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# Brazilian Policymaking: Which Model Fits Best?

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*This paper is dedicated in memoriam to my niece Cristiane and my sister-in-law Terezinha.*

*contents*

*introduction*

*This essay will review some methodological studies about public policies and discuss some authors to make good use of classical models first elaborated in the seventies.*

*These studies can be found in recent and intense production of Anglo-Saxon political science and they discuss the act of public policymaking.*

*This is the principle point of this essay to discuss and reflect on the process of how to do make and implement public policies independent of the kind of government.*

*Based in this main objective, the intention of this paper is to show and reflect on the interrelationships between agencies and actors in the political system and process i.e. how these external variables influence the political process in government.*

*An important point to emphasize is how the theories and concepts are focused in this essay - the main intention is eminently to obtain basis of empirical studies about public policies to better understand how governments make public policies and how governments can fulfill the expectations of their citizens.*

*The first part of this essay will point at the basic concepts of politics and public policies in order to subsidize and provide the context for the whole study.*

*The second part will try to show some classic and recent models of public policies prioritizing basically the three important phases around the public policy process as follows: agenda; formulation and implementation of public policies.*

*The third part will explore the Brazilian political system, relating historical perspectives, political representation, structure, process and policy process performance.*

*The last part of this essay will reflect on which model of public policy well fits the Brazilian political system and its citizens.*

*This study does not have the goal of proposing solutions for the Brazilian political system, but to supply and suggest alternatives and reflections about this subject.*

*1 politics and public policy*

*1.1 some terms and basics concepts*

*The main objective of this first part is to provide this essay with some concepts used in politics and public policy.*

*Therefore, it may be useful to define some of the common terms used in political science to explain the process of politics and public policy that are found in this study. Some references will be presented in order to talk about politics, public policy, states, governments, regimes and political systems.*

*The term politics in this study is used to refer to the activities associated with the control of human behavior among given people and given territory, where this control may be backed up by authoritative or coercive means. Politics refers to the processes and conflicts over questions as to how these authoritative and coercive means are to be employed, and who or what agencies are to employ them and for what purposes (public policies). Authoritative and coercive control is*

*typically exercised by states and governments. The term regime refers to a particular format of a state or a government. The term nation refers to a people residing in a given territory having a common language, history, and culture, who may or may not have their own state or independent government.*

*The concept of the term political system is often abstract but the focus in this study is on what happens to policies after enactment by legislatures and approval by executives.*

*Greatly simplified the term system suggests an object having moving parts, interacting with a setting or an environment.*

*The political system is a set of institutions concerned with formulating and implementing the collective goals of a society or of groups within it. The decisions of a political system are normally backed up by legitimate coercion, and obedience may be compelled.*

*Another important point of political system environment is legitimacy. The term can be understood as the rules that are believed to be "rights" (whether by law or by custom) as well as the rules, which is this sense refers to implementing decisions. The legitimacy of a political system may vary a great deal.*

*Political systems can make many things. They wage war or encourage peace; cultivate international trade or restrict it; open borders to the exchange of ideas and artistic experiences or close them; tax their populations heavily or lightly, equitably or inequitably; regulate behavior more or less strictly; allocate resources for education, health, and welfare, or fail to do so; pay due regard to the interdependence of humanity and nature, or permit nature's capital to depleted or misused.*

*Political systems can be composed for institutions, agencies, or structures, such as political parties, parliaments, bureaucracies, and courts, which carry on specific activities, or perform functions, which in turn enable the political system to formulate and enforce public policies.*

*1.2 structure and function in the political system*

*In any discussion of political systems one must keep in mind the type of system under consideration.*

*It is most important to clarify the points to be focused on throughout this study in countries with democratic regimes.*

*In democratic countries, the political system is conducted and regulated based primordially on the constitution. The main role of the constitution is to strengthen the legal apparatus regulating the rights and duties of citizens, politicians, businessmen, and industrial, commercial and services activities in the country.*

*Considering the structure and functions in the political system, each country adopts a model or some parts of a model, adjusting the peculiarities to address the characteristics and necessities to their citizens.*

*Since the 1980's many countries have been studying the others' forms to understand and operate the best way possible to conduct their political processes. Nonetheless, the peculiarities of public organizations need to be specified mainly because public resources allocation occur throughout the political process as well as the political action.*

*In this context, the powerful public choice model appears changing views into the analysis of public policies.*

*The main reason many countries began to use this model is because the actors of these political systems are voters (citizens) elected officials or politicians, bureaucrats, and interest groups.*
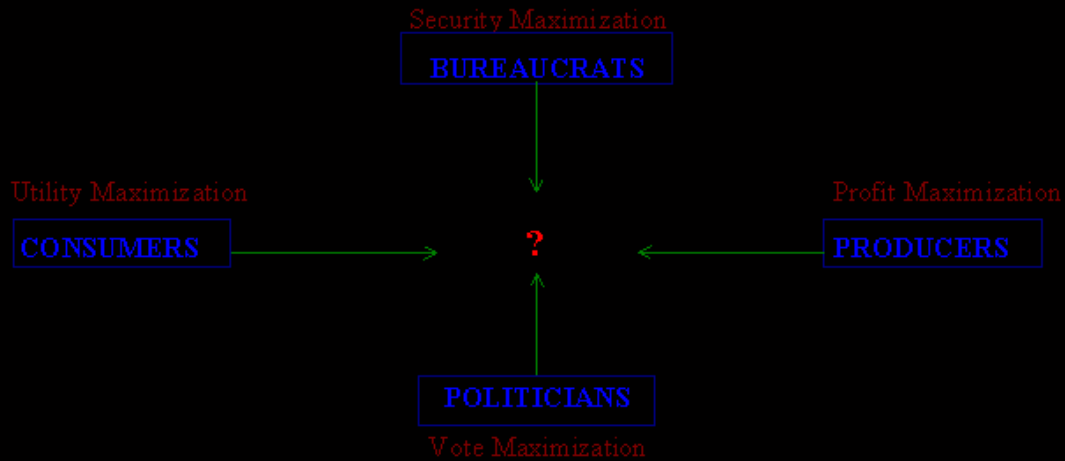
*The evolution of the structure and function of public choice theory over the past thirty years has certainly demystified and deromanticized political processes. Perhaps the field's major discovery has been the welfare-diminishing propensities of real world politics.*

*The public choice model of politics is used in democracies and is actually quite simple. Politics is assumed to be a system consisting of groups of decision-makers (voters, politicians, bureaucrats, and interest groups).*

*Individuals are assumed to be rational, utility-maximizers who seek benefits from the political system. Politicians are assumed to seek votes, and bureaucrats seek job security and budgets. Interest groups and voters seek more wealth and income.*

*Although there are serious limitations in the political institutions of exchange, each actor is assumed to want something possessed and or controlled by others; for example, the process happens as follow: voters and interest groups want services from politicians and bureaucrats, and bureaucrats want greater revenues or budgets from politicians and taxpayers. Of course, politicians want votes and other forms of support from citizens and interest-group members. The system is depicted below in Figure 1:*

## Figure 1: THE POLITICAL SYSTEM

Security Maximization

**BUREAUCRATS**

Utility Maximization

**CONSUMERS** → **?** ← **PRODUCERS**

Profit Maximization

**POLITICIANS**

Vote Maximization

[1] Source: Mitchell, William C. & Simmons, Randy T. *Beyond politics: markets, welfare, and the failure of Bureaucracy.* Library of Congress. Westview Press. USA: 1994. (42)

*Like markets, policy operates in an environment of scarce resources and uncertainty. The polity offers a means allocating these scarcities, distributing income and wealth, and providing for common welfare.*

*2 public policy models*

*2.1 government and policymaking*

*Policy making is the pivotal stage in the political process. While the society's demands and the various needs of interest groups are very much in political leaders' minds, most of the actual initiation and formulation of public policy proposals happens at the government level. To understand how policies are made, it is necessary to know what the decision rules are. What kind of power is effective in different political systems? It is necessary to also recognize the central importance of the agencies of government in policymaking.*

*Therefore, it is important emphasize the demands of interest groups for their reivindications cannot become effective unless they are transformed into laws by legislative authorities and implemented by government officials according to some accepted decision rule.*

*The flow of governmental action is multidirectional and commonly is not clear and understood for the society. The primary intention in this study is to understand why these flows occurs in the political system, and offer substitutes to the policymakers to reflect on when they are formulating and implementing the public policies in the government of their countries.*

*2.1 decision rules for policymaking*

*All governments must have some set of rules for making decisions. They must have a constitution, whether it is a specific written document, a set of customs or practices, or as is usually the case, both. Even in a military government or a dictatorship based on coercion, attempts to have a working set of arrangement for having decrees proposed, considered, and adopted.*

*Decision rules are the basic rules governing how decisions are made, setting up agencies and offices with specific powers, assigning them territorial and functional jurisdiction, and the like. Individuals and groups seeking to influence policy have to operate within the framework of these rules. In a federal system such as the United States, a pressure group may have to be active at the state and federal level. If the working constitution merely requires a decree from the commander of the armed forces, or a declaration by the politburo, a different approach will be needed to influence these crucial policymakers.*

*The decision rules shape political activity because they determine what political resources to seek, whether legislative seats or the support of military commanders, and how to acquire and use them. It is important that these decision rules be calculable and stable. The importance of the calculability of decision rules was suggested in a comment by Thomas Jefferson in his introduction to the first Manual of the House of Representatives: A bad set of rules is better than no rules at all.*

*In the absence of a legitimate set of arrangements for formulating issues, deliberating and debating them, and deciding among points of view, government breaks down and issues may be decided by force.*

*Constitution making is a fundamental political act: It creates or transforms the decision rules. These decision rules lay out the system, process, and policy arrangements of a political system.*

*The basic decision rules or constitutions of political systems differ along three dimensions: 1) geographic distribution of authority; 2) structural-processual separation of authority; and 3) limitations on governmental authority.*

*Classifying systems according to the geographic division of power gives us confederate systems, unitary systems and federal systems in the middle.*

*Today the United States, Germany, Russia, India, Mexico, and Brazil are federal systems in particular spheres of public policy. These policy areas and powers are, however, divided among central and local units in varying ways. Britain, France, China, Japan and Egypt are unitary governments with power and authority concentrated at the center. Regional and local units have those powers specifically delegated to them from the central government, which may change or withdraw the powers by central decision.*

