

CENTER FOR PUBLIC POLICY RESEARCH NUPPS - University of São Paulo

"Brazil, 25 years of democracy – a critical survey: public policies, institutions, civil society and political culture – 1988/2013"

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CENTER FOR PUBLIC POLICY RESEARCH

NUPPS - University of São Paulo

- Good morning.

- I want to say, in the first place, that I am very happy for being here today, and I want to thank very much both Professor Brito Cruz, Scientific director of Fapesp, and the authorities of University of Salamanca for the invitation to take part of this important seminar and present the project

BRAZIL, 25 YEARS OF DEMOCRACY – A CRITICAL SURVEY: PUBLIC POLICY, DEMOCRATIC INSTITUTIONS, CIVIL SOCIETY AND POLITICAL CULTURE – 1988/2013-14;

- This is a very complex and comprehensive project, and I hope to be able to give some idea to you of its partial development in the time that I have;

- This project was initiated partly in Oct 2011 and partly in March 2012, and therefore I am only able to present very partial achievements of its realization – in fact, I will report today basically some descriptive results of what we have already done in these few months.

CENTER FOR PUBLIC POLICY RESEARCH

- I start by explaining what the Center for Public Policy of the University of São Paulo is;
- NUPPs was created in 1989 and is dedicated to the analysis of **programs of public policy and the performance of public institutions** from the standpoint of:
- **Democratic governance;**
Citizenship;
Social equity;
- The interdisciplinary research team of **sociologists, political scientists, anthropologists, statisticians and law professors** analyze the formulation, implementation and evaluation of public policy, its efficiency and effectiveness, and the role of the Executive, Legislative and Judiciary powers in delivering public goods to the Brazilian citizens;

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NUPPs Researchers - 2012

Senior researchers	18
Associated researchers	6
Assistant researchers	13
Graduate and undergraduate students	14
Total	51

THIS PRESENTATION

* In this presentation, I will refer basically to:

- The main objectives of the project;
- Its theoretical foundations;
- some partial results of the research;

***The project aims to undertake a critical survey of the 25 years of Brazilian democracy based on the analysis of three principal axes:**

*** Democratic institutions** (National Congress and Justice);

*** Public policies** (education, public security/criminality, and cultural policies); **[that is, main areas about which we have developed our expertise over time]**

*** Relationship between civil society and political culture;**
[about which we also have previous research experience];

1. MAIN OBJECTIVES OF THE RESEARCH

Why we have decided to focus on those features?

- * Because the analytical perspective we adopted is **the quality of democracy approach**; [I refer here to the contribution of authors as Lijphart, Juan Linz, O'Donnell, Cullen and Iazetta, Diamond and Morlino among many others]
- * The international literature has suggested, in this case, that empirical observation and analytical procedures should focus mainly on the very **interaction** between:
 - * **Democratic principles** (liberty and equality); [**civil society and political culture**];
 - * **Institutional procedures** (rule of law, division of power branches, political competition, political participation, vertical, social and horizontal accountability - and an special focus on corruption -, etc.); [**democratic institutions**];
 - * **Performance of democratic governments** (public goods, citizen rights and empowerment, human development, etc.); [**public policies**];

- Our study is about the Brazilian case as compared to other cases of democratization in Latin America and Europe;
- It aims at contributing to the international research agenda which in the last four decades has concentrated its efforts in enlarging our knowledge about processes of political transition from authoritarianism to democracy, democratic consolidation and the achievement of democratic regimes of quality in different areas of the world;
- Our hope is also that the research outcomes will serve as a critical reference to the agenda which aims at perfecting the model of public policy management and at the reform of democratic institutions when this is necessary;
- Those are therefore the main objectives of this project;

