supposedly would mean an increase in social control over state decisions without the need for State takeover. The justification in an evolutionary transition to socialism conditioned the actions of the working class to the rules of restricted democracy, making it impossible to construct another sociability Project. In this period, social-democratic actions and conceptions founded on the possibility of conciliation of interests between antagonistic classes materialize in a conciliatory dynamic between capital and work, taking the neocorporative, efficient form to obfuscate class conflict, based on the ideology of social conciliation, citizen participation, social pact, conciliation of social classes, etc.

From this context, in moments of threat to bourgeois hegemony, conciliatory practices based on the principle of social dialogue are activated to reestablish the balance between structure and superstructure, highlighting the contradiction between the socialization of politics and the appropriation of power by the

¹ Free translation from the original in Portuguese: “A burguesia e as suas estruturas de poder saíram desacreditadas por todo o seu comportamento durante a guerra. As reformas radicais eram o preço mínimo a pagar para evitar a revolução. A social-democracia salvou o capitalismo como fizera no fim da Primeira Guerra Mundial. Desta vez, com a co-responsabilidade dos partidos estalinianos, na França, na Itália e na Grécia com a responsabilidade principal destes últimos. Mas agora a burguesia era bastante obrigada a pagar um preço muito mais elevado do que em 1918-1919 pelos serviços prestados. Os períodos de expansão econômica a partir de 1949 facilitou a operação.”

fundamental class, but at the same time creating the necessary political and ideological mechanisms to dazzle it. For that matter, Chatelet (2003, p. 188) states:

And whenever there is an antagonism that calls into question the social order, a little more dangerously than usual, to appeal to the eventuality of a practice of dialogue, which is expected to have the power to reconcile contradictions, to approximate divergences (or subdivergences), to reduce differences; in short, to develop antagonisms to a solid and neutral place in which goodwill is exercised in transparency.²

Thus, in times of structural crisis, social dialogue becomes a strategy for reordering politics. According to Chatelet's view (2003, p. 189),

[...] the dialogue [and its modern pastiches: consultation, participation ...] is precisely an illusion, which gives to the good and beautiful souls, the opportunity to move themselves morally, and to those who hold the strength, the occasion to legitimize their power discursively. [...] Today, the dialogue is the mock of the discussion, because it is rare - and this is one of the arguments of the advocates of the dialogue - whatever the seriousness of the conflict and the importance of what is conveyed in it, which is always possible to reach an agreement.³

The reformist character of Social-Democracy allowed the lowering of the level of political consciousness of the workers' organization at a time of threat of rupture of the social order, with the advance of the socialist project.

We can highlight the historical role of social democracy in a new period of structural crisis, begun in the late 1960s and early 1970s, with the hegemony of the neoliberal recipe in the face of the threat to bourgeois sociability. Once highlighted the limits of this formula to guarantee the maintenance of bourgeois hegemony, as pointed out by Anderson (1995), the Third Way - the republished social-democratic project - is presented as an alternative between neoliberalism and socialism. In this regard, Lima and Martins (2005, p.43) state: "In a critical reading, it can also be called "social-liberalism," a conception that more clearly expresses the "varnished" revival of the bourgeois project that maintains the basic premises of neoliberalism in association with the central elements of social-democratic reformism".⁴

Thus, if on the one hand, reformism constitutes the social-democratic essence, on the other, its political-ideological framework has always been conditioned by the dynamics of valorization of capital and the rules of restricted democracy. In other words, in the historical process, the social-democratic political-

² Free translation from the original in Portuguese: "E sempre que surge um antagonismo que põe em dúvida a ordem social, um pouco mais perigosamente que o costume, se apele à eventualidade de uma prática do diálogo, da qual se espera tenha a virtude de conciliar as contradições, de aproximar as divergências (ou as subdivergências), de reduzir as diferenças; em suma, desenvolver os antagonismos a um lugar sólido e neutro, no qual se exerça, na transparência, a boa vontade.

³ Free translation from the original in Portuguese: "[...] o diálogo [e seus pastiches modernos: a concertação, a participação...] é precisamente uma ilusão, que dá as almas boas e formosas, a ocasião de agitar-se moralmente, e aos que detêm a força, a ocasião de legitimar discursivamente seu poder. [...] Hoje, o diálogo é o simulacro da discussão, pois é raro - e este é um dos argumentos dos defensores do diálogo -, quaisquer que sejam a gravidade do conflito e a importância do que nele se ventila, que seja sempre possível chegar a um acordo".

⁴ Free translation from the original in Portuguese: "Em uma leitura crítica, ele pode ser também nomeado de "social-liberalismo", conceituação que mais claramente expressa a retomada "envernizada" do projeto burguês que mantém as premissas básicas do neoliberalismo em associação aos elementos centrais do reformismo social-democrata."

ideological project, under the pretext of building a fairer society, actually becomes a refined version of the bourgeois sociability project. With this conditioning, social-democratic actions and conceptions must be reformulated at every moment of structural crisis, in order to provide the political-ideological support for the continuity of the capitalist social order.