*In comparing confederate, federal and unitary systems, however, we must keep in mind the distinction between formal and actual distribution of power. In unitary systems, in spite of the formal concentration of power at the center, regional and local units may acquire authority that the central government rarely challenges.*

*Even in unitary systems there have been efforts to shift some power to provincial and local governments. This has been a response to democratic pressures, demands for greater scope to grass-roots influences. Thus, the real differences between federal and unitary systems may be considerably less significant than their formal arrangements suggest.*

*2.2 BUREAUCRACIES and public policy*

*Modern societies are dominated by large organizations, and the largest organizations in these societies are the government bureaucracies. As governments have increased their efforts to improve the health, productivity, welfare, and security of their populations, the size of government organizations has increased over the years. But in recent decades there has been a movement to reduce government budgets, and downsize the bureaucracy.*

*2.2.1 Structure of the Bureaucracy*

*The most important officials in bureaucracies are the experienced and expert personnel of the top governmental service.*

*Bureaucracies may present special problems in revolution, and other periods of major social change. When the Bolsheviks originally took power in Russia in 1917, they had to depend on some of the military officers and officials of the Czarist regime until they could train their own. The secretariat of the Communist Party attempted to oversee their loyalty.*

*In the 1990s with the dissolution of the Soviet Union and the disestablishment of the Communist parties in the successor countries, and in Eastern Europe, the resistance and inertia of the old bureaucracies have hampered the implementation of new policies.*

*Although bureaucracies are supposed to be politically and ideologically neutral agencies, in fact they are influenced by the dominant ideologies of the time and tend to have conservative*

*propensities and institutional interests of their own.*

*2.2.2 The Functions of Bureaucracy*

*A functional analysis of the bureaucracy may suggest why this governmental organization has acquired such great significance in most contemporary societies.*

*Thus, policymaking is performed by the political executive, the assembly, and even by the courts as in the American political system. But the bureaucracy is almost alone in carrying out its function of enforcement or implementation of laws, rules, and regulations. In a sense bureaucracies monopolize the output side of the political system. Occasionally, of course, policymakers take the law into their own hands.*

*In addition to this near monopoly of enforcement, bureaucracies greatly influence the processes of policymaking. Most modern legislation is general and can be effectively enforced only if administrative officials work out regulations elaborating the policy.*

*Finally, bureaucracies are involved in performing the communication function. The journalistic professions have developed strong investigative traditions which they justify on the basis of a public right to know which refuses to recognize any limits on the publication of private as well as political information. Thus, control over information no longer plays the role in the power of the political executive and the bureaucracy that it formerly played. Top administrators now must have more complex strategies and professional assistance in dealing with the media.*

*The decisions made by political elites, whether executives or legislators, are based to a considerable extent on the information they obtain from the administrative side of government. Similarly, interest groups, political parties, business elites, and the public depend on such information.*

*Nonetheless, the attitudes and values of the bureaucrats themselves affect their responsiveness and responsibility. There are different bureaucratic cultures.*

*Bureaucracy, in the sense of inefficiency and inertia, is pandemic. It is truly a dilemma because we are unlikely to invent any schemes for carrying out large-scale social tasks without the organization, division of labor, and professionalism that bureaucracy provides. Its pathologies can only be mitigated. The art of modern political leadership consists not only in the prudent search for appropriate goals and policies, but also in the attempt to learn how to interact with the massive and complex bureaucracy, how and when to press and coerce it, reshuffle it, terminate its redundant and obsolete parts, flatter and reward it, teach it, and be taught by it.*

*2.3 considering recent and classic studies of public policies*

*2.3.1 Some Inherent Aspects of Public Policy Studies*

*Over the past century, Western nations have been transformed from authoritarian, or oligarchic regimes with limited suffrage, to democracies. The power of the state has increasingly been used to meet popular needs and demands. The last century of political development in the West has produced welfare states with programs of social insurance, health, public education, and the like.*

*As the level of expenditures has grown to between one-third and one-half of the national product in most industrialized democratic countries, a number of problems has produced a backlash or tax rebellion in efforts to prevent further increases in programs and to roll back those already in effect.*

*The size of the government budget and its effects on savings, investment, inflation, and employment have been the central issue in the politics of advanced industrial societies in recent years. Thus, the simple relationship between democratization and welfare broadly defined, characteristic of the earlier decades of the twentieth century, has given way to a more problematic situation.*

*The study of public policy has become a growth industry in the social sciences. Among the interesting themes being explored in this growing field of study are the varieties of welfare states and their causes.*

*The intention of this part of this essay is to show some authors and schools of thought for understanding these and other contemporary controversies over public policies. It will compare the policy performance of countries with differing characteristics in different parts of the world.*

*In this study we will relate some models of different scholars and finally the realities experienced in Brazil.*

*It is usually thought the approach to political analysis leads us from process to performance to evaluation. If to compare and evaluate the working of different political systems is possible to direct the attention to the variety of desired goals that can be implemented by political action. One society or one group of citizens may value order and stability; another may value participation and liberty. They may value these political goods with different intensity, and their preferences may change with time and circumstances.*

*Judgment and evaluation of political performance is inescapable, even when we think we are being completely unbiased. A long tradition in political analysis has emphasized order, predictability, and stability. It is called system values since they are judgments of the functioning of the whole set of political institutions and their effectiveness. Some may want them to change, to adapt to new circumstances. Others may dislike change and prefer stability. Political instability - constitutional breakdowns, frequent cabinet change, riots, demonstrations, and the like - upset most people.*

*On the other hand, there are crises in the economy or international affairs when citizens demand positive and adaptive measures to cope with these flash points.*

*Another school of thought has emphasized goods associated with process - citizens' participation and freedom of political competition. Democracy is good and authoritarianism is bad, according to this school of thought, which directs research to maintaining democracy. Systems rejecting it or failing to sustain it are considered unsuccessful.*

*Recent interest in human needs, in quality of life, and the tremendous problems of economic development has led to concentration on policy goods, such as economic welfare, quality of life,*

*and personal security. A political system that improves welfare, decreases inequalities, enhance public safety, and cleans up its environment becomes the model.*

*All of these schools of thought are concerned with important practical goods valued by most people and under various circumstances and to varying degrees.*

*2.3.1 Phases of Public Policies and the Explanatory Models*

*2.3.1.1 Building the Agenda*

*Authors like John Kingdon, Richard Hofferbert, Robert Cobb, and Charles Elder have discussed the agenda phase.*

*In 1984, Kingdon separated public policies in to phases as follows: elaboration of agenda; specification of alternatives; choice of alternatives (president of country, Legislative or competent authority); and implementation of decision.*

*The Kingdon school of thought begins with these questions: Why some problems and subjects are chosen to put on the agenda and others do not? and Why some alternatives are chosen and another are not? Thus, the agenda is defined like a space constitution inside a list of problems to call the attention of governments and their citizens.*

*The author states that thought a drastic oversimplification, public policy making can be considered to be a set of processes, including at least 1) the setting of the agenda, 2) the specification of alternatives from which a choice is to be made, 3) an authoritative choice among those specified alternatives, as in a legislative vote or a presidential decision, and 4) the implementation of the decision. Success in one process does not necessarily imply success in others. An item can figure prominently on the agenda, for instance without subsequent passage of legislation; passage does not necessarily guarantee implementation according to legislative intent.*

*The agenda conceived by the author, is the list of subjects or problems to which governmental officials, and people outside of government closely associated with those officials, are paying some serious attention at any given time. So the agenda-setting process narrows a specific set of conceivable subjects to the set that actually becomes the focus of attention.*

*It is important to understand not only why the agenda is composed as it at any one point in time, but how and why it changes from on time to another.*

*The governmental agenda is the list of subjects to which government officials and those around them are paying serious attention. Of course, this list varies from one part of the government to another.*

*In order to advanced our understanding of the processes of setting the agenda it is important to distinguish the labyrinth of policy formulation i.e., to distinguish between participants and processes.*

*In principle, each of several active participants can be involved in each of several important processes - problem recognition, policy generation and politics.*

*Policy is not the sole of analysts, for instance, nor is politics the sole of politicians. If any one set of participants in policy process is important in the shaping of agenda, it is elected officials and their appointees, rather than career bureaucrats or nongovernamental actors. Nongovernmental actors are include: interest groups; scholars and consultants; the midea; electoral participants; political parties and the general public.*

*If we make reflections about this point, and integrating Kingdon's school of thought, many questions appear in our minds, like a why changes occur and why some subjects are more prominent than others.*

*In general two categories of factors might affect agenda settings and the specification of alternatives: the participants who are active, and the processes by which agenda items and alternatives come into prominence. The president, the Congress, bureaucrats in the executive branch, and various forces outside of government (including the media, interest groups, political parties, and general public) could all be sources of agenda items and alternatives.*

*Thus, agenda setting may involve the transfer of items from a nongovernmental systemic agenda to a governmental formal agenda, partly though the mobilization of the relevant public leaders. Or issues may reach the agenda though diffusion of ideas in professional circles and among policies elites, particularly bureaucrats. Alternatively, changes in the agenda may result from a change in party control or in intraparty ideological balances brought about elections. Therefore a critical locus of initiative may be parties and elected officials.*

*According Kingdon, there are three kinds of processes in agenda setting and alternative specification: problems, policies and politics. In the first, one influence on agendas might be the inexorable march of problems pressing the system. A crisis or prominent event might signal the emergence of such problems. The second contributor to governmental agendas and alternatives might be a gradual process of accumulation of knowledge and perspectives among the specialists in a given policy area, and the generation of policy proposals by such a specialist. Third, political processes affect the agenda. Swings of national mood, vagaries of public opinion, election results, changes of administration and turnover in Congress all may have powerful effects.*

*Each of the three processes - problem recognition, generation of policy proposals, and political events - can serve as an impetus or a constraint. As an impetus items are promoted to higher agenda prominence, as when a new administration makes possible the emergence of a new battery of proposals. As a constraint, they operate to rule out the emergence of items that are perceived as being too costly. Some items may not rise on the agenda because of the financial cost, the lack of acceptance by the public, the opposition of powerful interests or simply because they are less pressing than other items in the competition for attention.*

