v. 5, n. 7, 2025

Scientific Journal of Applied Social and Clinical Science

NEOCONSTITUTIONALISM AND THE NEW LATIN AMERICAN CONSTITUTIONALISM

Julio Mariano Fernandes Praseres
PhD student in Law at the University of Caxias do Sul - UCS. Master of Science in Legal Studies from Ambra University (2021), with a concentration in Risk and Compliance

Acceptance date: 09/05/2025

Abstract: The constitutions drawn up after World War II play a fundamental role in the legal order of Western countries, enriched with axiological content aimed at guaranteeing fundamental rights, such as the dignity of the human person. Neoconstitutionalism has emerged as a new paradigm for the democratic rule of law. In Latin America, as a result of social movements in the early 1980s, the movement known as "new Latin American constitutionalism" emerged. This movement proposes the construction of a new type of state, the plurinational state, in which concepts such as legitimacy, popular participation and pluralism take on a new meaning, with the aim of enabling the inclusion of all social classes within the state.
Keywords: Neo-constitutionalism. New constitutionalism. Democratic and Plurinational State.

INTRODUCTION

In most Western legal systems, the Constitution is the main composing element and is considered the heart of the legal system.

The emergence of modern constitutionalism took place in the 18th century, and its consolidation was driven by the bourgeois revolutions, such as those in England, France and the United States.

However, this traditional model has proved insufficient to address the complex social and cultural demands of diverse societies, such as those in Latin America. The central problem lies in the inability of classical constitutionalism to effectively integrate historically marginalized groups, such as indigenous populations, into the decision-making process and the structure of the state.

The analysis of the various stages through which constitutionalism has evolved aims to clarify the principles and characteristics of "neoconstitutionalism", a movement that emerged in Europe after the end of the Second World War.

According to some theorists, such as Santos (2007, p.11) and Magalhães (2010, p.91-92), the institutions of the modern world, inspired by the Western European model, are facing a crisis. For Magalhães (2010, p.91) this crisis will result in a paradigmatic shift, exemplified by the emergence of the plurinational state, as a product of the movement known as Latin American or Andean "new constitutionalism".

Faced with this scenario, the new Latin American constitutionalism has emerged as an innovative response, proposing a model of a plurinational state that recognizes and values cultural and social diversity. The aim of this article is to explore the characteristics and implications of this new constitutional paradigm, highlighting how it redefines fundamental concepts such as legitimacy, popular participation and pluralism, and how these changes have been implemented in the constitutions of countries such as Bolivia and Ecuador.

The methodology adopted in this study is qualitative, centered on a documentary analysis of recent constitutions in Latin America and a bibliographical review of prominent authors in the field of constitutionalism. The research focuses on emblematic cases, such as the constitutional reforms in Bolivia and Ecuador, to illustrate the structural transformations promoted by this new constitutional model. This approach allows for an in-depth understanding of the legal and political changes underway, highlighting the impact of the new constitutionalism in redefining the role of the state and promoting a more inclusive citizenship.

The political-legal movement has brought about significant structural changes and resulted in constitutional reforms recently implemented in countries close to Brazil. Notable are the changes to the constitutions and legal systems of Ecuador, Bolivia and Colombia.

The constitutional project being implemented in these countries introduces significant changes to the state's power structure, popular participation in decision-making, the guarantee of fundamental social and other rights, the redefinition of society's role in the state and greater inclusion of all sections of the population.

To discuss the new Latin American constitutionalism, it is necessary to remember that in Andean America, over the last three decades, its emergence has been driven by the democratic legitimacy intrinsic to the Constitution itself.

For Gargarella (2018), progress has only been achieved through the active participation of citizens, resulting in remarkable progress in this legal field.

However, it was the mobilizations and social actors in the region that drove what we can call the demand of the excluded in the configuration of new public and political scenarios. This phenomenon was mirrored in the Constitutions of Colombia, Venezuela, Ecuador and Bolivia.

In these last two constitutions, there is a special recognition, at least in the dogmatic part, of the new rights, in contrast to the old structures that Gargarella (2018) describes as being in the organic part, acting as an "engine room", and which often obstruct the new proposals (which are presented in the dogma, with new rights), thus making it difficult to guarantee and apply them according to the organization of powers.