2. THEORETICAL FOUNDATIONS

- **Let me briefly present now its theoretical foundations;**
- **The origins, nature and the functioning of democratic regime are part of a solid agenda in comparative politics since long ago and goes back to classics as Aristotle; a contemporary relevant reference is the work of Robert Dahl, but authors of the transition and consolidation processes should also be mentioned here;**
- **The research in this area has gone through a much larger and comprehensive development over the last four decades. Southern European and Latin American new democracies emerged in the 70's and 80's, and Eastern and Central European political transitions after 1989, not to mention Asian and African cases - all have offered a new complex and multidimensional comparative empirical field for political analysis;**
- **One main analytical premises is that the end of an authoritarian regime is not a guarantee that a democratic one will consolidate; the question then is how democracy evolves, what makes it endure and what is the pattern of institutions functioning that can help it to complete;**

- For instances, the Freedom House, a reliable international institution of democratic evaluation, considers that today out of 175 nations there exist 67 democratic countries in the world, 60 only partially democratic and 48 not democratic. In other words, processes of political transition has enlarged the number of democracies in the world, but at the same time have also brought about a number of so-called hybrid or uncompleted democratic regimes;
 - **67 are democratic countries;**
 - **60 are only partially democratic;**
 - **48 are not democratic;**
- **See also what the Economist Intelligence Unit says about this picture;**
- **What is at stake then is the QUALITY OF THE REGIME;**

MAIN RESEARCH QUESTIONS

- In response to this, a new analytical approach is now devoted to the systemic analysis of democratic regime, founding a much more complex and rich ground on questions related to the assessment of its quality;
- **How rulers can be held accountable to ruled?**
- **How responsive policy making contribute to citizen's well being and political satisfaction?**
- **What are the reasons for the declining of the quality of democracy in some well known cases, and where can it lead to? [scenary of some European countries];**
- **To what extent equality and freedom are related?**
- **Do patterns of Executive-Legislative relation in old and new democracies guarantee the right of political representation of the citizens?**
- **How to improve democratic quality?**
- **ACCOUNTABILITY AND RESPONSIVENESS**

- To provide answers for these questions involves a reshaping of the traditional empirical democratic theory which is usually mostly concerned with elections, participation and political parties;
- But basic dimensions of the movement towards the assessment of the quality of democracy are both vertical, social and horizontal accountability and responsiveness;
- While the latter refers to the government's capacity to act in response to demands and expectations of the citizens, the former concerns the procedures whereby electors can hold those in power responsible for their acts;
- Representation and governments oversight are therefore paramount for this;

3. Brazil, advances, problems and research results

LET ME MOVE NOW TO PRESENT BRIEFLY SOME RELEVANT ASPECTS OF THE BRAZILIAN CASE:

Brazil is more and more seen as a successful case of democratization: next year the country will complete a quarter of century as a new democracy; that is, in 123 years as a republic this is the second time the nation is experimenting a sustained period of more than two decades of democracy;

***I PROPOSE THAT WE HAVE TO TAKE INTO CONSIDERATION 2 MAIN ASPECTS:**

1) ON ONE SIDE, the army has withdraw from politics: the military is subordinated to the civilian authorities; professionalization;

*** No relevant political actors (left or right) appeal to antidemocratic alternatives;**

*** Democratic institutions are working normally** (regardless of distortions or deficits, they are not prevented from taking decisions – maintaining the governability);

Ex.: Constitutional Court's recent judgment of process of corruption and law violations involving Lula's government;

2) ON THE OTHER SIDE, electoral cycles are ensuring alternation in power; individual liberties and some rights are more guaranteed today, social policies delivered by democratic governments are reducing poverty;

3. Brazil, advances, problems and research results

BUT WE ALSO HAVE TO TAKE INTO CONSIDERATION THE FACT THAT BRAZILIAN DEMOCRACY COEXISTS WITH INSTITUTIONAL DISTORTIONS AND DEFICITS AS:

- *Abuse of power, practices of corruption and the use of slush funds in electoral campaigns indicate that the rule of law is not yet fully established in the country;**
- *Unequal treatment received by different social segments on civil and political rights, such as the insufficient representation of women in the National Congress (less than 9%) or unbalanced social and economic integration of poor population – as afro-Brazilian descents and other minority groups – not to mention their precarious urban integration and vulnerability in areas of violence, indicates that the process of extending citizenship to all is still not completed; [Homicides of blacks are 132% bigger than of white persons];**
- *Human rights violation by police and public safety forces, such as excessive use of force, torture of prisoners or even killing, are still a problem: ex. Carandiru and Carajás;**