*Kingdon also uses the model of James March and Johan Olson. This model defines a different kind of organization, called organized anarchy.*

*The authors define organized anarchy like a collection of choices looking for problems and issues, and looking for decisions in which they can be aired, looking for issues which might be the answer, and decision makers looking for work.*

*The decision process in this kind of institution occurs like a garbage can into which various kinds of problems and solutions are dumped by participants as they are generated. The mix of garbage in a single can depends on the can available, on labels attached to the alternative cans, on what garbage is currently being produced, and the speed with which garbage is collected and removed from the scene.*

*The other important aspect to influence an agenda is the inclusion and the level of fragmentation which comes from policy communities - this point influence very much the fragmentation level and the stability of the agenda.*

*Finally, Kingdon's concept of policy entrepreneurs are people who invest resources in policies with the power to make alterations. These people can be bureaucrats, academics, journalists or politicians.*

## *Kingdon's Model (summary)*

### *1. Political Phases*

- *Agenda*

- *Alternatives*

- *Choice*

- *Implementation*

### *2. Kinds of Agendas*

- *Systemic*

- *Governmental*

- *Political or Decisory*

### *3. Agenda and Alternatives depend on:*

- *Active participants*

- *Process (how the process arise*

### *4. Process depends on:*

- *Recognition of problems*

- *Proposition of Public Policies*

- *Politics*

*5. Recognition, Proposition and Politics depends on:*

- *Recognition: indicatives, events, crises*

- *Proposition: Political communities*

- *Politics: national mood, organized forces and elections.*

*Therefore, according to Richard Hofferbert (1974), his study began by asking the question Why some items or subjects are selected for governmental deliberation and others not? Probably, if the answer is based in elitist and pluralist theory, we will have two possible answers. Government agendas and decisions are built from the social and political environment in which the public policies were formulated.*

*Hofferbert also based his position on Herbert Simon, (1966) who identified three aspects of the decision process: 1) the rules managing the permanency and the changing of public attention; 2) principles managing political action; 3) conditions to determine chosen actions.*

*According to the author, the most important condition for policy formulation is the social, economical and political environment.*

*Hofferbert emphasized other important aspects, while some policies are influenced by the environment, others are more routine. Probably, external decisions can be also be considered the social and economic environment of an agenda.*

*On the other hard, the studies from Cobb and Elder,(1971) show us a lack of consideration about the citizens on the part of the government - they did not see their participation as actors in governmental decision-making. This point of view is a reconciliation between democracy theory (and participation) with actual reality.*

*These authors suggest a rethinking of decision process theory, emphasizing the studies realized by Schattschneider (1960), Dahl (1956) and Gamson (1968) for whom citizens' participation is limited to where the public policies are implemented and where conflicts are negotiated.*

*In conclusion, Schattschneider suggests: there are teams and subjects to emerge inside politics and the others' output, but according to Cobb and Elder, they agree with Walker(1966) that governmental agenda changes a little bit and everytime we are discussing the same old topics*

*Finally, the conclusion of the authors about building an agenda is very important because the nature of the relation between social environment and governmental process develops permiting us think the possibility of producing structural stability in the same way as vote confers a conjectural stability.*

*2.3.1.2 Formulation of Public Policies*

*In public policies the formulation phase can be also considered as an elaboration of alternatives and a choice between them. This essay will relate and show some different visions, conceptions and models about this phase. The authors selected to relate this phase are follows as: Hoppe, Van de Graff, Van Dijk and James Anderson (1985).*

*According to these authors, public policies phases can be classified as: building agenda, project elaboration, project adopted, implementation, evaluation and readjustment.*

*These authors understand the process to formulate public policies as a dialogue between intentions and actions i.e., an internal continual process of reflection and action to output. They consider two important moments in this phase: the project elaboration or formulation and the implementation of public policy - these moments usually are the result of different processes and different functions.*

*Nonetheless, these two phases are distinct - the implementation is to show results and serve to teach the policymakers to formulate public policies.*

*The formulation phase can be divided in three sub-phases: first, when data are transformed into relevant information; second, when values, ideals, principles and ideologies combine to produce knowledge oriented toward action; and third, when empirical knowledge and precept is transformed into public actions here and now.*

*The authors believe that a crucial key of the process and the success of a specific public policy depends on the perfect interaction between policymakers (who - formulates and implements public policies) and the public.*

*According the authors, implementation includes five sub-phases: the definition of the problem, the casual and normative aspects; decomposition of the problem into constituent parts; demonstration of the possibilities for solving the problem and identification of alternative solutions, gross estimate and definition of implementation strategy.*

*The conclusion of the authors confirms the existence of problems between the formulation and implementation processes and the lack of connection between the level of policymakers knowledge and the target public. Therefore, the authors enhance the Richard Elmore model (forward and backward model) to approach the study of these two important political phases.*

*Another model is from James Anderson(1975). His conception begins with an argument elaborated throughout the state of arts in the field of public policy. Thus, Anderson identifies five phases of formulation process: political demand; political decision; political articulation; political product; and political issues. Taking the school of thought of Etzioni (1968), Anderson distinguishes three theories about the decision process (decision making or policy making): rational theory; incremental theory and the mixed-scanning theory.*

*In Anderson's conception, policymakers should distinguish some values as follows: political, institutional, personal, governmental and ideological. He also emphasized the political theory and in particular the system theory, as well as the Easton's group theory, Dye's elites theory and*

*the theory of functional process by Laswell. In his argument, the influences coming from the policymakers, are considered political culture.*

*The officials policymakers are: legislators, executives, administrators and judges. They can be divided in two groups: primaries (who make use of the constitutional right for their actions); and supplementary (bureaucrats in national administrative agencies). Then, official policymakers come from the Executive and Legislative branches, the administrative agencies and the Judiciary court. The non-official participants are: the interest groups, political parties and the common citizen (remembering the recommendation of Lindblom: the people have the right to be listened to and the officials, the obligation to listen).*

*Specifically about the formulation process, Anderson emphasizes his answer to three important questions:*

- *how policy subjects are to be called to the attention of policymakers?*

- *how is policy formulated?*

- *how a specific proposition is chosen over the alternatives?*

*Concluding Anderson's thought, the central problem of the decision-making process is to recognize who is involved. Therefore, the government's decision can be considered the parties' criteria; rules and what the public opinion establish; the kind of decision (bargain, persuasion or command); acts of the president (presidential decision-making); and incrementalism.*

*To the author, implementation is a problem for they who implement policies, and can be defined as a complex system of administrative agencies.*

*The conclusion is, in the modern pluralist systems - to make politics it is a complex political process and the decision process analysis could be a contribution to understand the throughout the study of the operationality of political systems.*

*2.3.1.3 Implementation of Public Policies*

*In public policy process, the implementation is usually considered the most important phase and perhaps the more complex than the others.*

*Since the seventies, different cultures, governments and countries, some scholars and political scientist studying and trying to understand better of the characteristics and mechanisms of implementation models.*

*Therefore, this essay intends to relate for instance, only two models of public policy implementation.*

*Before looking at the related the models, it is important to emphasize that it is impossible to consider one or other model as an ideal. Each country, government or reality has to adopt and adapt conveniently the model inside its own political system. Thus, the following models will only consider examples of schools of thought or a particular authors vision in front a kind of reality.*

*The first model is by Donald S. Van Meter and Carl E. Van Horn (1975). The authors begin their conception elaborating from general characteristics witch involving decision process follow as: a) quantity of changes involved; b) extension of consensus to accomplish political objectives.*

*According to these authors, the implementation process happens when the quantity of changes are involved and the influence between participants, the level of consensus or conflicts versus objectives is lesser in quantity of changes than greater in the consensus or vice-versa. (See the diagram in next page)*



RELATION BETWEEN CHANGE QUANTITY AND CONSENSUS 1

GREATER

Quantity of Changes

LESSER

LOWER      HIGHER

Consensus Objectives

Greater quantity of Change/Lesser consensus

Lesser quantity of Change/Greater consensus
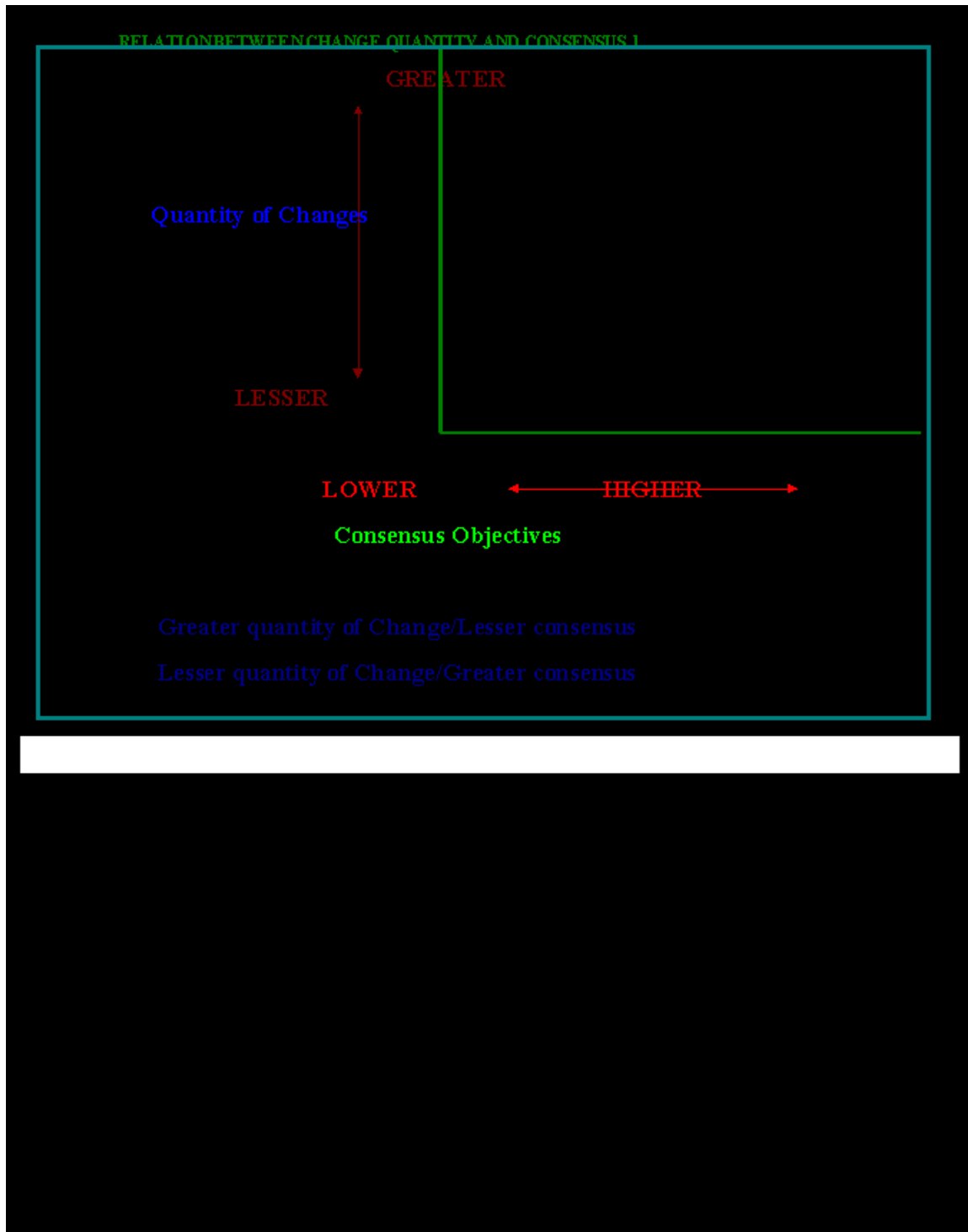
*The fundamental success of anyone phase in public policy process depends the good relationship between the policymaker and their compatible knowledge on activities execution in each phase of process.*