This is due to two intrinsic differences present in the new Latin American constitutionalism, as mentioned by Benavides (2016) and Salazar (2013).

On the one hand, there are those constitutions in which the texts are full of principles and the final decision is taken by the Constitutional (jurisdictional) Courts. On the other hand, there are political constitutions conceived as democratic, pluralist and participatory, in which citizens are given a voice through bodies elected by popular representation (the legislature), and they are responsible for defining the meanings of the constitutional content.

In short, despite being in the same context as what has been called the new Latin American constitutionalism. According to Uprimny (2011), there is a lack of a comprehensive study that could systematize possible common paths, with the aim of reviewing the guidelines, potential and limitations, in order to overcome the difficulties in making the new and inclusive rights recognized in political constitutions operational.

THE EMERGENCE OF CONSTITUTIONALISM

Modern constitutionalism emerged in the 18th century, gaining prominence during the bourgeois revolutions, such as the English Revolution of 1688, the American Revolution of 1776 and the French Revolution of 1789.

According to Magalhães (2008, p. 11), the Magna Carta of 1215 can be considered the embryo of constitutionalism. Canotilho (2009, p. 52) stated that modern constitutionalism contrasted with the notion of ancient constitutionalism, the latter understood as the system of political-legal organization that preceded modern constitutionalism.

The Constitution inserted two revolutionary elements into the legal-political order of the 18th century: the limitation of power and the protection of individual rights. This protection was directly contrary to the absolutism that prevailed in most Western states at the time.

Article 16 of the Declaration of the Rights of Man and of the Citizen (1789) states: "Any society in which the guarantee of rights is not assured and the division of powers is not established has no constitution".

Thus, constitutionalism did not immediately emerge as a democratic system. It manifested itself as a liberal ideology, aimed primarily at restricting the power of the state and protecting the interests of the bourgeoisie. According to Magalhães (2010, p.96), after acquiring political power with the decline of absolutism, it sought to guarantee the necessary stability for its commercial and economic activities.

To paraphrase Oliveira (2002), in a liberal state, the Constitution establishes fundamental principles, including the valorization of individual freedom, the guarantee and protection of private property, the declaration of individual rights for all classes and the separation of powers.

Law is thus conceived as a set of established rules aimed at providing stability and security. With this, the state adopts a non-interventionist stance in the market and in the private sphere of citizens, promoting the predominance of individuality.

In this sense, Magalhães (2010, p.97-98) argues that liberal constitutionalism was incompatible with democracy, understood as decision-making based on the will of the majority of the population. The victorious constitutional model of the bourgeois revolutions ensured the individual freedom of rich, white men. But there was initially no movement towards universal suffrage to guarantee the expression of the will of the entire population.

In the 19th century, democracy became intrinsically linked to constitutionalism as the working class began to organize in response to the lack of effective rights for the entire population.

According to Oliveira (2002, p.58), the social demands presented by trade unions and newly created political parties, together with the emergence of monopoly capitalism, the crisis of liberal society and the First World War, gave rise to the social constitutionalism movement.

Social constitutionalism had its starting point in the Constitutions of Mexico in 1917 and Germany in 1919, known as the Weimar Constitution. With the rise of the welfare state, governments began to intervene in the economy and in private relations to ensure social well-being.

Attention is drawn to the implication of the realization of liberal rights, which were previously only formally guaranteed, and the implementation, to a certain extent, of social rights.

After the First World War, society was divided into civil society and the state. Instead of a society dominated by property owners and a non-interventionist state, a society emerged characterized by conflict between different social strata, each pursuing its own interests.

According to Oliveira (2002, p.59), the state intervened in the economy, promoting artificial competition that resulted in inequalities, compensated for by state services and the guarantee of social rights. So law is conceived as a system of rules and principles that can be optimized, with objectives to be achieved.

There is a reinterpretation of the principle of separation of powers, taking into account the functions of the state. The Legislative Branch, in addition to legislating, now has the role of supervising the state; the Executive is invested with instruments to intervene in the market in order to serve and guarantee the public interest; and the Judiciary performs its jurisdictional function to ensure the application and improvement of the law.

In the face of the various proposals, the welfare state has not managed to put into effect the many rights it provides for or achieve the desired economic and social democratization. The presence of constitutional rules guaranteeing social rights and setting limits on the actions of state power did not prevent two world wars from occurring in the last century.