In this context, with the same essence and the same role in the historical process, we can visualize the reformulation of the theoretical-methodological framework of social democracy, materialized in the political-ideological project of the Third Way. Although supporters of the Third Way present themselves as a "new social democracy," the essence and historical role remain the same, as well as the same strategy of reformulating the bourgeois sociability project. The changes occur in the dynamics of their actions and in the updating of the mystified reading of social reality, giving vitality to the conception of bourgeois world. As the historical conjuncture is characterized by the fall of real socialism, we can see with greater clarity the opposition between social-democracy and socialism. Thus, in the current social-democratic project, a central attack is structured on Marxism and the socialist utopia, removing from the horizon any perspective of transition to socialism. Opposition to socialism is part of the constitution of this political party. In the structural crisis of the 1930s, this same opposition to socialism was mystified by the evolutionist ideology for socialism, since the eminence of the socialist sociability project did not allow a frontal attack. Thus, with the same objective of saving capitalism, today the partisans of the Third Way or the repaginated social democracy use the same strategy of reformulation of the project of bourgeois sociability, presenting to civil society a more "palatable" reinterpretation of this project.

Hence, the rules of the game must be redefined to establish new limits, conditioning the political action to the principles of market laws. With this purpose, empty concepts are put into action by the capital to give meaning to the dichotomy between economy and politics and gain new contours and meanings. Therefore, the ways of negotiation between capital and labor gain new dynamic, due to the reordering of politics and the economy, rescuing and modifying the neocorporative ways of negotiation between capital and labor, giving them more contemporary sensations. Likewise, the Third Way or remodeled social democracy has a fundamental role in the reconstruction of a pact between capital and labor limited to the dynamics of the bourgeois order of production and social reproduction of material life.

Besides understanding the role of social democracy and the resulting negotiating dynamics based on its conciliatory political philosophy, understanding the current configuration of social dialogue requires the analysis of the main ways of negotiation between capital and labor throughout the historical process, to which we propose hereinafter.

2. From Social Conciliation to Social Dialogue

Founded on the possibility of conciliation of interests between antagonistic classes, the Social-Democratic parties develop a way of negotiation conditioned to the ideology of "social conciliation". This

concept has origin in music, in the idea of harmonizing musical instruments in an orchestra. Thus, the actions of conflicting representations of interests are based on a logic of social conciliation, that is, cooperative actions for social harmonization.

As we have previously analyzed, the configuration of the classes struggle in World War II was characterized by the mobilization of the popular masses and the threat of bourgeois hegemony, with the possibility of developing the socialist project. In this context, as actions of demotion of workers' political consciousness, social-democratic reformism has created a new form of corporatism. This Neo-corporatism was organized in tripartite forums, with representations of workers' organizations, of businessmen, with the mediation of the State. This institutional articulation, in the central countries of capitalism, projected a way of collective bargaining at the national level, consisting of a conciliative logic, a dialectical relationship between wage moderation and the counterpart of the expansion of social rights. With this dynamic conditioned to capital accumulation and expansion of social rights, workers' organizations occupied strategic spaces within the state apparatus, achieving significant advances in the achievement of social rights and better living conditions through the expansion of the benefits generated by the social regulation typical of the Welfare State. Workers' organizations have become collective subjects that are fundamental for the definition of public policies, and especially social policies with decision-making power.

Thus, the definition of neocorporatism refers to a specific articulation between the State, business organizations and workers' unions, configuring tripartite systems for the formulation of public policies. The notion of "concertation" refers to processes of cooperation between the State and workers' and employers' organizations (Keller 1995, p.74).⁵

The social pact formed by neo-corporative institutional structures permeated by the concertative logic will work as a pedagogical instrument capable of guaranteeing consensus during the period of hegemony of the way of social regulation of Keynesian type. As an expression of the structural crisis highlighted in the last decades of the twentieth century and the hegemony of the neoliberal prescriptions in the mid-1980s, the concertative actions based on neo-corporatist arrangements are declining in Europe, precisely the stage of its origin and development.

What is observed in this context is that the organizations of the workers conditioned to the dynamics of a concertative character found difficulties of reaction to the neoliberal offensive directed to the world of work. However, it is also seen that the tradition of European trade unionism with neo-corporatist arrangements, with actions aimed at collective bargaining and national integration, has become an obstacle to the implementation of the neoliberal agenda, hindering the process of political-economic integration of the European Union. From that time until the beginning of the 1990s, the governments of the EU Member

⁵ Free translation from the original in Portuguese: "Assim, a definição de neocorporativismo refere-se a uma articulação específica entre Estado, organizações empresariais e sindicatos de trabalhadores, configurando sistemas tripartites de formulação de políticas públicas. A noção de "concertação" refere-se a processos de cooperação entre Estado e organizações de trabalhadores e empresários".

States held meetings with negotiations aimed at reforming the dynamics of social conciliation policies, conditioning the negotiations to the introduction of the neoliberal prescription and containing the expansion of the Welfare State.