- **Finally, there are also significant asymmetries and distortions in the functioning of democratic institutions due to limited ability of institutional oversight and control of the Executive by the Legislative;**
- The Executive completely control the political agenda, the Legislative has a strictly reactive profile;
- Access to courts and judicial processes are almost completely blocked to poor segments of the population;
- Distortions affect the political representation by parties and the parliamentarians in the Congress – rates of party migration or swifiting is too high;
-

3. Brazil, advances, problems and research results

- **Public education:** still not an efficient tool for the universalization of equal social and economic opportunities; (10% out of education);
- **Public security policies and control of the criminality:** still do not prevent a great loss of human lives, robbery and violence: in 27 years 1.047.319 individuals were killed in the country; [less than 300.000 places in prisons for more than ½ million imprisoned];
- **Cultural policies** do not acknowledge Brazilian cultural diversity;

EMPIRICAL INDICATIONS OF PEOPLE'S PERCEPTIONS OF DEFICITS OF THE DEMOCRATIC REGIME (2006)

- **81% SAY THE LAW IS NOT EQUAL FOR ALL**
- **90% AFIRM THAT OPPORTUNITIES OF ACCESS TO JUSTICE IS UNEQUAL**
- **61% THINK THERE IS NO ACCESS TO RIGHTS OF CITIZENSHIP**
- **79% CORRUPTION IS A SERIOUS PROBLEM**
- **69% ARE NOT SATISFIED WITH THE FUNCTIONING OF DEMOCRACY**
- **81% DO NOT TRUST POLITICAL PARTIES**
(32% DEMOCRACY CAN EXISTS WITHOUT POLITICAL PARTIES)
- **72% DO NOT TRUST THE NATIONAL CONGRESS**
(29% DEMOCRACY CAN EXISTS WITHOUT THE PARLIAMENT)
- **(Source: "Distrust of Democratic Institutions" – 2006; Project supported by FAPESP)**