Therefore, after the Second World War, in repudiation of the horrors experienced, European countries began to include values such

as the dignity of the human person and fundamental rights standards in their constitutions.

To paraphrase Barcellos (2007), contemporary constitutions began to include normative elements linked to human dignity, fundamental rights and political choices such as reducing social inequalities and the provision of education services by the state.

For Barroso (2007, p.3), the Constitution advanced towards the democratic ideal, giving rise to a new form of legal-political organization that had never been seen before: the Democratic Rule of Law.

Given this new approach to constitutionalism, it has come to be called "neoconstitutionalism", defined as a legal-political-philosophical movement that alters the conception and interpretation of law, as well as its interaction with other social systems.

NEOCONSTITUTIONALISM

The term neoconstitutionalism was first coined by Suzanna Pozzolo in 1993 at a conference held in Buenos Aires.

According to Duarte and Pozzolo (2006, p.77) the term used describes an anti-juspositivist way of approaching the law.

Since then, studies have been carried out to clarify the aspects of this movement. For Streck (2009), neoconstitutionalism was a movement that implied a break with the paradigm of the "liberal-individualist and formal-bourgeois" state.

According to the author above, the essence of neoconstitutionalism is an approach or strategy of power that seeks to respond to historical movements of a different nature to the one that gave rise to liberal constitutionalism, so to speak (or the first constitutionalism). Thus, as paradigmatic, since it was considered disruptive, considering it as a continuation made no sense, since its fundamental motivation is different.

In this sense, Barroso (2007, p.2) explains that neoconstitutionalism must be understood by identifying its historical, theoretical and philosophical milestones. He highlights the constitutional movements in Europe after the Second World War as a milestone, mentioning the German (1949) and Italian (1947) constitutions, as well as the establishment of constitutional courts in these countries in 1951 and 1956, respectively, as significant events.

The importance of the redemocratization processes in Spain and Portugal for the formation and consolidation of neoconstitutionalism was emphasized.

According to Barroso (2007, p.5) there are three characteristics that are considered fundamental to recognizing neoconstitutionalism as a theoretical framework:

a) the recognition of the normative force of the Constitution;

b) the expansion of constitutional jurisdiction;

c) the development of a new dogma of constitutional interpretation.

That said, neoconstitutionalism has guided the interpretation and application of legal norms through a theory of justice.

According to Barcellos (2007, p. 2-9), the characteristics of neo-constitutionalism are twofold: methodological-formal and material. In the first group, the normativity and supremacy of the Constitution are highlighted, which result in its central position in the legal system, while in the second group, the explicit incorporation of values and political options within constitutional texts and the expansion of specific and general conflicts within the constitutional system.

For Ávila (2009, p. 2), although it is recognized that there are several meanings for the term neoconstitutionalism, what is best described is the increase in the number of principles in legal texts; the preference for the

weighting method over simple subsumption; the search for particular justice, which takes into account the peculiarities of the specific case; the strengthening of the Judiciary; and the application of the Constitution in all situations, to the detriment of the law.

These elements outline a new approach in the legal field, characterized by a greater appreciation of constitutional principles and a change in the way the legal system is structured and applied.

NEW LATIN AMERICAN CONSTITUTIONALISM

Some South American countries are undergoing a significant transformation in their constitutions. The New Constitutionalism is the result of the social demands of historically marginalized groups in the decision-making process of these countries, especially the indigenous population.

The emergence of the new Latin American constitutionalism over the last three decades has been evident in various constitutional texts in the region, including the constitutions of Colombia (1991), Venezuela (1999), Ecuador (2008) and Bolivia (2009).

According to Dalmau (2008, p. 20) there is a complexity in explaining the reasons behind the occurrence of this movement in Latin America, especially considering that the constituent experiences promoted by it are relatively few, albeit relevant. However, this circumstance does not make it impossible to analyze the main characteristics of the new constitutionalism.

In this context of the new constitutionalism, the original constituent power is exercised in a similar way to its earlier stages, with the effective expression of the will of the people in all its diversity - in contrast to previous political transitions in Latin America, where popular participation was often limited to weak and imprecise representation.

In this sense, Dalmau (2008, p.3) explains that, in line with theorists such as Hesse, the new Latin American constitutionalism represents an evolution of the previous Latin American constitutional model, emerging to respond to the demands for legal-political changes faced by contemporary Latin America.