With the spread of neoliberal measures as actions aimed at combating unemployment, giving Europe the necessary flexibility and competitiveness for economic development with social guarantees, the European Commission obtains the necessary legitimacy for the reordering of politics in the European context, redefining the role of neo-corporatist institutions, limiting the power of action and decision of workers' organizations. At first, the union organizations were conditioned to changes in their actions, with wage moderation and containment of the dynamics of the conquest of social and political rights in the parameters of the social regulation of the Welfare State. This change in the dynamics of social conciliation was legitimized by the worsening of the crisis of capital and its materialization in Europe and the continuous increase of unemployment. In this context, the European Commission has laid the groundwork for changing the role of the institutions in the dynamics of social conciliation by promoting the stripping of decision-making power of the tripartite forums for collective bargaining, transforming them into consultative agencies and regaining policy-making power over public politics and economic reforms for the scope of the State apparatus.

From the construction of the legitimating foundations of the changes necessary to the reorganization of power relations in Europe, the 1990s are marked by the resurgence of social consultations on other bases, with tendencies towards the development of consultations through areas and companies, to the detriment of negotiations in national scope. These changes that boost the development of macroeconomic agreements on other bases, forging the current social dialogue. This renewed way of consultation has as its horizon the construction of a "social Europe", modifying the pattern of negotiation based on structures formed by classes in conflicts, on the other hand, based on a structure composed of European civil society partners, diluting and denying the class conflict. Thus, the reordering of politics aims at the construction of an active civil society, in the construction of social welfare of a new type, expressed in the ideal of a "Social Europe". This dynamic has as main objective to deconstruct the institutionality built by the Providence State and to deepen the Third Way project, completely adjusted to the contemporary demands of the sociability of capital.

The Third Way project systematized by Giddens (2005) has been constructed since the mid-1980s. The Third Way's social regulation proposition, therefore, becomes a wide and timely mechanism for mediating class conflict, re-signifying the concepts of citizenship and democracy, in other words, reformulating the ways of sociability expressed in a "new citizen culture" and redefining the limits and the rules of the game contained in the restricted capitalist democracy.

This neo-corporate logic of a consultative nature can be seen, for example, in the definition of the concept of social dialogue developed by the ILO:

The definition of social dialogue with which the ILO works includes within it all types of negotiation, consultation or simple exchange of information between representatives of governments, employers and workers on issues of common interest related to economic and social policy. It may take the form of a tripartite process where the government is an official party in that dialogue or consist of bipartite relations between workers and employers, or between workers 'and employers' organizations, with or without indirect government intervention. The concertation can be informal or official, being frequently a combination of both types. It can take place at the national, regional or company level. It can also be interprofessional, intersectoral or a combination of such forms (OIT, 2007 – *text in html*).⁶

In this aspect, this international labor relations regulation agency conceives the social dialogue as any dynamic of negotiation, consultation or simple exchange of information among government, employers and workers, characterizing any kind of relation between capital and labor as a dialogical relation. This type of negotiation may take tripartite forms, with the direction and governmental or bipartite mediation among workers and employers, or workers and employers' organizations, with or without indirect government intervention. In addition, actions of a consultative nature may establish formal or informal agreements, with different combinations between sectors and professional categories, at the national, regional or company level. In this way, the ILO establishes the dialogue as the only horizon for the ordering of power relations in society. As the main objective of social dialogue, the ILO establishes that:

The main objective of the social dialogue itself is to promote the achievement of consensus and the democratic participation of the main interlocutors present in the world of work. Social dialogue structures as well as processes that have been successfully developed have been able to solve important economic and social issues, have encouraged good governance, social progress and peace, stability and promoted economic development (OIT, 2007 – *text in html*).⁷

Within the logic of the current political pedagogy of the capitalist State, the ILO establishes the promotion of equal opportunities in a minimum standard of conditions, in opposition to economic equality and material conditions. Thus "social dialogue plays a crucial role in accomplishing the ILO's objective of promoting equal opportunities for men and women to achieve productive and decent work in conditions of freedom, security and dignity"⁸ (ILO, 2007 - *text in html*).

⁶ Free translation from the original in Spanish: "La definición de diálogo social con que trabaja la OIT incluye dentro del mismo todo tipo de negociación, consulta o simple intercambio de informaciones entre representantes de gobiernos, empleadores y trabajadores sobre cuestiones de interés común relacionadas con la política económica y social. Puede cobrar la forma de un proceso tripartito donde el gobierno es parte oficial en dicho diálogo o consistir en relaciones de carácter bipartito entre trabajadores y empleadores, o bien, entre organizaciones de trabajadores y de empleadores, con o sin intervención indirecta del gobierno. La concertación puede ser oficiosa u oficial, siendo con frecuencia una combinación de ambos tipos. Puede tener lugar en los planos nacional, regional o de la empresa. También puede ser interprofesional, intersectorial o una combinación de tales formas".