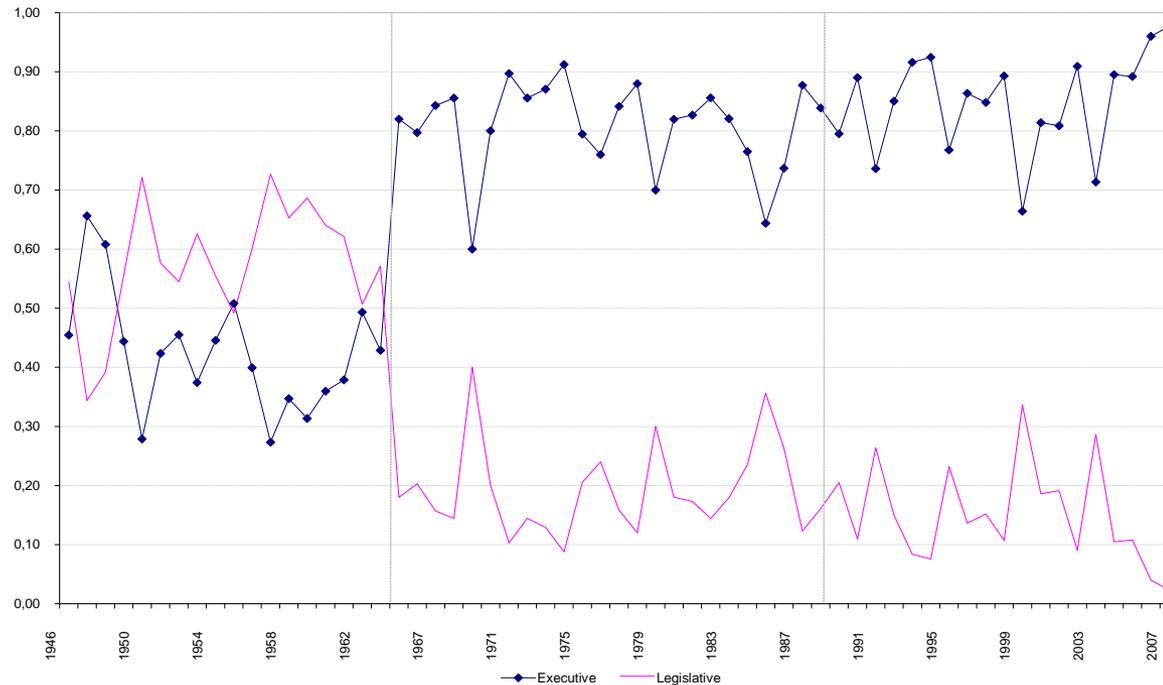
RESEARCH GENERAL HYPOTHESES

- 1) Public perceptions of democratic performance** affect the legitimization of institutions and the regime;
- 2) Evaluation of the National Congress is related to the negative perception of democratic institutions;**
- 3) Political convergence among different democratic governments** influences the continuity and efficacy of policies and instruments of intervention;
- 4) Consensus among political elites on policy paradigms** produces effective results and positive perceptions of the public;

Institutions: the Nacional Congress

- **PREVIOUS EXPLANATIONS: [Limongi and Figueiredo]**
- **The most singular characteristic of the Brazilian political system is the so-called coalitional presidentialism – the 1988 Constitution has produced a political system which is characterized, on the one hand, by favorable conditions to guarantee the governability in the country, and on the other, by a critical balance of the Executive/Legislative relations;**
- **The Executive has complete control of the agenda of the parliament and this has implications for its role in terms of political representation and oversight of the Executive;**
 - **Coalitional presidentialism involves strong and disciplined coalitions; parliamentarians follow almost all the time their party leaders;**
 - **CP implies therefore a trade-off: governability co-exist with a reactive pattern of legislative action (great and disciplined coalitions);**
 - **Executive control of legislative agenda (centralization of decisions and urgency for voting initiatives of presidents interest) constraints parliamentarians initiatives, limits representation and reduces monitoring/control of governments: limited accountability;**
 - **Part of the debate suggests that the overriding need of parliamentary support for the government limits the ability of the legislative to properly fulfill its role to control and oversight the governments;**
- **SPECIFIC HYPOTHESES – taking this into consideration, we have proposed the following hypotheses:**
- **The pattern of executive-legislative relations of the CP impacts negatively the performance of the parliament: affects representation and accountability;**
- **Blockade of parliamentary initiatives – due to control of agenda and centralization of decisions – impact negatively the performance of the legislative and its evaluation by society;**
- **IN ORDER TO TEST THESE TWO HYPOTHESES, WE DECIDED TO MEASURE TWO ASPECTS:**
- **1) THE PRODUCTIVITY OF THE PARLIAMENT IN TERMS OF LAW-MAKING; AND**
2) THE Congress reaction to the warnings of the Federal Accounting Court (TCU) about irregularities found in public works under the government responsibility

GRAPH 1 – LAWMAKING INITIATIVES OF THE NATIONAL CONGRESS AND THE EXECUTIVE (1946-2007)



Source: Pessanha (1997) for 1946-1988; Figueiredo and Limongi (1999) for 1989-1999; and Vasselai (2009) for 2000-2007.

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Democratic Institutions: the Nacional Congress

Bills in the Lower Chamber by initiative

Origin:	Initiated (1995-2010):		Voted (1995-2007):	
	N	%	N	%
Executive	302	0.02	605	0.61
Legislative	15821	0.98	391	0.39
Others	77	0.00	0	0.00
Total	16200	1.00	996	1.00

Source: www.camara.gov.br; www.senado.gov.br

Democratic Institutions: the Nacional Congress

FINAL REPORTS OF CPIs (%) – 1999/2010

House of Congress	CDF (29)	MIX (7)	SENATE (7)	TOTAL (43)
Judicial Indictments	35%	72%	43%	42% (18)
Proposal of specific law	62%	100%	100%	75% (32)
Proposal of new Committee	10%	29%	29%	16% (7)