*The policymakers arrangements depends follow as: a) comprehension of public policy; b) answers (acceptability, neutrality and rejection) and the c) intensity of answers.*

*The author present their decision process model according the figure below:*

HOPPE, VAN DE GRAAF AND VAN DIJK MODEL[1]

Political Problems

ENVIRONMENT

Formulation

Adoption

Public Policy intervention area

Public Policy implementation area

ENVIRONMENT

Public Policy Results
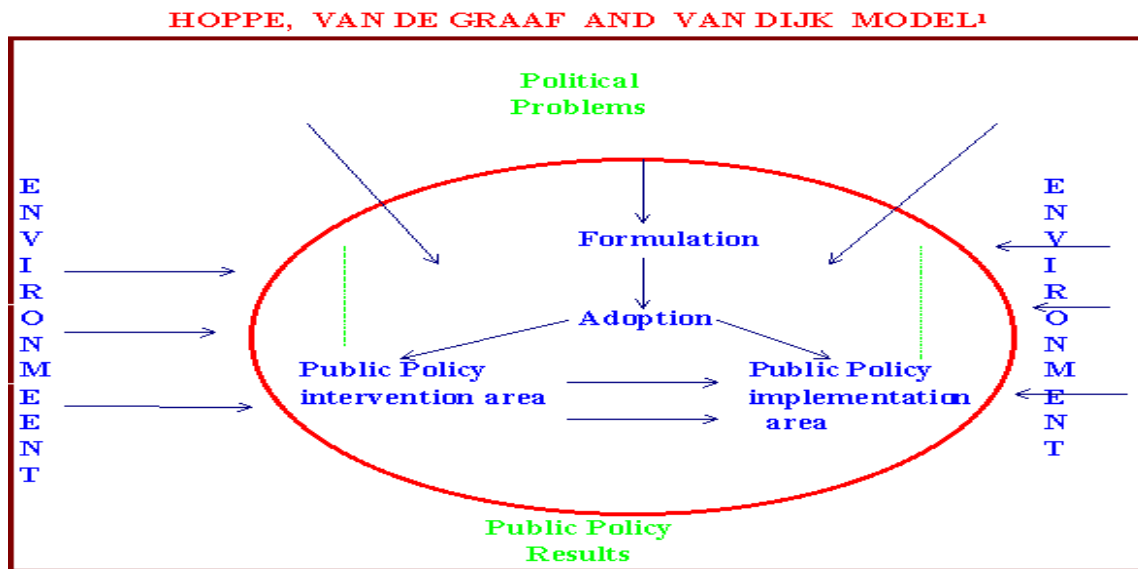
[1] Ibid (14)

*How we can see in the figure above, the public policy performance depend on the characteristics of implementation agencies, some political, social and economical conditions and in how the activities are executed.*
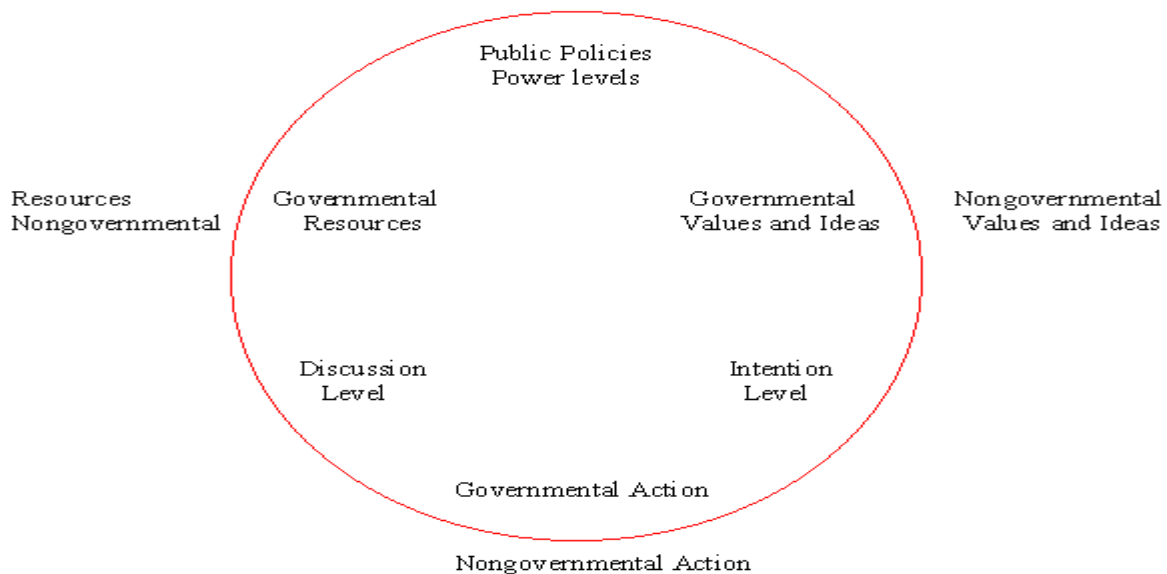
*Nonetheless, characteristics of implementation agencies also can be examined according follows as: size; team competence; hierarchy levels control autonomy and system; team behavior; communication net and how they are promote connection.*

*The second models is by Markku Kiviniemi (1985), according the analysis of this author, the concept of public policy is the interrelationship between govern and citizens when one of this (govern or citizens) induce other to do not necessary the same way to desire.*

*The author define implementation phase how the intention to implant something and take it an impact and consequences.*

*Kiviniemi tough, understand implementation since the social action translate in different intention and actors. See the explanation in diagram below.*

### SOCIAL ACTION SCHEME [1]



Public Policies
Power levels

Resources Nongovernmental — Governmental Resources — Governmental Values and Ideas — Nongovernmental Values and Ideas
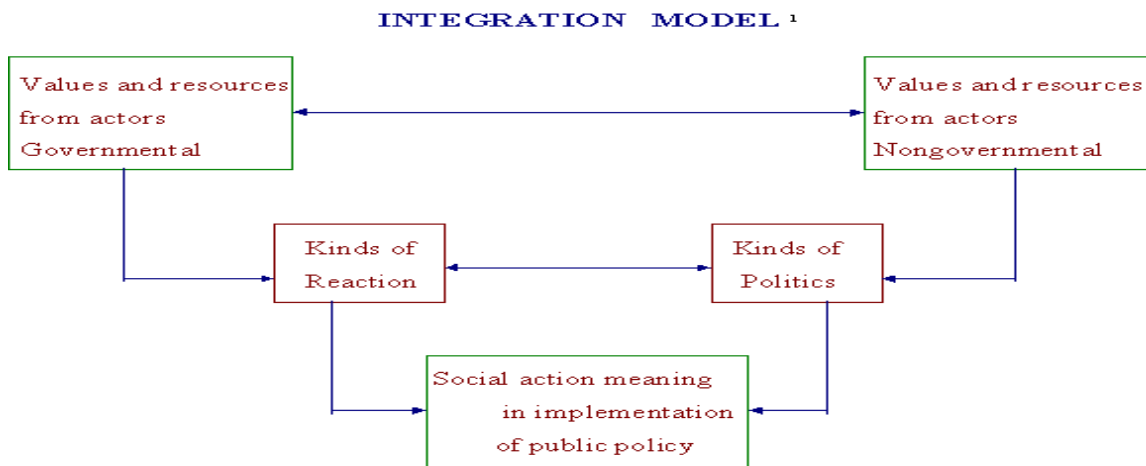
Discussion Level — Intention Level

Governmental Action

Nongovernmental Action

[1] Ibid (19)

*The author concludes the implementation phase is the social action defined itself. On the other hand the contents of public policy also define the structural position of actors in the process of implementation. On this hand, we can think in different reaction and combination - putting structural limits in governmental action.*

*According Kiviniemi conclusion about equilibrium point between participants and different groups, there are necessity to reconsider the idea when govern is the subject of action and the nongovernmental actor is a public policy object. The actor propose this integration model, explained in diagram below:*

INTEGRATION MODEL [1]

| Values and resources from actors Governmental | | Values and resources from actors Nongovernmental |
|---|---|---|

Kinds of Reaction

Kinds of Politics

Social action meaning in implementation of public policy

[1] Ibid (24)

### 2.3.3 The Brazilian Policymaking Process

*Despite the paring of the dictatorial prerogatives of the executive branch, the Brazilian president retains ample powers with which to frame the policymaking process. The president still has recourse to enact emergency measures (the so-called medidas provisórias), which take effect immediately upon issue.*

*In leaving this executive prerogative intact, the 1998 Constitution intended it to be exercised in exceptional circumstances, and it stipulated that Congress must take action on the medidas provisórias within 30 days or they would fail to become law.*