⁷ Free translation from the original in Spanish: "El principal objetivo del diálogo social propiamente dicho es el de promover el logro de un consenso y la participación democrática de los principales interlocutores presentes en el mundo del trabajo. Las estructuras del diálogo social así como los procesos que se han desarrollado con éxito han sido capaces de resolver importantes cuestiones de índole económica y social, han alentado el buen gobierno, el progreso y la paz sociales, la estabilidad e impulsado el desarrollo económico".

⁸ Free translation from the original in Spanish: "El diálogo social desempeña un papel crucial en el logro del objetivo de la OIT de promover la igualdad de oportunidades entre hombres y mujeres para conseguir un trabajo productivo y decente, en condiciones de libertad, seguridad y dignidad" (OIT, 2007 – *text in html*)

Analyzing the European context, Correia (2010, p.185) develops the conceptual meaning of social dialogue, involving two dimensions. The first dimension involves bilateral consensuality, which was set up by three social partners, being two organizations of employers representation - the Union of Industrial and Employers' Confederations of Europe (UNICE) and the European Confederation of Public Enterprises (CEEP) - and a trade union organization - the European Trade Union Confederation (ETUC)⁹. In this dimension, agreements are developed between "social partners" in formal and informal negotiations. According to Correia (2010, p.185), "the overall strategy here is aimed at promoting social and economic reforms that make workers' living in Europe fairer." The other dimension, at the level of a political-economic bloc, consists of actions developed by an institutional engineering interconnecting the Parliament, the European Commission, the European Council and "social partners" which, according to the author, aim at building a regime of accumulation that combines economic development with "social progress" (CORREIA 2010, p. 185).

At the present stage of capital development, economic performance does not combine with "social progress", after all, structural unemployment, deregulation of the labor market (flexibilization for competitiveness), social precariousness of work are consequences of the actions of the international financial bourgeoisie for the recovery of capital accumulation rates. In this context, the progress of the bourgeoisie - the minority part of society - is presented as the progress of the whole society. In addition to this contradiction, we see the use of the term "partners", used by Correia (2010), to designate the social role of collective political subjects or even individuals, in order to express the idea that the representations of workers and entrepreneurs supposed to establish a relation between equals. The use of this term "partners" is related to the use of the concept of civil society as if it were constituted in a homogeneous way, with consensual interests, capable of being harmonized. In this sense, the use of the concept of civil society implicit in the idea of "partners" to appoint the relation between capital and work consists in a strategy of denial / dilution of the conflict between antagonistic classes, favoring the hegemony of the interests of the fundamental class.

Thus, we understand the main objective of the European social dialogue, namely: the implementation of a development model that limits the actions of workers' organizations towards the achievement of social rights. In this manner, social dialogue consists of reorganizing the actions of workers' representative entities towards the dismantling of the legal-political apparatus of the European Welfare State and the implementation of the neoliberal agenda.

In order to better understand the content and the way of social dialogue, we will now analyze its development in Europe, highlighting the moment when this way of negotiation between capital and work becomes a model for peripheral countries. In addition, we intend to highlight the pace, shape and differentiated dynamics of this negotiation model absorbed and implemented in Latin America.

⁹ In addition to these collective agencies, the European Confederation of Boards (CEQ) has assumed an important role in this process with an independent articulation (CORREIA, 2010, p. 185).

3. The Construction of Social Dialogue in the Direction of the Reformulation of the Pact between Capital and Work

As we have seen so far, in the process of globalization of capital, the hegemony of the neoliberal sociability project, starting in the 1980s, causes changes in the sphere of production and in the relationship between the State and civil society. These changes promote deregulation of the job market, the loss of the working and living conditions of the European population, threaten social cohesion. Thus, in the mid-1980s, the encouragement of social dialogue began to be part of the discourse of the EU's member governments as a strategy for building consensus around the implementation of the neoliberal agenda and the consolidation of the European political-economic bloc.

According to Correia (2010, p. 186), in the correlation of political forces, the effects of deregulation of the job market and privatization cause the revision and deepening of the regulation of the fundamental texts and treaties of the European Community, aiming at improving the social dialogue. As the main document, Correia (2010, p.186) points to the *Treaty of Rome*¹⁰, which gave rise to the current way of social dialogue. It characterizes this Treaty as a consolidation of diffuse social intentions, without the definition of economic strategy. What the author calls diffuse is the mission of raising the standard of living of European citizens and promoting equality in progress for all workers, contained in the *Treaty of Rome*. For that matter, we notice that Correia's conception of "diffuse" (2010, p. 186) refers to the lack of conditioning of the conquest of social rights, limited to the development of the market economy, in the lines of the current social dialogue. This criticism of Correia (2010, p.186) allows the visualization of the change in the strategies of the state political pedagogy to educate civil society to the consensus around the bourgeois project of sociability and its differences between the period of hegemony of the way of social regulation typical of the Welfare State and the rise of the neoliberal project, as we can see in this statement:

At a time when a deregulatory and privatizing pressure on the economy and, at the same time, on the legal system, was emerging, the fundamental treaties and texts of the European Community have taken a significant step towards the achievement of the stated goals in a diffused way during the fifties, namely, in the strategy of obtaining a minimum of social harmonization (Correia, 2010, p.186).¹¹

In the first half of 1984 there were actions by the French Government, represented by the French Minister of Labor, Pierre Beregovoy, who "[...] called on the European social partners to meet with the aim of initiating a fruitful social dialogue" (Correia, 2010, p.186). In this first moment, the configuration of the class struggle did not allow the development of the dialogue between the class representations. There was a

¹⁰ Institution of the European Community on March 25, 1957.