The name adopted by Rigoyen (2008) is "pluralist constitutionalism", which developed in three distinct phases: a) multicultural constitutionalism (1982-1988), characterized by the introduction of the concept of cultural diversity and the recognition of specific indigenous rights; b) pluricultural constitutionalism (1988-2005), marked by the adoption of the concept of "multiethnic nation" and the development of internal legal pluralism, including various indigenous rights in the catalog of fundamental rights; c) plurinational constitutionalism (2006-2009), during the approval of the United Nations Declaration on the Rights of Indigenous Peoples - this phase saw the emergence of the demand for the creation of a plurinational state and for equal legal pluralism.

In this way, Dantas (2012) presents the main characteristics of the new constitutionalism, which include the replacement of constitutional continuity by rupture, an approach that emphasizes innovation in legal texts and constitutions.

To paraphrase Noguera-Fernández and Criado de Diego (2011), there are two common characteristics in the new Latin American constitutionalism. The first is of a procedural nature, which includes citizen participation, in its formation, by means of a popular referendum, in order to claim the banners of popular sovereignty and the Constituent Assembly for the drafting of the political charter to be submitted for popular ratification. The second characteristic is substantial or content, in which innovations appear with the emergence of new rights and the vindication of social demands which, for a long time, were excluded from the

debates that would lead to the recognition of these rights, especially the rights of nature.

In line with this new approach, we highlight the institutionalization based on principles, to the detriment of rigid rules, and the expansion of the constitutional text using more accessible language.

In the Colombian case, Noguera-Fernández and Criado de Diego (2011) state that the emergence of the new constitutionalism took place on the fringes of academia. For their part, Martínez and Viciano (2010) mention that the whole process prior to the proclamation of the Colombian Political Charter of 1991 reflected pluralism and citizen participation, with its mechanisms to encourage the expression of this democracy by incorporating changes to it, without leaving aside the guarantee of fundamental rights and the constitutionalization of law, studying the democratic foundations of the Constitution.

Therefore, according to Ramírez-Nárdiz (2016), new rights are emerging within the new Latin American constitutionalism. This is the case of environmental protection, which is gaining strength and receiving legal status as a rights holder. rights.

Thus, the demands of citizens on these issues, which seek to claim the rights of nature and everything that has an environmental connotation.

As Corrêa Souza and Luiz Streck (2014) explain, "in this respect, the Ecuadorian Constitution has been a pioneer, providing for the rights of nature in its dogmatic section and subsequent jurisprudential and legal developments".

Ecuador's constitution was one of the first to provide for the rights of nature in its dogmatic section, and subsequent jurisprudential and legal developments.

The Bolivian Constitution, enacted in 2009, contained a ban on the powers that be establishing forms of constitutional reform, introducing greater rigidity into the constituent process, with subsequent ratification by popular referendum.

The new Latin American constitutionalism has redefined fundamental concepts such as legitimacy and popular participation, recognizing them as essential rights of the population. Its aim is to integrate the demands of those historically excluded from the decision--making process, with special attention to the indigenous population.

The Bolivian Constitution of 2009, in its Article 8, made explicit the ethical-moral principle "Sumak Kamaña" - "Living Well", in the native language of the indigenous peoples.

According to Magalhaes (2008, p.203) the new constitutionalism resulted in the implementation of the plurinational state in Bolivia and Ecuador.

In this sense, Santos (2007, p. 17-18) points out that the concept of plurinationality, which involves interculturality and post-coloniality, is present in several countries, such as Canada, Switzerland and Belgium.

For Santos (2007, p. 18), the concept of plurinationality demands a redefinition of the modern state, since the plurinational state must encompass different conceptions of nation within its structure.

It is understood that the plurinational state incorporates the main principles of the new constitutionalism, representing a response to the uniform approach adopted by the national state, in which the state and the constitution are conceived as the expression of a single nation and a single set of rights, without considering the diversity of interests and cultures, and without taking into account the plurality present in the composition of society.

For example, in the Bolivian Constitution (2009), indigenous rights are present in 80 of its 411 articles. It guarantees rights: the reservation of parliamentary seats for representatives of indigenous peoples; the guarantee of

exclusive ownership of land, water and forest resources by indigenous communities; and the equalization of indigenous justice with ordinary justice.