*In practice, since the constitution took effect, Brazilian presidents have made frequent recourse to the emergency measures, and they have in effect circumvented the requirement for congressional consent by reissuing those that fail to win approval. Of 1,004 medidas provisórias issued between October 1988 and May 1995, 274 were approved, 640 were reissued, and only 18 were rejected by Congress.*

*The president may also request that Congress act on proposed legislation urgently, and veto in whole or in part congressional legislation. Only the president can initiate legislation fixing or modifying the size of the armed forces, creating public posts and reorganizing the cabinet, or setting pay levels for public employees.*

*Ordinary and complementary laws may be initiated by any member of the Chamber of Deputies or Senate, the president, ministers of the Supreme Court, the attorney general, or by citizens. Popular initiative requires 1 percent of the national electorate, representing no less than 0.3 of a percent of the electors in at least five states, to launch the legislative process. Debate on proposed legislation initiated outside of Congress begins in the Chamber of Deputies.*

*A bill sponsored by a member of Congress can be introduced in either chamber. If it is introduced in the Chamber of Deputies, it is first examined by the mesa of party leaders and whips; it is then directed to the appropriate parliamentary committees for review. There are 13 permanent technical committees in the Chamber of Deputies, including education, consumer protection, agriculture, labor, social security, transportation, economy, and finance; 6 in the Senate - economic affairs, social affairs, foreign relations, defense, infrastructure, and the judiciary; and a joint Senate-Chamber budget committee.*

*All proposed legislation is first reviewed by the judiciary committee for its constitutionality. If it passes this test, it is then sent on to the specific technical committee or committees with jurisdiction in its area. An economic bill, for instance, would be reviewed by the economy committee and the finance committee. If three committees have approved it, it is sent directly to the Senate for consideration. If approved by two committees, or if it fails to secure the approval of a committee, it goes to the floor of the Camber. Once approved in the Chamber, it must similarly be reviewed by the Senate judiciary and economic affairs committees. If approved by the full Senate, it then goes to the Planalto for the president's signature.*

*The president may either sign it into law, or veto it in whole or in part; an absolute majority of both houses is required to override. A bill that originates in the Senate must also pass the Chamber of Deputies.*

*The third essential rung of the policymaking process is the bureaucracy. Over the years the size of the bureaucracy and the weight of bureaucratic regulation have grown so great that Brazil's last military president, João Figueiredo, launched a "Debureaucratization" Ministry to reduce it. In 1985 officials of the Secretariat of Planning counted about 20,000 agencies that may have*

covered only a third of the state, including 553 agencies in health, 339 in education, 282 in industry and commerce, and 897 just to coordinate other agencies.

The president of Brazil has the power to appoint over 50,000 officials (in contrast to a few dozen in Japan and several thousand in the United States). The most important are to the cabinet. In making cabinet appointments, Brazilian presidents balance their needs for technical competence with those for political support. Political support takes the shape not of votes in the Congress, but also regional support. The price of forming or reshuffling a cabinet in terms of patronage resources and appointments can often be quite high.

With the exception of the foreign Ministry, the state-owned oil company Petrobrás, and a handful of economic agencies (the monetary authority, the trade department of the Bank of Brazil, and the national Economic and Social Development Bank), appointments to much of the Brazilian bureaucracy have been controlled over the years by politicians of any party in power, be it the PSD and PTB in the post-war democracy, ARENA and the PDS during military rule, or the PMDB and PFL since the transition to democracy, seeking to maximize their power through patronage.

The prerogative to make tens of thousands of public sector appointments was ate the heart of the agreement between the PMDB and the PFL to tester democratic rule to Brazil in 1985.

When it came to power, the military quite explicitly disdained the politicized nature of decision making in Brazil and especially what it perceived to be a lack of resolve in carrying through tough but correct programs. It proceeded to "depoliticize" policy, to hand over important decisions to neutral, technically qualified persons who, it believed, would not be subject to the same sort of political pressures that made politicians vulnerable.

During the period of military rule, civilian technocrats who willingly served the military achieved a degree of power and prestige perhaps unprecedented in Brazil and the world. The quintessential technocrat, first appointed finance minister by President Costa e Silva (1967 - 69) was a 38-year-old economics professor from São Paulo, Antonio Delfim Netto, who became known as the "czar" of Brazil's economic miracle of the 1970s. Delfim - the economic "superminister" for 13 of 21 years of military rule - was so powerful that one elite study placed him in the same category as the president of the republic. Under the military-technocratic alliance, important decisions were taken out of the hands of Congress. The decision to open a Trans-Amazon highway, and to forcibly evict Brazilian Indians to do so, was made without the input of elected officials.

Military rhetoric aside, not as much may have changed as might have been predicted at the height of military rule. Despite the growth in its professionalism by some highly dedicated and talented public servants in recent years, the bureaucracy also remains highly politicized.

In 1985 Aluísio Alves, the Minister of Federal Administration, estimated that in the federal direct public administration, only 125,000 employees had been hired through the public service examination (1.3 million had taken the exam, and 400,000 who passed the exam were not hired) , and 1.7 million according to criteria I don't understand, because they are eminently political.

*Despite criticisms of the technocratic policymaking system of military governments, civilian governments continued the practice of closed policymaking in democracy's early years.*

*In 1986 a weak president governing without the support of a unified party relied on economists with doctorates from prestigious United States universities to design an anti-inflation program. The technocrats were different; their economic theory was as far removed from that of Delfim Netto as were their political affiliations. Yet, the policy was still drafted by an extremely small circle of nonelected economic ministers and advisors; only about 15 people in the country knew more than 24 hours in advance of its announcement that Brazil was about to embark on a "heterodox" experiment in fighting inflation know as the Cruzado Plan.*

*Although economic policy today remains in the hands of technocrats, what has changed is that elected politicians play a more major role in the cabinet, especially heading portfolios that manage social policy and political administration.*

*3 Brazilian political system*

*Some authors consider Brazil a land of contrasts. Unfortunately or fortunately, they are absolutely right. Brazil has approximately, 150 million inhabitants, it is the fifth most populous country in the world. It has the tenth largest economy, yet is elite-dominated to an extraordinary degree and has the most unequal distribution of income in the world.*

*Unhappily some cities in Brazil, like Rio de Janeiro, São Paulo and the northeast of the country surrounded by slums.*

*On one hand, Brazil has a world-class universities, most of the population is barely literate. The country has such vast resources, including deposits of iron ore and precious metals, rich agricultural lands, and hydroelectric potential, that the military that governed the country from 1964 to 1985 dreamed of making Brazil a grande potência, or a great power, but successive administrations since the mid-1970s have had difficulty developing this extraordinary potential.*

*On the other hand, the political system in Brazil, too, presents contrasts. A labor party with strong roots among unionized workers co-exists alongside parties dominated by traditional local bosses and family-based power. Brazil has also had several decades of experience with competitive government, but very little genuine democracy.*

*Overtly authoritarian only from 1937 to 1945 and again from 1964 to 1985, the Brazilian state nonetheless at the other times restricted the franchise, political association, and participation. Attempts to open up the political system to broader participation were frustrated, often by force.*

*Since 1985, Brazilian democracy has been restored with fuller political participation than ever before in its history. The salient question to ask at this time is whether Brazil can become a mass democracy, one that meaningfully integrates the vast majority of its population into political and social life, or whether it will remain an elite-dominated polity.*

*The purpose of this study is to start your reflections based on concrete possibilities transform the reality of Brazil today and for the next century.*

*Therefore, the Brazilian government needs to accomplish some important challenges, such as: a) consolidate effectively the democratic regime; b) make democracy representative and accountable; c) provide good and clean government to its citizens; and d) redress regional and social inequalities, deliver public goods, and improve levels of education, social welfare, residence and security.*

*Probably, the growth and the consolidation of democracy in Brazil depends much more on the changes in the political behavior and responsibility of politician class in order to implement realistic public policies instead of criticizing the central government. The critical and pivotal hour for Brazilian changes is right now. The improvement of Brazilian people's quality of life should occur through the basic public policy reforms and promotion of real economic growth.*

*3.1 historical perspectives*

*Trying to understand the characteristics and peculiarities of Brazil, it is important to emphasize some points of political history.*

*Brazil it is the only country in contemporary Latin America to have been a colony of Portugal, having gained its independence by a decree of the Portuguese son king.*

*In 1822, Dom Pedro I the emperor of Brazil, remained behind and asserted the country's independence and oversaw the establishment of the Empire that prevented the fragmentation of its territory and provided a unique degree of order and political stability in the new world. For seven decades, the emperor exercised strong central authority. Brazil became a Republic in 1889. (see Figure 2: Regimes and Regime changes) In that year, the Empire fell swiftly and suddenly when military and agrarian elites separately withdrew their support for the emperor. At the same time the emperor suffered pressure from coffee planters in São Paulo state for his handling of the abolition of slaves.*

*In 1888, the fourth in a series of bills that had successively ended the slave trade, released the children born to slaves from bondage, and freed the elderly, finally abolishing slavery in Brazil. The planters hoped for indemnification for their freed slaves and state subsidies to import labor from Europe. The military overthrew the emperor in order to advance its own corporate interest and because it believed that overthrowing the emperor would weaken the planters. That judgment soon turned out to have been gravely mistaken.*

*While the military had as its ambition to replace the Empire with a strong central government committed to the positivist ideal of order and progress - a motto still emblazoned on Brazilian flag-civilians who favored a federal system in order to maximize regional autonomy won the day.*

*By 1891, the elites from the largest and strongest states wrested control of the new Republic from the military and framed a constitution that guaranteed a decentralized, federal republican structure that accorded the states even wider latitude than did US federalism from which it drew its inspiration.*

*Each state was entitled to draft its own constitution. The national government, or Union, was entitled only to import and stamp taxes. The constitution also delegated to the states the authority*

*to regulate municipal prerogatives.*

*The republic of landlords came to an abrupt end with the revolution of 1930. A combination of labor unrest, protest from young army officers, the world depression, the crisis in the coffee economy in Brazil, and rivalries among regionally based oligarchies precipitated the collapse of Old Republic and the movement that brought Getúlio Vargas to the presidency.*