¹¹ Free Translation from the original in Portuguese: "No momento em que se começou a revelar uma pressão desreguladora e privatizadora sobre a economia e, ao mesmo tempo, deslegalizadora sobre o sistema jurídico, é que os tratados e os textos fundamentais da Comunidade Europeia deram um passo significativo na consecução dos objetivos traçados de forma difusa nos anos cinquenta, isto é, na estratégia de obtenção de um mínimo de harmonização social".

clear conflict of interest between the European Economic and Social Committee (EESC) and the employers' representatives. While the EESC was committed to collective bargaining and opposed to interference by entities, entrepreneurs advocated social dialogue with a focus on consensus building (Correia, 2010, p.186).

In this context, with the leadership of Jacques Delors¹², after his ascent to the presidency of the European Commission in 1985, is developed the dissemination of the social dialogue and political articulation necessary to leverage this model of class conflict mediation as a paradigm of negotiation between capital and work, forging the European social dialogue. Delors' management comprises the period from 1985 to 1994, for three consecutive terms.

In the development of social dialogue, from the management of Delors and Correia (2010, pp. 186-190) identifies three cycles, with specific characteristics, according to the evolution of this way of political negotiation. The cycles are comprised in the following periodization: 1st) from 1985 to 1991, period of political declarations; 2nd) from 1991 to 2000, stage of the first agreements; and 3rd) from 2000 to 2010, a phase of deepening and consolidating social dialogue.

In the first cycle, it is understood the beginning of the political-institutional articulations for the creation of the first legal forms, with the objective of enabling the construction of mechanisms to control progress in social achievements. According to Correia (2010, pp. 186-187), as early as January 31, 1985, the management of Delors promotes the first meeting in the city of Val Duchesse in Brussels, Belgium. As a result, on November 12, 1985, another meeting took place in Val Duchesse, promoting the creation of two working groups, with the aim of stimulating social dialogue. This meeting has resulted in significant advances in the construction of a consensual dynamic. With regular meetings, the two groups construct three opinions indicating the absence of social policies within the EU, establishing as priority the economic growth and job creation in Europe, accompanied by policies of training, motivation and consultation of workers.

As a materiality for the creation of ways of legal-political control in 1986,¹³ the Articles 118-A and 118-B are added to the *Treaty of Rome* with the signing of the *Single European Act*. These articles will regulate the ways of civil society participation, comprehending the organizations of workers and employers' representation, in other words, in the institutional framework of European social dialogue. In addition, there is a strategic change in the way the European Commission votes on the definition of social policies. In this way, unanimity will be voted by a qualified majority, facilitating the definition and implementation of new European rules and policies. This change makes the European Commission in an essential instance for the definition of new rules at European level. Also, in the first cycle, the European Commission's legitimacy to establish proposals and direction for social issues is consolidated from a document of intent, without any

¹² Jacques Delors is an European politician of French nationality, who presided over the European Commission between 1985 and 1995; he was the author and organizer of the report to the *United Nations Educational, Scientific and Cultural Organization* (UNESCO) of the International Commission on Education for the Twenty-first Century, entitled: *Educação, um Tesouro a Descobrir* (1996), published as a book in Brazil by Editora Cortez, in 1999. It explores the Four Fundamental Educational Principles: learning to know, learning to do, learning to live with others, learning to be. These are the fundamental principles indicated by Delors (1996) that today guide the educational planning of several countries that are subordinated to the neoliberal prescription mediated by the Third Way around the world, advised / monitored by international organizations such as UNESCO, the ILO and the World Bank. (DELORS, 1999, pp. 89-102).

¹³ This meeting was held in Luxembourg from 17 to 28 February 1986.

obligation, establishing a minimum level of workers' rights to be adopted by the Member States. This document, adopted in 1989, consists of a *Community Charter of Fundamental Rights of Workers* ratified by eleven Member States with England voting against in the Government of Margaret Thatcher.

In a second moment of the social dialogue process, characterized by Correia as a phase of the implementation of the first framework agreements, the *Community Charter of Fundamental Rights of Workers* is included as an annex to the Protocol on social policy in a new document which amended the *Treaty of Rome*. The *Maastricht Treaty*¹⁴ defined a new institutional dynamic, establishing the obligation of the European Commission to consult the "social partners" contained in Articles 138 and 139 and the redefinition of the role of these "social partners". It also established a clause suspending the legislative initiative during the negotiation process between the three "social partners". According to Correia, the *Maastricht Treaty* will be the starting point for the materialization of a set of framework agreements, characterizing a period of legal declarations¹⁵. Since the entry into force of the *Maastricht Treaty*,¹⁶ the Social Dialogue Committee has been set up with three meetings a year, with the aim of developing a methodology for deepening the European social dialogue. As a way of deepening the dialogue, in 1998 the Social Dialogue Committee branches out its actions into 27 sectoral committees for social dialogue aimed at deepening the implementation of European social policy.