These changes reflect the values proposed by the new constitutionalism: plurality, inclusion, effective participation and greater legitimacy of the Constitution and the legal order.

The paradigm for the implementation of the plurinational state is precisely the new Latin American constitutionalism, emerging in historically dominated countries, devoid of a constitutional tradition and with a large part of the population without access to effective representation.

Therefore, this new Latin American constitutionalism represents a plural response, an attempt to guarantee respect and protection for diversity, popular participation and democracy in the countries that have adopted it.

CONCLUSION

Modern constitutionalism has given the Constitution a central and primordial position in Western legal orders. In its initial phase, characterized by a liberal approach, constitutionalism had as its main objective the protection of individual rights, such as life, liberty and property, considered fundamental within the context of liberal rights.

The exclusion of the majority of society from the guarantee and effective exercise of rights, combined with the predominance of the formal use of law, led to a paradigm shift: the democratic ideal had to be united with constitutionalism.

Even with the presence of constitutional norms that established social rights and limited the power of the state, this did not prevent the brutal violation of fundamental rights and the outbreak of two world wars over the last century.

In response to the horrors experienced, especially during the Second World War, the proposal to introduce values into constitutional texts emerged. Neoconstitutionalism thus emerged, with the aim of enriching the legal order with axiological content, principles and ideals of justice.

Despite the advances driven by neoconstitutionalism, which promotes the inclusion of axiological content in Western legal orders, in some Latin American countries, with a majority indigenous population, popular movements have emerged demanding greater participation and the recognition of long-neglected rights.

The emergence of the new Latin American constitutionalism represents a social, legal and political movement aimed at redefining the exercise of constituent power, legitimacy, popular participation and even the very concept of the state.

In this context, the state of the new Latin American constitutionalism is conceived as a plurinational state, which recognizes and respects social and legal plurality, guaranteeing the rights of all social strata.

This is not to say that neo-constitutionalism is over or outdated. What is happening in some Latin American countries, where the new constitutionalism originated, is the emergence or recognition by the legal order of rights that are already present in society, along with more effective forms of popular participation and the development of a state that values the plurality and peculiarities of its people.

The new Latin American constitutionalism aims to establish a new independence and the formation of a (plurinational) state that is plural, participatory and genuinely democratic.

REFERENCES

BARCELLOS, Ana Paula de. Neoconstitucionalismo, Direitos fundamentais e controle das políticas públicas. Revista Diálogo Jurídico. Salvador, n. 15, jan.-mar. 2007.

BARROSO, Luiz Roberto. Neoconstitucionalismo e constitucionalização do Direito: O triunfo tardio do Direito Constitucional no Brasil. Revista Eletrônica sobre Reforma do Estado (RERE), Salvador, Instituto Brasileiro de Direito Público, n. 9, mar.-maio 2007.

BENAVIDES-ORDOÑEZ, Jorge. Neoconstitucionalismo, nuevo constitucionalismo latinoamericano y procesos constituyentes en la región andina. Ius Humani. Law Journal, 5, 173-188. 2016. Disponível em <https://doi.org/10.31207/ ih.v5i0.99>. Acesso em 10 de janeiro de 2024.

CANOTILHO, José Joaquim Gomes. Direito constitucional e teoria da Constituição. 7. ed. Coimbra: Almedina, 2003.

CORRÊA SOUZA DE OLIVEIRA, Fábio. y STRECK, Lênio Luiz. El nuevo constitucionalismo latinoamericano: reflexiones sobre la posibilidad de construir un derecho constitucional común. Anuario iberoamericano de justicia constitucional, 18, 2014. p.125-153. Disponível em: <El nuevo constitucionalismo latinoamericano: reflexiones sobre la posibilidad de construir un derecho constitucional común. - Dialnet (unirioja.es)>. Acesso em 04 de fevereiro de 2024.

DALMAU, Rúben Martínez. El nuevo constitucionalismo latinoamericano y el proyecto de Constitución del Ecuador. Alter Justicia, n. 1. Guayaquil, oct. 2008. p.17-27. Disponível em: <http://sites.google.com/site/martinezdalmau2/AlterJustitia1.doc>. Acesso em 01 de fevereiro 2024.