*The Getúlio Vargas era fundamentally changed the nature of the relationship between the regional oligarchies and the central government by disrupting the state political machines, strengthening the national administrative apparatus, and enhancing bureaucratic autonomy from the regional elites.*

*The Constitution of 1934 also enhanced the extractive capacity of the Union at the expense of subnational governments. Vargas extended the central state's authority from 1937 to 1945, when, impressed by the political and social organization of fascist Italy, he reneged on a promise to hold elections and instead exercised dictatorial powers in a regime he called the Estado Novo or New State.*

*With the defeat of the Axis powers and fascism in 1945, the Estado Novo was dissolved. The military, which had sent an expeditionary force to Italy to fight on the side of Allies, pressured Vargas to fulfill a promise to restore democracy to Brazil. The growth of new social classes, reform of state apparatus, and the realignment of elite economic and political interest after 1930 precluded a simple return to pre-1930 politics. Rather the political system was opened to broader political participation and competition.*

*Brazil prospered especially during the latter part of 1950s when the physical infrastructure was laid, foreign auto plants settled in São Paulo, and a new capital, Brasília, was built in the interior (Central Region) of the country.*

*In the early 1960s, however, Brazil's political system began to strain. With 13 parties in the Chamber of Deputies and the share of seats won by small parties on the rise, the party system was so fragmented that Congress was ineffective and no could count on a stable base of support. Elites became threatened by the mobilization of peasant leagues, the electoral advance of Brazilian Labor party, or PTB, and the leftist rhetoric of President João Goulart.*

*Elected vice president of Brazil for the PTB in 1960, Goulart had gained the office of the President Jânio Quadros unexpectedly resigned it in 1961. Perhaps hoping to be conferred with broader powers. Goulart was a reformer who promised revolutionary in the countryside and the Congress, but who made the mistake of frightening his opponents without adequately mobilizing his supporters.*

*In 1964, the Brazilian Military deposed the elected president Goulart and instituted a period of direct military rule. In order to tackle inflation attract foreign investment, and stimulate economic development, the military centralized economic policymaking.*

*What distinguished this military regime from others in the region was that even the height of the dictatorship, it did not eliminate classic representative institutions. It responded to an electoral*

*defeat in 1965 not by canceling elections and banning political parties but by abolishing existing parties and creating two new ones, a pro-government part known as the National Renovating Alliance, or ARENA, an official opposition, the Brazilian Democratic Movement, or MDB.*

*In this period, the true competition did not exist. Victories for the official pro-government party were all but assured by manipulation of electoral law and stripping various opposition candidates of their mandates and right to contest elections - and legislators and other elected officials were divested of meaningful powers by 1967 Constitution.*

*Political liberalization began within the military itself. In early 1974 General Ernesto Geisel, the new soft-line military president, sent clear signals that he intended to relax military rule, within meant easing up on press censorship and allowing a freer expression of ideas, most likely in order to rein in the security apparatus and restore the prestige of military institution. Geisel's policy of distensão, or political relaxation, also meant slightly freer elections.*

*In the first decade of authoritarian regime, the MDB had barely functioned as a party. ARENA had won resounding victories in the congressional elections of 1970 and municipal elections of 1972, and in many rural areas, ARENA candidacies went unchallenged by the MDB. The MDB encouraged blank balloting as a means of registering voter protest, and the dispirited party even contemplated disbanding rather than continuing to participate in an electoral farce. With his opposition demoralized and disorganized and confident of victory after seven years of impressive economic performance, Geisel hoped more competitive elections would bring down abstention rates and revitalize institutions. The government, however, suffered an unanticipated defeat in those elections of a magnitude that stunned both the regime and the opposition.*

*Although the military regime from this point on manipulated electoral laws, limited party access to television, and appointed one-third of the Senate in order to secure its advantages in Congress, elections still allowed the opponents of military rule to mobilize and pressure the regime to adhere to its political opening, or abertura política, thus earning for Brazil's transition the epithet of an opening through elections.*

*Electoral mobilization was but one piece of a broader recrudescence of civil society. First the Catholic Church and several segments of elite opinion, including the press and bar association and the business community, expressed grave reservations about military authoritarism. As political space opened, such as the labor movement, or not previously organized politically, such as the woman's movement, or not pressed for specific interests as well as for greater political freedom.*

*A steady vote for the opposition and even the courageous resistance to military rule of popular-based movements would probably not in itself have brought about the transfer of power to the civilian opposition in 1985. In the final years of military regime, many of its civilian supporters abandoned it aimed rising inflation and unemployment and popular disenchantment with the military. They negotiated a series of political deals or pacts which paved the way for smooth transfer of power and road to a democratic regime, but which also restored a great deal of power to old elites. Most notably, after the untimely death of president-elect Trancredo Neves, the vice president-elected José Sarney was sworn in as president. The fact that he was the former*

*president of the pro-military party made redemocratization for long-standing opponents of authoritarianism somewhat bittersweet.*

*After several disappointing years in which the ever optimistic Brazilian people seemed to have finally given up on their country's leaders. Brazilians appear to have rekindled a significant source of optimism deriving from the first-round victory in the presidential election of 1994 of Fernando Henrique Cardoso. The new president had been a well-respect opponent of military rule and proponent of democracy for over two decades. He was also a leading intellectual of the Latin American left, who earlier in his career wrote of the sometimes adverse consequences for countries on the periphery of the world economy of foreign investment and trade. More recently, his electoral campaigns have advocated a combination of economic reform, including privatization of state enterprises and liberalization of laws governing foreign investments, increased foreign trade, especially with Brazil's neighbors, and greater social equity and welfare.*

*Fortunately, Brazilian people are now living better than in the recent past, and now have greater perspectives for improved quality of life and greater chances to improve their development and growth.*

*3.1.1 Prospects for the Future*

*At the close of 1994, with inflation rates down sharply to 2 percent per month, 63 percent of Brazilians felt that their lives would improve over the course of next decade (as opposed to 51 percent in 1991), 6 percent thought it would be about the same (as opposed to 8 percent in 1991), and only 13 percent believed their personal situations would deteriorate (down from 24 percent in the earlier year).*

*Brazilians were also the most optimistic for their country: 56 percent were optimistic 18 percent neither optimistic nor pessimistic, and only 19 percent were pessimistic.*

*Undoubtedly a significant source of optimism derives from the victory in the presidential election (from the first-round) of Fernando Henrique Cardoso.*

*Cardoso's presidential candidacy was buoyed by performance of Brazilian economy, and the control of inflation in particular, in the month leading up to the October election; he was credited with taming the monster inflation because as finance minister he had implemented the Real Plan. His election to the presidency can thus be viewed as a vote on part of Brazilians for economic stability. It was also the result of a carefully crafted coalition of social democrats and conservative political leaders seeking to prevent the election of the Labor leader Lula.*

*Economic development and expansion has been given a boost with MERCOSUR, with the southern Common Market launched in 1995 among Brazil, Argentina, Uruguay and Paraguay. A far larger association than the European Union is today, MERCOSUR is essentially a customs union that by eliminating tariffs on 95 percent of the goods traded among its member countries has created a market of 190 million people.*

*For Brazilian manufactures, this is an expansion of a duty-free market by 50 percent. In the four years since the original MERCOSUR treaty was signed prior to the official launch of the*

*common market, regional trade has more than tripled to 12 billion in 1994. Today there are over 300 joint ventures between Brazilian firms and Argentine.*
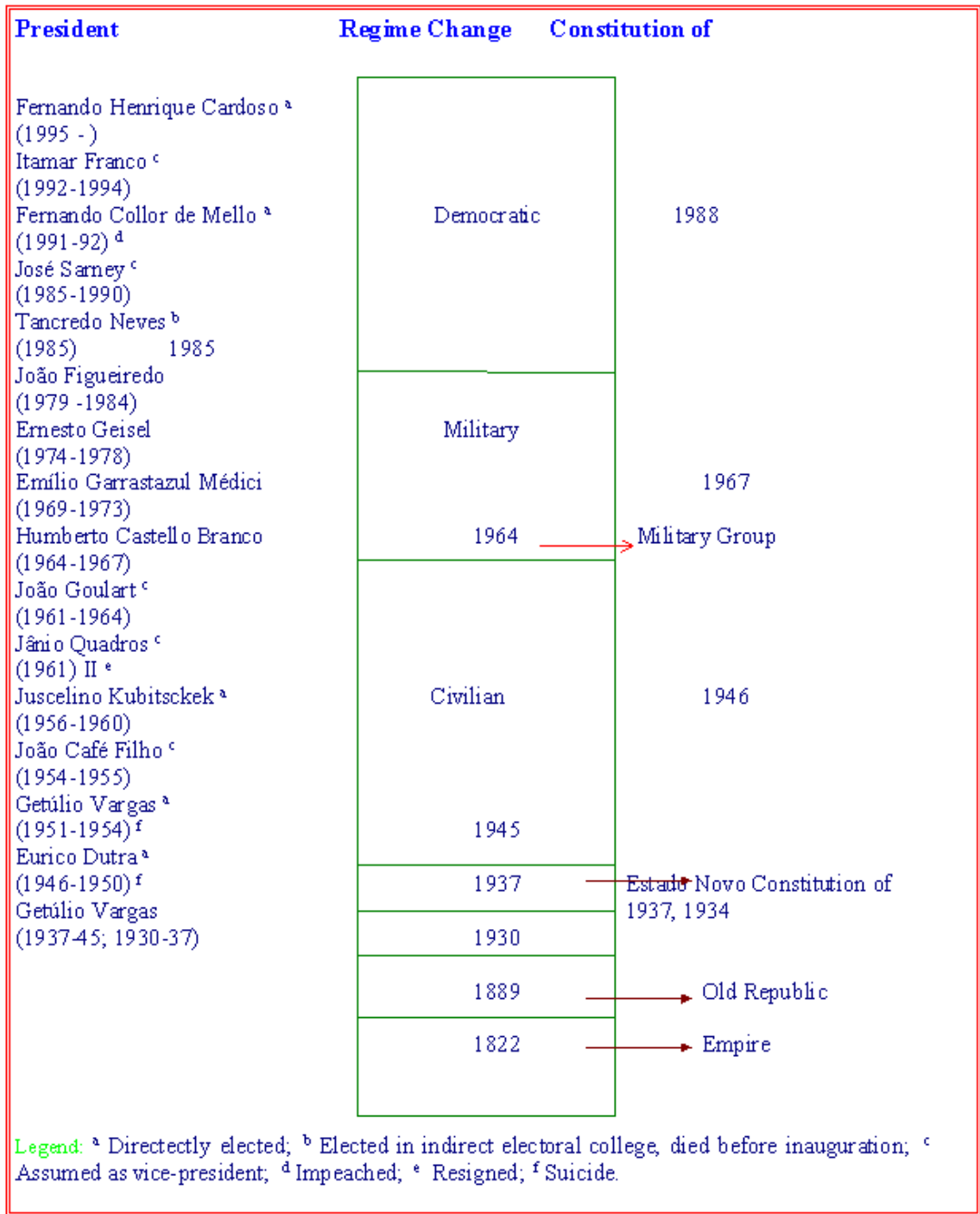
*Brazilians also have a reason to be hopeful about their country's political health. The military is not a threat to return soon, a corrupt president (Fernando Collor de Mello) was impeached according to the Constitution without a political crisis, and new, nonclientelistic parties have considerably broadened the range of political representation.*