With a different rhythm and dynamic, Costa (2002) analyzes the evolution of integration between nations in the EU regional bloc and in the regional bloc of the Southern Common Market (Mercosul). According to this author, the correlation of international political forces directly influences the rhythm and the constitution of a full common market by regional blocks according to the interests of hegemonic blocs. As occurs in the *North American Free Trade Agreement* (NAFTA)¹⁷, influence disputes, the attempt to continental integration through the Free Trade Area of the Americas (FTAA) and alliances established between the EU and Mercosul. As the main impetus for the constitution of Mercosul, Costa points to the Protocol of Ouro Preto in 1994, giving it international legal personality and establishing an institutional framework for Mercosul.

Thirdly, the development of the methodology by the Social Dialogue Committee takes the form of a broad strategy for transforming European institutionality across the social dimension, aimed at providing the European economy with the competitiveness and flexibility of the work relations necessary for the current stage of development of monopoly capitalism. Thus, since the *Lisbon European Summit* in 2000, with the speech of reaching full employment and social harmonization, social dialogue becomes a paradigm of conformation of the relations of power. In this way, its dynamics, containing the political-ideological

¹⁴ *The Maastricht Treaty* was formulated on 31 December 1991 and entered into force on 7 February 1992 (CORREIA, 2010, p. 187).

¹⁵ The framework agreements signed by the institutional framework for social dialogue are: the role of the social partners in the development of social dialogue on 31 October 1991; on parental leave, on 14 December 1995; on part-time work on 6 June 1997; employment in agriculture; on fixed-term contracts; in January 1999 (CORREIA, 2010, page 188).

¹⁶ Following the *Treaty of Maastricht*, there were the Amsterdam Treaties, in 1997; Nice in 2000; and an attempt to create the *European Constitution*, depleted by the rejection of the French and Dutch population, verified in referendums held in 2005. Although it was ratified by twenty-five Member States of the European Union, signed in Rome on 29 April 2004, the process has been completed.

¹⁷ Composed by the United States, Canada and Mexico.

presuppositions of the current political pedagogy, is developed through an institutional engineering based on European Works Councils.

As Correia (2010, p. 188) states,

at the same time, it is intended that a reinforcement of the European social dialogue will also be achieved through business, in particular by the creation of European Works Councils, which will allow the debate on policies favoring corporate social responsibility. In fact, through this contractual consensus-based operation in companies or in economic sectors, it has been prevented to legislate more vaguely and abstractly.¹⁸

In addition to the wider dissemination of social dialogue through the European Company Councils, this strategy of branching out and modifying the institutional framework has contained in its assumptions the consolidation of decentralized negotiation in sectoral scope and by company. The decentralization of collective bargaining at national and EU level is seen by Correia as a process of greater autonomy, concreteness, as well as providing a deepening of social dialogue. As we can see in his statement: "[...] it gradually shows itself in the evolution of this social dialogue that goes from the void to the contract, from the dependency to the autonomy and from the generic and more abstract agreements to sectoral and enterprise agreements" (Correia, 2010, p. 189). This decentralization dynamic is consolidated as a strategy for the institutionality of social dialogue, starting with the *Laeken Summit* in December 2001 (Correia, 2010, p. 189).

The advance of social dialogue as a paradigm for ordering power relations in society has as its goal the reduction of collective agreements at national and EU level, consisting of a broad strategy of lowering the political awareness of workers. In this sense, the years 2000 are characterized by the substantial decrease of collective agreements.

With this analysis of the dynamics of consolidation of the European social dialogue, we have seen a phase of legitimation and construction of the foundations for the reformulation of the social pact between capital and work, a phase of materialization of political and legal instruments and a current phase of consolidation of social dialogue as the only possible negotiation between capital and work. The phase of deepening social dialogue consists in the expansion of the private instruments of hegemony and the dissemination of the logic of social dialogue based on the current political pedagogy. Education for the consensus around the current project of bourgeois sociability reaches greater scope with the branching of the institutional engineering for the factory scope, with the European Company Councils. From Gramsci (1989), it is possible to apprehend that hegemony is built in the factory. Thus, the institutional engineering of the European social dialogue is a reordering of power relations within European society. Social dialogue, in this way, has as its function to create mechanisms of control of workers' organizations and to lower their

¹⁸ Free translation from the original in Portuguese: "ao mesmo tempo, pretende-se que também possa ser obtido um reforço do diálogo social europeu através das empresas, designadamente pela criação dos Conselhos de Empresa Europeus, que permitam o debate em torno de políticas que privilegiem a responsabilidade social das empresas. No fundo, através desta consensualização contratual operada nas empresas ou em setores económicos, tem-se impedido que se legisle de forma mais vaga e abstracta."

level of political consciousness, forging a new social pact, conditioning social and human development to the current dynamics of monopoly capitalism.