DUARTE, Écio Oto Ramos; POZZOLO, Susanna. Neoconstitucionalismo e positivismo jurídico: As faces da Teoria do Direito em tempos de interpretação moral da Constituição. 2 ed. São Paulo: Landy, 2010.

GARGARELLA, Roberto. (2018). Sobre el "Nuevo constitucionalismo latinoamericano". Revista Uruguaya de Ciencia Política, 27(1), 109-129. Disponível em: <https://doi.org/10.26851/ rucp.27.5>. Acesso em 11 de janeiro de 2024.

MAGALHÃES, José Luiz Quadros de. O novo Constitucionalismo indo-afro-latino-americano. Revista da Faculdade Mineira de Direito. v. 13, n. 26. Belo Horizonte, jul.-dez. 2010.

_____. Plurinacionalidade e cosmopolitismo: A diversidade cultural das cidades e diversidade comportamental nas metrópoles. Revista da Faculdade de Direito da UFMG, n. 53. Belo Horizonte: jul./dez. 2008.

MARTÍNEZ DALMAU, Rubens. y VICIANO PASTOR, Roberto. (2010, diciembre). ¿Se puede hablar de un nuevo constitucionalismo latinoamericano como corriente doctrinal sistematizada? [ponencia]. viii Congreso Mundial de la Asociación Internacional de Derecho Constitucional. Universidad Nacional Autónoma de México. Disponível em: <https://latinoamerica.sociales.uba.ar/wp-content/uploads/sites/134/2015/01/Viciano-Pastor-Articulo.pdf>. Acesso em 05 de janeiro de 2024.

NOGUERA-FERNÁNDEZ, Albert. y CRIADO DE DIEGO, Marcos. (2011). La Constitución colombiana de 1991 como punto de inicio del nuevo constitucionalismo en América Latina. Revista Estudios Socio-Jurídicos, 13(1), 15-49. Disponível em: <La constitución colombiana de 1991 como punto de inicio del nuevo constitucionalismo en América Latina - Dialnet (unirioja.es)>. Acesso em 01 de fevereiro de 2024.

OLIVEIRA, Marcelo Andrade Cattoni de. Direito Constitucional. Belo Horizonte: Mandamentos, 2002.

RAMÍREZ-NÁRDIZ, Alfredo. (2016). Nuevo constitucionalismo latinoamericano y democracia participativa: ¿progreso o retroceso democrático? Vniversitas, 65, 349. Disponível em: <https://doi.org/10.11144/Javeriana.vj132.ncld>. Acesso em 20 de janeiro de 2024.

SALAZAR UGARTE, Pedro. (2013). El nuevo constitucionalismo latinoamericano. El nuevo constitucionalismo latinoamericano (una perspectiva crítica). L. R. González Pérez y D. Valadés, El constitucionalismo contemporáneo. Homenaje a Jorge Carpizo, 345-387. Disponível em: <https://archivos.juridicas.unam.mx/www/bjv/libros/7/3271/22.pdf>. Acesso em 04 de fevereiro de 2024.

SANTOS, Boaventura de Sousa. La reinvención del Estado y el Estado plurinacional. Santa Cruz de La Sierra: Alianza Interinstitucional CENDA/CEJIS/CEBID, 2007.

SILVA, José Afonso da. Curso de Direito Constitucional positivo. 34. ed. São Paulo: Malheiros, 2010.

STRECK, Lênio Luiz. Hermenêutica, Neoconstitucionalismo e "o Problema da Discricionariedade dos Juízes". Anima: Revista Eletrônica do Curso de Direito da OPET, ano I, n. 1. Curitiba, 2009.

RIGOYEN FAJARDO, Raquel. Pluralismo jurídico, derecho indígena y jurisdicción especial en los países andinos. Revista El Otro Derecho, n. 30. Variaciones sobre la justicia comunitaria. Bogotá: ILSA, 2004. p. 171-196. Disponível em: <http://www.ilsa.org.co/publicaciones/otroderecho.htm>. Acesso em 10 de janeiro de 2024.

UPRIMNY, Rodrigo. (2011). Las transformaciones constitucionales recientes en América Latina: tendencias y desafíos. Revista Pensamiento Penal, 1-22. Disponível em: < Las transformaciones Constitucionales recientes en América Latina: Tendencias y desafíos | Revista Pensamiento Penal>. Acesso em 01 de fevereiro de 2024.