*One key for the future will be the success of economic reform program of the Cardoso government. In his first year, the president won victories in reforming the Constitution to allow foreign investments in the oil industry and other formerly public monopolies. His congressional coalition, however, may yet prove to be fragile, particularly over the issues of renegotiating the fiscal relationship between the central and states governments.*

*If Brazil can carry out the economic adjustments that it hopes to, then it may yet develop its enormous potential. The recovery of the nation's fiscal health and prosperity will also make possible the recovery of living standards and social development.*

*Ultimately, whether or not that happens may depend on politicians forging truly representative structures.*

**Figure 2: REGIMES AND REGIME CHANGES** [1]

| President | Regime Change | Constitution of |
|---|---|---|
| Fernando Henrique Cardoso [a] (1995 - ) | | |
| Itamar Franco [c] (1992-1994) | | |
| Fernando Collor de Mello [a] (1991-92) [d] | Democratic | 1988 |
| José Sarney [c] (1985-1990) | | |
| Tancredo Neves [b] (1985) — 1985 | | |
| João Figueiredo (1979 -1984) | | |
| Ernesto Geisel (1974-1978) | Military | |
| Emílio Garrastazul Médici (1969-1973) | | 1967 |
| Humberto Castello Branco (1964-1967) | 1964 ⟶ Military Group | |
| João Goulart [c] (1961-1964) | | |
| Jânio Quadros [c] (1961) II [e] | | |
| Juscelino Kubitsckek [a] (1956-1960) | Civilian | 1946 |
| João Café Filho [c] (1954-1955) | | |
| Getúlio Vargas [a] (1951-1954) [f] | 1945 | |
| Eurico Dutra [a] (1946-1950) [f] | 1937 | Estado Novo Constitution of 1937, 1934 |
| Getúlio Vargas (1937-45; 1930-37) | 1930 | |
| | 1889 ⟶ | Old Republic |
| | 1822 ⟶ | Empire |

Legend: [a] Directectly elected; [b] Elected in indirect electoral college, died before inauguration; [c] Assumed as vice-president; [d] Impeached; [e] Resigned; [f] Suicide.

## 3.2 political representation and interest groups

*Traditionally, political interests in Brazil have been organized and represented in ways that differs from those characteristics of liberal democracies. Whereas in liberal democracies plural and voluntary groups are active, in Brazil, such representation was denied by the state in favor of clientelist and corporativist modes of representation.*

*In the days of the Old Republic, the predominant form of interest representation was a variant of traditional clientelism know as coronelismo (for the coronéis, or "colonels," whose forebears once held the rank of local commander in the National Guard).*

*It is not surprising that clientelism should have been pervasive in Brazil in the early part of this century, when Brazil was predominantly a traditional agrarian society.*

*Some authors and political scientists generally expect clientelism to erode or disappear altogether along with economic development.*

*What is unusual about the Brazilian case is that is has not, except in the World War II Republic, changed in face of political and economic transition. With the urbanization and the movement of population from the land to urban employment, local political bosses increasingly ruled through the control of public appointments and the use of urban-based political machines.*

*The growth of the electorate, as well as the expansion of the state into new areas of regulation and distribution, made the role of clientelism in the political system even more pervasive.*

*The practice of clientelism intensified even further during military rule, when the reach of the Brazilian state was significantly expanded and other forms of political representation were squashed. But, when the military found its electoral majorities crumbling, it stepped up spending for agricultural credit, low-income, housing, and basic sanitation programs, and it entrusted the distribution of state patronage to the civilian politicians whom it felt it could trust as a means of promoting their candidacies over those whom it did not.*

*Today, Brazilian politicians and political parties practice clientelism more than ever, especially during election contests but also as a means of governing. Freer elections, which have intensified political competition within much of the political elite, have contributed to patronage inflation.*

*Corporatism, the primary means by which the interests of economically defined groups were organized and mediated in Brazil, is quite distinct from the pluralistic basis of interest groups activity in a liberal society. Under corporativist law membership in interest groups is compulsory; interest groups are recognized by the state; they are granted a representational monopoly in their area of competence; they are funded by the state; and the state can intervene in the internal organization of the group to remove leaders or prohibit strikes. Groups are hierarchically ordered, from local union to state federation to national confederation, and they are noncompetitive.*

*The interests of labor and to a lesser extent business have been organized and mediated through the structures of corporatism since the Brazilian state sponsored and created a network of representative associations during the Vargas era. Modeled after the labor legislation off fascist Italy, the Consolidated Labor Code of 1943 established unions, labor courts, and procedures for arbitrating disputes between capital and labor within institutions.*

*Unions were charged with providing social services and legal representation for their members. At first, cooperation with state authorities gained for these unions recognition and for their working-class constituents benefits that they had been unable to secure independently in*

*confrontation with owners. This was especially true when presidents such as Vargas in the early 1950's and Goulart in the early 1960's courted labor's electoral support. But labor soon discovered that a less friendly regime, such as the military-headed one in 1964, could use those same structures to shackle their organizations. The state denied to labor leaders access to the state bureaucracy, and especially to the Ministry of Labor and social security institutes, that they had enjoyed during the period of populist politics. Between 1964 and 1970, 536 union organizations were "intervened", that is, their elected leaders were removed and replaced with new ones appointed by the military regime. In the first two years of military rule alone, 19 percent of the unions, 42 percent of the federations, and 82 percent of the confederations in Brazil were affected. In São Paulo alone, 115 unions and 7 of 18 federations underwent intervention.*

*Many labor leaders were jailed; many more were sacked by their employers after the legislation that created the Guaranteed Fund for the Time of Service (FGTS) in 1966 removed the provision of job security for employees who had worked in a firm for ten years. In 1968, strikes at Osasco and Contagem were brutally repressed. They were the last to be staged in Brazil for a decade. During the period of military rule, changes took place within Brazil's unions that began to break down these corporatist structures.*

*A new generation of union leaders who came from the shop floor shunned the strategies of cultivating good working relationships with state officials that older union leaders had depended upon for their power and ability to secure benefits for their members. Instead, these new leaders adopted a more militant stance toward the state, and turned to their own rank and file for support. In the heart of Brazil's auto industry in the ABC triangle of São Paulo, named for the municipalities of Santo Andre, São Bernardo do Campo and São Caetano do Sul, a new unionism was born in the 1970's. The new unions were more combative than the old-style unions; they were willing to confront political authorities and their employers.*

*In 1978, half a million workers in six states and the Federal District, led by the São Bernardo metalworkers, went on strike for higher wages; in 1979, more than 3 million workers in 113 professional categories all over Brazil did so . The new unions were quite willing to forego state financing and throw off the mantle of state protection in exchange for the right to bargain collectively with their employers which had been denied them.*

*Business associations have also been formally organized into state federations of industry and commerce for decades. But during the dictatorship, private sector elites also communicated with state agencies through informal networks and alliances that one observer called bureaucratic rings.*

*At the height of the dictatorship, during the administration of General Médici, economic elites had frequent contacts with the president, the finance minister, and other members of the economic bureaucracy, including ministers of planning, industry and commerce, transport, and the heads of state owned industries and banks. The failure of these channels of communication to serve Brazil's entrepreneurial classes during the Geisel administration convinced the business community that a reduction in state authority was necessary just as labor became convinced it needed to stand on its own feet when the state abandoned it. The question to ask now is whether corporate labor and business groups can become pluralist interest groups.*

*3.3 political structure & policy process and performance*

*Since the establishment of the Republic in 1889, the Brazilian state has been organized along federal lines and Brazil has been governed by a presidential system, but the decision rules of Brazilian politics - how power and authority have been distributed, the limits on state and governmental authority, and how policy is framed and executed - have changed substantially with each change of regime and Constitution.*

*Today Brazil is governed by a Constitution promulgated in 1988. Of all the features of previous constitutional arrangements that the framers of this Constitution set out to correct, they were most motivated to check the unrestrained exercise of state power and authority.*

*In order to eliminate the excessive centralization of the authoritarian period and domination of the rest of the state and of society by the executive branch, they strengthened the fiscal base of subnational governments, the powers of the national Congress, and individual and collective civil and political rights.*

*3.3.1 Federalism: The Union, States, and Local Government*

*Brazil is a federal system with three tiers of autonomous governing bodies: the central government, in Brazil called the Union; the state governments and local governments called municípios, which are roughly equivalent to the US county.*

*Each of Brazil's 26 states elects a governor, lieutenant governor, and representatives to a unicameral state legislature, known as a legislative Assembly, who all serve four-year terms. The Federal District also elects its governor. States also have their own publicly owned banks, economic bureaucracies, and even corporations. Municípios are governed by elected mayors (or prefeitos), vice-mayors, and local councils of from 9 to 21 representatives called vereadores (except in cases of municípios with more than 1,000,000 inhabitants, where the councils are substantially larger). Local officials are elected once every four years.*

*3.3.2 Structures of Government*

*Brazil has three branches of government, or government powers: executive, legislative and judicial. The president is both the head of state and the head of government. The president and vice president are elected for four-year terms (scaled back from five by a June 1994 constitutional amendment), and cannot be immediately reelected.*