4. Trends in the Institutionality of Social Dialogue at the World Level

Studies on the ways of negotiation (social conciliation, social dialogue) between capital and work have emphasized the advance in social development limited to the current dynamics of the world economy, presenting it as the only way to achieve better living conditions for workers. In addition, they point to the need to develop a union institutional structure in a regional and supranational bloc, constituting in global structures to control the actions of workers representation agencies.

In this context, in the early 1990s, we can see the interest of Latin American governments in consolidating the institutional framework of social dialogue in supranational organizations such as Mercosul and the Organization of American States (OAS) (Sant'ana, 2003, p. 118). This institutional engineering is constituted by international, regional, national and local organizations, as a network of mechanisms for mediating class conflict and conforming to the current pattern of sociability.

As a political economic leader in Latin America, Brazil has representatives of the Ministry of Labor and Employment (MTE) in socio-labor forums, such as the Mercosul Sociolaboral Commission, and SGT 10¹⁹ of the Inter-American Conference of Ministers of Labor (IACML) of OAS (Sant'ana, 2003, p. 118). According to Sant'ana (2003, pp. 117-118), Latin America and the Caribbean have as unifying element the poverty and social exclusion throughout the historical process. This problem is aggravated by the hegemony of the neoliberal project in Latin America and the Caribbean. As Sant'ana states (2003, pp. 117-118), "[...] contrary to expectations, this alignment with the global economy has rarely translated into economic growth, expansion of employment, improvement of social conditions and reduction of poverty". From this threatening scenario in the face of the instability in the Region, Sant'ana (2003, pp. 117-118) points out as a priority focus for the dynamics of social and labor forums the harmonization of labor and income policies, conforming labor regulation with parameters established by the ILO, around the concept of "decent work"²⁰.

The socio-labor dimension within Mercosul has become a space of dispute between political-ideological projects since its inception. This dispute is based on the criticism presented by Sant'ana (2003, p. 119) on the form of constitution of this Regional Block, as follows:

Mercosul, like the experience of formation of the European Common Market and other regional blocs, is based on economic and commercial postulates and arises in an environment impregnated by the neoliberal ideology that proclaims the supremacy of the

¹⁹ Initially this organization was appointed by SGT 11, modifying its nomenclature for SGT 10 - labor matters, employment and social security - in 1992.

²⁰ This concept is spread since 1999 as a new standard of labor regulation, adjusted to the current dynamics of capitalism, by the Director-General of the ILO, Juan Somavia (SANT'ANA, 2003, p.117).

dogmas of individual and market freedom, of competition, of productivity over any consideration of a social nature.²¹

As aspects of the dispute of political-ideological projects, we can visualize the actions of the Labor Ministers of Mercosul member countries, around the opening of negotiation spaces in this Regional Block. This opening occurs after the *Declaration of Montevideo* in 1991, with the constitution of SGT 11 and its successor, SGT 10. This organization has the tripartite form, involving governmental, business and workers' representatives. Sant'ana (2003, p. 119) points out the important role of social movements in the consolidation of SGT 10 and in the negotiation of the socio-labor dimension, especially the movements gathered in the Southern Cone Trade Union Confederation (CCSCS).

From the Ouro Preto Protocol, in 1994, there has been a great boost in the complexification of Mercosul's institutionality. This process is materialized in the opening of spaces in consultative forums, along the lines of the European social dialogue, such as the Mercosul Sociolaboral Commission (CSM), the Economic and Social Consultative Forum²², the Meeting of Ministers of Labor, and SGT 10. According Sant'ana (2003, p. 120), these organizations have the function of studies on social and labor issues, assisting with proposals to the Common Market Group (CMG) and the Common Market Council (CMC).

In the worker representation dimension, the development of the Mercosul institutional framework requires the consolidation of structures at the regional bloc level, such as syndical centrals of the political-economic bloc.

Analyzing the integration dynamics in the EU and Mercosul blocs, Costa (2002, pp.72-73) shows the same requirement for uniform structures of worker participation, such as processes of union transnationalization. This institutional construction aims at the reordering of power relations, conformed to the current pattern of capital sociability. As the main obstacle to this construction within the EU, Costa (2002, pp. 72-73) highlights the union culture with a national tradition. Thus, the trend of regulation of labor relations at the European level does not mean the effectiveness in the denationalization of this regulation. Within Mercosul scope, Costa (2002, p.73) points out the following obstacles: a) the resistance of workers' trade union representation in the modification of the negotiation culture, more adequate to the current labor regulation, based on the concept of decent work; b) the need for major investments in the reconfiguration and construction of trade union institutionality at the transnational level; c) the lack of uniformity in the legal systems and the adherence and application of social and labor regulation standards established by the ILO.