Source: www.camara.gov.br; www.senado.gov.br

Public policies: Education

- **PREVIOUS POLICY PARADIGM:**
- **Poor performance was associated to lack of adequate expenditure, which in turn were used to explain teachers' poor qualification and poor results;**
- **New developments in education policies and international experience challenged these assumptions;**
- **Schools' autonomy, merit based teachers' rewards and learning and content innovation have greatly improved local performance even when general policy framework has not changed;**
- **These developments challenged the accepted policy paradigms and opened disputes and uncertainties inside the field, influencing the new policies;**

Public policies: Education

- **PROPOSED OBJECTIVES**
- To map the changes occurred in the perception of the education policy among elites and the general public;
- to map the most important fault lines observable in the elite;
- to measure the degree of convergence in relation to policies in the area;
- to identify issues common to the domestic paradigms and the ones prevailing in the main international institutions of the area;
- To map the impact of legislation and judicial decisions on the public policy of the area;

Public policies: Education

- **PARTIAL RESULTS:**
- The complexity and difficulties of policy implementation were indentified in terms of factors as such:
 - The presence of strong regional interests;
 - The federative nature of the policy framework;
 - The presence of strong veto-players (unions and corporatist professional organizations);
- While convergences related to access to education are stronger, new issues have come to the forefront debate, particularly those related to minority under-representation and affirmative action policies;
- The main effects of discretionary decisions taken by the Judiciary are enforcing rights and imposing new policies designs; ex.: ??????

Public policies: Criminality and Public Security

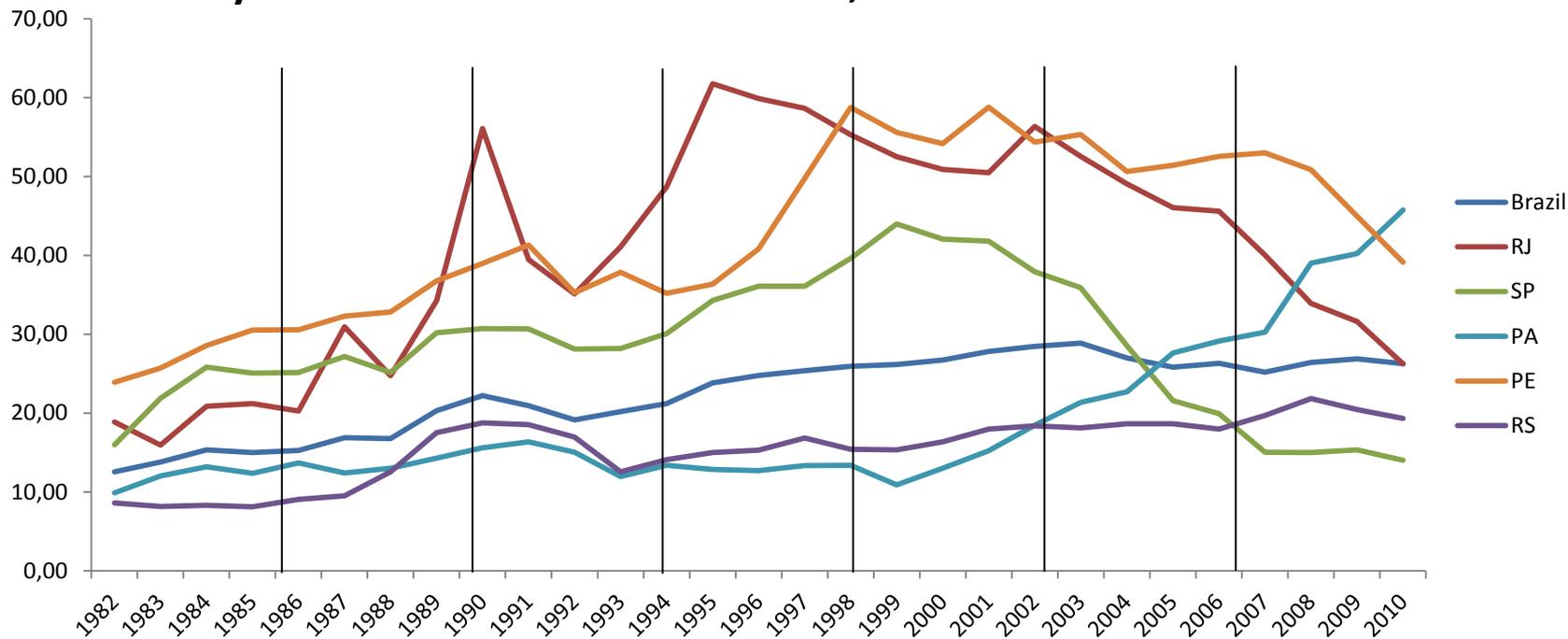
PREVIOUS POLICY PARADIGM:

- Social inequalities would explain high endemic criminal dynamics;
- Crime prevention policies were supposed to lack proper analytical focus;
- New paradigms emerged: effectiveness and efficiency depend of specific crime prevention policies;

SPECIFIC HYPOTHESES:

- **Quality of public policy is determined by the interaction between ecological profile of locations, the socio-economic pattern of the area, the characteristics of political institutions in charge and the people's expectation;**
- **Perception and evaluation of policy in the area is strongly influenced by the social and environmental context of which those involved are part; locations with high levels of crime and violence determine how people view the way law is enforced;**

Dynamic of homicide rate in Brazil, between 1982 and 2010



Source: DATASUS/MJ, 2012

Panel regression models for homicide rates on Brazilian States between 1982 and 2010

	Political model	Institutional model	Complete panel
One year lag	0,78*** (10,33)	0,86*** (-28,69)	0,82*** (-28,69)
Family gains	-0,02 (-0,40)	0,01 (-1,63)	0,01 (-0,97)
GINI index	13,23* (1,72)	19,43* (2,47)	10,96** (-2,74)
Physical desordem	-4,46 (-1,61)	-3,96 (-1,69)	-1,57 (-0,61)
GPN per capital	3,50 (1,34)	1,96 (1,07)	0,46 (-0,21)
Centre-right parties	1,86 (1,71)	--	0,58 (-1,83)
Centre-left parties	2,35* (2,54)	--	0,03 (-0,02)
Left parties	1,24 (0,82)	--	1,38 (-0,78)
Public security investment index	--	-6,05*** (4,59)	-6,69*** (6,58)
N	617	617	617

* p<0,10 **p<0,05*** p<0,001

Source: NUPPs, 2012 - Note 1: between parentheses, coefficient significance test.

CIVIL SOCIETY AND POLITICAL CULTURE

- **PREVIOUS EXPLANATIONS:**
- **Adherence to democracy: 44 to 72% in last decades, but involvement with politics is low, as levels of trust in institutions, participation and interest in politics;**
- **Experience with the political system is strongly mediated by the media and its different messages have the potential to foster or undermine citizens' orientations towards the political system and their role as political actors;**
- **Part of the literature concerning media impact on democracy point to a growing cynicism of the press in dealing with public issues, leading to the belittlement of politics and politicians in general;**

CIVIL SOCIETY AND POLITICAL CULTURE

- **SPECIFIC HYPOTHESES**
- **News about democratic institutions have a negative impact to the democratic system;**
- **Media help citizens keep politicians accountable and provide information that foster involvement with public affairs;**

CIVIL SOCIETY AND POLITICAL CULTURE

	ATTITUDES TOWARDS THE REGIME				ATTITUDES TOWARDS CIVIC ENGAGEMENT			
	Adherence to political community	Adherence Democratic Values	Satisfaction with Democracy	Evaluation of Institutions	Political Participation	Political Efficacy	Political Interest	
TV	+	-	<i>ns</i>	-	+	+	+	+ - Plural
Main TV news	+	<i>ns</i>	+	<i>ns</i>	+	+	+	
Newspapers	-	A	-	-	+	+	+	A Ambiguous
Internet	-	+	<i>ns</i>	-	+	+	+	<i>ns</i> Not Significant
Radio	+	<i>ns</i>	<i>ns</i>	+	+	+	+	

Outcomes are based on models of categorical regression analyses (further information about the tests can be requested from author).