*The national Congress is made up of two houses. It is a system of balanced bicameralism, in that one house does not clearly predominate over the other. Both can initiate legislation, and they share the power to review the national budget. The upper house, the Senate, has three senators from each state and the Federal District, for a total of 81. Senators serve staggered eight-year terms; elections are held every four years alternately for one-third and two-thirds of the Senate.*

*The lower house, or the Chamber of Deputies, which has grown in recent decades along with the addition of more states, is comprised today of 513 representatives from 26 states and the Federal District. Deputies serve four-year terms. The size of each state's delegation is determined in proportion to its population but the constitution establishes a minimum of 8 and a maximum of*

*70 deputies for each state. These limits have led to the overrepresentation of the most densely populated states of Brazil.*

*Congress today is no longer the rubber stamp it was during the military regime when it could neither initiate finance bills nor increase expenditure levels for items submitted by the executive, and when, if it did not act on executive-initiated legislation within a fixed term (of from 30 to 45 days), the proposed bill would automatically become law.*

*Today Congress can initiate legislation, review the budget, approve or reject emergency laws, and override presidential vets. It can conduct public hearings on proposed legislation, summon ministers of government, and set up Parliamentary Commissions of Investigation (CPIs). In the early 1990s, Economy Minister Zelia Cardoso appeared before the Congress to debate the renegotiation of the debt and National Social and Development Bank President Eduardo Modiano presented the program of privatization of state enterprises. CPIs made inquiries into the stockholding of the NEC Corporation, the financial crisis in the state-owned oil company Petrobrás, and the nuclear energy program.*

*The judicial branch of Brazil is comprised of the Supreme Court, the superior Court, regional federal appeals courts, electoral courts, labor courts, military courts, and state courts.*

*The constitution stipulates criteria for entry into judicial service (by means of a competitive examination known as the concourse), promotion (by seniority and merit), and mandatory retirement at the age of 70 or after 30 years of service. Eleven justices, or ministers are named by the president to the Supreme Court (Supremo Tribunal Federal) and approved by the Senate, as are 33 ministers to the Superior Court.*

*The electoral courts constitute a subsystem of the federal judicial system. The Superior Electoral Court, or TSE (Tribunal Superior Eleitoral) came into being in 1932 to check the rampant practice of electoral fraud in the Old Republic. Today electoral courts at all levels are charged with ruling on a variety of areas relating to party registration, the mandates of elected members of Congress, the admissibility of candidacies, procedures for counting ballots, and even the constitutionality of legislation governing these areas.*

*The system of labor courts was created by the Consolidated Labor Code of 1943, and retained by each successive constitution. Superior and regional labor courts arbitrate disputes between private-sector workers and employers ate either a firm or collective workers and governmental authorities, when they cannot come to an agreement through collective bargaining. Although still in place, labor courts are no longer the primary recourse to settle each grievance between labor and management. The military justice system was also retained in the 1988 Constitution, but its reach has been scaled back since the years of the dictatorship, when military courts had the jurisdiction to try civilians for crimes against national security.*

*Today, federal and state military courts are charged to try military crimes. Subject to a separate justice system, military police are not accountable for any wrongdoing under civil law. Ordinary state labor courts enforce state constitutions and state laws.*

*3.3.3 Limitations on Governmental Authority*

*Elevating their symbolic importance, the 1988 Constitution moves the articles governing individual and collective rights to the front of the text. Its opening paragraphs exalt the principles of sovereignty, citizenship, human dignity, social values, and political pluralism.*

*Substantively, it extends the traditional guarantees of individual rights to social groups and prohibits discrimination against minorities. It also grants parties, unions, and civic associations legal recourse against the actions of other social actors and permits them to challenge before the Supreme Court the constitutionality of legislation and administrative rulings. Individual rights and guarantees are inviolable; along with the federal form of the state, the direct, secret, universal, and regular periodic vote, and the separation of power also guaranteed by the constitution, the articles stipulating them cannot be amended. Other articles can be amended by initiative of one-third of the Chamber of Deputies or the Senate, the president, or by a relative majority of the state Legislative assemblies. Successful passage of constitutional amendments requires a three-fifths vote of both houses, on two separate occasions.*

*In contrast to the period of military rule, the executive is limited in its ability to suspend personal freedom by invoking a state of siege. Both the 1967 and 1988 Constitutions authorize the president in time of war to declare a state of siege without limit on its duration. Both also authorize the use of a state of siege in order to restore public order but vary widely for this purpose in how the state of siege must be called and how long it may last.*

*Whereas during the military regime, the president could declare a state of siege for 180 days simply by informing the president of the Congress and the emergency could be renewed indefinitely, the current constitution requires approval of an executive request for a state of siege by an absolute majority of the Congress; sets a maximum limit on its duration of 30 days; and allows it to be renewed only once. In both cases, war or public disturbance, both constitutions empower a government to require citizens to remain in a locality, suspend the right of free assembly, intervene in public enterprises, and institute procedures of search and seizure, but the democratic constitution limits the censorship of the press, telecommunications, and private correspondence which under military rule could be imposed virtually without restrictions, and it does not authorize lifting the immunity of federal deputies and senators, which the military constitution did.*

*Each tier of the court system is vested with the power of judicial review. Traditionally, Brazilian courts had the power to review legislation only on a case by case basis. Today, formally invested with the broader power of abstract review, courts may assume a more activist bent. The supreme Court is charged to review the constitutionality of legislation, as well as to try the president and members of Congress for common crimes.*

*In December 1994, in one of the most celebrated cases to come before the Brazilian Supreme Court in recent years, former President Fernando Collor de Mello was acquitted of charges of criminal wrongdoing in the corruption scandal that toppled his government two years earlier, because of a lack of evidence presented in the prosecutor's case, prepared by the attorney general.*

*With the power to determine the constitutionality of electoral legislation, the Superior Electoral Court constitutes another check in the system of checks and balances. It has played an active role*

*since 1985 in guiding Brazil's electoral process. It permitted members of the PDS to vote their conscience and not their party line in the election of Tancredo Neves as president. In 1989, it overturned a law prohibiting the release of poll data 30 days before the first-round balloting and 10 days before the second round of voting for the president; it declared inadmissible the presidential candidacy, 15 days before the first round, of a TV personality, Silvio Santos, both because of the party he intended to represent had not fulfilled the requirements for permanent registration and also because Santos had not resigned his post as president of his communications network as least three months before the election, as required by Brazilian law of both public servants and directors of private firms that serve the public interest (in order to avoid conflict of interest); it permitted the right of rebuttal of candidates attacked during the free television time of an opposing party's candidate; and it safeguarded the integrity of the vote-counting process.*

*If the system of separation of powers and checks and balances that limits the authority of the government and particularly the executive is consistent with democratic practice, there is a sense in Brazil today that the system is not working well. Critics charge that Congress has shown itself capable of blocking legislation, but has yet to share responsibility for governing Brazil, something which might have been remedied by the switch to a parliamentary form of government.*

*final considerations*

*Reviewing the objective exposed in introduction, an important point of this essay was to emphasize how the theories and concepts about public policies are better to understand how governments make public policies and how governments can fulfill the expectations of their citizens.*

*The second part when will explore the Brazilian political system confirm the conception of some author Brazil is really a land of contrasts. The political system and their politicians have a long way to develop and promote changes in the country.*

*The concrete possibilities to transform the political reality in Brazilian government depends much more on changes the political behavior and real responsibility of politician class including policymakers, to implement public policies and consolidate the democracy.*

*Analyzing the theory and models exposed in this essay and reflecting on which model of public policy best fits the Brazilian political system and its citizens - the conclusion is focused on some evidences as follow as: public policies (Brazilian or not) needs a rational choice and a decision agent; public policies must worried about outputs from governmental organization; public policies is a results from political negotiation (bargain) and finally public policies must occur into an interorganizational environment.*

*When different models of public policy are explained the intention are to approximate one of them for our reality but, which model must be the best? Probably this question do not have an answer. Each model focuses a different and distinct aspect of political life and only help us to understand mechanisms and possible interrelationship between government and their citizens or interest groups.*

*Nowadays the Brazilian public policy model is prisoner of medidas provisórias, our policymakers working and waiting the next act of president - we needs not only economic, fiscal, judiciary and administrative reforms but Brazilian policymarkers needs a new strategy to improve the political action. It is difficult to talk about uncertainty but, Brazilian reality does not have an efficient model to formulate, implement and analyze your public policies.*

*In 1994, the new central federal government begin changes but, transformation are made in a long term. Therefore, these is a great challenge to pursue.*

*references*

*ALMOND, A. Gabriel & POWELL Jr., G. Bingham. Comparative politics today: a world view. 6 th ed. HaperCollins Publishers Inc., New York: NY, 1996.*

*AARON, Henry J. and MANN, Thomas E. and TAYLOR, Timothy.[Editors] Values and public policy. The Brookings Institution. Washington, DC., 1994.*

*BOBROW, Davis B. Policy analysis by design. University of Pittsburgh Press, Pittsburgh, Pa, 1987.*

*ERSSON, Svante & LANE, Jan-Erik. Comparative politics - an introduction and new approach. Blackweel Publishers, 1994.*

*BARADAT, Leon P. Political ideologies: their origins and impact. 5th ed. Prentice Hall, Englewood Cliffs, New Jersey, 1994.*

*HIRSCHMAN, Albert O. Exit, voice, and loyalty. Responses to decline in firms, organizations, and states. Harvard University Press. Cambridge, Massachusetts and London, England., 1970.*

*HELD, David. Political theory and the modern state. Essays on state, power, and democracy. Stanford University Press. Stanford California, 1989.*

*Points of View. Readings in American Government and politics. Sixth edition. Edited by Robert E. DiClerico & Allan S. Hammock. McGraw-Hill, Inc. West Virginia University., 1995.*

*KINGDON, John W. Agendas, alternatives and public policies. 2 nd ed., Haper Col-lins Publishers Inc., New York, NY, 1995.*

*KELMAN, Steven. Making public policy. A hopeful view of American government. Basic Books. USA, 1987.*

*MITCHELL, William C. and SIMMONS, Randy T. Beyond politics. Markets, welfare, and the failure of bureaucracy. Westview Press. Colorado, 1994.*