Within Mercosul scope, the Central Única dos Trabalhadores (CUT) has assumed the role of protagonist of the new pattern of sociability, seeking spaces for participation in the consolidation of socio-

²¹ Free translation from the original in Portuguese: "O Mercosul, a exemplo da experiência de formação do Mercado Comum Europeu e de outros blocos regionais, sustenta-se em postulados econômicos e comerciais e surge em um ambiente impregnado pela ideologia neoliberal, que proclama a supremacia dos dogmas da liberdade individual e de mercado, da competição, da produtividade sobre qualquer consideração de natureza social".

²² Its composition is intended for representatives of civil society (SANT'ANA, 2003, 120).

labor regulation based on the concept of "decent work". As can be seen from the following statement made by Costa (2002, p. 79),

The third phase, between 1993 and 1998, was marked by a greater dynamism of the trade unions. In this space, the trade union action, in particular, carried out by the Brazilian CUT and the Interunion Plenary of Workers (PIT-CNT) of Uruguay, proved to be more active, with centrals trade union from the four Mercosul countries "Openly disputing spaces in the negotiation process."²³

We can point out some aspects and particularities of social dialogue in Brazil, as a State strategy for the construction of institutional engineering in its molds. The first experiences for the reformulation of the power relations of workers' organizations identified by union policies of a concertative nature are developed in the context of the hegemony of the neoliberal project and the metamorphosis of the Brazilian trade union movement in the 1990s. This metamorphosis marks the change in the fighting stance of the union movement of mass of CUT, towards a neocorporative unionism of a concertative nature, with sectoral corporate actions (Cf.: Souza 2002; 2009a; 2009b).

In this sense, the adoption of neo-corporate institutionality with forums in a tripartite format is presented as a solution to the crisis of Brazilian trade unionism. Moreover, its institutionality is characterized as a way of state control by the civil society, as an increase of control over the management of public policies.

As we saw earlier, in the early 1990s, the State strategies for building a new social pact between capital and work and reformulation of work regulation mechanisms in Latin America can be seen in actions of the ministers of labor in socio-labor committees/councils in Mercosul scope. Hence, in line with these interests, the search for political legitimacy around the construction of neo-corporatist structures by the Brazilian Government comes now of consolidation of the first legal agreements on European social dialogue. These changes are articulated in the interests of the OAS member states. Thus, through the experiences of negotiation in sectorial chambers of the automobile industry, the Brazilian Government tests the first steps for insertion of the Country in the reordering of the relations of power in international scope. In this way, the experiences of the sectoral chambers are the starting point for the construction of the institutional engineering of the public policy of work, qualification and generation of employment and income in Brazil.

²³ Free translation from the original in Portuguese: "A terceira fase, entre 1993 e 1998, ficou marcada por um maior dinamismo das centrais sindicais. Neste espaço temporal, a ação sindical, em especial protagonizada pela CUT brasileira e pelo Plenário Intersindical de Trabalhadores – Central Nacional de Trabalhadores (PIT-CNT) do Uruguai, revelou-se mais ativa, tendo as centrais sindicais dos quatro países do MERCOSUL passado a "disputar abertamente espaços no processo de negociação."

Conclusion

All in all, the analysis of the role of social democracy in the dynamics of the capitalist social order allows us to understand the reformism as an expression of social-democratic way of being and act, even in its repaginated version, the Third Way. In this sense, reformism consists of the strategy of substantive changes, although within the limits of the prevailing social order. We could see this reformist essence in the analysis of the way of being and acting of classical social democracy and nowadays with the liberal Social Democracy or Third Way. In the dynamics of social democracy, we understand social dialogue as a pedagogical strategy aimed at ethically and morally conforming civil society to the principles of market laws.

From the structural crisis of capital, evidenced in the late 1960s and early 1970s, structural and superstructural changes occurred. In this context of reordering of politics and economics, social dialogue becomes one of the main guidelines of the bourgeois sociability project, consisting of a broad policy reordering strategy at the world level, based on the possibility of reconciling antagonistic interests between capital and work. This guideline bases the constitution of an institutional engineering focused on the conformation of the current pattern of sociability. Thus, the institutional engineering developed in the different political-economic blocs has as main objective the acquisition of the active or even passive consent of the working class around the current project of bourgeois sociability (Cf.: Souza, 2013; 2015).

As guidelines for social dialogue are the dismantling of the Welfare State and the conformation of civil society within the limits of market laws. In this way, there is a change in political pedagogy for the maintenance of bourgeois hegemony in a context of expanding social control over State decisions. As part of a political pedagogy, the concept of "Decent Work" is disseminated by the ILO in the elaboration of a "Social Europe" with minimum standards of well-being, more adequate to the current stage of monopoly capitalism, as far as the countries from the center of capitalism. In dependent countries, social dialogue and its institutional engineering are developed from political-economic blocs aligned with the guidelines of international organizations, with measures to decrease poverty and deepen the hierarchy among nations. While this institutional engineering is directed towards the mediation of class conflict, promoting harmonization or social cohesion, it opens spaces of limited participation in the structure of State control. Therefore, we can point to this strategy as an attempt to temporarily resolve the contradiction between the socialization of political power and the private appropriation of power.

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